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MESSAGE OF J. M. PERRYMAN

Executive Department,  
Muskogee Nation  
Okmulgee, Ind. Ter.,  
Oct. 5, 1885

To The National Council, Muskogee Nation

Gentlemen:

With pleasure I submit to you this, my third annual statement of the condition of the affairs of the nation in the service of which you are now assembled. Under the directing hand of a beneficent providence, and the wholesome spirit of your past action, the Muskogee nation has added another year of success to its history and political existence. Time and sober thought have greatly tempered and mellowed the acerbities of political feeling engendered by the sad experiences of the past years; and which so long retarded the advancement of our people. And it is encouraging to every lover of his country to behold gathered together here to-day, representatives of political faith in our nation, as well as of all

corners of our country.

Peace and quiet have prevailed throughout our nation during the year now ended, and nothing has occurred to mar the fraternal relations subsisting between the Muskogee and neighboring nations. A super-abundance of rain in the early part of the crop season and its sudden cessation later on, have operated to cut crops shorter than they ordinarily would have been but it is believed that a sufficient yield, yield, at least of corn, has been realized to prevent the necessity of its importation from other sources.

#### CONVENTION AT MUSKOGEE BETWEEN CREEKS AND CHEROKEES.

On the 8th of October last a convention was entered into between representatives of the Muskogee and Cherokee nations, having in view the final definitions of the rights of the citizens of anyone of these nations residing within the limits and jurisdiction of the other. By a reference to the action of the convention it will be observed that certain legislation is thereby made necessary in order to arrive at a better understanding of the privileges to which such citizens are entitled. I recommend that you consider such points as seem to be evolved in that convention, and make such regulations thereof as

shall first give due protection to the interests of our own citizens and preserve the long-time courtesy subsisting between the two nations.

#### RAILROAD CLAIMS

As far back as the winter of 1884, the representatives of the railroad passing north and south through our country claiming the right to the exclusive occupancy of certain parcels of our public lands adjoining certain of their stations in our nation, succeeded in securing from the Secretary of the Interior, an order of removal of all persons located thereon.

Dissenting from the views entertained by the company, special instructions were issued to your delegation, then in Washington, to use all proper means and effort to protect Muscogee interests.

When protest was made against the execution of the order, it transpired that like complaints had also been filed by the Choctaws, and these accumulating objections operated in staying execution of the order, pending an investigation which was ordered. Since that time other orders of like purposes have been issued by the Interior Department, with as many protests from this office against their execution. The position to which

the executive Office of the nation stands committed recognized no right in the company to the exclusive occupancy of any portion of Muscogee soil without first having negotiated for the same in a manner satisfactory to the National Council. By the treaty of 1866, the Muscogees surrendered no lands, but simply the right to object to, and prevent the passage of two railroads through their country. No authority was delegated by the Muscogees to the Interior Department to mark out at will any portion of their lands for the exclusive use of railroad or other corporation. The surviving members of the Muscogee delegation signatory to treaty so understand it; and it is confidently believed that this view, on a fair judicial investigation, will be sustained. A stay of the execution of the order, until the subject can be laid before your honorable body however, has been asked and very justly granted. Should the railroad interests herein involved be represented before you by council or otherwise. I bespeak for such your kindly and respectful consideration of whatever presentation is made. In the absence of any presentation however, it will be none the less incumbent upon you in order to anticipate possible future compli-

-cations , to definitely fix and define by public statutory enactments, the limits and rights of the railroads in the Muskogee Nation, as you understand them under our treaties with the United States.

#### OKLAHOMA

Any proposed change in the relations between the Muskogee Nation and the United States, is always regarded with distrust, because such changes almost invariably leave the Muscogees poorer than before. It is with acute interest, hence, that the authorities of the Muskogee Nation have observed the designs of the people of the United States with the regard to the country known as Oklahoma; and in which we, as a nation have an interest recognized by treaty and the Congress of the United States. This is a portion of a session made in 1866 by the Muscogees and Seminoles which remains unassigned and unoccupied by other Indians.

