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RATIFIED TREATY NO. 31

DOCUMENTS RELATING TO THE NEGOTIATION OF THE TREATY
OF DECEMBER 17, 1801, WITH THE CHOCTAW INDIANS

Super. Heights, Fort Adams,

December 11th 1801

Sir

The Chactaws have at length arrived, we have received them this day in form, & tomorrow at 11 o'clock we shall open the conference: I enclose for your observation a sketch of the talk, which I propose, with the approbation of my associates, to deliver them.

I have found the troops here more undisciplined & more unlearned, than I am willing to describe - I have officers & men at close drill, & hope my attention may not be without effect.

The necessity of a reform becomes daily more striking - The public service requires it, & the Honor of the profession requires it - but to effect a salutary one, several difficulties & obstacles are to be surmounted, & a knowledge of individual character seems indispensable - We have some good matter in our Corps, but it is misarranged & has slumbered with the Mass in ignorance & inaction.

I fear the personal interest & attachment

of the Legislature may render it difficult to effect
a selection with its direct participation, and therefore
was my opinion worthy ought, it would be, that the
President should be authorized by a brief Act
"to reduce, reform, arrange, & organize the
Military Corps at his discretion," such powers
have been delegated more than once, & may be
confided safely & profitably. This measure would
give you time to investigate, to plan, & to im-
prove our present systems & establishments. —

But should an immediate change
take place, I must insist of you not to touch
our small general staff, as it has been well
appointed & is in a state of improvement, and it
is avowedly to this branch of service, the French
principally owe the skill, conduct, & evolutions of
their armies, pending the conflict at Spue. Their
"Etat Major," has been increased to a small host,
& is composed of genius & talent, selected without
respect to grade or condition. —

I enclose you the proceedings of a
court of Enquiry held at Norfolk, with my
observations, & decision on the case, and as I
have ventured to hazard opinions, for which I have
no precedent in point, I decline offering them to
the Army, unless they may receive the sanction

of your approbation, under which circumstance
I will thank you, to hand the order to the In-
spector for publication: I transmit you also the
proceedings of a General Court Martial, with my
order on the occasion, from which you may
form an estimate of character & merits, and I
will thank you after perusal, to direct it to
the Inspector, that the order may be issued —

Major Guion has in the public esti-
mation been damaged in his position for some
time past — I have been at a loss what course to
take with a Mad-Man, but some thing was
necessary to be done, & I have entered into the
compromise with him, which you will find
under cover, & which may I hope receive the
presidential sanction — If I have done wrong,
I shall regret it, tho' I had no other resort, for
I could neither dismiss him or accept his resi-
gnation peremptorily, & he was disqualified to
serve — He called on me after being ordered to
Camp / & I had agreed to receive his resignation / to state
his condition to me — He appeared rational for some
time, but at length observed, "that invisible Agents
had been employed to destroy his peace." He repeated
the observation & I asked him what he meant?

630

He replied "With Craft" - before he abandoned himself to intemperance, this man was second to no one in the service, for general information, & a clear understanding of his Duty, his fall is of consequence a loss -

I submit to you the expediency of suffering me, under peculiar circumstances, to accept resignations without respect to Rank - Major Buell begs to resign before I leave the Country, & the opportunity ought not to be neglected - Capt. Wade resigns his Commission the first of February, & Lt. Laxon resigned yesterday, under fear of the sentence of a general Court Martial, and others must follow or do worse, as I have determined to hazard every thing, to expel drunkenness, idleness, & disorder from the service, and to introduce subordination, temperance, & industry, persuaded that I shall find your support in all my measures, directed to the good of the service & the Honor of the profession -

We hope to be spared from this Post, will march for the Bayou Pierre, opening a Road in this Route, soon after the Treaty, should it terminate favorably -

1801
Copy of the Negotiations
with the Commissioners
of the United States
and
The Chactaws.

Decr. 1. 1801

See Amer. State Papers

Indian Affairs, Vol. I: 658.

Minutes of a conference between Brigadier General James Wilkinson, Benjamin Hawkins and Andrew Pickens Esquires Commissioners of the United States and the Principal Chiefs of the Chactaw Nation held at Fort Adams on the Mississippi the twelfth day of December 1801. The conference commenced. The Interpreters being called forth and warned to correct each other, and after having gone through the ceremonies of the pipe General Wilkinson in the name of the Commissioners addressed them as follows:

Mingos, chiefs and principal Men of the Chactaw Nations.

