

Title 1

ABORIGINES LAW

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PART I

The Tribal Jurisdiction

Chapter 1. GENERAL PROVISIONS

§ 1. **Definition of Tribal Jurisdiction.**—The term “Tribal Jurisdiction” means the administrative control exercised by those government officials and agencies appointed or established under the provisions of this Title.

Cross reference:

Definitions of Hinterland and County Area, see Local Government L., sec. 1.

*Chapter 2. ADMINISTRATION OF
THE PROVINCES*

Cross references:

Provincial Industrial High Schools, see Education L., sec. 33.

Voting polls in the provinces, see Election L., ch. 10.

§ 10. **Division of the Hinterland into provinces.**—The Hinterland of the Republic of Liberia shall be divided for administrative purposes into three provinces, namely: the Western Province; the Central Province; and the Eastern Province.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 1.

Cross reference:

Division of Republic into County Area and Hinterland, see Local Government L., sec. 1.

§ 11. **Provincial boundaries.**—The provincial boundaries are defined as follows:

The Western Province shall extend from the Anglo-Liberian

boundary on the northwest to the St. Paul River, which shall form the southeastern boundary, and from the eastern boundary of the County Area as defined in section 1 of the Local Government Law to the Franco-Liberian boundary on the north.

The Central Province shall extend from the St. Paul River to the Cestos or Nuon River, and from the eastern boundary of the County Area as defined in section 1 of the Local Government Law to the Franco-Liberian boundary on the north.

The Eastern Province shall extend from the Cestos or Nuon River to the Cavalla River and from the eastern boundary of the County Area as defined in section 1 of the Local Government Law to the Franco-Liberian boundary on the north.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 2.

§ 12. **Provincial Headquarters.**—Provincial Headquarters shall be established at such places as may be deemed suitable for central administration, subject to the approval of the Secretary of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 8.

§ 13. **Government of provinces.**—A Provincial Commissioner shall be appointed in each province to be in charge, under the direction of the Secretary of the Interior, of the general administrative supervision of its affairs. Provincial Commissioners shall be appointed by the President by and with the advice and consent of the Senate and shall serve during the pleasure of the President.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5.

§ 14. **Provincial and Executive Councils.**—Each Provincial Commissioner shall annually convoke a Provincial Council at such point within the province as may to him appear most appropriate and convenient for attendance. The purpose of such Councils shall be the improvement of the economic, domestic, industrial, and social welfare of the tribes, and the problems shall be investigated with a view to reaching practical solutions. A Provincial Council shall be conducted regularly every year unless waived by the President or the Secretary of the Interior.

The Provincial Commissioner shall also hold an Executive Council at the beginning of every year with the District and Assistant District Commissioners of his province at Provincial Headquarters for the purpose of formulating plans for the conduct and administra-

tion of the province. Before being executed, such plans shall be submitted to the Secretary of the Interior for his approval.

The members of the Provincial and Executive Councils shall be the District and Assistant District Commissioners, the revenue agents, mining agents, commanding officers of the Frontier Force, and such other agents of government as are residents of the province, together with Paramount and Clan Chiefs. The Provincial Representatives to the National Legislature may also be invited to attend.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5 (b).

§ 15. **Investigation of charges against officials.**—The Provincial Commissioner shall investigate any complaint or charge brought by any person or group of persons against a District Commissioner for irregular practices, administrative misfeasance, or other improper conduct adversely affecting the public good or infringing upon the private rights of any person. If the investigation shall prove the complaint or charge to be true, prompt and suitable action shall be taken against the official charged and such penalty imposed as provided for by regulations according to the gravity of the offense. The Provincial Commissioner shall also exercise appellate jurisdiction in case of charges brought against a subordinate official and investigated by a District Commissioner of his province.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5 (c).

Cross reference:

District Commissioner to investigate charge against subordinate officials, see sec. 35 (h) of this Title.

§ 16. **Tour of districts.**—The Provincial Commissioner shall visit each district in his province at least once a year in order to inform himself concerning the social and economic welfare of the inhabitants. Two weeks before leaving for such a tour, he shall submit a full itinerary to the Secretary of the Interior for his information, and also a detailed report at the end of the tour covering his general activities and embracing such suggestions and recommendations as he may deem appropriate.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5 (d).

§ 17. **Other duties of Provincial Commissioners.**—In addition to the duties stated in the foregoing sections, a Provincial Commissioner shall be charged with the following:

(a) He shall review every district budget for public local

development and improvement within the various districts of his province and check the expenditures thereof during the yearly Provincial Council, or at another meeting called for the purpose at a convenient time.

(b) Before adopting any novel procedure affecting policy, he shall refer it to the Secretary of the Interior for his approval.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5 (a), (e), and (f).

Cross references:

Court of the Provincial Commissioner, see sec. 122 of this Title.

Provincial Commissioners to serve as advisers to trustees of trust fund from mining royalties, see Revenue and Finance L., sec. 70.

§ 18. **Administrative organization of provinces.**—The administrative organization of each province shall consist of the Provincial Commissioner and his staff; the District and Assistant District Commissioner and their staff; mining agents; revenue agents; and all other agents of government operating within the province.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 6.

§ 19. **Provincial Commissioner's staff.**—The staff of a Provincial Commissioner shall consist of one clerk with the rank of an Assistant District Commissioner at the salary for the latter post and such other employees as may be provided by regulation.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 7.

Chapter 3. ADMINISTRATION OF THE DISTRICTS

§ 30. **Division of provinces into districts.**—Each province shall be subdivided into districts as follows:

Western Province shall consist of the following districts:

- (a) District Number One
- (b) District Number Two
- (c) District Number Three
- (d) District Number Four

Central Province shall consist of the following districts:

- (a) District Number One

- (b) District Number Two
- (c) District Number Three
- (d) District Number Four

Eastern Province shall consist of the following districts:

- (a) District Number One
- (b) District Number Two

The number of districts established by this section may be increased or decreased from time to time in accordance with regulations issued by the Provincial Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 3; L. 1914, 16, secs. 5, 6; L. 1904-05, 25 (2nd), sec. 3.

§ 31. Territory comprising districts.

Western Province

District Number One shall comprise the territory occupied by the Gorjey-Gola, Korngba-Gola, Lofa-Gola, Bokomu-Kpelli, Bopolu-Kpelli, Belleh, Mecca-Mandingo, and Dey Chiefdoms.

District Number Two shall comprise the territory occupied by the Gbandi, Gissi, and Guma-Mendi Chiefdoms.

District Number Three shall comprise the territory occupied by the Bonde-Wumbamai-Lorma, and Wygromai-Wonniguomai-Mandingo Chiefdoms.

District Number Four shall comprise the territory occupied by the Bluyama-Gizima-Ziama Lorma and Gbarlein-Vavala-Palama-Kpelli Chiefdoms.

Central Province

District Number One shall comprise the territory occupied by the Jorquelli-Kpelli, Panta-Kpelli, Zota-Kpelli, Kpaai-Kpelli, and Kokoya-Bassa Chiefdoms.

District Number Two shall comprise the territory occupied by the Zoe-Geh, Gbehley-Geh, Sacklepea-Mah, and Sanniquellie-Mah Chiefdoms.

District Number Three shall comprise the territory occupied by the Kpairplay-Gbi-Doru, Ammalgamated-Gio, and Yarwein-Mensonneh-Mah Chiefdoms.

District Number Four shall comprise the territory occupied by the Nyaforquellie-Kpelli, Duquellie or Kakata-Kpelli, Sanoyea-Kpelli, Forma-Kpelli, and Gibi-Bassa Chiefdoms.

Eastern Province

District Number One shall comprise the territory occupied by the

Grebo Tribes consisting of the following Chiefdoms: Dedebo, Gedebo, Pallipo, Gbaepo, Barrobo, Glarro, Buah Tuobo, and Webbo Chiefdoms.

District Number Two shall comprise the territory occupied by the Krahn Tribes consisting of the following Chiefdoms: Gbarzon B'Hai, Konobo, Gleyo, Putu, Tchien, Gborboe, and Nearboe.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 4.

§ 32. **District Headquarters.**—District Headquarters shall be established at the following places:

<i>Western Province:</i> Number 1	Bopolu
2	Kolahun
3	Voinjama
4	Zorzor
<i>Central Province:</i> Number 1	Gbarnga
2	Sanniquellie
3	Tappeta
4	Salala
<i>Eastern Province:</i> Number 1	N'yaake
2	Zwedru

The District Headquarters as stated herein may be changed by the President or the Secretary of the Interior as expediency may dictate.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 9.

§ 33. **District government.**—Each district shall be governed by an official to be known as a District Commissioner. District Commissioners shall be appointed by the President by and with the advice and consent of the Senate and shall serve during the pleasure of the President.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 10, 11.

§ 34. **Classes of District Commissioners.**—District Commissioners shall be of three classes, First, Second, and Third. Upon his first appointment, every District Commissioner shall be graded as a Third Class Commissioner. After three years of service, he may be promoted to Second Class provided his service record has been excellent; and if it continues excellent for another five years, he may be promoted to First Class.

The salaries for District Commissioners in each of the three grades shall be provided by budgetary appropriation.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 13; L. 1919-20, ch. XXI, sec. 2; L. 1914, 16, sec. 77 (a), (b), (d).

§ 35. Administrative duties of District Commissioners.

(a) The District Commissioner shall, under the direction and supervision of the Provincial Commissioner, have general administrative supervision over all governmental activities in his district.

(b) He shall be responsible for the enforcement of all laws and regulations and for the maintenance of public peace and order in the district.

(c) He shall supervise, organize and encourage the development of native arts, crafts, and industries, and shall exert all efforts to promote the domestic welfare of the people within his district.

(d) He shall encourage the establishment of markets at strategic points in the interior, and shall give every assistance to traders and merchants desiring to establish themselves in the district.

