

1826 Refusal of Chickasaws and Choctaws

REFUSAL OF THE CHICKASAWS AND CHOCTAWS TO CEDE THEIR LAND IN MISSISSIPPI – 1826

[Contains a proposed Treaty with the Chickasaws of 1826]

Communicated to the Senate, January 15, 1827

Department of War, January 15, 1827

Sir. Conformity to a resolution of the Senate of the 27th ultimo, directing the Secretary of War to “communicate to the Senate the report of the commissioners appointed, in pursuance of an act of the last session of Congress, to hold treaties with the Chickasaw and Choctaw tribes of Indians, for the purpose of extinguishing their claims to lands within the State of Mississippi,” I transmit, herewith, the enclosed copies of the papers required by the resolution.

I have the honor to be your obedient servant,

JAMES BARBOUR

The President of the Senate.

Florence, Alabama, November 27, 1826

Sir: When the commissioners appointed to treaty with the Chickasaw and Choctaw nations had closed all communications with both nations, by an entire failure to succeed with either, they were impressed with the belief that it was important to our Government that every thing appertaining to the correspondence with those nations, as well as their feelings towards the United States, should be communicated to you in person, by one of our body, in a more clear and pointed manner than it could be done in a written communication; and, to this end, General Coffee was selected as the person to perform that service, which he has consented to.

I was the intention of General Hinds and myself to have made a joint communication to you, to this effect; but in the hurry of business, we separated at the treaty ground, without having done so. I now take the liberty to say to you, that it was our opinion that you should be more fully advised on the subjects relative to our conferences with those nations than we could make in a written communication; and, therefore, we obtained General Coffee's consent that he would go on to Washington in a few weeks, when he will give every information necessary touching that business.

I have the honor to be your most obedient, humble servant.

WM. CLARK

Hon. James Barbour, Secretary of War.

[There now follows a section concerning the failed Choctaw negotiations in November, 1826. It should be noted that this report included the later Choctaw negotiations of November before the former Chickasaw negotiations held in October. Further, there were apparently a number of Chickasaws who attended the later Choctaw negotiations.]

Treaty Ground, Chickasaw Nation, November 2, 1826

Sir: Pursuant to the instructions contained in the appointment from the War Department, under date of the 24th of May last, directed to General William Clark and the undersigned as commissioners to hold treaties with the Choctaw and Chickasaw nations for cession of their lands, a meeting of the Chickasaws nation and the undersigned, as commissioners on the part of the United States, was held at the council-house in said nation, commencing on the 16th of October, and ending this day; during which time we endeavored to explain to the nation the policy and views of our Government for wishing to remove them west of the Mississippi river, and the many advantages that would result to their nation by such removal.

They were offered lands on the west of the Mississippi, in exchange for their lands here, with great additional compensation; or that the United States would purchase a part of their country here, and pay them a liberal price for it in money, by installments, with various other valuable considerations. But we failed in every proposition that was made them, or which we felt authorized to make under our instructions. The nation in council most positively determined that they would not sell or exchange their lands, or any part of them. They alleged that they are here on the land of their fathers, and that they love their land, and cannot leave it. They offer various reasons for holding their country here, and never to part with it; all of which are set out and fully stated in the journal of our proceedings; as well also, as our specific proposals to the nation, a copy of which is herewith enclosed to you. In the course of the correspondence and communications with the nation, it was well ascertained that the Chickasaws had a very imperfect knowledge of the country west of the Mississippi, and which had been offered to them in exchange for their lands here. It was therefore thought advisable to send out an exploring party of the Chickasaws, to view and examine the country well, and report to the nation under a belief that, after having a full knowledge of the country, the nation would be willing to exchange and remove. As an inducement to this course, it was proposed that they should send four Chickasaws, and the Government would send with them an agent, who should accompany them the whole route, and pay all expenses of the whole party; and to pay the four Chickasaws for their time two dollars each per day, for the whole time they should be employed; and strange as it may appear, after two days' deliberation on this proposal, it was rejected by the nation; thus determining that they would neither now or hereafter ever cede to the United States any part of their country. Among the causes that contributed to the issue of the negotiation, we respectfully submit the following as, in our opinion, having had much influence. There exists in this nation a resolution of the chiefs, that no person, except one of their own blood, shall offer for sale any merchandise within the limits of the nation; which has thrown the whole business of the interior into a few hands, thereby creating a monopoly to the few

who have means to draw into their coffers a great portion of the surplus money that come into this nation. The influence that moneyed capitalist have, in all countries, is viable and great; but, in the midst of superstition and ignorance, such as exists here, it is reasonable to suppose that it is much greater than in more enlightened communities. It is, therefore, believed that a few half-breeds, who enjoy this monopoly, and who have been educated and are more enlightened, have great influence with these people, and that it has been used to keep the nation together, for their own benefit and interest.