You have all heard the death of your father the Great Washington and you have no doubt wept for the loss, since we experienced that heavy misfortune the people of the sixteen tribes assembled in their great national council House have thought proper to elect our beloved chief Thomas Jefferson to be the President of these United States.

Brothers,

Open your ears and listen well. —
Your new father Jefferson who is the friend of

all the red people and of humanity, finding himself at the head of the white people of the Sixteen fires, immediately turned his thoughts to the condition of his red children who stand most in need of his care and whom he regards with the affection of a good father.

Brothers,

Your father the President of the United States being far removed from you by the intervention of deep rivers, high mountains & wide forests, finds it impossible to look upon you with his own eyes, or to speak to you from his own lips. He has therefore appointed two of his beloved men, Colonel Hawkins and General Pickens, with myself, to meet you in council and to confer with you on several subjects interesting to yourselves and to your white brethren of the sixteen fires. — We are happy to see you — We on his behalf and in his name take you by the hand, and we congratulate you on your safe arrival here!

Brothers,

The President of the United States invites you to look up to him as your friends and father, to rely in full confidence on his

unvarying disposition to love and protect you in the paths of peace and prosperity, and to preserve concord between you and your neighbours. — In his name we promise you that you may at all times rely upon the friendship of the United States, and that he will never abandon you or your children while your conduct towards the Citizens of the United States and your Indian neighbours shall be peaceable, honest and fair. —

Brothers,

We invite you to state to us freely the situation of your nation and what you wish on the part of your father the President to better your condition in hunting, agriculture, manufactures and stock raising, that we may present the same for his consideration. — We wish you to open your minds freely to us, and to set forth all your wishes and all your wants; that we may learn the true state of your condition and be able to assist you with our advice, our attentions, and our friendships. —

Brothers,

On the part of your white brethren we have to state to you that the path from the settlement of Katchez through your nation towards Cumberland is an uncomfortable one and very inconvenient to them in its present unimproved condition and we

are directed to stipulate with you to make it suitable to the accommodation of those who may use it and at the same time beneficial to yourselves. — Your brethren the Chickasaws have heard and agreed and they have consented that we should open a road through their lands to those of your nation and we now ask your consent that we may continue the same road through your lands to the settlements of this Territory. — We propose for the accommodation of travellers and for your own interests that houses of entertainment and farms should be established on this road, and that they may be rented by you to such persons as your father the President may appoint to keep them. — The ground, the farm, and the money arising from the rents to be for the use of your Nation and subject to its disposal, and that not more than one family be suffered to live at the same place. —

Brothers,

Since the King of Spain has given up this district to the United States, a necessity has arisen for frequent communications between your white brethren who live in the neighbourhood of the Mississippi and those who have settled on the Tombigby, and it follows that

people are constantly travelling across your country from the one place to the other — Under such circumstances to prevent disagreement and mischief we recommend to your consideration the expediency of having but one road of communication between these settlements to be opened and improved after the same manner & on the same terms as that proposed from the settlements of this territory to the Chickasaw nation. —

Brothers,

We come not to ask lands from you nor shall we even ask any unless you are disposed to sell and your father will assist and protect you in the enjoyment of those you claim; but to prevent future misunderstandings and to confine the settlers of this territory within the line long since run between you and them. — We recommend that it should be traced up and marked anew, while men can be found who were present at the survey and assisted in making it, for if all those persons should die before this is done, then disputes may arise between you and your white Brethren respecting this boundary and mischiefs may ensue. —

Brothers,

For several years past your father the President of the United States has sent you a present

of goods as a token of his friendship, which will be continued the present year. But you must recollect that you have never given any equivalent for this strong evidence of his paternal regard, and you must bear in mind that you are indebted for it to his generosity more than to his justice. Should his bounty be continued to you in future, you ought to be grateful for it, and should it be discontinued you will have no cause to complain as you have never given any thing to the United States in return.

Brothers

We wish you to let this talk sink deep into your hearts, and we wish you to take time & reflect seriously on it, and when you have made up your minds, we shall listen to you with pleasure, in the hope that you may enable us to make an agreeable report to our common Father the President of the United States, and in the meantime we shall be happy to contribute to your accommodation and the good of your Nation.