(e) He shall keep himself informed at all times of the social, political, and economic conditions within his district and shall take prompt action to correct any condition detrimental to the public welfare or prejudicial to ordered government.

(f) He may issue District Orders which shall have the full force and effect of law if not in conflict with any existing law or regulation. Such District Orders, copies of which shall be forwarded to the Secretary of the Interior, shall be effective only upon approval of the Provincial Commissioner.

(g) He shall supervise tribal administration, making frequent patrols at least twice a year in each section in order to keep himself informed through personal observation of existing conditions and activities. Paramount Chiefs shall exercise administrative authority to the fullest extent, but District Commissioners shall be held responsible to prevent them from engaging in unlawful administrative practices, abuses, or oppressive measures.

(h) He shall investigate complaints of irregular administrative practices or unsatisfactory conditions adversely affecting the public good. If investigation shows such complaints or charges to be true, he shall immediately apply requisite remedial measures if within his authority, and if not, he shall immediately apply to the Provincial Commissioner for instructions.

(i) He shall prepare and forward to the Provincial Commissioner a monthly report, a copy of which shall be sent to the Secretary of the Interior. Such reports shall cover the activities in the district during the previous month and shall include the following subjects:

1. The stage and progress of agricultural development;
2. The political attitude of the tribes, clans or district as a whole;
3. The state of education in both government supported and missionary schools;
4. Trade and markets;
5. The register of births and deaths, which must be kept at Headquarters;
6. State of roads and bridges;
7. Crimes and penalties;
8. Number and kind of civil actions tried before him;
9. Technical service reports which shall detail public works activities, addressed to the Secretary of Public Works and Utilities, through the Secretary of the Interior.

(j) He shall prepare and forward to the President and Secretary of the Interior any confidential reports required by them.

(k) In the absence of the regularly attached representative of a technical service, the District Commissioner shall act as representative of that service.

(l) A regular inventory of all government properties purchased from time to time shall be kept at District or Provincial Headquarters and certified copies thereof forwarded to the Department of the Interior.

(m) All reports or letters and other official documents sent or received shall also be kept on file at the Provincial and District Headquarters respectively, and shall not be removed therefrom by any Commissioner when leaving his office or district under penalty of a fine of not more than one hundred dollars.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 14, 19; L. 1914, 16, secs. 12, 29-35, 76.

Cross references:

District Commissioners to serve as advisers to trustees of trust fund from mining royalties, see Revenue and Finance L., sec. 70 (5).

Court of the District Commissioner, see sec. 123 of this Title.

§ 36. General Council of Chiefs.—A General Council of Chiefs shall be held at each District Headquarters once a year for the pur-

pose of reviewing the tribal government of the district, making local rules and regulations not in conflict with existing laws and regulations, and devising a better method of effective coordination of tribal administration with the technical services operating in the district. The District Commissioner shall preside over this Council. The General Council of Chiefs shall meet for no longer a time than is absolutely necessary.

In addition, the District Commissioner may whenever necessary assemble the Tribal Authority of any tribe or of all tribes within the district in a General Council at District Headquarters for conference on any district affairs or measures of vital public interest affecting the welfare of the people or progress in the development of the district.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 16, 26 (f).

§ 37. Administrative organization of districts.—The administrative organization of each district shall be composed of the District Commissioner and an Assistant District Commissioner; such other officers and employees as may be fixed by regulation; and the Council of Chiefs (Paramount and Clan Chiefs).

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 12 (a).

Cross reference:

Powers of District Commissioners as to prisons, see Criminal Procedure L., sec. 707.

§ 38. Consultative Board of the district.—Representatives of each of the government technical services shall comprise the District Commissioner's Consultative Board, among them the representatives of the customs, revenue, agriculture, educational, medical, public works, and radio telegraphic agencies of the government and the military commander of the district.

In order to insure the efficient functioning of these services, the Commissioner shall exercise the general administrative supervision over these officials, but they shall receive their orders in connection with the discharge of their particular duties direct from the department or agency with which they are affiliated. Copies of general orders affecting any technical service shall be forwarded to the Commissioner for his information and, where necessary, for his special collaboration to the end of its enforcement.

The Commissioner shall in no way hamper the technical officials

on his staff in the performance of their strictly technical duties; but shall cooperate to the fullest extent in the accomplishment of their purposes.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 19.

§ 39. **District police.**—Two or more squads of soldiers of the Liberian Frontier Force shall be attached to each District Headquarters for the purpose of policing the district and maintaining order. The military constabulary in each province shall be subject to the general control of its Provincial Commissioner, and also to the control of the District Commissioner of the district where it is stationed.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 17; L. 1914, 16, sec. 49.

§ 40. **District messengers.**—A regular runner service shall be maintained between the various District Headquarters and the Department of the Interior. These runners shall not exceed six in any one district and shall have no police functions.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 18.

Chapter 4. ADMINISTRATION IN **THE COUNTY AREA**

§ 50. **County Superintendents.**—In matters involving native customary law and administration, the duties performed in the County Area by a County Superintendent shall correspond with those performed by a Provincial Commissioner in the Hinterland. The Superintendent shall occupy a supervisory position in relation to the County Commissioners appointed in his county and shall be responsible to the Secretary of the Interior for the proper administration of the law. He shall tour the entire county at least once a year for the purpose of seeing if the County Commissioners and other officials of the Department of the Interior in the county are properly carrying out the administrative policies of the government.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 50 (a), (c), 78; L. 1858, 24, sec. 1.

Cross references:

Duties of Superintendent as to county affairs in general, see Local Government L., sec. 12.

Court of County Superintendent, see sec. 130 of this Title.

§ 51. **County Commissioners.**—County Commissioners shall perform the same duties in the counties in connection with administration of aboriginal affairs as District Commissioners perform in the Hinterland. County Commissioners shall receive the salaries of Commissioners of the Third Class, but a County Commissioner who shall render meritorious service may be transferred to the Hinterland and promoted to a higher class.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 79; L. 1863-64, 16.

§ 52. **Reports to the Department of the Interior.**—All County Commissioners shall furnish monthly reports to the Department of the Interior and file copies with the respective County Superintendents, who shall examine them and send their comments thereon to the Department of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 50 (d); Rev. Stat. (adopted L. 1929, ch. VII), sec. 952 (1).

§ 53. **Inspectors of Counties.**—The Inspectors of Counties shall perform their duties under the direction of the Secretary of the Interior and shall make annual reports on all their activities to the Secretary of the Interior. They shall make tours through the respective counties when necessary and whenever required to do so by the President or the Secretary of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 80.

Cross reference:

Appellate jurisdiction of Inspector of Counties, see sec. 130 of this Title.

Chapter 5. ADMINISTRATION WITHIN THE TRIBES

§ 70. **In general.**—Each tribe or chiefdom shall be governed by a Paramount Chief, who shall be a member of the tribe. Upon the death, deposition, or resignation of the Paramount Chief, the Council of Chiefs and Elders according to their tribal custom, if it is not in conflict with law or regulation, shall elect another Paramount Chief subject to the approval of the President.

For purposes of administration, a tribe shall consist of clans according to tribal traditions. Each clan shall be ruled by a Clan Chief, who shall be elected for his natural life by members of the clan who have reached their majority and are owners of huts and not delinquent in their taxes. Candidates for Clan Chiefs shall be selected from their respective clans.

A Town Chief shall be elected for life by the permanent residents of each village.

In no circumstances may a Paramount, Clan or Town Chief be appointed by any official whatsoever, except that in instances of suspension of a chief for official misconduct, the Provincial or District Commissioner or County Superintendent or County Commissioner may make a temporary appointment for a period not to exceed three calendar months. At the end of such period, either the suspended chief shall be permanently restored to office or an election shall be held.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 21, 26 (d), 27; L. 1914, 16, sec. 41.

Cross references:

Government of tribe pending election, see sec. 82 of this Title.

Causes for suspension of chief, see sec. 81 of this Title.

§ 71. **Tribal affairs administered through chiefs.**—It is the policy of the government to administer tribal affairs through tribal chiefs. No chief shall be penalized for imposing sanctions when his legitimate orders are not obeyed, provided such sanctions do not exceed the limits fixed by the law.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 29.

Cross reference:

Tribal customs and traditions to govern, see sec. 350 of this Title.

§ 72. **Duties of Paramount Chiefs.**—A Paramount Chief shall perform the following duties:

(a) Under the direction of the District Commissioner he shall supervise the administration of the tribe, collect taxes, and carry out construction of roads and bridges, improvements of agriculture, trade, sanitation of his tribal area, and other matters affecting the general welfare of his chiefdom.

(b) He shall be responsible for seeing that no expenditures shall be made from the Tribal Treasury without the majority vote of the Council of Chiefs.

(c) He shall make quarterly patrols of his chiefdom for the purpose of correcting defects in the administration of the various clans under his control. At the end of each patrol, he shall immediately make a report thereof to the District Commissioner, which shall include also a report on the administrative behavior and activities of all chiefs and officials.

(d) He or his designated representative shall always be associated with the assessor in the tax assessment in the Tribal Jurisdiction. He shall be furnished with a copy of the approved assessment list of his chiefdom.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 22 (a), (b), (c), (e); L. 1914, 16, secs. 45, 47.

Cross references:

Collection of hut tax, see Revenue and Finance L., sec. 483.

Collection of health tax, see Revenue and Finance L., sec. 491.

Court of the Paramount Chief, see sec. 126 of this Title.

§ 73. **Absence of Paramount Chief from chiefdom.**—If the Paramount Chief desires to leave his chiefdom for a long period, he shall so inform a meeting of his Council of Chiefs and shall obtain permission from the District Commissioner. A member of the Council of Chiefs shall be designated by him to act in his stead during the period of his absence, and notice of such appointment shall be immediately forwarded to the District Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 22 (d).