The special agent, Colonel John D. Terrell, seems to have been active and zealous in communicating with the chiefs and leading men of the nation, endeavoring to prepare their minds for a cession of their lands. But it seems to have no other effect than to prepare them for an organized opposition to the views of the Government, through the influence before observed. The absence of General Hinds from this State, and the great distance of the residence of General Clark from the scene of operations, prevented a consultation on the proper time for holding a treaty. The agent of the Chickasaw nation reported impracticable to subsist the Indians embodied, until their crops of corn were matured for breadstuffs, and that they would not leave them until they were gathered in and secured, lest in their absence they might be destroyed. These were the reasons that delayed the meeting until the time that was appointed.

The knowing and managing ones in the nation seemed to anticipate the Government in offering reservations of land to cover the improvements of such as wished to remain on them and become subjects to the laws of the United States. To prevent such from agreeing to the cession, they caused resolutions to be entered into by the nationin council, that no person should be allowed a reservation, in case a cession was made, under a severe penalty. They seemed encouraged in the course of the proceeding by the late transactions between the United States Government and the Creek

nation, and the murder of General McIntosh, as that transaction was frequently referred to by individuals, and justified. General Clark informs us that he had been detained at St. Louis, engaged in official business, until the 15th day of October, when he embarked on board a steamboat for the Chickasaw Bluffs. The boat grounded, and lay seven days, which detained him on his journey until the 31st of October, and too late for him to take part in the negotiations with this nation.

We have the honor to be, sir, with great respect, your obedient servants,

THOMAS HINDS.

JOHN COFFEE.

Hon. James Barbour, Secretary of War.

A journal of proceedings of the commissioners appointed to hold treaties, on the part of the United States, with the Chickasaw and Choctaw nations of Indians, at McLish's, in the Chickasaw nation, six miles east-wardly of the Old Agency; this being the place appointed by the Chickasaw Sunday Evening, October 15, 1826.

General Thomas Hinds and General John Coffee arrived at this place, where they met the Chickasaw Agent (Major Benjamin F. Smith) and the contractor, (William Easton, Esq.) who had arrived before them. General Hinds and General Coffee (the commissioners) appointed William S. Fulton secretary to the commissioners, who had been nominated, and came from Florence, in Alabama, for that purpose.

The agent informed the commissioners that he had very lately been advised that the chiefs of the nation had changed the place of meeting from the one that they then occupied to the National Council-House, distant about twelve miles; but he (the agent) was unwilling to remove as the chiefs had first agreed to meet at McLish's; and, in consequence of this agreement, this place had

been appointed for the purpose, where the contractor had concentrated all the provisions for the commissioners and rations for the Indians.

Monday Morning, October 16, 1826.

The agent left the commissioners, and went to the council-house, to meet the chiefs, and endeavor to remove them to the place first appointed. In the evening, he sent a messenger to the commissioners, informing them that the chiefs had not arrived at the council-house.

Tuesday, October 17, 1826.

The old Chickasaw chief (Captain Sealy) came to see the commissioners. They requested him to ride, in company with their secretary, (William S. Fulton,) to the council-house, and see the agent and the chiefs, and determine on the place for holding a treaty. When they returned, in the evening, they informed the commissioners that it had been determined that the treaty would be held at the council-house.

Wednesday Morning, October 18, 1826.

This morning the commissioners paid their bill at McLish's, amounting to \$45, and ordered the contractor to remove their supplies, and the rations for the Indians, to the council-house, (distant, by the wagon road, about fifteen miles.) The commissioners removed themselves to Levi Kemp's one and a half mile from the council-house, and lay all night.

Thursday Morning, October 19, 1826.

The commissioners pay their bill at Kemp's, amounting to \$15.30,

and go to the council-house, the place fixed for the negotiations with the Chickasaws; but few of the Indians had come in. The chiefs present inform the commissioners that their people will be on the ground in a few days.

Friday Morning, October 20, 1826.

The Indians come slowly in. Supplies arrive, and rations issued to the Indians, with back rations. (The commissioners are engaged in making preparations for business.)

Saturday Morning, October 21, 1826.

Most of the chiefs have arrived. A prospect of commencing business in a day or two.

Sunday Morning, October 22, 1826.

The chiefs Tesh-a-mingo, Pi-si-at-anst-tubia, Captain McGilvery, Captain Sealy, Levi Colbert, and the King, all present; all the secondary chiefs also present. Pi-si-at-anst-tubia in very bad health; confined to his camp. In the evening, the chiefs informed the commissioners that in the morning the chiefs, headmen, and warriors of the Chickasaw nation would convene in council, and would, when convened, receive the first talk of their brothers the commissioners.

Monday Morning, October 23, 1826.

At 11 o'clock, the nation met in council; Present, the King, Levi Colbert, Martin Colbert, J. McClish, Em-nubbia, and Ash-ta-ma-tut-ka; commissioners Teshamingo, Captain McGilvery, Captain Sealy, absent. Pisi-at-anst-tubia, the chiefs, headmen, and warriors of the different districts of the nation, also present.