December 13th

The Chiefs met the Commissioners at their conference chamber, and Tuskonahpocia a chief of the lower towns informed the Commissioners that there were

seven Chiefs from different Towns and he requested on their behalf that they might be heard separately that each might speak for his own Town, and that after they had spoken that the young Warriors might be heard and that the same attention be paid to their talks as would be to those of the Chiefs.

The Commissioners replied - you will manage your affairs your own way, we will hear all of you patiently and with pleasure.

Tuskonahpocia then addressed the Commissioners.

To day I met the Commissioners here, who have delivered us the Talks from the President. I am well pleased with his talks which I have received from my Brother the Commissioner for the welfare of my Nation. I take you three beloved Men by the hand and hold you fast. You three Commissioners who have visited the Cherokee and Chickasaw one request which you ask of my Nation, the cutting of a Road I grant, I grant it as a white Road, as a path of peace and not as a path of war, which is never to be stained. I understood yesterday that my father the President allowed me an annual present and it should never be taken from me. It must have been a mistake of his officers as I have not received any annual allowance - he must have given it to some other of my red brethren

I deny ever having received an annual gift. It has never been told to the Chiefs of the Nation thro' the interpreters that their father allowed them an annual present for their Nation. — I forgot something when I spoke of presents which I will now mention. — We have received presents from our father the President, part at Walnut Hills and part at Statches. I myself and few of the Chiefs with a few warriors went to the Walnut Hills and the presents were but very small. I do not know whether these presents were concealed from us or not; but I know we got but few, not worth going after. A Company of the War Chiefs and Warriors received the last spring past a few presents at the Bluffs, that is all. If there have been any others given it must have been to idle Indians who are straggling about and do not attend to the talks of the Chiefs of the Nation. —

There is an old Boundary line between the White people and my Nation, which was run before I was a Chief of the Nation. This was run by the permission of the Chiefs of the Nation, who were chiefs at that time. — They understood when that line was run that they were to receive pay for those Lands. These Chiefs here present

acknowledge the land to be the White people's land. — They hold no claim on it though they never received any pay for it. They wish the line to be marked anew, & that it may be done by some of both parties as both should be present. I mean Red and White people. —

Tootekoomuk from the same District then spoke.

I thank the President my father for sending you three beloved men here to speak to me. I take you by the hand, hold you fast and am a going to speak to you. I grant the Road to be cut which the Chief who spoke before me granted. I grant the road only. — You may make it as firm, as good and as strong as you will. — As there are no big water courses on it, there is no occasion for canoes or ferries. —

I speak now concerning an old line which was run when I was a boy. — I wish this line to be traced and marked anew. — I do not know where the line is. — I have been informed by some of the young men of my nation that there are white people and straggled over it. We chiefs of the Nation wish if any are over our lines, that they may be moved back again by our Brothers the Officers of the United States, and that they would move them back with their stock.

Mingo peacocks of the Chickasaw Hay towns spoke
 I am an old acquaintance here. I came here
 with other chiefs of the nation, not to differ with them,
 but to join with them in whatever they may do.
 I understand this business plainly. You three
 setting them were sent by our father the President
 to speak to our nation. My talks are not long.
 I am here before you three beloved men. I am a
 man of but few words in my town. It is the
 lowest but one in my nation. My talks are
 not long. I hope this will be considered as if I
 had said a great deal. The first time I ever
 saw my friend the General (Wilkinson) He ap-
 peared as if he wished to say a great deal.
 I objected I was but one. I am a well wisher.
 The day will come when we Head men will see
 each other. The Road through our land to Tom-
 bigby, it is not in my power to grant. There are
 other chiefs who hold claims on those lands. My
 claim is but short. The white people travel the
 line of Limits between Spain and the United
 States. They are free to use that and any of
 the small paths.

Oakchume of the Upper Towns then spoke
 I see you today in the shade of your own

house. I am a poor distressed Red man. I know
 not how to do any thing. I am in the place here from
 the upper towns. My uncle was the great chief of the
 nation, kept all paths clean and swept out, long poles
 of peace, a number of Officers and chiefs in his arms.
 He is gone. He is dead. He has left us behind. You
 three beloved men in my presence, I am glad to see
 you. You may be my father for what I know.
 The great spirit above is over us all. I hold my fore
 fingers and with them I hold yours, mine are black
 but I whiten them for the occasion.

