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## **Documents relating to the negotiation of an unratified treaty of May 10, 1831, between the Creek and Osage Indians. May 10, 1831**

Washington, D.C.: National Archives, May 10, 1831

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DOCUMENTS RELATING TO THE NEGOTIATION  
OF AN UNRATIFIED TREATY OF MAY 10, 1831,  
BETWEEN THE CREEK AND OSAGE INDIANS

A Treaty of Peace, Amity, and Friendship made and  
Concluded between the Chiefs, Head men and Warriors of the Western Creek  
Nation, and the Chiefs, Head men and Warriors of all the Bands of the Sage Nation, at  
Cantonment Gibson, this tenth day of May, 1831.

Article 1<sup>st</sup> The contracting Parties declare that there shall be Peace, and Friendship between  
them for ever as Nations.

Article 2<sup>nd</sup> Should Friendship hereafter be interrupted by the conduct of any person, or persons of  
either Party by the Commission of Murder, or Capital offense, then the person, or persons so  
offending shall upon application to the Agent of the said Party, by the proper authority  
of the Party injured be brought before a Council of at least two Chiefs of each Nation to be  
punished agreeable to their decision.

Article 3<sup>rd</sup> Private Satisfaction, or Revenge shall not be taken by any individual or individuals of either Party.

Article 4<sup>th</sup> Should any violation of the second article of this Treaty be committed by either Party, the  
Offender, or Offenders shall be given up as hereafter provided for, within six months, but  
should the same not be done, then it shall be the duty of the Party injured to call  
in the aid of the United States Military Commander, at the nearest Military Post,  
to compel the same to be done, and the Parties solemnly bind themselves to submit to the  
exercise of his power and authority in compelling a compliance by the Surrender of the  
Offender, or Offenders.

Article 5<sup>th</sup> All Cases of Stealing shall be punished by stripes, not less than twenty nor more than thirty  
nine, to be determined by the Chiefs of the Nation, to whom the offense belongs upon  
Application of the injured Party.

Article 6<sup>th</sup> Reparation shall be made by the Return of Property stolen by either Party uninjured, or if  
injured the damage shall be assessed by the Council of twenty Chiefs, and if the individual  
or individuals cannot make a full Reparation for the injury, or injuries, he or they may  
have done, each Party binds itself to pay the amount out of the first Annuity payable  
thereafter.

Article 7<sup>th</sup> In all Cases of Murder or when an immediate decision cannot take place in the case, the  
Offender, or Offenders shall be Surrendered up to the Officer Commanding the nearest  
Military <sup>Post of the United States</sup>, until a decision can be had in the case agreeable to the foregoing Articles.

Art. 8<sup>th</sup> In case a horse is stolen by either Party and dies, the value of the horse and twenty dollars  
damages shall be paid, also, that twenty dollars damages shall be paid if a horse is stolen from  
either Party whether it is returned or not.

Art. 9<sup>th</sup> When a fair swap of horses shall be made, between a Muscogee and Sage and afterwards  
either of them should wish to see their bargain the one wishing to see shall pay the other  
the sum of ten dollars.

In testimony of our good will and Friendship towards each other we

Art. 8<sup>th</sup> Military, until a decision can be had in the case agreeably to the foregoing articles.  
 In case a horse is stolen by either party and dies, the value of the horse and twenty dollars damages shall be paid, also, that twenty dollars damages shall be paid if a horse is stolen from either party whether it is returned or not.

Art. 9<sup>th</sup> When a fair swap of horses shall be made, between a Muscogee and Sage and afterwards either of them should wish to see their bargain the one wishing to see shall pay the other the sum of ten dollars.

In testimony of our good will and friendship towards each other we have affixed our hands and seals the day and date aforesaid.