The council then informed the commissioners that they were prepared to receive their talk. The commissioners, accompanied by their secretary, then went into council, when they delivered the following talk, which was interpreted to the council by Malcom McGee, the interpreter appointed by the commissioners: Friends and Brothers: We have met you here in council, by order of our great father the President of the United States. Like a kind and good parent, he is ever mindful of the best interest and true happiness of all his children. He has the same feelings of friendship for his red children that he has for his white children, and is always desirous of promoting alike the interest and happiness of both. By his long experience and sound judgment, he knows what is best for all of us. When, therefore, he offers his advice and counsel, he expects all his children to receive them as coming from their father, their friend, and protector. He wishes all his children to prosper, increase, and be happy, until the end of time. In the same friendly spirit, he expects them to consider well, and in good faith to receive, the talk he has sent them by their brothers the commissioners. We will now proceed to state to you the talk of our great father the President: after you have taken time to reflect upon his proposals, as explained to you by his commissioners, you will give a candid and respectful answer to them. This he expects as due from affectionate and dutiful children to a kind and indulgent father. You have been appraised of the object of holding this treaty. It is the policy of our Government to extinguish the Indian title to all lands on this side of the Mississippi. We must have a dense and strong population from the mouth to the head of this father of rivers. The security of our southern frontier requires this; and, until it is accomplished, the Government cannot successfully defend the country, not protect its citizens. All the southern tribes of Indians must be prepared, sooner or later, to witness this state of things. If, however, they should be opposed to this policy of our Government, and prolong the time of its consummation by throwing obstacles in the way, they must be prepared to expect the speedy adoption of the only alternative which is left to the Government to protect its citizens. If the different tribes are permitted to hold their lands on this side of the Mississippi, the

laws of the United States must be extended to the Indian country, and the Indians, as well as the whites living among them, be subjected to their operation. Which of these alternatives will our red brothers, the Chickasaws, choose? Would it not be wise in them to embrace the present opportunity of placing themselves in a situation more advantageous and desirable than that which they at present occupy? Your father the President proposes to give his Chickasaw children a fine tract of country on the other side of the Mississippi river, or equal extent, in exchange for their present lands. We know that you are attached to the country of your birth, and the lands in which the bones of your fathers are buried; but if the United States offer you one of equal or greater advantages, and are willing to pay you liberally for your improvements, would not the nation best consult its real interest by making the exchange? By removing to that country, you will be freed from the intrusions and interruptions of your white brethren. You will then be enabled to live in peace and quietness; nor will you be ever asked for any portion of the lands, which will be given you. The Government will guaranty to you and your children forever the possession of your country, and will protect and defend you against all your enemies. Your father the President will also, in addition to what has already been promised, defray all expenses of removing you to the country on the west side of the Mississippi, and furnish you with all things necessary for your comfort and convenience, should you think it your interest to accept this liberal offer. We your brothers, know that many of the Indian tribes have often resolved to sell no more of their lands; but have you not as often noticed that these very tribes have been compelled to relinquish that determination, from the force of surrounding circumstances? They have been obliged, from the rapidly increasing numbers of their white brothers, to yield to the pressing solicitations of their father the President, who was constrained to ask them for more of their lands; in this way their limits have been greatly reduced, and their nations almost annihilated. These things are well known to the most of you; and this will, at some future period, be your own situation, unless you should avoid it by accepting the offer which is now made to you by our father the President. The lands

which are offered are rich, well watered, and abound with game of all descriptions. If you think it will ever be your interest to exchange your country of lands on the other side of the Mississippi, you ought not to let this present opportunity slip. By acceding to the wishes of the United States at this time, you will be able to make a better selection than at any future period. When each our red brethren shall be settled together on the other side of the Mississippi, it will be more fully in the power of our Government to administer to their wants and necessities, and to protect and defend them against their enemies. We, the commissioners of our common parent, the President, are particularly anxious that you, his Chickasaw children, shall seriously reflect upon this subject, and give to it that attention which its importance so much merits. Until then, we shall forbear entering into particulars, resting satisfied in again assuring you that the Government of the United States is most liberally disposed towards you, and will pledge to you its faith most rigidly to adhere to all engagements, which it may make with you.

THOMAS HINDS, JOHN COFFEE. To the principal Headmen, and Warriors of the Chickasaw Nation.

A copy of this talk was handed to the headmen of the nation, who requested until the next day to return their answer. The council adjourned.

Tuesday, October 24, 1826.

At eleven o'clock the council again met; the commissioners, being notified, attended accordingly; when Mr. Martin Colbert, on behalf of the Chickasaw nation, returned the following answer to the talk of the commissioners: To our beloved brothers, the Commissioners of the United States: We have received the talk of our father the President of the United States, by the hands of our brothers the commissioners on the part of the United States. We find it is the wish of our father to exchange lands with us, lying on the west side of the Mississippi river, which we are very sorry to hear, as we never