§ 74. **Council of Chiefs.**—In the discharge of his duties the Paramount Chief shall be assisted by a Council of Chiefs which shall be composed of the Chiefs of the Clans of his tribe or chiefdom. The Paramount Chief and Council of Chiefs shall be known as the Tribal Authority. The Council of Chiefs shall be an administrative

board which shall fully cooperate with the Paramount Chief in every matter affecting tribal welfare.

This Council shall meet at least once every quarter at Chiefdom Headquarters and at such other times as the Paramount Chief may require. In addition, the District Commissioner or Paramount Chief may summon the Tribal Authority at any time to an extraordinary meeting, or such meeting may be called upon the request of a majority of the chiefs composing the Council of Chiefs who shall state the object for which it is to be summoned.

The District Commissioner may in his discretion, or upon the invitation of the Tribal Authority or the Paramount Chief, attend any and all meetings of the Council of Chiefs and advise them as to proper procedure.

A District Commissioner shall not preside over a meeting of the Council of Chiefs when convoked at the instance of the Tribal Authority except in cases of inspectorial tours or when such a meeting is summoned by him, in which case he shall preside. At all other meetings, the Paramount Chief shall preside except in cases when he is personally interested in the question under discussion, or when he is unable to preside because of illness or other disability, when a Clan Chief designated by the Council shall preside.

The chiefs composing the Tribal Authority may be formed into various committees to deal with different questions affecting the tribal economy, such as a Committee on Roads and Bridges; a Committee on Finance; a Committee on Trade; and such other committees as may from time to time become necessary.

A record of all business transactions of the Tribal Authority must be kept in a book provided for that purpose, and such transactions shall be immediately reported to the District or County Commissioner of the jurisdiction and a copy forwarded to the Secretary of the Interior. The Chiefdom Clerk shall be the secretary of the Tribal Authority.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 26 (a), (b), (c), (e), (g), (h), (j), (k).

§ 75. Duties of Clan Chiefs; Council of Elders.—A Clan Chief when elected and inducted into office shall be charged under the direction of the Paramount Chief with the supervision and administration of his clan. He shall be held responsible for the enforcement of all laws, customs, and regulations in his clan; the promotion of

agriculture, industry, trade, and sanitation; and the prompt payment of taxes by his clansmen.

A Clan Chief shall be assisted in the discharge of his duties by elders and Town Chiefs of the clan, who, together with the Clan Chief, shall compose the Council of Elders.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 24.

§ 76. Duties of Town Chiefs.—A Town Chief shall be subject to all lawful orders of the Clan Chief. Refusal by a Town Chief to carry out any such orders shall be punishable by fine or suspension or both. Before a penalty of suspension shall be imposed, the prior approval of the District Commissioner shall be obtained through the Paramount Chief.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 25.

§ 77. Remuneration of chiefs.—Until such time as the government shall be in a position to pay annual salaries to chiefs, they shall receive the following commission and tributes:

(a) As compensation for the collection of taxes, the government shall allow a commission of a certain per cent of the amount collected, which per cent shall be fixed by the provisions of the Revenue and Finance Law. This commission shall be distributed in the following manner:

1. Fifty per cent shall be paid the Paramount Chiefs;
2. The balance of fifty percent shall be divided among the clans in proportion to the amount paid in by each clan;
3. Out of the amount received by each clan, each Clan Chief shall receive twenty-five per cent;
4. The balance shall be distributed among the Town Chiefs in proportion to the amount paid in by each town.

(b) Annual contributions of not less than four hundred kroos of rough rice made by each chiefdom for the Paramount Chief, and of two hundred kroos of rough rice made by each clan for the Clan Chief. No chiefdom nor clan shall be required to make annual farms for the Paramount or Clan Chiefs.

(c) Such fees as are lawfully allowed for the settlement of litigation.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 23; Rev. Stat. (adopted L. 1929, ch. VII), sec. 8; L. 1874-75, 20 (1st).

Cross reference:

Chiefs' fees in litigation, see sec. 146 (c) of this Title.

§ 78. **Annuities of Paramount Chiefs.**—A Paramount Chief who shall have served the government for twenty-five years or more, counting the period which he may have served as Town or Clan Chief, or both, shall be granted an annuity of three hundred dollars.

Payments under this section shall be made in equal monthly instalments.

Prior legislation: L. 1950-51, ch. XI; L. 1943-44, ch. XXIV.

§ 79. **Method of paying chiefs' subsidies, annuities, or stipends.**—All moneys to be paid native chiefs as subsidies, annuities, stipends, or otherwise (excluding therefrom all fees retained by them in the collection of taxes as agents for the Bureau of Revenues in the Tribal Jurisdiction) shall be subject to the same requirements of pre-audit as all other funds; and shall be disbursed in accordance with the provisions of Chapter 43 of the Revenue and Finance Law. It shall be the responsibility of the Secretary of the Interior to see that payments due such chiefs are regularly made and all obligations faithfully kept; if necessary he shall visit the chiefs and tribes to see that this is done. The Department of the Treasury shall at regular intervals provide him with an itemized statement of disbursements made to such chiefs, which statement he shall include in his annual report to the Legislature.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 951.

§ 80. **Staff for Paramount and Clan Chiefs.**—A Paramount Chief shall be entitled to four messengers and one clerk, and a Clan Chief, to three messengers and one clerk.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 12 (b).

§ 81. **Penalties for administrative offenses.**—A chief guilty of any of the following administrative offenses shall be punished as indicated:

Neglect of duty. A chief who neglects or refuses to carry out any instruction or regulation which has been regularly and legally issued to him shall for the first offense be liable to a fine not exceeding one hundred dollars; for the second offense, a fine not exceeding two hundred dollars or suspension or both; and for the third offense, a fine and suspension, or dismissal from office as the gravity of the case may dictate. Any of the above penalties may be enforced only after being approved by the Secretary of the Interior.

Oppressive actions. A chief who commits oppressive actions against his people may either be suspended or removed from office according to the gravity of the offense.

Malfeasance in office. A chief guilty of malfeasance may be removed from office.

Other administrative offenses. A chief may be suspended for minor administrative offenses other than those specified in the foregoing paragraphs of this section, and he may be removed from office if by his general conduct and character he shall prove himself unfit to occupy the chieftaincy.

A sentence of suspension from office imposed upon a chief as a penalty for an administrative offense shall be for a definite period. After the expiration of such period, a chief may be restored to his functions unless during the period of his suspension he shall have committed acts detrimental to the government or tribal interests. Suspension of a Clan Chief or a Town Chief shall not be effective until it shall have been approved by the Secretary of the Interior, and suspension of a Paramount Chief shall not be effective until approved by the President.

No sentence of removal from office shall be imposed by the District Commissioner upon a chief except upon the prior approval of the President. When it shall appear from a preliminary investigation that a chief has committed any act which would warrant removal from office, whether or not followed by removal from the tribal area where he exercised jurisdiction, a District Commissioner may, with approval of the Secretary of the Interior, suspend such a chief pending a full investigation of his official conduct. A complete report detailing the circumstances shall at once be submitted to the Secretary of the Interior through the Provincial Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 21 (f), 27, 28, 32.

Cross reference:

Traitorous and subversive acts of chiefs, see sec. 291 of this Title.

§ 82. *Interregnum.*—On the death or removal from office of a Paramount Chief the Council of Chiefs, or on the death or removal from office of a Clan Chief the Tribal Authority for the clan, or on the death or removal from office of a Town Chief, the Tribal Authority for the town shall immediately assemble and appoint a member of the Council of Chiefs to control tribal affairs pending the election

of a new chief within the time limit fixed by regulation or by the traditions of the tribe.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 30; L. 1914, 16, sec. 43.

Cross reference:

Temporary appointment to fill office of suspended chief, see sec. 70 of this Title.

§ 83. **Immigrant groups in tribes.**—Persons who immigrate into territory of a chiefdom of which they are not members shall be subject to the tribal administration. Any such persons who immigrate in a group cannot have a chief, but if they intend to become permanent residents, they may elect a headman who shall be responsible to the Paramount Chief of the tribe.

The headman of such an immigrant group is responsible to the Paramount Chief of the tribe in matters affecting general administration, but in matters between members of the immigrant community purely of a tribal nature, he shall have the right to exercise all the functions and powers of a Clan Chief. Appeals from the decision of a headman shall lie in the Court of the District Commissioner.

After an election of a headman of an immigrant group, a service certificate shall be issued to him as a token of official recognition by the Provincial Commissioner upon recommendation of the District Commissioner.

The Tribal Authority, through the District Commissioner, may expel from the tribal territory any settler (1) who becomes persistently disobedient to tribal law; (2) who without permission carries on the destruction of palm trees or other economic staples; or (3) who deals in bad medicines or evil practices to destroy life; provided that if any person shall consider himself aggrieved by an order of expulsion, he shall have the right of appeal to the District Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 65; L. 1923-24, ch. XI, secs. 5, 6, 7.

Cross reference:

Use of tribal lands by strangers, see sec. 273 of this Title.

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Chapter 6. OTHER PROVISIONS

RELATING TO THE TRIBAL JURISDICTION

Cross reference:

Portion of royalties derived from mining concessions to constitute trust fund for improvement of Hinterland, see Revenue and Finance L., sec. 70.

§ 100. **Personnel to be on career basis.**—In order to encourage the personnel of the Department of the Interior who administer the Tribal Jurisdiction and who are not subject to the Civil Service Act to devote themselves to the service as a lifetime career, they shall be promoted from time to time on the basis of the ability, zeal, honesty, efficiency, and interest which they exhibit in their respective positions, and also on the basis of the beneficial results achieved by them.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 77.

