

# INDIAN TREATIES.

## TREATY WITH THE CREEK NATION.

JULY 10TH, 1861.

### A TREATY OF FRIENDSHIP AND ALLIANCE,

*Made and concluded at the North Fork Village, on the North Fork of the Canadian river, in the Creek Nation, west of Arkansas, on the tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one, between the Confederate States of America, by Albert Pike, Commissioner, with plenary powers, of the Confederate States, of the one part, and the Creek Nation of Indians, by its Chiefs, Head Men and Warriors in General Council assembled, of the other part.* July 10, 1861.

The Congress of the Confederate States of America, having, by "An act for the protection of certain Indian tribes," approved the twenty-first day of May, in the year of our Lord, one thousand eight hundred and sixty-one, offered to assume and accept the protectorate of the several nations and tribes of Indians occupying the country west of Arkansas and Missouri, and to recognize them as their wards, subject to all the rights, privileges and immunities, titles and guarantees with each of said nations and tribes under treaties made with them by the United States of America; and the Creek Nation of Indians having assented thereto upon certain terms and conditions:

*Now, therefore,* the said Confederate States, by Albert Pike, their Commissioner, constituted by the President under authority of the act of Congress in their behalf, with plenary powers for these purposes, and the Creek Nation, in General Council assembled, have agreed to the following articles, that is to say:

ARTICLE I. There shall be perpetual peace and friendship, and an alliance offensive and defensive, between the Confederate States of America, and all of their States and people, and the Creek Nation of Indians, and all its towns and individuals. Peace and friendship perpetual.

ARTICLE II. The Creek Nation of Indians acknowledges itself to be under the protection of the Confederate States of America, and of no other power or sovereign whatever; and doth hereby stipulate and agree with them that it will not hereafter, nor shall any of its towns or individuals, contract any alliance or enter into any compact, treaty or agreement with any individual State or with a foreign power: *Provided*, That it may make such compacts and agreements with neighboring nations and tribes of Indians for their mutual welfare and the prevention of difficulties, Terms upon which the Confederate States assume and accept the protectorate of the Creek nation.

as may not be contrary to this treaty, or inconsistent with its obligations to the Confederate States; and the said Confederate States do hereby assume and accept the said protectorate, and recognize the said Creek Nation as their ward; and by the consent of the said Creek Nation, now here freely given, the country whereof it is proprietor in fee, as the same is hereinafter defined, is annexed to the Confederate States, in the same manner and to the same extent as it was annexed to the United States of America before that government was dissolved, with such modifications, however, of the terms of annexation, and upon such conditions, as are hereinafter expressed, in addition to all the rights, privileges, immunities, titles and guarantees with or in favor of the said nation, under treaties made with it, and under the statutes of the United States of America.

## Boundaries

ARTICLE III. The following shall constitute and remain the boundaries of the Creek country, viz: Beginning at the mouth of the North Fork of the Canadian river, and running northerly four miles; thence running a straight line so as to meet a line drawn from the south bank of the Arkansas river, opposite the east or lower bank of Grand river, at its junction with the Arkansas, and which runs a course south forty-four degrees west, one mile, to a post placed in the ground, thence along said line to the Arkansas and up the same to the Verdigris river, to where the old territorial line crosses it; thence along said line north to a point twenty-five miles from the Arkansas river where the old territorial line crosses the same; thence running west with the southern line of the Cherokee country to the North Fork of the Canadian river, where the boundary of the cession to the Seminole Nation defined in the first article of the treaty between the United States of America and the Creek and Seminole Nations, of August seventh, in the year of our Lord one thousand eight hundred and fifty-six, first strikes said Cherokee line; thence down said North Fork to where the eastern boundary line of the said cession to the Seminole Nation strikes the same; thence with that line due south to the Canadian river, at the mouth of the Ok-hai-ap-po, or Pond creek; and thence down said Canadian river to the place of beginning.

Assent of the  
Creek nation to act  
May 21, 1861, for  
the protection of  
certain Indian  
tribes.

