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## **Ratified treaty no. 276, Documents relating to the negotiation of the treaty of November 4, 1854, with the Choctaw and Chickasaw Indians. November 4, 1854**

Washington, D.C.: National Archives, November 4, 1854

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RATIFIED TREATY NO. 276

DOCUMENTS RELATING TO THE NEGOTIATION OF THE  
TREATY OF NOVEMBER 4, 1854, WITH THE CHOCTAW  
AND CHICKASAW INDIANS



Choctaw 0423 [encl.]

Letter to Comr. Ind. Affs.

4



Choctaw Agency West Ark.  
Fort Towson Nov. 9 1854

Sir:

I have the honor to enclose Articles of Convention and Agreement between the Chickasaw and Choctaw Tribes, by which the boundaries of the Chickasaw District are definitively settled.

I consider it fortunate that these Tribes have thus settled one of the most perplexing questions of difference between them.

The knowledge possessed at the date of the Convention of 1837 of the topography of the Country was so imperfect, that it was impossible for me to arrive at a satisfactory solution of the Boundary difficulty with the hope that the arrangement & settlement of one point of difference between the two Tribes, forming the Choctaw Nation, will meet with your approbation and that of the President & Senate of the United States, I am

Very respectfully

Douglas H. Cooper

U.S. Agent for Choctaws

Hon. Geo. W. Manypenny

Comr. Indian Affairs



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TREATY

BETWEEN

THE UNITED STATES

AND THE

CHOCTAW AND CHICKASAW INDIANS.

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FRANKLIN PIERCE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

Whereas a treaty was made and concluded at Doaksville, near Fort Towson, Choctaw Nation, on the fourth day of November, eighteen and fifty-four, between the Choctaw and Chickasaw Indians, which treaty is in the words following, to wit:

Whereas a convention and agreement was made and entered into by the Choctaw and Chickasaw Indians, at Doaksville, near Fort Towson, in the Choctaw country, on the seventeenth day of January, A. D. one thousand eight hundred and thirty-seven; and, whereas, difficulties have arisen between said tribes in regard to the line of boundary, between the Chickasaw district and other districts of the Choctaw Nation, described in article 2d of said convention and agreement; and, whereas, it is the desire of the said tribes, that there shall no longer exist any dispute in regard to the boundary of the Chickasaw district, the undersigned, Thomas J. Pitchlynn, Edmund McKenny, R. M. Jones, Daniel Folsom, and Samuel Garland, commissioners duly appointed and empowered by the Choctaw tribe of red people; and Edmund Pickens, Benjamin S. Love, James T. Gaines, Sampson Folsom, and Edmund Perry, commissioners duly appointed and empowered by the Chickasaw tribe of Indians, to settle all matters in dispute between their respective tribes, which require new articles of agreement between them, have solemnly made the following articles of convention and agreement, on the fourth day of November, A. D. one thousand eight hundred and fifty-four, at Doaksville, near Fort Towson, in the Choctaw country, subject to the approval of the President and Senate of the United States.

ARTICLE 1. It is agreed by the Choctaw and Chickasaw tribes of Indians, in lieu of the boundaries established under article 2d of the convention and agreement entered into between said tribes, January 17th, A. D. 1837, the Chickasaw district of the Choctaw Nation shall be bounded as follows, viz: Beginning on the north bank of Red river, at the mouth of Island Bayou, where it empties into Red river, about twenty-six miles, on a straight line, below the mouth of False Wachitta, thence, running a northwesterly course,

along the main channel of said bayou to the junction of three prongs of said bayou nearest the dividing ridge between Wachitta and Low Blue rivers, as laid down upon Capt. R. L. Hunter's map; thence, northerly along the eastern prong of Island Bayou to its source; thence, due north to the Canadian river, thence west, along the main Canadian, to the one hundredth degree of west longitude; thence south to Red river, and down Red river to the beginning; *Provided, however*, if the line running due north from the eastern source



of Island Bayou to the main Canadian shall not include Allen's or Wa-pa-nacka academy within the Chickasaw district, then an offset shall be made from said line so as to leave said academy two miles within the Chickasaw district, north, west and south from the lines of boundary.

ARTICLE 2. It is agreed by the Choctaws, that the Chickasaws shall employ a surveyor or engineer to run out and mark the eastern line of the Chickasaw district, and by the Chickasaws that they will pay all expenses incurred in running out and marking said line; and it is mutually agreed that the chiefs of each district of

the Choctaw Nation shall appoint one commissioner to attend and supervise the running and marking of said line; the chief of the Chickasaw district giving them at least thirty days' notice of the time when the surveyor or engineer will proceed to run out and mark the line agreed upon; which shall be plainly marked upon trees, where there is timber, and by permanent monuments of stone, at every mile, where there is not sufficient timber upon which the line can be marked in a permanent manner, before the first day of August, A. D. one thousand eight hundred and fifty-five.

In testimony whereof, the parties to this convention and agreement have hereunto subscribed their names and affixed their seals.

Done in triplicate, at Doaksville, near Fort Towson, Choctaw Nation, the day and year first above written.

THOS. J. PITCHLYNN, [L. S.]  
EDMUND McKENNY, [L. S.]  
R. M. JONES, [L. S.]  
DANIEL FOLSOM, [L. S.]  
SAMUEL GARLAND, [L. S.]

*Commissioners on the part of Choctaws.*

EDMUND PICKENS, [L. S.]  
BENJAMIN S. LOVE, [L. S.]  
JAMES T. GAINES, [L. S.]  
SAMPSON FOLSOM, [L. S.]  
EDMUND PERRY, [L. S.]

*Commissioners on the part of Chickasaws.*

In presence of—

GEO. W. HARKINS,  
PETER FOLSOM,  
NICHOLAS COCHNANER,  
JACKSON FRAZIER,  
*Chiefs of the Choctaw nation.*  
DOUGLAS H. COOPER,  
*U. S. Indian agent.*  
WILLIAM K. MCKEAN.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-eighth day of February, eighteen hundred and fifty-five, advise and consent to the ratification of its articles, by a resolution in the words and figures following, to wit:



"IN EXECUTIVE SESSION, SENATE OF THE U. S.,

"February 28, 1855.

"Resolved, That the assent of the Senate be, and the same hereby is, given to the articles of convention and agreement between the Choctaw and Chickasaw tribes of Indians, made on the 4th day of November, 1854, at Doaksville, near Fort Towson, Choctaw Nation.

"Attest:

ASBURY DICKINS,

"Secretary."

Now, therefore, be it known, that I, FRANKLIN PIERCE, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-eighth day of February, one thousand eight hundred and fifty-five, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this tenth day of April, in the year of our Lord one thousand eight hundred and fifty-five, and of the independence of the United States, the seventy-ninth.

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\* L. S. \*  
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FRANKLIN PIERCE.

By the President:

W. L. MARCY, *Secretary of State.*