had a thought of exchanging our land for any others, as we think that we would not find a country that would suit us as well as this we now occupy, it being the land of our forefathers, if we should exchange our lands for another, gearing the consequences may be similar to transplanting an old tree, which would wither and die away, and we are fearful we would come to the same. We want you, our brothers, to take our talk. We have no lands to exchange for any other. We wish our father to extend his protection to us here, as he proposes to do on the west of the Mississippi, as we apprehend we would, in a few years, experience the same difficulties in any other section of the country that might be suitable to us west of the Mississippi. Friends and brothers; we know that our white brothers are crowding upon us daily, which we know is not just. We further consider that there are a number of nations west of the Mississippi that have been enemies to us as well as our white brothers. It would be as much impossible to unite us with them as it would be to unite oil and water, and we have every reason to believe that those tribes that have left their country are not well satisfied; and if that should be the case, we are fearful that those tribes will take satisfaction of us for injuries done by us as well as our white brothers. We are a small tribe, and unable to defend our rights in any country. Our father the President, we know has sound judgment; is calculated to choose for us, his ignorant children, and has given us our choice; and we, being ignorant children, are likely to choose the worst of the two. Our father the President wishes that we should come under the laws of the United States; we are a people that are not enlightened, and we cannot consent to be under your Government. If we should consent, we should be like unto young corn growing and met with a drought that would kill it all. We hope our brothers the commissioners will take our situation into serious consideration; they know we are not qualified to become citizens of the United States, and we are ignorant of the pressure of laws.

LEVI COLBERT, EMMUBBIA, ASH-TA-MA-TUT-KA, J. McCLISH, M. COLBERT.

The answer was handed to the commissioners; and the council was addressed by General Hinds, who promised to give them another talk the next day. He expressed the disappointment felt by the commissioners at the manner in which the talk of the President had been received by his red brethren; they had not returned such an answer as their father the President had a right to expect from his Chickasaw children. He informed the council that all communications, which are made, will be given in writing, and copies forwarded to their father the President for his consideration. It was agreed by the nation to submit their communications in writing. The council then adjourned.

Wednesday, October 25, 1826.

The council met, agreeably to adjournment; and the commissioners being notified that the council was ready to receive their communication, they went into the council, when the following talk was delivered to them by the commissioners, and interpreted to the council by Malcom McGee: Friends and brothers: the commissioners of our father the President have received the answer of his Chickasaw children to their talk of yesterday, and we are sorry and disappointed to find that it was not such a one as their father the President had expected from his Chickasaw children. The commissioners herewith send you a talk of our late father President Monroe to the Congress of the United States. This talk will prove to you that measures have been for sometime in progress, by which all our Indian brethren will ultimately be removed from this to the other side of the Mississippi river. You will also see that this plan of the Government is not new, nor hastily adopted; it is the result of mature deliberation, and will not be relinquished until finally accomplished. The objections of our red brethren to the policy of our Government cannot prevent it. Already have your neighbors and relations, the Creeks, Cherokees, and Choctaws, secured to themselves a country beyond the Mississippi, where their names and nations may be preserved. Would it not be wise in you to follow their example, whilst it is yet in your power, and before it is too late to do so with

advantage? You will be then, as you are now, their neighbors and friends. Having a common interest, you would be able to make a common cause, and mutually defend one another against all your enemies; in addition to this, you will have for your protection the faith of the Government of the United States, pledged to you by the sacred seal of the treaty. We are also bound, by every feeling of brotherhood and common interest, to secure you against the encroachments of your white brethren, and to defend you against your and our enemies. Are you willing to sit down in delusive security, and see your nation gradually diminished, and your people dwindle away, until the very name and language of the Chickasaw is forever lost? Your father the President is persuaded that this will be your fate, unless you join your red brothers on the west of the Mississippi. His wisdom and foresight, together with his ability and disposition to protect you, will enable you to guard against it, if you will, like dutiful children, receive his talk. Here, you have a country greatly too large for you, if you intend to depend on the earth for support, and entirely too small, if you intend to depend upon game for subsistence. If you wish to remain here and be civilized, you must contract your limits, and you must apply to the ground for support. When your people, who are now scattered over a wide surface, and far separated from each other, shall be brought together, and compelled to live near one another, the march of civilization will then be rapid; industry will spread its blessing over your land; your population will increase, and you will speedily arrive at that state of improvement which your father the President so much desires. So soon as this is accomplished, his red children will be entitled to all the civil and political rights of his white children. You say that to remove would be similar to transplanting an old tree, which would wither and die. The trees of the forest, and particularly the most useless trees, are most difficult of transplanting; but fruit-trees, which are more particularly designated by the Great Spirit for the nourishment and comfort of man, require not only to be transplanted, but to be nourished, and cultivated, and even pruned, in order to bring forth good fruit. You say you are attached to the land of your forefathers; this is right; it is natural that you should be