ARTICLE IV. The Creek Nation hereby gives its full, free and unqualified assent to those provisions of the act of Congress of the Confederate States of America entitled "An act for the protection of certain Indian tribes," approved the twenty-first day of May, in the year of our Lord one thousand eight hundred and sixty-one, whereby it was declared that all reversionary and other interest, right, title and proprietorship of the United States in, unto and over the Indian country in which that of said nation is included should pass to, and vest in, the Confederate States; and whereby the President of the Confederate States was authorized to take military possession of all said country; and whereby all the laws of the United States, with the exception hereinafter made applicable to, and in force in, said country and not inconsistent with the letter or spirit of any treaty stipulations entered into with the Creek Nation among others were re-enacted, continued in force, and declared to be in force in said country, as laws and statutes of the Confederate States: *Provided, however,* And it is hereby agreed between the said parties that whatever in the said laws of the United States contained, is or may be contrary to, or inconsistent with, any article or provision of this treaty, is to be of none effect henceforward, and shall, upon the ratification hereof, be deemed and taken to have been repealed and annulled as of the present date, and this assent as thus qualified and conditioned, shall relate to, and be taken to have been given upon the said day of the approval of the said act of Congress.

## Proviso.

ARTICLE V. The Confederate States of America do hereby guarantee to the Creek Nation, to be held by it to its own use and behoof in fee simple forever, the lands included within the boundaries defined in the preceding article of this treaty; to be held by the people of the said nation in common as they have heretofore been held, so long as grass shall grow and water run, if the said nation shall so please, but with power of making partition thereof and disposition of parcels of the same by virtue of laws of the nation duly enacted; by which partition or sale, title in fee simple, absolute, shall vest in parceners and purchasers, whenever it shall please the nation of its own free will and accord and without solicitation from any quarter to do so; which solicitation the Confederate States hereby solemnly agree never to use, and the title and tenure hereby guaranteed to the said nation, is and shall be subject to no other conditions, reservations or restrictions whatever than such as are hereinafter specially expressed.

Guarantee of lands to the Creek nation;

power to dispose of them.

ARTICLE VI. None of the said lands hereby guaranteed to the Creek Nation, shall be sold, ceded, or otherwise disposed of, to any foreign nation or to any State or government whatever; and in case any such sale, cession or disposition should be made without the consent of the Confederate States, all the said lands shall thereupon revert to the Confederate States.

Lands not to be sold to any foreign nation, or to any State or government whatever.

Penalty.

ARTICLE VII. The Confederate States hereby agree and bind themselves that in guaranteeing to the Seminole Nation of Indians the country granted, ceded and conveyed to it by the Creek Nation, by the treaty of the seventh day of August, in the year of our Lord one thousand eight hundred and fifty-six, it shall be provided as it was in that treaty, that no part thereof shall ever be sold, or otherwise disposed of, by the said Seminole Nation without the consent of the Creek Nation formally and explicitly given.

Lands granted to Seminoles by Creeks not to be sold by former without consent of latter.

ARTICLE VIII. The Confederate States of America do hereby solemnly agree and bind themselves that no State or Territory shall ever pass laws for the government of the Creek Nation; and that no portion of the country hereby guaranteed to it shall ever be embraced or included within or annexed to any Territory or Province; nor shall any attempt ever be made, except upon the free, voluntary and unsolicited application of the said nation, to erect the said country, by itself or with any other, into a State or any other territorial or political organization, or to incorporate it into any State previously created.

No State or Territory to pass laws for government of Creeks.

Creeks not to be incorporated into any other territorial or political organization without their full consent.

ARTICLE IX. So far as may be compatible with the Constitution of the Confederate States and with the laws made, enacted or adopted in conformity thereto, regulating trade and intercourse with the Indian tribes, as the same are limited and modified by this treaty, the Creek Nation shall possess the otherwise unrestricted right of self-government, and full jurisdiction, judicial and otherwise, over persons and property within their limits; excepting only such white persons as are not, by birth, adoption or otherwise members of either the Creek or Seminole Nation; and that there may be no doubt as to the meaning of this exception, it is hereby declared that every white person who, having married a Creek or Seminole woman, resides in the said Creek country, or who, without intermarrying, is permanently domiciled therein with the consent of the authorities of the nation, and votes at elections, is to be deemed and taken to be a member of the said nation, within the true intent and meaning of this article; and that the exception contained in the laws for the punishment of offences committed in the Indian country, to the effect that they shall not extend or apply to offences committed by one Indian against the person or property of another Indian, shall be so extended and enlarged by virtue of this article when ratified, and with-

Government.

