

DUNSON, LUNA B.

INTERVIEW

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Field Worker, Billie Byrd,
2-1-38.

Interview with Luna E. Dunson,
age 62, Thlopthlocco town
(tulwa),
Okemah, Oklahoma.

The laws made, enforced and carried out by the Muskogee-Creek tribal council were many. Those early Indian laws in the Indian Territory were to be observed or suffer the penalty of death, whipping or in the payment of fines. The Lighthorsemen were maintained in the tribe as officers to see to it that the Indians were keeping within the laws, taking prisoners and the collecting of the fines.

The Indians of those early days owned vast herds of cattle, horses and other livestock which wandered in search of good grazing places all over the country. Brands were used on the livestock to know to whom they belonged. At the selection of a certain brand by one person he notified the judge of his district just the description of the sort of brand he was to use and the judge would make a record of it in his book.

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The judge would then send to the judges of the other districts those brands and the names of the owners of that brand to the other districts.

Stray livestock found or held were reported to the Lighthorsemen of the district and any that were unclaimed for six months were advertised and sold at the auction sale which was held for disposing of the unclaimed livestock. The livestock at the sale was sold to the highest bidder for cash or by check. The finder and keeper of any livestock was permitted to feed and care for them and drive them to the place where the auction sale was to be conducted, but if the rightful owner was found and on his rightful identification of the property, he was required to pay \$2.00 per head for cattle or horses and 50¢ per head for other smaller livestock, such as sheep, hogs or goats.

A third of what was received in the sale of stray and found livestock was turned over to the finder, while the other two-thirds was turned into the tribal treasury. No buyer of stray livestock had the power to advertise for sale and sell the livestock which had

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been found until after six months. The rightful owner of the livestock could advertise for his property and locate them but it was through his proper identification of such strays that they turned over to the claimant any livestock. He was required to pay one-third of the price which had been paid for them at the sale where they had been bought. The tribal treasury into which the two-thirds of the sale cost had been turned was to refund the money back to the person who had bought the livestock at the sale. The buyer of the stray livestock was then out nothing after all these refunds had been completed.

Even after the six months, if owners of stray livestock could locate their property which had already been sold to the highest bidder at the sale, the owner could reclaim and take back his property upon his payment of one-third of the sale purchase price. The tribal treasury in turn forfeited the two-thirds which had been deposited in the tribal treasury.

The tribal council house and other buildings were to be cared for and respected by all, those molesting

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or breaking into the council house or destroying anything on the premises were liable to a fine and if the fine was not paid he was liable to receive a whipping. No one was allowed to enter to let any one else into the council house. Those observing all these things were left alone but those who did not heed were known to be law breakers and were fined not less than \$2.50 and not more than \$25.00. Any person destroying anything on the premises without consent of the law were forced to pay an equivalent value of the property destroyed and damaged. The payments of the fines were to be paid promptly and within six hours after the deed was known and discovered, and if the payment was not made in the required time the judge of the district in which the crime was done gave orders to the Lighthorsemen to sell property of the guilty man equivalent to the fine which had been set and the proceeds were turned into the tribal treasury. A person could report to the judge within the six hours and make his promise in writing to pay up the fine within a given thirty days and this time was given. On the failure to observe the promise the

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property, as stated, was sold until the amount of the fine was covered in the sale.

The money kept in the tribal treasury, at all times, was for the wages of the Lighthorsemen, chief, and others of the people holding offices in the tribe. The payments of fines were instances which kept up the officers.