§ 101. **Transfers of Commissioners.**—In keeping with the system of itineracy which has been envisaged for the administration of aboriginal affairs, District Commissioners and other officials of the Department of the Interior who administer the Tribal Jurisdiction shall be transferred from place to place to place by the Secretary of the Interior as necessity, expediency and discretion may dictate. No such official shall remain at any given point or station for longer than two years, but this period may be extended by the Secretary of the Interior if the circumstances warrant.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 74.

§ 102. **Farming season.**—The official farming season shall last for a period of four months, but may be extended by a Provincial or District Commissioner or a County Superintendent or County Commissioner for an additional month for his jurisdiction, if, in his judgment, the circumstances shall warrant such extension. The official farming season shall not be shortened except in cases of extreme urgency and then only for works of public necessity and in such a way as not to cause any hardship to the farmers.

Local administrative officials for tribal areas shall not undertake

official tours through their respective jurisdictions during the farming season except in cases of extreme necessity.

Private citizens, business men, and missionaries shall as much as possible avoid travelling during the farming season where a great number of carriers shall be required for transportation of persons and luggage; but if such travel shall become necessary at that season, Paramount and Clan Chiefs shall facilitate it upon payment being made at the rate specified in Section 30 of the Labor Law.

In tribal areas all court proceedings, except criminal cases, shall be suspended during the farming season.

Administrative officials in tribal areas may, when the preservation of life and property demands, require chiefs even in farming season, to furnish labor for public work in such number and for such period as will be ample to accomplish the necessary purpose.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 49.

§ 103. **Prisons.**—There shall be maintained at the headquarters of each Provincial and District Headquarters a government prison to be administered by the respective Provincial and District Commissioners under the provisions of Chapter 23 of the Criminal Procedure Law in so far as such provisions are applicable to the Tribal Jurisdiction.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 64.

§ 104. **Grade of chief clerk of Department of Interior.**—The chief clerk of the Department of the Interior shall be of the grade of a District Commissioner of the first class. He may be required by the Secretary of the Interior to serve as Acting District Commissioner at any of the points in the Hinterland when a post shall become vacant through leave of absence or otherwise. His line of promotion shall be to the office of a Provincial Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 56.

§ 105. **Provincial District Health Officers.**—Appointments to the position of Provincial District Health Officers shall be made only by the Director General of the National Public Health Service subject to the approval of the President as provided in section 605 of the Executive Law.

A Provincial District Health Officer may only declare that a sanitary offense has been committed, but he is not authorized to impose

a penalty therefor. He shall report an offense to the Clan Chief and to the District Commissioner or Paramount Chief who shall impose the penalty in a legal manner. A Provincial District Health Officer guilty of violating the provisions of this section shall be dismissed from office and prosecuted for extortion under Section 296 of the Penal Law.

No penalty shall be imposed for a sanitary offense unless and until prior public notice shall have been given in the area, defining the offense and fixing the penalty.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 57.

§ 106. **Bonding of officers of Tribal Jurisdiction.**—All Provincial Commissioners, District Commissioners, and County Commissioners upon entering active service shall furnish bond to the government of not less than three thousand dollars, the amount to depend upon the grade or class of the Commissioner and upon the responsibility imposed upon him at the place of service.

The amount of the bond to be furnished by a Paramount or Clan Chief shall be in the discretion of the Secretary of the Interior. Any qualified native chief or other qualified person who is an inhabitant of the locality in which the principal of the bond lives, may be accepted as a surety.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 75, 76; L. 1915-16, ch. XXXVII; L. 1914, 16, sec. 78.

Chapter 7. COURTS

IN THE HINTERLAND

§ 120. **Courts of the Hinterland.**—For the administration of justice in the Hinterland, the following courts shall be established:

- (a) The Provincial Circuit Court of Assize;
- (b) The Court of the Provincial Commissioner;
- (c) The Court of the District Commissioner;
- (d) The Joint Court of the District Commissioner and the Paramount Chief;
- (e) The Court of the Paramount Chief;
- (f) The Court of the Clan Chief.

Until these courts shall have been established, the administration of justice in the Hinterland shall be conducted as heretofore.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 38; L. 1914, 16, secs. 16, 17, 20, 21, 22, 23.

§ 121. **Provincial Circuit Court of Assize.**—A Provincial Circuit Court of Assize shall be established in each province. The President with the advice and consent of the Senate shall appont for such courts three judges, of whom one shall be assigned to preside at each session by the Chief Justice of the Supreme Court. The Provincial Courts of Assize shall convene semi-annually on the second Monday in January and the second Monday in June of each year. They shall have original jurisdiction over all felonies in which the offender is liable to capital punishment or imprisonment for a period of more than one year and appellate jurisdiction over cases coming from the Court of the Provincial Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 38.

§ 122. **Court of the Provincial Commissioner.**—The Provincial Commissioner shall exercise appellate jurisdiction over all cases from the Courts of the District Commissioners and the Joint Courts of the District Commissioners and Paramount Chiefs within his province.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 5 (a).

§ 123. **Court of the District Commissioner.**—The Court of the District Commissioner shall have jurisdiction in the following cases:

- (a) In equitable or civil suits arising in the Hinterland between persons not aborigines;
- (b) Prosecution of all violations of the revenue laws committed in the Hinterland;
- (c) Charges against a Paramount Chief involving an administrative penalty;
- (d) Suits by persons in the County Area against persons residing in the Hinterland;
- (e) Appeals from the Courts of Paramount Chiefs.

For services in hearing an appeal, a District Commissioner shall receive no fee, and the officer of the court shall receive only such cost and fees as provided for in this Title.

A District Commissioner shall hold court while on patrol if possible. He shall give sufficient notice to litigants of the places in which his court will sit and the approximate length of its sessions

in order that they may be present at the time. He shall discourage long journeys to District Headquarters intended purely for purposes of litigation.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 28 (2nd par.), 38 (iv), 39, 47, 51; L. 1937, ch. XXV, art. 10, sec. 6.

§ 124. Suits by persons in County Area.—Any individual within the limits of the County Area having a case against any person residing in the Hinterland shall institute his action before the District Commissioner of the district in which the defendant resides.

All writs issued in such cases from the court of a justice of the peace or other court of the County Area shall be sent to the District Commissioner for service. The District Commissioner shall receive any such writ and cause the chief in whose territory the defendant resides to be served with it and report to the District Commissioner. No constable from the court of a justice of the peace or any ministerial officer from any other court in the County Area shall be permitted to execute a writ within a district except through the office of the District Commissioner. Any constable or other ministerial officer who violates the provisions of this section may be arrested upon the orders of the District Commissioner and imprisoned for not exceeding thirty days.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 51.

§ 125. Joint Court of the District Commissioner and the Paramount Chief.—All suits arising in the Hinterland between an aborigine and a person not an aborigine shall be heard in the Joint Court of the District Commissioner and the Paramount Chief.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 38 (v).

§ 126. Court of the Paramount Chief.—The Court of the Paramount Chief shall have jurisdiction to hear and decide:

(a) Civil cases arising within a tribe or chieftdom in which the amount or value of the subject matter involved is above twenty-five dollars and does not exceed one hundred dollars;

(b) Criminal cases in which the penalty may be a fine not exceeding ten dollars or imprisonment for not exceeding three months;

(c) All cases arising between members of the tribe and persons who are aborigines but not members of the tribe;

(d) Charges against a Clan Chief which may subject him to an administrative penalty;

(e) Appeals from the Court of the Clan Chief;

provided, that in no case shall the Court of the Paramount Chief try a case to which he is a party or in which he has an interest. Such cases shall be tried in the Court of the District Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 28 (2nd par.), 40.

§ 127. Court of the Clan Chief.—The Court of the Clan Chief shall have jurisdiction to hear and decide:

(a) Civil cases arising within the clan in which the amount or value of the subject-matter does not exceed twenty-five dollars;

(b) Cases arising within the clan relating to personal status, marriage, and divorce under native law;

(c) Misdemeanors in which the penalty may be a fine not exceeding five dollars or imprisonment for not exceeding one month; and

(d) Charges against a Town Chief which may subject him to an administrative penalty;

provided, that no case shall be tried in the Court of the Clan Chief to which the Chief himself is a party or in which he has an interest.

Prior legislation: Hint. Rev. (app. L. 1949-50, ch. XXXVI), arts. 28 (2nd par.), 41; L. 1868-69, 33, sec. 8.

§ 128. Jurisdiction of appeals.—Cases tried in the courts of the Hinterland may be appealed to the following courts in the order stated:

(a) From the Court of the Clan Chief to the Court of the Paramount Chief;

(b) From the Court of the Paramount Chief to that of the District Commissioner;

(c) From the Court of the District Commissioner to the Court of the Provincial Commissioner; and

(d) From the Court of the Provincial Commissioner to the Provincial Circuit Court of Assize;

provided that during the administration of justice in the Hinterland by officials of the Department of the Interior pending the establishment of the courts named in Section 120 of this Title, appeals from the District and Provincial Commissioners and from the Native Appellate Court shall be heard by the Superintendent of Native and Tribal Affairs; and appeals from the decision of that official shall lie with the President for final hearing and determination.

Prior legislation: L. 1951 (E.S.), ch. IV, sec. 1; Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 28 (2nd par.), 38 (ii), (iv), 39, 81; L. 1914, 16, secs. 27, 28.

IN THE COUNTY AREA

§ 130. **Courts of County Superintendents and County Commissioners.**—In the County Area, the Courts of the County Superintendents shall exercise the jurisdiction exercised in the Hinterland by the Courts of the Provincial Commissioners, and the Courts of the County Commissioners shall have jurisdiction corresponding to that of the Courts of the District Commissioners in the Hinterland. The County Superintendents shall have appellate jurisdiction over appeals from Courts of the County Commissioners and from the Joint Courts of County Commissioners and Paramount Chiefs. From the Courts of County Superintendents, appeals shall be taken to the Department of the Interior, except that when the Inspector of Counties shall be present in a particular county he may exercise appellate jurisdiction in a case which shall have been decided by the County Superintendent of that county.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 38 (vi), 50 (b), 80.