Restrictions.

Membership.

Punishment of offences.



out further legislation, as that none of said laws shall extend or apply to any offence committed by any Indian, or negro, or mulatto, or by any such white person, so by birth, adoption or otherwise a member of such Creek or Seminole Nation, against the person or property of any Indian, negro, mulatto, or any such white person, when the same shall be committed within the limits of the said Creek Nation as hereinbefore defined; but all such persons shall be subject to the laws of the Creek Nation, and to prosecution and trial before its tribunals, and to punishment according to such laws, in all respects like native members of the said Creek Nation.

Intruders to be kept out of the Creek country.

ARTICLE X. All persons who are not members of either the Creek or Seminole Nation, found in the Creek country, as hereinbefore limited, shall be considered as intruders, and be removed and kept out of the same, either by the civil officers of the nation under the direction of the Executive or the General Council, or by the agent of the Confederate States for the nation, who shall be authorized to demand, if necessary, the aid of the military for that purpose; with the following exceptions only, that is to say: Such individuals, with their families as may be in the employment of the government of the Confederate States; all persons peaceably travelling, or temporarily sojourning in the country, or trading therein under license from the proper authority; and such persons as may be permitted by the Creeks or Seminoles with the assent of the agent of the Confederate States, to reside within their respective limits without becoming members of either of said tribes.

Reservation of lands for Indian agency.

ARTICLE XI. The tract of two sections of land, selected by the President of the United States, under the treaty with the Creek Nation, concluded on the twenty-fourth day of January, in the year of our Lord, one thousand eight hundred and twenty-six, at which the Creek Agency is now maintained, and whereon the public buildings of that agency have been erected is hereby reserved to the Confederate States in the same manner as the same was, by that treaty, reserved to the United States, and is not included in the guarantee of lands aforesaid, but shall be within the sole and exclusive jurisdiction of the Confederate States, except as to members of the Creek or Seminole Nation as above defined, all offences committed by whom thereon shall be punished by the laws and courts of the said nation whenever they would be so punished if committed elsewhere in the nation: *Provided*, That whenever the agency for the said nation shall be discontinued by the Confederate States, and an agent no longer appointed, the said tract of two sections of land shall pass to and vest absolutely in the Creek Nation in the same manner as its other lands with all the buildings that may be thereupon.

Proviso.

Reservation of lands for forts, military posts and post roads.

ARTICLE XII. The Confederate States shall have the right to build, establish and maintain such forts and military posts, temporary or permanent, and to make and maintain such military and post-roads as the President may deem necessary, within the Creek country; and the quantity of one mile square of land, including each fort or post, shall be reserved to the Confederate States, and within their sole and exclusive jurisdiction, so long as such fort or post is occupied; but no greater quantity of land beyond one mile square shall be used or occupied, nor any greater quantity of timber felled than of each is actually requisite; and if in the establishment of such fort, post, or roads, or of the agency, the property of any individual member of the Creek Nation, or any property of the nation itself, other than land, timber, stone and earth, be taken, destroyed or injured, just and adequate compensation shall be made by the Confederate States.

Restrictions.

Right of way for railroads or telegraph lines.

ARTICLE XIII. The Confederate States or any company incorporated by them, or any one of them, shall have the right of way for railroads or tele-

graph lines through the Creek country; but in case of any incorporated company, it shall have such right of way only upon such terms and payment of such amount to the Creek Nation as may be agreed upon between it and the national council thereof; or, in case of disagreement, by making full compensation, not only to individual parties injured, but also to the nation for the right of way; all damage and injury done to be ascertained and determined in such manner as the President of the Confederate States shall direct. And the right of way granted by said nation for any railroad, shall be perpetual, or for such shorter term as the same may be granted, in the same manner as if no reversion of their lands to the Confederate States were provided for, in case of abandonment by them, or of extinction of their tribe.