so. But how seldom does it fall to the lot of your white brothers to leave their homes in the land of their fathers'. We may repine at it, and regret it; but, such is the ever changing condition of our people, that all of them submit to their lot. A wise man will cheerfully submit, when he is convinced that the change, although disagreeable to him, is for the benefit of his country and children. You say you are a small nation, and by removing, you will be more exposed to your enemies. From all dangers from this quarter the United States will be bound to protect you; the strong arm of our Government will protect all the tribes on the west of the Mississippi, and keep them at peace with one another. Our Government has protected all the Indians who have removed, and will feel doubly bound to defend the Chickasaws, who have never shed the blood of a white man. But should you still be opposed to exchange your lands here for a country west of the Mississippi, your father the President has directed his commissioners to say to you that the interest of his white children makes it his duty to call upon you to sell him a part of your land. His white children never will be satisfied until they have a communication, through their own settlements, between the city of New Orleans and the State of Tennessee. In the late war, when the British invaded Louisiana, our white brothers of New Orleans and of Natchez were compelled to call upon their brothers in Tennessee and Kentucky to defend them. The distance was so great, and the difficulties of their march so numerous, that the country of the Mississippi was, for a long time left exposed; our towns would have been burnt, our property plundered, and our country lost, but for the timely and miraculous relief by our brothers of Kentucky and Tennessee; they encountered every difficulty to give security to our southern border. This state of things must not again occur. The wide country between Mississippi and Tennessee must be settled; we must have men near at hand, to defend our seaports and our southern white brothers. You have more land than you can use; your white brothers have to protect and defend their own, and the country of their red brethren; they have to defray all the expenses of the Government in peace, and to feed and transport their armies in time of war. The only advantage the Government derives from its red

children is, to get occasionally some of their land at a fair and reasonable price. By refusing to sell us lands, you with gold the only means in your power of contributing to the support and prosperity of the Government of the United States. Should you obstinately persist in this, your father the President will be compelled to do that which you ought most willingly, and of your own accord, to do; you must see the necessity of selling a part of your lands, so as to enable it to connect our lower and upper countries. If our Choctaw brothers will act towards the Government with that liberality which we have a right to expect, we shall be enabled, with what we calculate on getting from you, to accomplish this most desirable object. Your father the President says you must sell to your white brothers that part of your land which you can most conveniently spare, and which their necessities compel them to have. It is not proposed by your father the President to take any portion of your country, without giving you ample compensation, he could not defraud you, and your brothers the commissioners would scorn to take advantage either of your weakness or your necessities. They are resolved to deal fairly and honorably with you, and to pay a full and liberal value for your lands, in money, for the benefit of the whole nation and, in addition to this, will give reservations, with good titles, and of reasonable sized tracts, to such of the natives as live in that portion of the land which may be ceded to the United States. To obtain the objects of your father the President, it is proposed that you sell us a part of your country on the Tombigbee river and its waters, and adjoining Monroe county, of a size sufficient to form a judicial district, and to be bounded by such lines as we your brothers, and your chiefs and headmen, may agree upon.

THOMAS HINDS, JOHN COFFEE. General Coffee then addressed the council. He stated to his red brothers that they were now called upon to act on the most important question for their future welfare ever submitted by their father the President to their consideration. It required them to weigh well the consequences, before they acted. He told them he felt most deeply interested in the decision they were called upon to make. Their father the President felt for them all the

solicitude and anxiety for their future welfare which he felt for his white children. He said their father the President was willing to treat with them upon the most generous terms, and felt disposed to make as good a bargain for their benefit, as he would for the benefit of his white children. He stated that the commissioners, as well by the instructions by their father the President, as from the strongest feelings of friendship and concern which they themselves felt for them, would give them, in exchange for their lands, the full value in lands and otherwise for the lands which they wished to purchase. He told them that, in addition to giving them a country west of the Mississippi, of equal extent with that which they now hold, which they might choose, after taking as much time as they wanted to make the selection, and paying all the expenses of exploring the country, and furnishing an agent to assist their people in viewing the land, they would also give reservations, with fee-simple title, to those who had improvements and who wished to remain, and to such as the nation considered entitled to same, as heads of families or otherwise, which would be accrued to them and their heirs forever. That they might hereafter sell the same, and, if they preferred it, afterwards remove to the country which would be ceded to them west of the Mississippi; that, by complying with the wishes of his Government, it would be in their power to become real masters of the soil, which being now held in common, was not the property of any of them, and thereby raise their children up to be truly heirs to the lands of their fathers. He told them that they could educate their children so as to make them valuable citizens, when his red brothers would soon be placed in a position to become entitled to all the privileges of their white brothers. He said that the United States required this country, in order to have it settled by a dense population for the defense of the South; and, as it is the policy of this Government in time of peace to prepare for war, the State of Louisiana could not be properly defended unless a complete communication was obtained between the upper and lower countries. He told them that they well knew that, in the late war, the troops of Tennessee and Kentucky suffered materially in their march through the Choctaw and Chickasaw nations; that this country was necessary for the purpose of raising troops, as well as for contributing a part towards defraying the expenses of the State and

National Governments. He told them that the offer which was now made to his red brothers was such a one as was calculated to benefit them to an equal or greater extent than any which would hereafter be offered them; that it was highly important to the Government of the United States to extinguish the Indian title to this section of the country; and that, therefore, it felt disposed to give its red children more than what would be considered in full compensation for their lands. He told them that he felt seriously impressed with the importance of the decision they were now about to make, and urged them not to make up their minds until they had fully investigated all the consequences to which their determination must inevitably lead. He concluded by solemnly assuring them that their anxiety arose from the conviction that the question they were now called upon to determine was not only important to them, but that it became doubly important from the consideration that they were involved in the dearest interest of their posterity. The council the adjourned.