I understood your Great father General Wash-
 ington was dead and that the great Council got to-
 gether and appointed another in his stead, who has
 not forgot us and who loves us as our father Washington
 did, and I am glad to hear our father the President
 wishes that the sun may shine bright over his Red
 Children. The Chickasaws are my old Brothers. You
 visited them and talked to them before I saw you here.
 I understood that you asked for a Big path to be
 cut, a white path, a path of peace and that they
 granted it to you as far as their lands extended. I
 grant it likewise. There are no big water courses,
 there are no big Rivers nor creeks, and therefore no

12
occasion for canoes, nor is there any occasion for
house boats - It is not our wish that there should
be any houses built. The reason I give is that there
is a number of young warriors who might
spoil something ^{the houses} to those houses, and the Com-
plaints would become troublesome to me and
to my Nation.

I speak next of the old line - I
wish it to be traced up and marked over
again, for fear they may destroy the line
I claim part in it (meaning the line itself)
those people who are over it, I wish back
again for fear they may destroy the line and
it be lost - I have done.

Puckshunubbee from the Upper Towns

The old line that the other chief repeated
as far as I understood from my forefather I will
name its course and the water courses it crosses
beginning at the Homochitto running thence
nearly a South West course until it strikes the
Standing Pines Creek, thence crosses the Bay-
ou Pierre high up and Big Black, from
thence it strikes the Mississippi at the mouth
of Yazoo - that line I wish may be remem-
bered that both parties may know their own.

13
There are people over or on the line, it is my wish they
may be removed immediately - While the line runs
along Bayou Pierre some whites are settled on this
line and some over it. Those over it I wish may be
removed, if there are none over it, then is nothing spoken
of.

From the information that I have received
from my forefather this Natchez country belonged
to red people; But you Americans were not the
first people who got this country from the Red people
We sold our lands but never received any value for
them - This I speak from the information of Old
Men - We did not sell them to you and as we never
received any thing for them, I wish you our friends
to think of it and make us some compensation for
them.

We are Red people and you are white people
we did not come here to beg, we brought us property with
us to purchase any thing, we came to do the Business
of our Nation and return. The other Chief have
granted you this Road - We don't wish the white
people to go alone to make this Road. We wish a
few of the Red people and an interpreter to go
with them - We of the Upper towns District -

a large district. I speak for them now. There is but one interpreter in our station. He is a long distance from us. when we have business to do, we wish to have our interpreter near. It is the wish of the upper Towns to have an interpreter from among the whites who live with us, that we may do our business with more satisfaction with the Chief of the District. I have another request to make of you to relieve the distresses of our nation, a Blacksmith who can do our work well for the upper Towns District. Another thing I have to request for our young women and Half-breds, we want spinning wheels and somebody to be sent among them to teach them to spin. - I have nothing more to say. - I have complied with the request of the four missionaries. - I have done. - Further I have to ask concerning the Blacksmith's Tools; if the Man leaves us, let him leave his Tools as the property of the Upper Towns District.

Glantaulauhoomuh

I am a stranger. This is the first time I ever saw the Americans. I came here I am sorry that it appeared cloudy but, but it is

cleared off. (alluding to the cloudy weather which cleared off just as he began to speak). By what I have heard you are authorized to come and speak to us by our father the President. I am glad to take you by the hand which I do kindly, and am glad our Father the President thinks of his Red Children. It is my wish with the rest of the chiefs that the line may be marked anew. There are a number of water courses in our land and I wish the white people to keep no stock on them or to build houses. I am done. My talk is short and I will shake hands with you. -

The Interpreter then informed the four missionaries that he was directed by the chiefs to request that the young warriors might be indulged with making their talk on paper at their encampment, if that would do and to be supplied with paper for the purpose. - It was ordered accordingly and the Council adjourned.

December 14th.

The Young warriors sent from their camp requesting that Col. Wake their Agent, might be allowed to attend them; he was ordered accordingly.

16
December 15th

The Commissioners received the following communications made by the deputation from the Chaatawa in their camp through their Agent Col John McKee.