ARTICLE XIV. No person shall settle, farm, or raise stock within the limits of any post or fort, or of the agency, except such as are, or may be, [in] the employment of the Confederate States in some civil or military capacity, or such as, being subject to the jurisdiction and laws of the Creek Nation, are permitted by the commanding officer of the fort or post to do so thereat, or by the agent to do so upon the agency reserve.

Farming within the limits of any post, or fort, or the agency prohibited.

ARTICLE XV. The Confederate States shall protect the Creeks from domestic strife, from hostile invasion, and from aggression by other Indians and white persons not subject to the jurisdiction and laws of the Creek Nation, and for all injuries resulting from such invasion or aggression, full indemnity is hereby guaranteed to the party or parties injured, out of the Treasury of the Confederate States, upon the same principle and according to the same rules upon which white persons are entitled to indemnity for injuries or aggressions upon them committed by Indians.

Creeks to be protected from domestic strife, hostile invasion, and aggression by other Indians, &c.

ARTICLE XVI. No person shall hereafter be licensed to trade with the Creeks, except by the agent, and with only the exceptions hereinafter mentioned, with the advice and consent of the national council. Every such trader shall execute bond to the Confederate States in such form and manner as was required by the United States, or as may be required by the bureau of Indian affairs; and hereafter it shall be in the power of the general council of the Creek Nation to levy and collect of all licensed traders a tax not exceeding one and one fourth per cent. on the first cost of all goods, wares and merchandise hereafter brought by them into the nation for sale; which first cost shall, in all cases, be ascertained from the invoices, copies whereof are required to be furnished to the agent. Such tax shall be payable immediately upon and after the importation into the nation of each stock of goods, but shall in no case be levied twice on the same stock or part of the same: *Provided*, That no tax shall be levied for the present year, upon the stocks of goods now held by licensed traders; but only upon such as they shall hereafter receive, and upon so much of their present stock as shall remain on hand on the first day of January next. No appeal shall hereafter lie to any officer whatever from the decision of the agent refusing to license any applicant.

License to trade with the Indians.

Conditions imposed.

Proviso.

ARTICLE XVII. Immediately upon the signing of this treaty, the agent of the Confederate States shall notify each licensed trader in the Creek Nation that he is required to apply for a license under the laws of the Confederate States within thirty days after the date of such notice; and any one failing to do so shall be considered as an intruder, and be immediately removed from the country. Upon each such application the agent shall decide and grant or refuse the same at his discretion, as heretofore, and his decision shall be final. Every license so granted by him shall be for the term of twelve months in addition to the unexpired portion of the year 1861; and if, at the expiration of the year 1862, a renewal of license should not be granted to any such trader, he shall

Traders to apply for license under laws C. S. within 30 days after signing of treaty.



nevertheless be entitled to remain in the country such reasonable length of time as may, in the opinion of the agent, be necessary, under the protection of the laws of the Confederate States, as a person peaceably sojourning therein, for the purpose of collecting such debts as may be due him: *Provided*, That no such license shall be granted by the agent, unless the party applying shall have paid the whole amount of compensation for land and timber assessed for the year 1861, by the council with the assent of the agent; and that any license hereafter granted shall be revoked on failure or refusal to pay in due time the tax that may be legally assessed in any year. When a second license is applied for by any such party, or hereafter when any new party applies for license, it shall be granted with the advice and consent of the national council: *And provided also*, That if the general council has any well founded objection to the present renewal of any license to any person now licensed as a trader, for which such renewal ought not, under the law, to be granted, it may present such objection to the agent, who shall refuse to renew the license in that case if he finds such objection to be well founded and sufficient; and if he do not so refuse, the general council may carry the matter before the superintendent, whose decision shall be final.

Proviso.

Further proviso.

Removal of certain restrictions in reference to the sale of personal property.

ARTICLE XVIII. All restrictions and limitations heretofore imposed or existing by treaty, law or regulation, upon the right of any member of the Creek Nation freely to sell and dispose of to any person whatever, any chattel or article of personal property whatever, are hereby removed and annulled, except such as the laws of the nation itself may have created.