§ 131. **Tribal Courts in the County Area.**—Within the County Area, Courts of the Paramount Chiefs and Courts of the Clan Chiefs shall be established and shall function in the same manner and subject to the same laws as courts of those names in the Hinterland. Courts of the County Commissioners and Paramount Chiefs shall be established in the same areas and shall exercise jurisdiction in cases arising in the respective counties between aborigines and persons not aborigines.

Prior legislation: L. 1949-50, ch. XXXVI, sec. 2.

PROVISIONS APPLICABLE TO ALL COURTS WITHIN THE TRIBAL JURISDICTION

Cross reference:

Suspension of court proceedings during farming season, see sec. 102 of this Title.

§ 140. **Courts to adjudge facts.**—Courts within the Tribal Jurisdiction, except the Provincial Circuit Courts of Assize, shall in all cases brought before them ascertain and give judgment upon the

facts, and shall not be concerned with legal technicalities except in so far as conformity with the provisions of this Title may require.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 43.

§ 141. **Delegating judicial powers forbidden.**—The judicial functions herein vested in the Provincial and District Commissioners and the County Superintendents and County Commissioners and chiefs shall not be delegated to any other person, and any such official who unauthorizedly delegates such authority shall be liable to dismissal from office. An unauthorized person who shall exercise or attempt to exercise judicial functions within the Tribal Jurisdiction shall be liable to a fine not exceeding one hundred dollars or imprisonment for not exceeding six months or both. This section shall not be applicable in case of a person serving officially in place of a Provincial or District Commissioner or County Superintendent or County Commissioner or chief with the authorization of the Secretary of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 52.

§ 142. **Woman palaver causes.**—Courts within the Tribal Jurisdiction shall have exclusive jurisdiction in matters of "woman palaver" which shall be triable and determinable in keeping with native customary law and tradition of the particular tribe of the parties concerned. If the customs or traditions of two tribal litigants conflict, a party having submitted to the jurisdiction of the appropriate court is estopped from repudiating a judgment made against him, or of contending that such judgment is not in accordance with his tribal tradition. If one of the parties does not submit to the jurisdiction of the appropriate court in a case of conflict of customs or traditions, a Council of Elders from both tribes shall be summoned to try the question.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 42.

§ 143. **Trials to be public.**—No trials or cases in the courts within the Tribal Jurisdiction affecting the right, personal status, or other interests of individuals shall be conducted "in the house." Each chief shall maintain a public court house and all cases must be tried in public under penalty of a fine not to exceed twenty-five dollars.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 44.

§ 144. **Women as security.**—No woman shall under any circumstances be given to or held by any Superintendent, Provincial, Dis-

trict, or County Commissioner, or justice of the peace, Paramount Chief, or Clan Chief as security for debt, fine, or costs. Any person who so receives or gives a woman as security shall be punished by imprisonment for not exceeding two years.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 46.

§ 145. Corporal punishment.—No sentence of corporal punishment shall be imposed upon any person except in cases of petty larceny. No sentence involving corporal punishment shall be carried out in the Tribal Jurisdiction until approved by the District Commissioner or County Commissioner.

An official or government employee within the Tribal Jurisdiction who shall authorize or inflict any corporal punishment (which includes whipping, stocking, or tying) to be imposed upon any person except in accordance with law and for an offense, shall be punished by dismissal from office. Any person not an official or government employee who shall impose or authorize such punishment shall be immediately arrested and forwarded to an official of the Department of the Interior together with a full report concerning the offense committed in order that he may be turned over to the proper authorities for prosecution.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 45.

§ 146. Court costs, fees, and taxes.—The schedule of costs, fees, and taxes which may be charged in the courts within the Tribal Jurisdiction shall be as follows:

(a) Fee for issuing summons	\$1.00
(b) Messenger fees:	
For serving writ50
For serving subpoena25
Fee to be paid by plaintiff first day only50
Messenger fee for service on court if case is heard for three days25
(c) Court costs:	
Government tax fee, each case	1.00
Court fee, covering swearing of witnesses, bond, etc.	1.75
Chief's fee (Paramount)	2.00
Chief's fee (Clan)	1.50
Clerk's fee (Paramount and Clan)	1.00
District Clerk's fee for preparing transcript of record on appeal	1.00
Witness fee (to be paid by litigant who summoned him)25

The collection of any cost prior to judgment and the execution of such judgment is prohibited. The sum stated in the execution shall include both costs and the sum adjudged to be due the litigant.

Summons shall be issued only on authorized stamped forms. Any summons otherwise issued shall not be legal and need not be answered.

All court costs, tax fees, and other receipts in the courts within the Tribal Jurisdiction shall be deposited with the Bureau of Revenues.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 54 (a), (b), (h), (k); L. 1937, ch. XXV, art. 6, sec. 6.

§ 147. **Payment of fines.**—Every fine, exclusive of tribal fines but including administrative fines, shall be paid to the nearest office of the Bureau of Revenues by the person upon whom such fine has been imposed. The official receipt covering such fine shall be exhibited to the official who imposed it as evidence that the penalty has been met, and a duplicate receipt shall be delivered to him for transmission with the report of the Provincial or District Commissioners as provided in section 149 of this Title.

Tribal fines, that is, fines of the nature specified in section 201 (b) of this Title, shall be paid to the person designated to collect them by the Paramount Chief with the confirmation of the District Commissioner. Money so collected shall be deposited in the Tribal Treasury and a receipt given the person who paid it.

Any official imposing a fine and collecting it shall be deemed guilty of malfeasance and punishable by fine, suspension, or dismissal from office.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 36 (b), 72; Rev. Stat. (adopted L. 1929, ch. VII), secs. 952 (2), 954; Crim. Code, sec. 127; L. 1907-08, 12.

§ 148. **Receipts to be given for court costs and fines.**—The Department of the Interior shall issue a special form which shall be used in all courts within the Tribal Jurisdiction as a receipt for the fees due to the judge and clerk of the court and for fines payable to the Tribal Treasury. It shall be the duty of the Provincial and District Commissioners and of the County Superintendents and the County Commissioners to see that the provisions of this section and the provisions of Executive Order No. 19-1938 are carried out by the courts in their respective jurisdictions and to require from each chief a complete report each quarter showing the number of forms

on hand on the first day of the quarter, the number used during the quarter, and the number and dates of receipts covering the deposits made with the local office of the Bureau of Revenues, together with a complete list of cases tried with the names of the parties thereto. Each Commissioner shall also submit a similar report to the local office of the Bureau of Revenues covering the forms in his possession and the operations of his court. The record of the courts required by this section will be subject to periodic inspection as provided in paragraph 6 of Executive Order No. 19-1938.

Any official administrator within the Tribal Jurisdiction who shall collect moneys for court services or the government tax fee and shall not issue the legally prescribed receipt therefor shall be subject to a fine of fifty dollars for the first offense; one hundred dollars for the second offense; and dismissal from office for the third offense.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 36 (c), 54 (d), (i); L. 1914, 10, secs. 1, 2.

§ 149. Reports on court receipts and fines.—Provincial and District Commissioners, Superintendents, and County Commissioners shall submit a monthly report to the Bureau of Revenues, of which a copy shall be sent to the Secretary of the Interior, stating the total of government receipts and fines deposited with the Bureau of Revenues during the preceding month as a result of the operation of the courts of the Tribal Jurisdiction administered in their respective territories. Accompanying this report shall be a copy of a receipt from the Collector of Revenues showing that such deposits have in fact been made. The Provincial and District Commissioners and Superintendents and County Commissioners shall forward the reports not later than five days after the beginning of each month.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 54 (k).

§ 150. Procedure on appeal as to costs.—When an appeal shall be taken from a court of original jurisdiction within the Tribal Jurisdiction, the judge of that court shall make up an itemized bill of cost and send it forward with the appeal to the appellate court. The appellate court, on handing down its decision on the appeal, shall include the costs of the court of first instance.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 48.

§ 151. Limitation on contractual claims.—An action in any court within the Tribal Jurisdiction to obtain payment of a debt or dam-

ages for breach of a contract shall be barred if not commenced within ten years from the date the cause of action accrued.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 60.

Cross reference:

Limitation on contractual claims in courts of the County Jurisdiction, see Civil Procedure L., sec. 50.

Chapter 8. FINANCES

OF THE DISTRICTS

§ 180. **Collection of taxes.**—Hut taxes, customs dues, and other revenues collected from areas within the Tribal Jurisdiction shall, unless otherwise provided by statute, be collected by collectors or other representatives of the Bureau of Revenues. Administrators of the Tribal Jurisdiction shall, however, give such cooperation and assistance in the collection of revenues in their respective administrative areas as may be necessary or as may be requested from time to time by the Bureau of Revenues through the Department of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 36 (a).

§ 181. **Manner of enforcing revenue laws.**—Whenever it shall become necessary to proceed against a chief or other individual within the Tribal Jurisdiction for revenue dereliction, the revenue agent shall notify the Commissioner in charge of the area, who shall promptly summon the delinquent and compel his compliance with the law.

No fines shall be imposed for tax dereliction except such as are authorized by law, and such fines when imposed against a chief shall not be deducted from the moneys in his hands which he may have collected as taxes.

No collector or other agent of the Bureau of Revenues is authorized to send out messengers or soldiers to effect an arrest for a revenue offense within the Tribal Jurisdiction. Such an arrest must be effected through the District Commissioner upon the written request of the agent of the Bureau of Revenues. The District Commissioner shall not refuse compliance with this request, in those cases in which the facts show a prima facie case of a violation of the

revenue laws or an act intended to hamper collection of revenues.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 31, 36 (d), (e).