Buckshunabbe

I am a factor and have been so for a long time. My merchant is in Mobile. I have traded for him until I am become old. I am a man of but one heart and of one mind. White people make a number of fine things. My mind is not to be changed for these fine things, and if the people of Mobile are not able to supply us, ^{I do not wish to push up to other people to supply us} we are old and cannot take all the supplies that may be offered to us. The trade of the Chaatawa Station is my object. I do not look for any trade from this quarter. We wish that no people from this Quarter may cross the Road we have granted with trade to us. We receive our supplies from another quarter and must make our Remittances there. There are a number of people wanting to trade from this quarter. We do not wish the people of Bayou-

17
Pierre, Big Black Walnut Hills to purchase skins from the Red People. We do not apply for that trade it is a trade interfering with ours, and stealing our property ^{from} from other places. These people may introduce a trade of Liquor among us, this may cause the death of our people which has lately happened at Natchez, for which we are sorry. I want our father to send us iron wedges, handsaws and augurs.

Moinger Horn Massatubby.
I understand our Great Father Washington is dead and that there is an other beloved Man appointed in his stead, and that he is a well wisher and a lover of us four standing nations of Red people. Our old Brother the Chickasaws have granted a road from Cumberland as far south as their Boundary. I grant a continuance of that Road, which may be straightened but the old path is not to be thrown away entirely and a new one made. We have been informed by the then beloved Men, that our Father the President has sent us a yearly present we know nothing of. There are three other Nations, perhaps some of them may have received it. Another thing our father the President has promised us without being asked.

18
that he would send people among us to teach
our women to spin and weave. He has made
us these promises. I will not ask for men, I
ask for women to teach our women, these women
may first go among our half Breeds and teach
them, and the thing will then extend itself, one
will teach another and the whites may return
to their own People again. I want people
well qualified to teach our women, not people
who know nothing. I understand such things
are to be furnished as I wish, therefore as we
have half Breeds and other accustomed to work
I wish that ploughs may be sent us, pruning
knives, grubbing hoes, axes, handsaws, augers,
iron wedges, and a man to make wheels &
a small set of blacksmiths tools for a Redman.
Father, (the President of the United States) we
have a number of warriors who use their guns
for a living I understand your goods are cheap.
I wish you to send us a supply of trade.
I don't want this trade here / Fort Adams
this is a strange land. I want the store at
fort Mifflin or Fort Stephens. Father, I hold
your talks strong. I hope you will hold ours
fast also. I understand what we ask / I wish the old

19
marks of the line of separation between us and the Whites
to be marked over. And as our Father has said, he has
sent us on something every year. I hope it will be continued
although we have never received it. I hope that our father
will comply with my request as we have been informed
by his beloved men that he is disposed to afford us aid.

We came here sober to do business and wish to
return so, and therefore request that the Liquor which
we are informed our friends have provided for us may
be detained in store as it might be productive of evil.

Hoche Horno.

This is the talk of the Chiefs and Warriors. I am
one of the children of the President who has seen him
in his own house. I saw my father in the Great
beloved Council house in Philadelphia. He is now
dead, and I am informed there is another father to the
Red People appointed to keep up the Great Council
House. I have taken by the hand these three belov-
ed men sent by my father the President to meet
the Chataways. I have received his talk by them, &
put it in my heart and send this of mine in return.
With the other Chiefs I have granted permission to
the Commissioners to open the white road of peace
asked for. Father, when you receive this I hope
you will hold it fast. The chain of friendship

like an iron chain should never be broken - I have
but a short talk and hope it will be remembered.

Shappa Homo.

I was present when my father the President talked
to the Chactaws, Creeks, Choctaws, Chickasaws &
four northern Nations and heard his good advice
to his Children. - When I was in the beloved house
all talks and all paths were whitened with
every Nation. - I am well pleased they are
kept bright - I am glad there are some people
yet alive belonging to that white house who
wish to take care of the Red people - We give
up the Road - it is not to be settled by white peo-
ple.

Edmond Tullume.

Mingo Hom Mafsatubby's talk is mine, ex-
cept he has forgot to ask for cotton cards. My
people already make cotton cloth - I know the
advantage of it and request that good cotton
cards may be sent us.

Robert McClure.

