

OUR BROTHER IN RED

Muskogee, Indian Territory
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Rev. Theo. F. Brewer, Editor

MESSAGE OF L. C. PERRYMAN

Executive Department, M. N.

Okmulgee, I. T., Oct. 2

To the National Council
of the Muskogee Nation:

Gentlemen:

Ten months have passed away since I assumed the duties of Chief Executive of the Muskogee Nation, and you are again assembled by law, as the legal representatives of the people, to guard their interests and to legislate for their future welfare. It becomes my duty to lay before you such information as appears to be worthy of note, and to recommend for your consideration and action, such measures as the interest of the country at large seem to require.

The past year has been a favored season. We have been blessed with copious rains at the proper time, thus

ensuring a large yield in the crops usually raised by our people. The crop reports throughout the Nation are very encouraging.

There has been no commotion or disturbance among the people since your last meeting. Lawlessness seems to be steadily decreasing. It must be remembered, however, that we have not yet reached the maximum of advancement in governmental affairs. We have adopted a foreign civilization and a foreign government. We are, therefore, mere experimenters in these foreign and alien institutions.

We have had, as might be expected, quite frequent blunders in judicial matters in the several districts, resulting in more or less complaints by such as believed they were oppressed. Whenever such complaints reached this office I invariably sent instructions to the judges, referring them to parts of law relevant to the subjects under consideration, accompanied with such comments and suggestions as the circumstances seem to warrant. We cannot make jurists of our judges in one nor in five years. We must patiently bide the time until the increasing intelligence of the masses demand and find more suitable incumbents to fill these most responsible positions of the government.

Our country is small, and any crime or overt act committed in any section is quickly reported throughout the Nation. The members of the Council are therefore well informed in regard to the political condition of the country. I will not, therefore, consume more of your time in reciting the small and natural happenings of the past ten months.

The laws of our country are to a large extent inadequate to the proper protection of the persons and property of the citizens.

There are many statutes enacted within the last ten years that are not plainly written, and are, therefore, susceptible to widely varying constructions. Such statutes are in a few instances contrary to the Treaty and intercourse laws of the United States, and oftentimes mislead the officers charged with their execution or enforcement.

I would suggest that you appoint a committee of competent persons to thoroughly revise and modify our laws, and have them printed in proper book-form. Such committee should have authority to re-write poorly written laws and to drop such as are contrary to our constitution, the Treaties and United States Statutes, or to common reason and justice.

All law is of reason and every statute we enact

that is plainly contrary to reason and justice will only operate to weaken our government, and confuse the officers charged with their enforcement.

The judicial system of the country is inadequate to furnish the proper protection to life and property.

The present arrangement that vests in the District Courts the power of passing final judgment in all cases coming under its jurisdiction without any possible chance for a review of their actions by a higher court, is open to serious objections. The Supreme Court should have appellate jurisdiction over the District Courts in all cases both civil and criminal. Your careful consideration of this subject is respectfully requested.

There seems to be a general opinion throughout the country that the representation in council is too large. I would recommend that a plan be devised for an amendment to the constitution, to be submitted to the people at large for their approval. In connection herewith I would suggest that the mode of representation be so changed as to have one representative from each of the forty-nine towns in the House of Warriors and four from each of the six districts in the House of Kings.

The absence of a definite statute defining a claim or improvement has caused more or less litigation during the past year, and has given our judges no little annoyance. Your attention is respectfully invited to this matter. When a citizen undertakes to improve a claim on the Public Domain he should know what his rights are in the premises and what protection he has in law.

The unrestricted fencing of large tracts of the Public Domain by a few of the wealthier citizens is becoming a matter of serious concern. As the whole Nation is owned by the citizens, as one large corporation, with equal interest, it naturally follows that if the land were equally divided among all the citizens, every citizen should therefore be allowed to fence only his pro rata share of the land free of tax. But as it is impossible for every citizen to actually fence and use all of his pro rata share, those who are able to, and do fence more than their pro rata share ought to be required to pay a reasonable annual tax per acre on every acre fenced over and above their estimated pro rata share, provided every head of a family be allowed to fence free of tax the pro rata share of his wife and minor children.

This rule should apply also to the holding of large herds of cattle in the country. By allowing five

acres, more or less, to every head of stock the number of stock every citizen may graze on the Public Domain free of tax can be easily ascertained. I do not believe in discouraging enterprise and am not advocating the enactment of prohibitory statutes, but it is right and necessary to regulate these matters by law, not only as an act of justice to the poorer classes of our people, but also as a means of increasing, in a legitimate manner, the internal revenue of the country.

The different towns or villages of this Nation are increasing rapidly in population and wealth, this is especially true of those located along the railroads. It has become necessary to incorporate and officer these towns. I would recommend that a general incorporation act be passed to be adopted by the several towns.

We have thousand of acres of good farming lands lying idle for want of cultivation. It requires capital to improve a new place. The material wealth of our citizens would be increased many fold by the enactment of a judicious lease law. An act should be passed authorizing our citizens to lease land to non-citizens for farming purposes for a period of time not to exceed five years, and regulations should be established for the protection of both the tenant and the owner of the

claim. An act embodying these suggestions would benefit all classes of our people alike.

The Oklahoma lands, so-called, or so much thereof as was ceded by the Creeks in the Treaty of 1866 for a specific purpose, is one of the most important interests that demand your attention. This matter has been so thoroughly discussed during the former sessions of Council that I do not deem it necessary to dwell upon it at length, at this time. This matter is a proper subject for your action and your constituents at large have the right to expect your early and decisive action in this matter. It is a valuable property, and you are the trustees of the people's interest. Your aim should be to take such steps in this matter as will do the most good to the greatest number.

I would recommend that the Delegation to be sent to represent our people at the Capitol at Washington D. C., during the next session of Congress be instructed and fully authorized to negotiate for a final settlement of the questions arising by reason of the peculiar situation of said lands.

There are other matters that will demand your attention at this session of Council which will be duly submitted by special messages with their accompanying

documents.

As to the condition of the Treasury, Educational and other special departments, I respectfully refer you to the several reports relative thereto, that will be duly submitted for your inspection.

Hoping that every member will be fully sensible of the great trust imposed in him by his constituents, and that his actions will be characterized by wisdom and direction worthy of his high calling that will result to the lasting good of our people at large, I have the honor to be,

Your most ob't servant,

L. C. PERRYMAN

Principal Chief, M. N.