§ 182. **Disbursements.**—No District Commissioner or any other official or employee connected with the Tribal Jurisdiction shall obligate or expend government funds for any activity, project, or purpose whatsoever except as authorized and in the manner prescribed by law or regulation. Any person violating this provision shall, for the first offense, be held for restitution and suspended from office; and for the second offense, he shall be held for restitution, dismissed from office, and prosecuted for any criminal offense committed by him in so expending government funds.

A District Commissioner shall not create and maintain any special funds for the purpose of making expenditures therefrom for public purposes, except such as are authorized by the Tribal Authority with the sanction of the Department of the Interior.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 36 (g), (j).

§ 183. **Auditing of accounts.**—All accounts and funds of the district from which expenditures are made for any public purpose shall at all times be open to inspection by the representative of the Bureau of Revenues.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 36 (f), (i).

§ 184. **Transfer of revenues.**—Transportation of all revenues to the central revenue office shall be effected under a military guard furnished for the purpose by the District Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 36 (h).

OF THE TRIBES

§ 200. **Tribal Treasury.**—A Tribal Treasury shall be established in each chiefdom, with a Tribal Treasurer to be elected by the Council of Chiefs. All money which by the provisions of the following section is collectible within a tribe and is useable by a tribe for tribal purposes shall be deposited in the Tribal Treasury. These funds may be expended from time to time for tribal purposes and projects by vote of the Council of Chiefs on proper payroll or voucher under warrant of the District Commissioner or County

Commissioner and subject to inspection by the Bureau of Revenues of the central government.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 22 (b), 26 (i), 71, 72.

Cross reference:

Paramount Chief's responsibility for expenditures, see sec. 72 (b) of this Title.

§ 201. **Revenues.**—Funds for tribal use shall be obtainable from the following sources:

(a) Proceeds of communal farms. The proceeds of each communal farm shall belong to the tribe and shall be used for the general benefit of the tribe as a whole and not for the benefit of any one official or individual.

(b) Fines for tribal offenses. Petty fines may be imposed by a tribe in whose territory an offense shall have been committed by (1) failure to work on a regular communal farm; or (2) infraction of recognized tribal customary law or established precedent.

(c) Rents from tribal lands.

(d) Other lawful sources of tribal income.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 26 (i), 71, 72.

§ 202. **Tribal budgets.**—The Tribal Authority shall prepare a budget covering the local requirements of the chiefdom, including salary payments to clerical assistants, to be forwarded to the District Commissioner to be included in the district budget for approval of the Provincial Commissioner. A copy of the district budget shall be sent to the Secretary of the Interior by the Provincial Commissioner, who shall retain a copy thereof in the files of his office.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 22 (b), 26 (e).

§ 203. **Records of business transactions.**—The Tribal Authority through the clerk of the chiefdom shall keep a record of all its business transactions in a book provided for that purpose. All such transactions shall be immediately reported to the District Commissioner and the record thereof shall be open at all times for inspection by the Provincial or District Commissioner or other higher authority.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 26 (e).

Chapter 9. PUBLIC WORKS

§ 220. **Authorization required for public works.**—No official within the Tribal Jurisdiction shall undertake the construction of any public building or public works until it shall have been approved by proper authority and funds therefor shall have been appropriated through regular channels. Nor shall any official within the Tribal Jurisdiction undertake the demolition of any public work or any public building without prior authorization from the Department of Public Works and Utilities.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 58.

Cross reference:

Department of Public Works and Utilities to supervise public works, see Executive L., sec. 400.

§ 221. **Compulsory labor on public works.**—Every male citizen within the Tribal Jurisdiction may be summoned to work for not more than fifteen days in each year on the construction and repair of public works within the tribal territory of which he is a resident. No person shall be compelled to labor on any public work outside the limits of such territory or for a period longer than fifteen days in any one year without the previous sanction of the Department of the Interior.

Laborers employed on a farm within the Tribal Jurisdiction by a person not an aborigine shall not be exempt from cleaning the road once a month.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), arts. 34 (b), (f), (j).

Cross reference:

Aboriginal inhabitants of townships liable for road work, see Public Works L., sec. 30.

§ 222. **Conscription of labor for public works.**—District and County Commissioners with the assistance of Paramount and Clan Chiefs shall supervise and control the supply of labor for the construction and maintenance of public works within the Tribal Jurisdiction.

When conscripting labor, the responsible official shall apportion it in such a way that serious inconvenience or handicap to other projects of general public interest will not result.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 34 (a) (c).

§ 223. Government to furnish equipment.—Material, equipment and tools for public works shall be supplied by the central government. No chief shall be held responsible except for failure to supply labor. If no material, equipment or tools shall be furnished by the government for a particular project, the Tribal Authority shall not be penalized for delinquency with respect to such project.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 24 (i).

§ 224. Compulsory labor for unauthorized purposes forbidden.—No government official, employee, or any other person shall force any person within the Tribal Jurisdiction to contribute compulsory unpaid labor for any purpose whatever, except for public works as herein authorized and tribal contributions as provided for in Chapter 10 of this Title. Any violation of this provision shall be subject to a fine of not more than fifty dollars or imprisonment for a period not exceeding six months or both.

Compulsory labor furnished for public service within the Tribal Jurisdiction shall not be employed for any other purpose whatsoever. Any person diverting such labor to private enterprise shall be subject to a fine not exceeding seventy-five dollars for the first offense; and for the second offense a fine and other disciplinary penal sanctions shall be imposed according to the gravity of the offense committed.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 34 (e), (h).

§ 225. Maltreatment of person engaged in public labor.—District and County Commissioners and Paramount and Clan Chiefs shall be held responsible for any maltreatment or undue advantages practiced upon persons recruited for and engaged in compulsory labor on public projects in the areas under their administrative control.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 34 (d).

Chapter 10. PORTERAGE AND OTHER TRIBAL LABOR

§ 240. **System of portorage.**—The system of head portorage as presently practiced at various places within the Tribal Jurisdiction shall be continued until roads shall have been constructed in order to facilitate vehicular transport services.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 35 (a).

§ 241. **Chiefs to supply carriers.**—Any traveller requiring carriers shall apply to the chief of the area for the desired number, which the chief shall promptly supply. If a chief, upon the reasonable application of any traveller, shall refuse or neglect to furnish the carriers required, the District or County Commissioners shall fine him not less than twenty-five dollars and not more than fifty dollars.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 35 (b), (g).

§ 242. **Payment to carriers.**—Payment for portorage shall be made by a traveller to the chief who has supplied the carriers in their presence prior to his departure for his journey, and a receipt shall be issued in favor of the traveller.

The rate for payment of porters shall be four cents per hour and thirty-two cents per diem per porter for a day of eight hours. A porter who is required to work for a period exceeding eight hours in any one day shall be paid at a double rate for each hour in excess of the eight. The foregoing provisions as to rate of pay shall not apply if a traveller makes a special contract with porters for an inclusive charge between two designated points.

Prior legislation: L. 1951–52, ch. IX; Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 35 (c), (d), (e), (f).

§ 243. **Refusal or neglect to pay porters.**—A traveller who after engaging and using porters, shall refuse, avoid, or neglect paying them the legal charges due, either under statutory provision or by special contract, shall be punished after summary investigation in

an action before the District or County Commissioner by a fine which shall not exceed twice the charges legally due.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (h).

§ 244. **Payment of fines to person sustaining damages.**—Fines imposed for violations of section 241 or 243 shall be paid to the person who sustained damage because of such violation to the extent of the damage, but not in an amount exceeding one-half of the fine imposed.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (i).

§ 245. **Maximum loads for porters.**—No single porter shall carry more than sixty pounds weight and in case of kola nuts not more than 2,000 kolas if the nuts are all of large size; and if all are of small size, not more than 2,500 which weight is estimated as approximately sixty pounds net.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (k).

§ 246. **Food money.**—Porters conveying loads for more than one day shall, in addition to the per diem rate of pay allowed under section 242 of this Chapter, receive as food money six cents per diem extra for the return journey excluding the first day.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (l).

§ 247. **Failure of porter to complete journey.**—Any porter who, having contracted to take loads or hammocks, shall not complete the journey for any reason except sickness shall be required to pay a fine of five dollars to the injured party; and in case the load that the porter was carrying is lost due to his negligence or wilful act, he shall pay for the value of the property in addition. These amounts shall be recoverable in a summary action before the Tribal Authority.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (m), (n).

§ 248. **Number of carriers for officials.**—When on official patrols, officials specified below shall be entitled to the number of carriers indicated, to be supplied at government expense:

<i>Official</i>	<i>Carriers not exceeding</i>
Provincial Commissioner	36
District Commissioner	24
Paramount Chief	12

<i>Official</i>	<i>Carriers not exceeding</i>
Clan Chief	8
Representative of a technical service	12
Colonel or Major, Liberian Frontier Force	24
Captains, Liberian Frontier Force	12
Lieutenants, Liberian Frontier Force	8

An enlisted man of the Liberian Frontier Force on transfer shall be furnished porters if his baggage shall exceed fifty-six pounds in weight, excluding rifle. Payment shall be made at the prescribed rate. Enlisted men shall not be furnished portage when on patrol or performing other duties.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 35 (j), 49 (last par.).

§ 249. **Laborers for prospectors and miners.**—Prospectors and miners operating within a chiefdom shall pay to a chief who supplies them with laborers six cents per capita. This sum is not to be deducted from the pay of the laborers supplied by the chief, but shall be paid at the cost of the prospectors and miners themselves.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (o).