A Gin is a thing I asked for a long time
ago - it was once offered to my nation and
refused by our Chiefs - I asked for it last
July but have received no answer I now

ask for it again - If this will be granted I wish to leave
soon - I am glad to hear it is the wish of our father the
President to teach us to do such things as the whites can do,
the sooner these things are supplied the better for by
long delay they may grow out of our young peoples
minds - We half breeds and young men wish to go to
work and the sooner we receive these things the sooner we
will begin to learn - I want a Blacksmith sent to the
Lower Towns District with a good set of tools which may
not be at the disposal of the Smith, but remain with
us should he go away - Some of our young people may
learn to use these tools, and wish them to remain for the
use of the District - My reason for asking this is that our
Interpreter may die, and our Agent be recalled by his
superior and another sent us who may not live at the
same place and may wish to remove the Tools - We
wish them to remain to us and our Children - We red
People do not know how to make Iron and Steel. we wish
our father to send us these with the Smith & and when
Present are sent on we wish a true inventory of all the
Inventories that we may know when we are cheated and
that the Invoice may be lodged with one of our Chiefs.

December 17th.

The Chiefs met the commissioners of the United

22
Letters in the Council Chamber and were addressed
by the latter.

Mingo's Chief and Principal men of the
Cherokee Nation.

We have heard the talks you delivered
to us the 13th and we have since received your
written address of the 15th inst; those talks and
the address have sunk deep into our hearts - they
give us great pleasure and they must prove highly
satisfactory to your father the President of the
United States, to whom we shall faithfully
transmit them, because he will perceive therefrom
that his red Children of the Cherokee Nation
are wise, just, dutiful and affectionate.

Brothers,

We are sorry to be informed that the
Goods heretofore forwarded to you by your
father the President of the United States, have
been delivered to improper characters and have
not reached your hands - We will take care
that those which his bounty may hereafter
dispense to you, shall be faithfully delivered:
but to prevent misunderstanding, we think

23
proper to repeat to you, that although his bounty will
be extended to you the present year and may be hereafter
continued to you at the discretion of your father the
President, you must not look on it as a right or to claim
it as a debt, because you have never given any
thing for it.

Brothers,

We shall faithfully report to your father
the President, your wants and your wishes as set
forth in your written address, and we have no doubt
he will give attention to them and will endeavour to
ameliorate your condition: on our own parts, we
promise you every attention to your true interests and
that we will use our best endeavours to promote all
your laudable pursuits and to advance your solid
Happiness.

Brothers,

Your Father the President, knows as well
how to reward his good Children as he does to punish
the bad - He has therefore authorised us to give you
at this time, some arms and ammunition for your
hunters and some goods for your old men and wo-
men as a proof of his friendship and as an

24
equivalent, for your careful attention to this request respecting the Roads and the old line of demarcation.

Brothers,

To avoid future misunderstanding we the Commissioners of the United States, have deemed it expedient to commit to you the agreement entered into between you the Minges, Chief and Warriors of the Chactaw Nation at this time - by this means we propose to prevent wicked men from encroaching upon the rights of either party, to inform those who may come after us, and to keep alive forever the works of this Council - we will now read and interpret the record to you and we shall be ready to explain any doubts or difficulties which may arise, and a fair Copy be lodged with your Nation, to be appealed to should occasion ever render it necessary.

The Treaty being then deliberately read by General Wilkinson and interpreted paragraph by paragraph was signed

25
and sealed and a duplicate delivered to the Head Chief of the Chactaw Nation.

The Treaty is in the following words: viz

A Treaty of Friendship, Limits and Accommodation, between the United States of America and the Chactaw Nation of Indians.

Thomas Jefferson President of the United States of America, by James Wilkinson of the State of Maryland, Brigadier General in the Army of the United States, Benjamin Hawkins of North Carolina and Andrew Pickens of South Carolina Commissioners plenipotentiary of the United States, on the one part, and the Minges, Principal men and Warriors of the Chactaw Nation, representing the said Nation in council assembled on the other part have entered into the following articles and conditions - viz -

Article 1st Where as the United States in Congress assembled did by their Com-

26
missioners plenipotentiary Benjamin Ha-
-kins, Andrew Pickens, and Joseph Martin
at a Treaty held with the Chiefs and Head-
Men of the Chactaw Nation at Hopewell
on the Kewee, the third day of January
in the Year of our Lord One thousand, seven
hundred, and eighty six, give peace to the
said Nation, and receive it into the peace
and protection of the United States of
America: It is agreed by the parties to
these presents respectively, that the Chactaw
Nation or such part of it, as may reside with-
in the limits of the United States, shall
be and continue under the care and pro-
tection of the said States and that the mu-
tual confidence and friendship which are
hereby acknowledged to subsist between the
contracting parties shall be maintained
and perpetuated. —