It is situated almost in the centre of the Indian Territory, and surrounded on all sides by reservations occupied by other Indians, and contains in round numbers, 495,093 acres belong to the Seminoles. Citizens of the states have made repeated organized attempts to settle upon them as they would public lands of the

United States, but the president has as often prevented them, declaring the lands not subject to settlement unless with the consent of the Indians. On the 3d of March last Congress authorized the President to open negotiations with the Muscogees, Seminoles and Cherokees for the purpose of opening them to settlement; so you will, doubtless, be met sometime during your present session by the agents of the President for that purpose.

Any proposition for a change affecting the Oklahoma country, otherwise than that contemplated in treaty, must at once arrest the attention of the whole family of nations occupying the Territory.

Our relations with the United States are such that one nation cannot make an important change in any of these relations affecting great public interests, without it being felt, more or less, by all the other members of the family. Moved by the knowledge of this fact the representatives of the Muscogee, Cherokee, Choctaw, Chickasaw and Seminole nations at the invitation of the Chief of the Cherokee nation, met in convention at Eufaula on the 15th day of June last, to advise together as to the best course to pursue toward the

proposition likely to be made by the agents of the government for the purchase of Oklahoma. This convention in which the Muscogee nation was fairly represented, unanimously declared it as their opinion that "the negotiations authorized by the action of March 3d, 1885, are incompatible with the rights, interests and future security of the people of the Indian Territory, and should not be entered into." The Proceedings of the Convention are herewith submitted for your official action thereon.

#### BOUNDARY LINE.

Congress last year appropriated \$41,004.90 interest money to be paid to the Muscogee nation as soon as "the survey made and approved by the Department under the treaty of June 14th, 1866," is accepted and ratified and evidence of such acceptance and ratification are filed in the office of the Secretary of State. I respectfully recommend that you take such action thereon as will enable the nation at an early date to avail itself of the benefits of the appropriation.

#### CATTLE TAX.

The subject of the taxation of cattle driven through our country by non citizens has received my earnest

attention and I have repeatedly urged before the proper authorities what this office holds to be the rights of the Muscogee people in the premises. Thus far, we have failed to secure recognition of them, but I have reasons to believe we will eventually succeed.

#### DELEGATION

This, together with other questions affecting oftentimes some of our most important interests, are forcing themselves upon the attention of the country and demanding solution with more frequency, and in more rapid succession than in former years. It is important that they be watched and managed by your wisest and most experienced heads; and I apprehend that you cannot be too vigilant or too guarded in your efforts to protect the rights of the nation. As a potent means to that end, I recommend that you provide for an efficient representation before the Departments of the government at Washington during the ensuing session of Congress, in the persons of two of your most intelligent, patriotic and capable men.

#### STATISTICAL CENSUS.

Our advancement in education and the habits and customs of civilized life, and the increasing



interest in us in friends abroad, are constantly demanding information of our various resources, moral, intellectual and physical. Information is especially desired on the subjects of education, agriculture, and population, in the Muscogee nation; and I earnestly recommend that you make liberal provision for securing what shall be a reliable statistical census of the Muscogee nation.

#### CONVENTION OF AUG. 10, 1884

In the convention entered into at Muscogee between the national authorities and certain of our citizens on August 10th 1884, it was understood that an effort would be made to satisfy the claims of citizens for losses sustained by the acts of the officers and members of the militia called into active service sometime previously by our authorities for the suppression of crime and the maintenance of the laws of the nation. It is hoped you will do whatever may reasonably be done to carry out this original intention without embarrassment to the public service. In doing this it should be borne in mind that the destruction of property was not the result of a wanton desire and willingness on the part of our nation to harm or oppose any of its

citizens but was an unavoidable incident in an armed defence and maintainance of the Constitution and laws of the nation. It was one of those dark pages in a nation's history wherein the actors on both sides are more or less at fault; a cloud in our political sky for which we are all sorry, and which we desire to be dispelled by the sunshine of peace and harmony. In the settlement of these claims therefore, the spirit of mutual friendly concessions should prevail and payment be made only for such property as was destroyed by the militia acting under a call of the Chief Executive, or those operating in direct open hostility to them and this government. Losses should not be paid for at fictitious or exorbitant valuations, but rather at the minimum value of the property lost, if the same were placed on the market.