§ 250. **Farm laborers.**—Persons who desire to engage in farming projects and who apply to a chief for the recruitment of laborers shall pay to him six cents per capita for each laborer supplied. Any laborer recruited for farm labor under this section who absents himself in transit to the destination, or who, after arriving at the destination refuses to perform the services for which he has been engaged, shall be liable to a fine of not less than two dollars and fifty cents nor more than ten dollars according to the period of his engagement.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (p).

§ 251. **Female labor.**—Women camp laborers for civil or military camps shall be restricted to rubbing of houses only, in keeping with tribal practice, and all other daily work on camp compounds shall be performed by district male prisoners. Any person or official diverting such labor to private enterprise shall be liable to a fine of not less than twenty-five dollars nor more than two hundred dollars or dismissal from office.

Women shall in no case be required to perform service as porters.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 35 (q), (r).

§ 252. Exemptions from portorage and other tribal labor.—Laborers, employed on farms by persons who are not aborigines, shall be exempt from doing portorage and other tribal labor except cleaning of roads.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 34 (j).

Chapter 11. TRIBAL LANDS

§ 270. Extent of tribal rights in lands.—Each tribe is entitled to the use of as much of the public land in the area inhabited by it as is required for farming and other enterprises essential to tribal necessities. It shall have the right to the possession of such land as against any person whomsoever.

The President is authorized upon application of any Tribal Authority to have set out by metes and bounds or otherwise defined and described the territory of the tribe thus applying. A plot or map of such survey or description shall be filed for reference in the archives of the Department of State within six months after the completion of such survey. The omission of a tribe to have its territory so delimited shall not, however, affect in any way its right to the use of the land.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 66 (a); L. 1923-24, ch. XI, sec. 8; L. 1909-10, 36, sec. 3; L. 1904-05, 25 (2nd).

§ 271. Communal holdings.—The interest of a tribe in lands may be converted into communal holdings upon its application to the government. The proposed holding shall be surveyed at the expense of the tribe making the application. The communal holding shall be vested in the members of the Tribal Authority as trustees for the tribe, but the trustees shall not be able to pass title in fee simple in such lands to any person whomsoever.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 66 (b), (c), (d); L. 1923-24, ch. XI, sec. 1.

§ 272. Division of tribal land into family holdings.—If a tribe shall become sufficiently advanced in civilization, it may petition the government for a division of the tribal land into family holdings. On receiving such a petition, the government may grant deeds in

fee simple to each family of the tribe for an area of twenty-five acres.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 66 (e); L. 1909-10, 36, sec. 3; L. 1904-05, 25 (2nd).

§ 273. **Use of tribal lands by strangers.**—A person who enters the territory of a tribe of which he is not a member for the purpose of farming, shall observe the following procedure:

(a) Obtain permission of the Tribal Authority prior to commencing his activities.

(b) Agree to pay some token in the nature of rent, such as five or six bunches of rice out of every farm.

(c) Pay taxes to the appropriate tribal chief on all huts on the lands occupied by him.

In case of his failure to comply with any of the foregoing requirements, the Tribal Authority may cancel the permission granted and confiscate the crops, subject always to appeal to the District or County Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 67; L. 1923-24, ch. XI, secs. 3, 4.

Cross reference:

Government of immigrant groups in tribes, see sec. 83 of this Title.

Chapter 12. MAINTENANCE OF PEACE AND ORDER.

§ 290. **Intervention in tribal wars; arbitration of tribal disputes.**—If any aboriginal tribe or clan living within the jurisdiction of the Republic shall invade the territory of another tribe or clan or make war upon such other tribe or clan or kidnap or falsely imprison any of its members, or in any way impair the rights of such tribe or clan by forcible acts, or prevent free intercourse from one section of the country to another, the President may restore peace and order by use of military force, and may also impose a fine upon the aggressor in any amount not exceeding the actual cost paid troops used to suppress the disorder.

A tribe having a dispute with another tribe may apply to the government to arbitrate. Expenses of the arbitration shall be borne by

one or both of the disputants or by the government, as the President may determine.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 20, 21; L. 1859, 53, sec. 4; L. 1858, 19, sec. 5.

§ 291. **Traitorous or seditious acts of chiefs.**—A chief who resists the authority of the government or stirs up rebellion or instigates sedition against constituted authority or commits an act of treason shall after due trial and conviction be deposed and removed from the tribal area wherein he exercised jurisdiction.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), arts. 27, 33.

Cross reference:

Sedition in connection with rebellion of tribes, see Penal L., sec. 52 (3).

§ 292. **Order on roads of Tribal Jurisdiction.**—The president is empowered to compel by force of arms the preservation of order on all roads within the Tribal Jurisdiction; to bring to justice all robbers operating on such roads; to compel the return of property taken by them to the rightful owners; and to protect all tribes in the Republic from disturbance in their travels when going about on their lawful pursuits.

No chief or headman of any tribe or any other person shall erect any barricade, unless by special permission of the President. He may grant such permission if satisfied that it is necessary as protection against an invading foe from outside the Republic.

Whenever an interior road shall be unlawfully closed to travel, the President may call a meeting of the chiefs whose tribes reside along the road or are in any way concerned in the closing thereof, and shall endeavor to adjust the difficulty in order to effect the resumption of traffic; or the President may send a Commissioner to the locality where the road has been closed in order to investigate and arrive at a solution. If these methods fail to bring about a reopening of the road, the President may employ military force for that purpose.

The President may fine in any amount in his discretion any chief, headman, or tribe guilty of closing a road against free travel.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 16, 17, 18, 19; L. 1859, 53, sec. 2; L. 1858, 19, secs. 4, 5.

§ 293. **Interdiction of trading points by President.**—The President shall interdict any trading point within the Republic except a port of entry where the occupants of such trading point shall have

committed sedition as defined in section 52 of the Penal Law. The interdict shall be reported to the Legislature at the following session.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1191; L. 1897-98, 24.

Chapter 13. REGULATION OF CONDUCT OF GOVERNMENT OFFICIALS

Cross reference:

Interferences with aborigines by issuance of illegal writ, see Penal L., sec. 205.

§ 310. Accepting or collecting gifts, unlawful fees, or taxes.—No Provincial or District Commissioner or other official within the Tribal Jurisdiction or officer of the Frontier Force stationed within the Tribal Jurisdiction shall receive or accept, directly or indirectly, any gift, either personal or ceremonial, from any person under him or in his administrative jurisdiction without returning a present of equal value to the giver. If such an official does not have sufficient funds to return a present when he is offered a ceremonial gift, such ceremonial gift shall be noted and forwarded to the Department of the Interior for information and final disposition. A violation of the provisions of this paragraph shall be punishable by a fine, suspension, or dismissal from service.

Ceremonial gifts presented to a Commissioner or other official are not to become his property, but are to become the property of the government, and must be noted and reported to the Department of the Interior for information and final disposition.

Except for costs and fees allowed under the provisions of section 146 of this Title, no officer or employee engaged in administering the Tribal Jurisdiction shall solicit or accept any gift, fee, or other remuneration in consideration for any service rendered pursuant to the requirements of law or regulation.

No chief or other official shall demand or accept additional contributions of money or any other sort of contribution for his personal profit when making hut tax collections. Any violation of this provision shall subject the offender to disciplinary action.

No chief or other official shall impose or collect any tax in money or levy in kind of any sort from any tribe, clan, group, social unit or individual within the Tribal Jurisdiction, except those taxes and levies duly authorized by law. Violation of the provisions of this paragraph shall render the offender liable to dismissal from office.

A Provincial, District, or County Commissioner is prohibited from levying extra taxation on aborigines for payment of headmen or road overseers, or upkeep of a vehicular service or properties of the district or county that are to be maintained by the central government.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 20 (e), (f), 54 (c), (e), (f), (g), 34 (k); Rev. Stat. (adopted L. 1929, ch. VII), secs. 953, 954, 1091 (5th par.); L. 1914, 16, secs. 36, 37, 38; L. 1909-10, 48, sec. 4.

Cross reference:

Penalty for accepting bribe, see Penal L., sec. 116.

§ 311. Engaging in profit-making enterprises forbidden.—Any Provincial, District, or other official of the Department of the Interior connected with the Tribal Jurisdiction on a permanent basis who, within the area under his administrative control, engages in agriculture in a wholesale manner beyond the point of private consumption or in business or any other mode of profit-making enterprise directly or indirectly shall be fined not less than one thousand dollars nor more than five thousand dollars and be dismissed from office.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 20 (a), 53; L. 1948-49, ch. XXVI.

§ 312. Other prohibitions with regard to conduct of administrators of the Tribal Jurisdiction.

1. Any official or employee performing duties in connection with the Tribal Jurisdiction who shall wilfully and knowingly make or publish any false report with a view to disturbing public order or affecting orderly administration shall be liable to imprisonment not to exceed three years or removal from the tribal area wherein he exercised jurisdiction, or both.

2. A Provincial, District, or County Commissioner is prohibited from:

- (a) Residing after retirement from the service in any area which he may have administered, except upon special permission from the Secretary of the Interior;

- (b) Proceeding beyond the limits of the area which he was charged to administer until authority in each instance shall have been received from the Secretary of the Interior; and until the arrival of a person to relieve him to whom the Commissioner shall personally turn over the duties of his office. Upon being relieved, a report of this fact shall be made immediately to the Secretary of the Interior and signed by both the Commissioner and the person who relieved him.
- (c) Forming marital ties with female inhabitants of the area under his administrative control.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 20 (b), (c), (d), 59.

§ 313. Members of Frontier Force not to impede aborigines in making complaints.—No officer or soldier of the Frontier Force shall in any way menace or impede any aborigine in making a complaint to the Secretary of the Interior or other administrators of the Tribal Jurisdiction against any other government official or chief. An offense under this section shall be punishable by a fine of not less than ten dollars nor more than one hundred dollars.

Prior legislation: L. 1914, 16, sec. 39.

