

McKinney's Indian Law § 51

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Effective: [See Text Amendments]

McKinney's Consolidated Laws of New York Annotated Currentness
 Indian Law (Refs & Annos)
 Chapter 26. Of the Consolidated Laws
 ¶ Article 4. The Seneca Indians

→ § 51. Appeals from peacemakers' court of Tonawanda nation

An appeal may be taken from the decision of a peacemakers' court of the Tonawanda nation, or of a tribunal of such nation consisting of a peacemaker and one or more associate chiefs, to a court consisting of six chiefs of such nation, selected as follows: The party appealing shall give security, approved by the tribunal before which the action or proceeding was tried, for the payment of the amount awarded by such appellate court. Upon such security being given, such trial court shall direct the marshal to summon twelve chiefs, designated by such trial tribunal, to appear at a time and place specified, not more than ten days thereafter. At such time the names of such chiefs shall be drawn by lot, and the first six whose names are drawn, and who are not disqualified because of interest or relationship, shall constitute a court for the hearing and determination of such appeal. Such court shall hear the appeal, and examine the witnesses and parties under oath in the same manner as the peacemakers in a determination before them. Upon such hearing, the chiefs constituting the court shall be entitled to receive twenty-five cents each for their services, to be paid in the first instance by the party appealing. In their final decision, they shall determine which party shall pay the costs and expenses of the suit and of the appeal.

CREDIT(S)

(L.1909, c. 31.)

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

Derivation

Section derived from Indian Law of 1892, c. 679, § 52; originally revised from L.1863, c. 90, § 9.

CROSS REFERENCES

Costs upon appeal, see CPLR 8107.

LIBRARY REFERENCES

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Indians ↪ 32(7).

C.J.S. Indians §§ 60 to 62, 139 to 143, 152.

In a caselaw database, run TO(209) or 209k[add key number] to retrieve cases related to Indians.

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