Appointment of agent and interpreter.

ARTICLE XIX. An agent of the Confederate States and an interpreter shall be continued to be appointed for the Creek Nation, both of whom shall reside at the agency; and whenever a vacancy shall occur in either of the said offices, the authorities of the nation shall be consulted as to the person to be appointed to fill the same, and no one shall be appointed against whom they in good faith protest; and the agent may be removed on petition and formal charges preferred by the constituted authorities of the nation, the President being satisfied, upon full investigation, that there is sufficient cause shown for such removal.

What Indians may reside in the Creek country.

ARTICLE XX. The Creek Nation may, by act of its legislative authorities, receive and incorporate in itself as members of the nation, or permit to settle and reside upon the national lands, such Indians of any other tribe as to it may seem good; and may sell such Indians portions of land, in fee, or by less estate, or lease them portions thereof for years or otherwise, and receive to its own use the price of such sales or leases; and it alone shall determine who are members and citizens of the nation entitled to vote at elections, hold office or share in annuities, or in the common lands: *Provided*, That when persons of another tribe shall once have been received as members of the Creek Nation they shall not be disfranchised or subjected to any other restrictions upon the right of voting than such as shall apply to the Creeks themselves. But no Indians other than Creeks and Seminoles, not now settled in the Creek country, shall be permitted to come therein to reside, without the consent and permission of the legislative authority of the nation.

Who shall be entitled to vote, hold office, share in annuities or the common lands.

Proviso.

Penalty for settling upon lands of Creek nation without permission.

ARTICLE XXI. If any citizen of the Confederate States or any other person not being permitted to do so by the authorities of said nation, or authorized by the terms of this treaty, shall attempt to settle upon any lands of the Creek Nation, he shall forfeit the protection of the Confederate States, and such punishment may be inflicted upon him, not being cruel, unusual or excessive, as may have been previously prescribed by law of the nation.

ARTICLE XXII. No citizen or inhabitant of the Confederate States shall pasture stock on the lands of the Creek Nation, under the penalty of one dollar per head for all so pastured, to be collected by the authorities of the nation; but their citizens shall be at liberty at all times, and whether for business or pleasure, peaceably to travel the Creek country; and to drive their stock to market or otherwise through the same, and to halt such reasonable time on the way as may be necessary to recruit their stock, such delay being in good faith for that purpose.

Citizens of the C. S. may not pasture stock on Creek lands, but may, at all time, travel the Creek country.

ARTICLE XXIII. It is also further agreed that the members of the Creek Nation shall have the same right of travelling, driving stock and halting to recruit the same in any of the Confederate States as is given citizens of the Confederate States by the preceding article.

Creeks to have the same right to travel in any of the C. S.

ARTICLE XXIV. The officers and people of the Creek and Seminole Nations respectively, shall at all times have the right of safe conduct and free passage through the lands of each other; and the members of each nation shall have the right, freely, and without seeking license or permission, to settle within the country of the other, and shall thereupon be entitled to all the rights, privileges and immunities of members thereof, including the right of voting at elections, and of being deemed qualified to hold office, and excepting only that no member of either nation shall be entitled to participate in any funds belonging to the other nation. Members of each nation shall have the right to institute and prosecute suits in the courts of the other, under such regulations as may, from time to time be prescribed by their respective legislatures.

Personal and political rights, privileges and immunities of the Creeks and Seminoles.

ARTICLE XXV. Any person duly charged with a criminal offence against the laws of either the Creek or Seminole Nation, and escaping into the jurisdiction of the other, shall be promptly surrendered upon the demand of the proper authority of the nation within whose jurisdiction the offence shall be alleged to have been committed.

Fugitives from justice to be surrendered.

ARTICLE XXVI. The Creek Nation shall promptly apprehend and deliver up all persons accused of any crime against the laws of the Confederate States, or any State thereof, who may be found within its limits, on demand of any proper officer of a State or the Confederate States.

Persons accused of any crime against the C. S. to be delivered up.