§ 314. Conduct of members of Frontier Force towards aboriginal women and children.—No officer or soldier of the Frontier Force or court messenger shall take to himself any woman and carry her to any barracks or station without first paying the proper person or guardian the usual dowry. Any woman or child lawfully obtained by any officer or soldier of the Frontier Force or court messenger shall be registered by him at the office of the District Commissioner or County Commissioner. Any officer, soldier or court messenger who shall entice away any woman or child without first arranging with the proper person shall be tried and punished under the appropriate section of the Penal Law or be dismissed from office or both.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1091; L. 1914, 16, sec. 40; L. 1909-10, 48, sec. 5.

PART II

Rights, Duties, and Prohibitions

Chapter 20. APPLICABLE LAWS

§ 350. **Tribal customs and traditions.**—It is the policy of the government to administer tribal affairs through tribal chiefs who shall govern freely according to tribal customs and traditions insofar as they are not contrary to statute or administrative regulations. No chief shall be penalized for imposing sanctions when his legitimate orders are not obeyed, provided such sanctions do not exceed the limits fixed by law.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 29.

Cross reference:

Government of tribes through chiefs, see ch. 5 of this Title.

Chapter 21. STATUS OF ABORIGINES

§ 370. **Equal rights.**—All aborigines residing in the Republic of Liberia shall have full protection for their persons and property, and shall enjoy all the rights, privileges and immunities granted to all other citizens of the Republic.

Prior legislation: L. 1887–88, 3 (2nd); L. 1859, 53, sec. 3.

Cross references:

Definition of citizens, see Aliens and Nationality L., sec. 110.

Representation of aborigines in Legislature, see Legislative L., sec. 1.

Registration of voters, see Election L., sec. 30.

Rights of aborigines to receive allotments of public land, see Public Lands L., sec. 53.

Chapter 22. DOMESTIC RELATIONS

§ 400. **Who may marry.**—The marriage of a girl under the age of fifteen years is voidable. It is unlawful to pay dowry for a girl who has not attained that age.

A man married in accordance with rites other than those of native customary law cannot contract a legal marriage under native customary law and if he shall form an illegal union in contravention of this provision, he cannot recover any dowry which he may have paid.

A man married under native custom cannot contract a marriage in accordance with rites other than those of native customary law unless the native marriage shall have been legally dissolved.

The native marriage of an unmarried man not an aborigine is valid and the children of such marriage are legitimate and entitled to inherit from the father. Dowry shall be refunded on dissolution of the marriage at the desire of the woman.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 55 (c), (d), (e), (g).

Cross reference:

Definition and penalty for bigamy, see Penal L., sec. 282.

§ 401. **Effect of illegal marriages.**—An illegal marriage carries no right to either party unless such rights are eventually arranged in accordance with tribal custom. The children of an illegal union belong to the mother, and the father's family shall have no right to their custody unless the mother and her family agree thereto.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 55 (f).

§ 402. **Registration of marriages.**—Notification and registration of all marriages shall be made in the office of the District Commissioner through the office of the Clan or Paramount Chief of the clan or province in which one or both of the applicants live.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 55 (a).

§ 403. **Man not aborigine to secure permission for native marriage.**—If a man not an aborigine residing outside the Tribal Jurisdiction shall desire to marry according to native law, he shall apply to the appropriate representative of the Department of the Interior, who may grant permission for the marriage. The representative of

the Department of the Interior shall have no right to object to such a marriage if the woman and her parents agree, but he must in every case be informed of it.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 55 (l).

§ 404. **Dowry.**—The legal dowry for a woman shall be in accordance with tribal custom but in no case shall exceed forty dollars. Dowry shall be paid only to the parents of the woman, or if the woman is without parents or relatives standing *in loco parentis*, she shall be considered the ward of the Tribal Authority and the dowry shall be paid to it.

If a woman declares her resolve not to continue living with her husband, the husband may appeal to her parents for a refund of dowry. In case the family refuses or is unable to refund the dowry, she shall remain his wife until the family shall be willing and able to make the refund.

No person except the appropriate member of the woman's family shall be permitted to refund to the husband the dowry paid by him for his wife.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 55 (b), (h), (i).

§ 405. **Suit for criminal conversation.**—A husband may bring suit against a man who has engaged in illicit intercourse with his head wife or any of his secondary wives. The damages awarded in such a suit shall not exceed one hundred dollars if the head wife was involved, nor ten dollars if a secondary wife was involved. The payment of damages shall not entitle the defendant to the possession of the wife. The defendant may interpose as a good defense in such an action (a) that the woman represented herself as being unmarried and that he was misled by such misrepresentation; or (b) that the husband promoted, connived at, procured, or facilitated such intercourse.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), arts. 55 (j), (k).

§ 406. **Other interference with domestic relations.**—Any person who shall unlawfully interfere with the domestic relations of an aborigine in a manner other than those specified in the foregoing section shall upon proof be dealt with according to the native cus-

tomary law governing such cases. The fine in such a case shall be paid to the injured party.

Prior legislation: L. 1914, 10, sec. 4.

§ 407. **Headship of families.**—As to questions concerning the headship of a family, the decision of a majority of the family shall be accepted as final. If the family cannot arrive at a majority decision, the question shall be decided by the Tribal Authority under the supervision of the District or County Commissioner.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 62.

Chapter 23. REGULATION OF CONDUCT OF ABORIGINES

Cross reference:

Pawning of person prohibited, see Penal L., sec. 261.

§ 420. **Cultural societies.**—Cultural societies such as Porror and Sandae are permitted but no session of these societies shall extend beyond a period of three years.

Prior to the establishment of any primitive cultural society, a permit shall be obtained from the Department of the Interior if it is to be established in the County Area, and from the District Commissioner if it is to be established in a district of the Hinterland. Such a permit shall be granted only to its recognized head. No fee shall be required nor paid for setting up, opening, or dissolving such a society.

Recognized heads of primitive cultural societies shall be responsible through the Tribal Authorities for any abuses committed by the members. The District or County Commissioners shall refer all problems arising in connection with the Porror and Sandae Societies to the Tribal Authorities who shall see that they are handled appropriately.

Prior legislation: Hint. Reg. (app. L. 1949–50, ch. XXXVI), art. 68.

§ 421. **Unlawful societies.**—The Human Leopard Society is declared an illegal organization, and membership therein is punishable

by imprisonment of not exceeding twenty years. Homicide committed in accordance with the beliefs or in the course of the rites of the Society shall be punishable in accordance with the provisions of the Penal Law.

The Neegee Society, Susha, Toya, Kela, Yama-Yama, and all secret societies the purpose of which is to commit criminal acts are declared illegal. The members and organizers thereof are subject to imprisonment for not exceeding twenty years.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 69; L. 1920-21, ch. XX.

§ 422. **Trial by native ordeal.**—Trials by native ordeal in which the bark sassy-wood is administered internally are hereby prohibited. Any person who shall administer, authorize, permit, order, aid, promote or otherwise participate in the administration of such an ordeal shall be deemed guilty of a misdemeanor and fined not exceeding two hundred dollars, and if death occurs as a result of the ordeal, all such persons shall be prosecuted under the appropriate provisions of the Penal Law.

Ordeals which are of a minor nature and which do not endanger the life of the individual are permissible.

A person desiring to practice as an ordeal doctor shall undergo tests to be given by the Department of the Interior to establish the applicant's competency and skill. On passing such tests, the applicant will receive from the Department a certificate which will authorize him to perform ordeal trials and will entitle him to the fees to be assessed by the authority granting the ordeal.

In any case where a person shall have submitted to trial by ordeal and been found guilty, he may demand a disinterested second ordeal, which shall be given. If the second ordeal shall convict the accused, he shall be deemed guilty of the offense; if, however, he shall be acquitted on a second trial, a third shall then be conducted and the decision of guilt or innocence shall be predicated upon the outcome or findings of that trial. The guilty party shall in all such cases be held responsible for all cost incident to the trial.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 73.

§ 423. **Planting and marketing of crops.**—Every able bodied male aborigine in the Tribal Jurisdiction shall plant crops for the market and take them when ready to market on market days. A fine of twenty-five cents shall be imposed for every failure to plant

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crops in violation of this section, and a fine of four cents, for each market day on which there is failure to market. All such fines shall form a part of the tribal revenues and be paid into the Tribal Treasury.

Prior legislation: Hint. Reg. (app. L. 1949-50, ch. XXXVI), art. 14 (j).

§ 424. **Service in armed forces.**—The aboriginal male population is subject to military service to the same extent as male inhabitants who are not aborigines.

Prior legislation: L. 1904-05, 25 (2nd), sec. 9.

Cross reference:

Male citizens subject to military service, see National Defense L., sec. 20.

Chapter 24. MISCELLANEOUS

Cross references:

Uncollected wages of workmen to be applied to education in Hinterland, see Labor L., sec. 35.

Licensing of manufacture of liquor in Hinterland, see Revenue and Finance L., sec. 270.

Liquor in transit to Hinterland for native celebrations not subject to seizure, see Revenue and Finance L., sec. 277.

PART III

Repealers

Chapter 30. REPEALERS

§ 600. Statutes repealed.—The following statutes are hereby repealed:

- | | |
|---|--|
| Com. L. (Feb. 27, 1835), 2 Hub. 1344, 1352 (4th) | L. 1875-76, 6 (2nd), secs. 1, 2, 3, 4
L. 1875-76, 10 |
| Acts 1839, Act regulating the residence of native Africans, sec. 1, 2 Hub. 1379 | L. 1887-88, 3 (2nd) insofar as it relates to rights, privileges, and immunities granted aborigines |
| Acts 1839, Act regulating the commerce and revenue, sec. 22, 2 Hub. 1402 | L. 1899-1900, 34
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