Thursday, October 26, 1826.

The council was not convened this day; the answer of the Indians to the first talk of the commissioners not being prepared.

Friday, October 27, 1826

This day, at eleven o'clock, the nation met in council; the commissioners, being called upon, attended; when the following answer was read in behalf of the nation: To our beloved brothers, the Commissioners of the United States: Friends and brothers: We have taken your talk of yesterday into mature consideration. We are sorry to hear that our talk has so much disappointed our father the President, and our brothers the commissioners. As for the talk of the late President Monroe, we have nothing to reply. The object of the Government we cannot understand. It appears from what you say, that all the objection which we, his red children, can make, will have no weight with the policy of the General Government. You say that our neighbors and friends, the Creeks, Cherokee, and Choctaws, have secured themselves a country beyond the Mississippi, where

their names may be preserved forever. Have not our father the President and our white brothers the same power there as they have here? We should always like to be neighbors to our brothers the Choctaws; but, thinking it would not be to the advantage of the nation to cross the Mississippi, we are resolved to remain in our native country, where we are freed from our red enemies. We have always looked up to our father the President for protection, as dutiful children; we have every feeling of gratitude that children can have to a father; we have always been in readiness to assist our white brothers as well as our own. You say, "Are you willing to sit down in delusive security, and see your nation dwindle away until the name of Chickasaw forever lost?" No, we are not; but if it be the will of the Great Spirit that we should lose our name and language, we must submit. We know the wisdom, foresight, and abilities of our father the President are great; therefore we look up to him for his protection. You say that the country we have is greatly too large for us. We have always taken the talks of our father the President heretofore and reduced our lands to very small bounds, not more than what will support us comfortably; we, as well as our white brothers, have a rising generation to provide for. We have abandoned the idea of hunting for a support, finding the game will not do for a support. Our father the President introduced missionaries to come amongst us to advance us to a state of civilization; we accepted them, and are making all the progress that people can; we have also been providing means for the support of the missionaries, to enable us to go on with the education of our children and to have them enlightened. Industry is spreading amongst us; population is increasing; we hope soon to arrive at that state of improvement that is so much desired by our father the President; we consider ourselves as the tree of the forest, but not of the useless kind. We are a fruitful tree, and have provided means, by the assistance of our father the President, to cultivate and improve it, in order that we may bring forth good fruit. You say it is right that we should be attached to the land of our forefathers, but "how seldom do we see our white brothers leave their homes in the land of their fathers!" We can only account for that in this way: that our white brothers appear always to be desirous of changing their condition. It is not the case with your red children, they have no desire of

changing an old friend for a new one; we are satisfied to remain here for the support of our children. We know that the United States have always protected us, and that the strong arm of your Government has extended its protection west of the Mississippi for the peace and happiness of our red brethren; we also have every reason to expect that the Government of the United States feel themselves bound, by every tie of gratitude, to defend and protect their brothers the Chickasaws, as we have never shed the blood of any of our white brothers. Therefore, we feel ourselves freed from any danger of our red enemies where we are, and wish not to incur any expense to our father the President. You say that our father the President has directed our brothers the commissioners to ask us for more lands. We are sorry to hear that our white brothers will trouble our father the President so much, and will not be satisfied with the present communication that they enjoy. They already have a free communication through their settlements, except a very small strip of lands that cross them through our brothers the Choctaws. If the city OF New Orleans or Mobile should ever be invaded by any foreign Power, you are not situated as you were in the late war with the British. You now have a free communication from Mobile or New Orleans to Tennessee or Kentucky, so that our white brothers never will have to experience the same difficulty that they encountered in the late war. And the Government of the United States has a very strong arm extended to the protection of their southern borders. It is not the wish of your red brothers that this state of things should ever occur again. We know that our father the President is at great expense, either in time of peace or war; and the only advantage, you say, that the Government derives from his red children is, to get occasionally some of their lands. We think that our father the President cannot reflect much upon his children the Chickasaws; we have always dealt very liberally with him; we have reduced ourselves to very small bounds, and have not more than we can reasonably do with. We are very sorry that we cannot assist our father; but so it is, that we are so reduced that we cannot. Our fathers the President must exercise his own judgment; we are his children, and are at the discretion of our parent; we, your Chickasaw children, are weak in our judgments; we cannot see the necessity of selling any more of our lands to our father the President. Our brothers the

commissioners say that our father the President has directed them to say that we must sell a part of our country that we can most conveniently spare. We, your Chickasaw children, cannot see any land that we can spare, nor yet do we see the necessity of our white brothers to compel them to have it. We, your Chickasaw children, have no idea that our father the President is disposed to take any advantage of his Chickasaw children, nor our brothers the commissioners; we have every confidence in them, that they will discharge the duty of a father and brothers; we have no doubt that our brothers the commissioners are disposed to deal fairly and honorably with us. It is true we are poor for money, but we love our lands better.