ARTICLE XXVII. In addition to so much and such parts of the act of Congress of the United States, enacted to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers as have been re-enacted and continued in force by the Confederate States, and as are not inconsistent with the provisions of this treaty, so much of the laws of the Confederate States as provides for the punishment of crimes amounting to felony at common law or by statute against the laws, authority or treaties of the Confederate States, and over which the courts of the Confederate States have jurisdiction, including the counterfeiting the coin or securities of the Confederate States, or uttering counterfeit coin or securities, and so much of such laws as provides for punishing violators of the neutrality laws, and resistance to the process of the Confederate States, and all the acts of the provisional Congress, providing for the common defence and welfare, so far as the same are not locally inapplicable, shall hereafter be in force in the Creek country.

Laws in force in the Creek country defined.

ARTICLE XXVIII. Whenever any person who is a member of the Creek Nation shall be indicted for any offence in any court of the Confederate States or in a State court, he shall be entitled as of common right to subpoena, and if necessary compulsory process for all such witnesses in his behalf as his counsel may think necessary for his defence, and the costs of process for such witnesses, and of service thereof, and the fees and mileage of such witnesses shall be paid by the Confederate States, being afterwards made, if practicable, in case of conviction of the property of the accused. And whenever the accused is not able to

Any member of the Creek nation, shall, when indicted by a Confederate or State court, have right to subpoena witnesses.

When not able to employ, the court shall assign him counsel.

All laws in regard to the return of fugitive slaves, or fugitives from labor or justice extended to the Creek nation.

Members of Creek nation competent witnesses in C. S. courts.

Official acts of judicial officers in said nation to have same effect as like acts of officers of same grade, &c., in C. S.

Existing laws in reference to slavery declared binding.

No *ex post facto* laws impairing the obligation of contracts, passed by the Creek Legislature to effect any other than members of said nation, &c.

Post-offices and mails.

Right of ferriage.

employ counsel, the court shall assign him one experienced counsel for his defence, who shall be paid by the Confederate States a reasonable compensation for his services, to be fixed by the court, and paid upon the certificate of the judge.

ARTICLE XXIX. The provisions of all such acts of Congress of the Confederate States as may now be in force, or may hereafter be enacted, for the purpose of carrying into effect the provision of the constitution in regard to the re-delivery or return of fugitive slaves, or fugitives from labour and service, shall extend to, and be in full force within the said Creek Nation; and shall also apply to all cases of escape of fugitive slaves from the said Creek Nation into any other Indian nation or into one of the Confederate States, the obligation upon each such nation or State to re-deliver such slaves being in every case as complete as if they had escaped from another State, and the mode of procedure the same.

ARTICLE XXX. Persons belonging to the Creek Nation shall hereafter be competent as witnesses in all cases, civil and criminal, in the courts of the Confederate States, unless rendered incompetent from some other cause than their Indian blood or descent.

ARTICLE XXXI. The official acts of all judicial officers in the said nation shall have the same effect, and be entitled to the like faith and credit everywhere, as the like acts of judicial officers of the same grade and jurisdiction in any of the Confederate States; and the proceedings of the courts and tribunals of the said nation, and copies of the laws and judicial and other records of the said nation shall be authenticated like similar proceedings of the courts of the Confederate States, and the laws and office records of the same, and be entitled to like faith and credit.

ARTICLE XXXII. It is hereby declared and agreed that the institution of slavery in the said nation is legal and has existed from time immemorial; that slaves are taken and deemed to be personal property; that the title to slaves and other property having its origin in the said nation, shall be determined by the laws and customs thereof; and that the slaves and other personal property of every person domiciled in said nation shall pass and be distributed at his or her death, in accordance with the laws, usages and customs of the said nation, which may be proved like foreign laws, usages and customs, and shall everywhere be held valid and binding within the scope of their operation.