Article 2^d The Mingo, Principal
Men and Warriors of the Chactaw Nation
of Indians, do hereby give their free con-
-sent, that a convenient and durable

27
waggon way may be explored, marked, opened
and made under the orders and instructions
of the President of the United States through
their lands; to commence at the northern ex-
-tremity of the Settlements of the Mississip-
-pi Territory, and to be extended from thence,
by such route as may be selected and sur-
-veyed, under the Authority of the Presi-
-dent of the United States, until it shall
strike the lands claimed by the Chickasaw
Nation: and the same shall be and con-
-tinue forever, a highway for the Citizens of
the United States and the Chactaws:
and the said Chactaws shall nominate
two discreet men from their Nation, who may
be employed as assistants, guides, or pilots dur-
ing the time of laying out and opening the
said highway, or so long as may be deemed
expedient, under the direction of the Officer
charged with this duty, who shall receive
a reasonable compensation for their services.

Article 3^d The two contracting parties
covenant and agree that the old line of de-

marcation heretofore established by and between the Officers of His Britannic Majesty and the Chactaw Nation, which run in a parallel direction with the Mississippi River and eastward thereof, shall be retraced and plainly marked in such way & manner as the President may direct in the presence of two persons to be appointed by the said Nation; and that the said line shall be the Boundary between the settlements of the Mississippi Territory and the Chactaw Nation. And the said Nation does by these presents relinquish to the United States and quit-claim forever all their right, title and pretension to the land lying between the said line and the Mississippi River, bounded south by the thirty first degree of North Latitude and North by the Yazoo River, where the said line shall strike the same: and on the part of the Commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards

the Mississippi, together with their slaves household furniture, tools, materials and stock and that the Cabins or Houses erected by such persons shall be demolished.

Article 4th The President of the United States may at his discretion proceed to execute the second article of this Treaty, and the third article shall be carried into effect, as soon as may be convenient to the Government of the United States and without unnecessary delay on the one part or the other of which the President shall be the judge: the Chactaws to be seasonably advised, by order of the President of the United States, of the time when and the place where the survey and marking of the old line, referred to in the preceding article, will be commenced.

Article 5th The Commissioners of the United States for and in consideration of the foregoing concessions on the part of the Chactaw Nation and in full satisfaction for the same, do give and deliver to the Min-

goes, Chiefs and Warriors of the said Nation at the signing of these presents, the value of two thousand dollars in Goods and Merchandise nett cost of Philadelphia, the receipt whereof is hereby acknowledged; and they further engage to give three sets of blacksmiths tools to the said Nations.

Article 6th. This Treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof.

In testimony whereof the Commissioners plenipotentiary of the United States and the Mungos, Principals and warriors of the Chactaw Nation, have hereunto subscribed their names and affixed their seals at Fort Adams on the Mississippi this seventeenth day of December in the year of our Lord One thousand eight hundred and one, and of the Independence of the United

States the twenty sixth.

December 18th.
In conformity with the directions of the Commissioners the whole Deputation of the Chactaw Nation attended at the Council Chamber and received from the Commissioners the Goods promised, being of the value of 2038 dollars exclusive of Tobacco, with which the Indians appeared to be pleased and they parted with the Commissioners with apparent good humour. In addition to the Provisions they had received, the Commissioners ordered them to be furnished with twelve rations each for the path home.

I Certify this to be a true copy from the original

Alex. Macomb Jun^r
Secy to the Commis^{rs}

Fort Adams 21st December
1801

Relying on the information we have received that it is impracticable to convene the Creek chiefs in the winter as they are in the habit of going during that season into the woods and returning with the spring - We have fixed on the first of May for the Conference with that Nation at Fort Wilkinson -

We have the honor to be
With great consideration
Yours most obed^t serv^t

(signed)

J^r Wilkinson
Benjamin Hawkins
James Pickens

To the Hon^{ble}

Henry Dearborn

Secy of War

I Certify this to be a true copy

Alex^r Macomb for
Secy. to the Commis^r