LEVI COLBERT, EMMUBBIA, ASH-TA-MA-TUT-KA, J. MCCLISH, MARTIN COLBERT.

Treaty Ground, October 27, 1826.

After the address was read, General Coffee said a few words expressive of his astonishment at the head-strong obstinacy of his red brothers; he said that he feared that, at some future day, they would bitterly lament the existence of the influence by which he believed them to be at present so much deluded. He said that it only remained for the commissioners to inform their father the President of their unqualified refusal; and in order that every thing might be fairly before them, which would be submitted to the approbation of their father the President; the commissioners would offer their red brothers another talk to-morrow. General Hinds then called the attention of the council to the peculiar situation of the State of which he was a citizen. He mentioned that more than one-half of the country within its chartered limits was still subjected to the Indian title, and was a place of refuge for criminals, as well as other violators of the laws; that the growth and prosperity of his State were greatly retarded by the occupancy of so much of its territory by the Indians; that his State, which, but for this circumstance, would have been at this day one of the most flourishing in the Union, was thereby kept down, its revenue materially injured, its population retarded, and its weak and exposed situation continued. He told his

red brothers that ours was a Government of written laws, and that all the power of the Government was in the people; that their father the President was bound to obey the wishes of the people, and that his red brothers might be assured that the people would not permit the present state of things to continue much longer. He told them that the subject of extending the laws of the State of Mississippi over the Indian country within her chartered limits was brought before the Legislature of that State at their last session, and that the investigation of the subject had been deferred partly for the purpose of ascertaining what could be done by the General Government, by negotiations with the Indians. If those negotiations failed, the Legislature of Mississippi would again take up the subject, and in all probability, the laws of the State would be extended throughout her chartered limits at the next session. He believed that the determination expressed by his red brothers had been hastily framed, and he wished them to reconsider the subject. He desired them to look beyond the present moment. He told them that they ought not rashly to withdraw themselves from under the protection of our Government; that but for it they would have long since destroyed. If they obstinately persisted, the States interested and the General Government would have to adopt such measures as they deemed necessary for their own advancement and security, and which, he feared, would operate most seriously upon the Chickasaws. He concluded by observing that another talk would be offered them, and another opportunity afforded them to save themselves and their posterity from the dangers by which they were surrounded. The council adjourned.

Saturday, October 28, 1826.

Owing to the inclemency of the weather in the forenoon, the council did not meet until the afternoon. At 3 o'clock the council met; and the commissioners being notified, attended, and submitted the following talk, which was interpreted to the nation by Malcom McGee.

Treaty Ground, Chickasaw Nation, October 28, 1826.

Friends and Brothers: Your brothers the commissioners intended to give you a short and final talk this morning, but they have been informed that very improper means have been used to defeat the objects of our Government, and to prevent you from making a treaty. It is possible that all the chiefs and people of the nation may not know of the existence of such improper practices. Your brothers have determined to inform you of what they have heard, that you may know that bad men live among you. If you do not love these men who threaten to destroy you for doing your duty, you can drive them from your nation. You ought not to permit men to live among you who give bad advice to your young people. Such men as advise their children to bad acts are your greatest enemies. They encourage your people to commit acts of barbarity; and destroy the growth of civilization among you. That man who can advise his own son, in cold blood, to commit murder, is not only a great enemy to his own people, but he is an enemy to mankind. Your brothers the commissioners herewith transmit to you a copy of a statement made to them by Walter Bunch, of a conversation which took place in his presence a few weeks since in this nation. If it does not surprise you, it ought, at least, greatly to shock you. If your councils have been at all influenced by such threats, we assure you, most solemnly, that nothing but a noble and magnanimous disregard of them can save you from destruction.

Treaty Ground, Chickasaw Nation, October 28, 1826.

Walter Bunch, who resides at the Chickasaw Bluffs, in the State of Tennessee, informs the commissioners that he was present at the house of old James Allen, a white man, long a resident, and who has a large family of children, half-breeds, (some of whom are grown,) in the Chickasaw nation, when a conversation took place at the house of said Allen, in the nation, about two or three weeks since, and in the presence of several men. The subject of conversation was the prospects of the approaching treaty: some of the company gave an opinion that the Indians would sell their land; when old James Allen remarked, that his son, George Allen, would kill the first chief that proposed to sell any of their lands, and that he (the old man) thought

it right that he should do so. George Allen was present and heard the remark, and heard the remark, and he did not contradict what the old man his father said, but seemed willing that the impression should go out as his father had spoken. WALTER BUNCH, his X mark. Witness: Wm. S. Fulton General Coffee observed that this matter was submitted to the nation for their investigation; that it behooved them to ascertain the truth of this statement, and if they found that there was a man among them who had used such means to intimidate the chiefs, he ought to be hurled out of the nation. The principal talk was then submitted to the council, and interpreted as follows:

Treaty Ground, Chickasaw Nation, October 28, 1826.