ARTICLE XXXIII. No *ex post facto* law or law impairing the obligation of contracts shall ever be enacted by the legislative authority of the Creek Nation, to effect any other persons than its own people; nor shall any citizen of the Confederate States or member of any other Indian nation or tribe be deprived of his property or deprived or restrained of his liberty, or fine, penalty or forfeiture be imposed on him in the said country, except by the law of the land, nor without due process of law; nor shall any such citizen be in any way deprived of any of the rights guaranteed to all citizens by the constitution of the Confederate States; and it shall be within the province of the agent to prevent any infringement of such rights and of this article, if it should in any case be necessary.

ARTICLE XXXIV. That the Congress of the Confederate States shall establish and maintain post-offices at the most important places in the Creek Nation, and cause the mails to be regularly carried at reasonable intervals to and from the same, at the same rates of postage, and in the same manner as in the Confederate States.

ARTICLE XXXV. Whenever any stream, over which may it be desirable to establish ferries, forms the boundary of the Creek country, members of the Creek Nation shall have the right of ferriage from their own land to the opposite shore; and no more onerous terms shall be imposed by the State



or nation opposite than such as it imposes upon its own citizens having ferries on the same stream.

ARTICLE XXXVII. In consideration of the common interests of the Creek Nation and the Confederate States, and of the protection and rights guaranteed to the said nation by this treaty, the Creek Nation hereby agrees that it will, either by itself or in conjunction with the Seminole Nation, raise and furnish a regiment of ten companies of mounted men to serve in the armies of the Confederate States for twelve months, the company officers whereof shall be elected by the members of the company, and the field officers by a majority of the votes of the members of the regiment. The men shall be armed by the Confederate States, receive the same pay and allowances as other mounted troops in the service, and not be moved beyond the limits of the Indian country west of Arkansas without their consent.

A regiment of mounted men to be raised to serve in the armies of the C. S.

ARTICLE XXXVII. The Creek Nation hereby agrees and binds itself at any future time to raise and furnish, upon the requisition of the President, such number of troops for the defence of the Indian country, and of the frontier of the Confederate States as he may fix, not out of fair proportion to the number of its population, to be employed for such terms of service as the President may fix; and such troops shall always receive the same pay and allowances as other troops of the same class in the service of the Confederate States.

Troops for the defence of the Indian country and the frontier.

ARTICLE XXXVIII. It is further agreed by the said Confederate States that the said Creek Nation shall never be required or called upon to pay, in land or otherwise, any part of the expenses of the present war, or of any war waged by or against the Confederate States.

Creeks not to pay expenses of present or any future wars.

ARTICLE XXXIX. It is further agreed that, after the restoration of peace, the Government of the Confederate States will defend the frontiers of the Indian country, of which the Creek country is a part, and hold the forts and posts therein, with native troops, recruited among the several Indian Nations included therein, under the command of officers of the army of the Confederate States, in preference to other troops.

C. S., after peace, to defend Indian frontier with native troops.

ARTICLE XL. In order to enable the Creek and Seminole Nations to claim their rights and secure their interests without the intervention of counsel or agents, and as they were originally one and the same people and are now entitled to reside in the country of each other, they shall be jointly entitled to a delegate to the House of Representatives of the Confederate States of America, who shall serve for the term of two years, and be a member of one of the said nations, over twenty-one years of age, and labouring under no legal disability by the law of either nation; and each delegate shall be entitled to the same rights and privileges as may be enjoyed by delegates from any territories of the Confederate States to the said House of Representatives. Each shall receive such pay and mileage as shall be fixed by the Congress of the Confederate States. The first election for delegate shall be held at such time and places, and be conducted in such manner as shall be prescribed by the agent of the Confederate States, to whom returns of such election shall be made, and he shall declare the person having the greatest number of votes to be duly elected, and give him a certificate of election accordingly, which shall entitle him to his seat. For all subsequent elections, the times, places, and manner of holding them and ascertaining and certifying the result, shall be prescribed by law of the Confederate States.

Representation in Congress.

Election of delegate.