#### ELECTION LAWS,

The statutes for fixing the time of the general election and the election of Light Horsemen, of the several districts, are, by reason of their uncertainty, positively misleading. They have been a source of trouble and contention to our people in the past, and their threatening aspects are still to be seen on the

pages of our statute books; and I recommend that you take such action thereon as will obviate the possibility of future complications on that point.

#### REVISION OF LAWS.

As germane to this subject it is proper that I should invite your serious attention to the imperfection of the present compilation of Muscogee laws, and the pressing necessity for remedial legislation on your part. Laws are found in our statute books so conflictive in character as to seriously perplex and embarrass the offices of our District Courts. Laws, useful and necessary in their nature and believed by many to have been passed, are nowhere to be found in our law books. Remedy and advice, in difficulties arising under these defects, are often sought at the Executive Office by the various administrative officers of the Districts; thus affording to an ambitious incumbent of the Executive Office, opportunities for the exercise of arbitrary and oppressive power, nowhere contemplated by our constitution, and at complete variance with the spirit and purposes of our government. In order to secure the ends of justice and insure to our people the blessings of a wholesome and stable government, each branch

should operate strictly within the limits of its particular jurisdiction, without encroaching on the prerogatives or functions of another. To insure this, we want as few laws as possible; but these should be so systematized and the system so simple, and so widely published, as to leave no room for serious mistakes. To this end therefore, I feel it my duty earnestly to recommend to you the propriety of making adequate provision for a new revision, compilation and codification of Muscogee laws. In my opinion it would be wise to supply, in such compilation and codification, such necessary laws as cannot anywhere be found on record, all to be submitted to a subsequent Council for adoption or rejection.

#### EDUCATION

This subject is of vast importance in our country, as well as conducive to the upbuilding of our race. Our schools, both boarding and public, have given evidence of great success and merit during the past scholastic year; and another school year has been opened with far brighter prospects of a richer harvest than we have ever yet realized. It is therefore gratifying to me, and should be to every Muscogee Indian to note the rapid

advancement of our people in this particular department. For fuller information on this subject of our finances, I refer you to reports of the Educational and Financial Departments.

#### U. S. GRANT

I will not close this communication without reference to the late death of the great American warrior, General U. S. Grant.

Descending, as we do, from peculiarly warlike ancestors, it is but natural for us to admire a great warrior. General Grant was truly a great man, as well as soldier. From honest convictions he fought for what he conceived to be great principles of truth and right; the maintenance of which was necessary to secure the fullest developments of the moral and material resources of his country.

As soon, however, as the bugles sang truce and the war-clouds rolled away he was among the first to ask all to "let us have peace," and at once addressed himself to the work of realizing the spirit of his work. The racial and tribal difference distinguishing his fellow-men, the petty animosities which lingered long after a period of warfare, which annoyed and vexed other men, all were too small to disturb or ruffle the serene grandeur of his

comprehensive love, and we know do-day, that it is to him that we are indebted for the inauguration of the Indian Peace Policy that has accomplished so much for Indian civilization. The great man however has passed beyond our reach and we can do him no service now; but while our feeble voice may never be heard in the universal lamentation going up from the empires and kingdoms of the world, pressing forward to do him honor, I apprehend we may yet do for ourselves a comely deed by offering as an humble tribute of respect and esteem for the dead hero, proper expressions of our regrets for his loss to America, the world and his sorrowing family.

Wishing that your deliberations may be characterized by the loftiest patriotism, and tempered with feelings of fraternal courtesy, and that you may be guided by unerring wisdom, dispensed by the Master above, I am your obedient servant,

J. M. PERRYMAN,  
Principal Chief  
Muscogee Nation.