Friends and Brothers: We have received your answer to our talk of Wednesday last, and perceive nothing like sound objections to the just and liberal propositions contained in the talk of your brothers the commissioners, in behalf of our father the President of the United States. Our Chickasaw brethren have long enjoyed the bounty and protection of our Government, and have been styled the most favored of all Indian tribes. The humane salutatory measures adopted, and many years pursued, for the improvement of their condition, have increased their wealth, advanced their civilization, and greatly promoted their prosperity and happiness. In every well-organized Government, the people are bound to contribute something for its support and their own protection. Our Chickasaw brothers are protected by the United States; they enjoy all the blessings of a government of laws; and yet they contribute nothing in return to its support. The citizens of the United States are compelled to discharge their obligations even to their red brethren; but they are totally exempt from the operations of our laws. Not only this, but their country affords a shelter to many of our own people, who take refuge in it to avoid their contract and the penalties of the criminal law. It is neither reasonable nor just that this state of things should continue, and you deceive yourselves greatly if you calculate on a long continuance of them. The indulgence hitherto granted you by this Government was founded more on compassion for your ignorant, helpless, and unprotected condition, than any

acknowledged political right upon either its bounty or protection. The condition of your nation has materially changed. You have accumulated much wealth, and considerably advanced in civilization; it becomes necessary, therefore, that the United States should change the policy heretofore pursued, and adopt a course better suited to your improved state, and more consistent with the rights and interest of your white brethren. The tomahawk and scalping knife must be laid aside for the scythe and pruning knife; the bow and arrow, for the plough; the wandering hunter must change his garb and his occupation for one more congenial with the pursuits of civilization. As you are no longer disposed to listen to the voice of your father the President, you must be prepared to receive such laws and regulations as the United States may think proper to introduce among you for the internal regulation of your affairs. What would be your condition if the Government were to withdraw its protection from you? Would not your country be soon filled with your white brethren, from whence it would be impossible for you to remove them? Our People are surrounding you on all sides, and increasing like the waters of some great river, which has been dammed up. Beware lest the obstructions, which at present restrain them, should be before you provide a place of refuge. The mighty torrent would overwhelm you, and your people and your country be lost forever. This is the most important subject ever presented to the consideration of the Chickasaws. Upon their decision hangs the destiny of their people to the latest generations. If they decide correctly, they may at some future day be a great and respectable nation. If it be their misfortune to make a wrong decision, as has been before said, their name and their language may be forever lost. Would it not be well, in so important a matter (one that is fraught with great evil and much good,) to take the whole subject again under advisement? We fear you have not sufficiently weighed the subject; that you have not been sufficiently impressed with its importance. To assist in your deliberations, and for the information of the nation, the commissioners have prepared written propositions to accompany this talk, which they wish taken into serious consideration by the Chickasaw nation. We still hope they may be induced, after again reflecting on the subject, to cede to the United States (if not the whole) a part of their lands, either on the Mississippi

or Tombigbee rivers, as may best suit their own connivance. It is all-important to the State of Mississippi that there should be a direct communication between the upper settlements of that State and the settlements of the State of Tennessee, either along the Mississippi or Tombigbee. If our Chickasaw brothers will consent to sell their father the President a slip of their country along either of those rivers, so as to enable the settlements of the two States to be directly connected, we will pay them liberally in money, besides granting reservations to such of the nation as may live on the lands ceded, upon such terms and in such a way as may be agreed upon. The reservations will be made to them and their heirs forever, with the privilege of living on them or selling them, as they may prefer.

THOMAS HINDS, JOHN COFFEE.

The following propositions are submitted to the consideration of the Chickasaw nation: In the first place, the commissioners propose to give the Chickasaws a country on the other side of the Mississippi, of equal extent with theirs on this side, to be selected out of any lands (not given to others) belonging to the United States, lying north and west of the State of Missouri and Territory of Arkansas. Secondly. They will grant reservations to such of the nation as may prefer to remain here, with good titles, and with the privilege of keeping them or selling them, as they may choose. Thirdly. All those who prefer moving on the other side of the river shall be paid the value of their improvements they may leave behind, to be valued by disinterested persons; and, in addition, will be paid all necessary expenses in moving, and provisions for one year, or an equivalent in money. Fourthly. In addition to the above-named liberal propositions, the commissioners are willing to pay to the whole nation a large sum of money, by annuities. Fifthly. To enable the Chickasaws to choose a good country, they promise to defray all necessary expenses, which the commissioners of the nation and an agent of the United States may incur in exploring the country. Lastly. As there will be much difficulty and loss experienced in removing stock from this the country on the west side of the Mississippi, it is proposed by the commissioners that the United States shall compensate such of the Chickasaws as may be injured in that way.

THOMAS HINDS, JOHN COFFEE.

General Coffee than addressed the council. He stated that, as the commissioners had been induced to believe that the voice of the nation had not been properly consulted or expressed in the answers which had been returned to the talks of the commissioners, they had been induced to bring the whole subject