Signed Duplicates

In presence of	Muscogees (or Creek)	Sages
P. L. Chouteau, U.S. Dist. Atty for Okla.	Jusk, hatchy Miceo	Clermont
Geo. Vason, U.S. Dist. Atty for Cherokee Dist.	Chilly McIntosh	Sakuska, or White Hair
M. Arbuckle Capt of Infy	Benjamin Derasaw	Seeche monny, or Walking Hair
Sam. Houston, of Tex.	Jacob Derasaw	Tally
Wm. H. Pryor U.S. Subst. of Wagon	John Puthava	Kan, hegai tonga
D. D. M'Nair, U.S. Subst. of Wagon	Col. Senaway	Okee shai Woi ko
D. S. Miles, Lt. Adjt. of Infy	Samuel Miller	Nata see gar (The God)
A. G. Wilkinson Capt of Infy	Kendal Lewis	Chow to Sa bie (Black Dog)
John M. B. Br. Genl.	Spoke both Harjo	Tchee a to ka Machce
J. M. Baylor Adj. Genl. U.S.A.	Hos pee tar Harjo	Ma chee pee chai
J. L. Dawson, Lt. of Infy	Benjamin Perryman	Hurachee or Ka Eagle
Joseph Macomb Lt. of Infy	William Perryman	Ennan paperia
L. Fitcher	Wartlock ko Harjo	Wa trush shai
John Anthony Secy to Brig. and Council	John Randall	Chou gau mon nan
L. J. Carter	Tallaway Miceo	Uai has Shapsai
Sam. Kinney	Bros Harjo	Mintai inanga
A. Phillips Plt. U.S.A.	Samuel Perryman	Mongabrae
J. West Lt. of Infy	Echo Harjo	Ta won nin hai
Gen. A. S. Sterling Lt. of Infy	Holata Miceo	Ope jush shu gai
J. H. Brockway Lt. of Infy	Ar. piack Miceo	Kai hegai traigai
P. S. Henry	Tcho co tar Tustunnugge	Lu chi ta Wosca
A. Harrison	John Harjo	Tchee shai wa rach
J. Thomas Lt. of Infy	John Charles Harjo	Arseeda Thingga
Benjamin Hawkins, Genl. Interpreter	Once za Tustunnugge	Se ca Antara
E. Jacobs	Cossa. Uhollo	Wart see gar
John Wynn Chief Creek Nation	Tustunnugge Chopito	Mar ho bar kin
John Van Rensselaer Chief Interpreter	O. Keeti-ock see Tustunnugge	Singawapa or Pretty Bird

J. Thomas Esq Infy	John Charles Warjo	Arseeda Thinga
Benjamin Hawkins, Consul Interpreter	Onesra Justinuyge	Se ca Anthra
E. Jacobs	Cossa Yoholla	Marta Kee gar
John Wynn Clerk Creek Nation	Justinuyge Chopite	Mar hu bai Ken
Stephen Van Ransdellau Orator Interpreter	O-Keeti-ock-see Justinuyge	Sungawapa or Pretty Bird
Statist Magraw	Thomas Hednam	Kai, he, gai Washonpeches
for Obys.	John Kono Tuxico	Taman Kabrai
	Chris Kai lazar Emautla	Kahigais Chinga, Little Chief
	Lepique Emautla	Sha, bai, chinga / Little Beaver
	Talladee Darjo	Kuratie for War Eagle
	See har Yoholla	Woi chu chi
	Hats Kee see	Hura woi chuche
	Cossanda Justinuyge	Tiga hais nonpasbi
	Daniel Miller	Nika garais
	Charles Reed	Kai he gai tonga (Little Orator)
	Robert Tiger	Tuhan Monnie
	Tallamabee	Mensor
	William Starbuccar	Kan hou tchai in gai
	Choi eth Darjo	Owapabia
	Paula Justinuyge	Hurashin
	Winnemartootichee	Kumbawaghrai
	Cristy Terryman	Tiga Thinga
	William Terryman	Tega hrai nonpabia
	Yaha Justinuyge	Cowatunna
	Holanta Darjo	Wombai Kee ha
	Chitto Yoholla	Hurawashushai
	Hopocth Darjo	monhis pay arai chai
	Wocosee Thee Darjo	Nataniga
	Arkeete Yoholla	Wash shabai
	Hillabee Emautla	See ca hree
	Act hes har war harjo	Ta shai ga
	Chokotee Justinuyge	Kungant chai
	Tacosee Kothlepoi	Kothai watchai
	John Barrill	Kungashai
	Efire Emautla	Thish shai wa rai
	Nutes Hopore	See ga tchai
	Alexander Lashley	Kargar mannie
	C. Emautla chee	Kamsai
		Madisida