ARTICLE XLI. It is further ascertained and agreed between the parties to this treaty, that the United States of America, of which the Confederate States of America were heretofore a part, were, before the separation, indebted, and still continue to be indebted to the Creek Nation, and bound

Annuities and interest thereon.

to the punctual payment to them of the following sums annually, on the first day of July of each year, that is to say :

Perpetual annuities, amounting in the aggregate to twenty-four thousand five hundred dollars, under the fourth article of the treaty of the seventh day of August, A. D., one thousand seven hundred and ninety ; the second article of the treaty of the sixteenth day of June, A. D., one thousand eight hundred and two ; and the fourth article of the treaty of the twenty-fourth day of January, A. D., one thousand eight hundred and twenty-six.

Interest at the rate of five per cent. per annum on two hundred thousand dollars, which, by the sixth article of the treaty of the seventh day of August, A. D., one thousand eight hundred and forty [fifty]-six, the United States agreed to invest in some safe stock, paying not less than that rate of interest, and to pay the interest regularly and faithfully, to be applied to purposes of education among the Creeks, but which they never invested ; being ten thousand dollars per annum, or more, payable perpetually.

The sum of one thousand seven hundred and ten dollars perpetually, the agreed cost of the wheelwright, blacksmith and assistant, blacksmith, shop and tools, and iron and steel, annually, under the eighth article of the treaty of the twenty-fourth day of January, A. D., one thousand eight hundred and twenty-six.

The sum of eight thousand two hundred and twenty dollars payable annually, until and upon, and ending upon the first day of July, A. D., one thousand eight hundred and sixty-four, being for the sums of six thousand dollars per annum, for education for seven years from and after the fiscal year ending 30th June, A. D., one thousand eight hundred and fifty-seven, under the fourth article of the treaty of the fourth day of January, A. D., one thousand eight hundred and forty-five, as the same is recited in the fifth article of the treaty of the seventh day of August, A. D., one thousand eight hundred and fifty-six ; and of two thousand two hundred and twenty dollars, being the estimated annual cost of the provision for two blacksmiths and assistants, shops and tools, iron and steel, under the thirteenth article of the treaty, made the twenty-fourth day of March, A. D., one thousand eight hundred and thirty-two, and which was continued for seven years from and after that fiscal year by the treaty of the seventh day of August, A. D., one thousand eight hundred and fifty-six.

The sum of four thousand seven hundred and ten dollars which was payable during the pleasure of the President of the United States, as follows, to-wit : two thousand dollars per annum for assistance in agricultural operations under the eighth article of the treaty of the twenty-fourth day of January, A. D., one thousand eight hundred and twenty-six ; one thousand dollars per annum for education under the fifth article of the treaty of the fourteenth day of February, A. D., one thousand eight hundred and thirty-three ; and one thousand seven hundred and ten dollars per annum, the estimated annual cost of the wagon-maker, blacksmith and assistant, shop and tools, iron and steel, under the same fifth article of the same treaty last aforesaid ; indefinite continuance of the payment of which three sums was provided for by the treaty of the seventh day of August, A. D., one thousand eight hundred and fifty-six.

And it is also hereby ascertained and agreed between the parties to this treaty that there was due to the Creek Nation, on the first day of July, in the year of our Lord, one thousand eight hundred and sixty-one, for and on account of these annuities, interest and annual instalments, and of arrearages thereof, the sum of seventy-one thousand nine hundred and sixty dollars, as follows, that is to say :

For the perpetual annuities then due, twenty-four thousand five hundred dollars.

For interest and arrearages on the said sum of two hundred thousand

dollars, provided to be invested for purposes of education by the sixth article of the treaty of the seventh day of August, A. D., one thousand eight hundred and fifty-six, which has never been invested, and the five instalments of interest whereon at the rate of five per cent. per annum, due up to and upon the first day of July, A. D., one thousand eight hundred and sixty-one, amount to the sum of fifty thousand dollars, whereof twenty-one thousand dollars only has been paid, the sum of twenty-nine thousand dollars.

For the two sums aforesaid due for educational purposes, seven thousand dollars.

For sums due for wagon-makers, blacksmiths, shops, iron and steel, and agricultural purposes, seven thousand six hundred and forty dollars, and for arrearages of same, being one-half of the annual sum due on the first day of July, A. D., one thousand eight hundred and sixty, and unpaid, three thousand eight hundred and twenty dollars, or together eleven thousand four hundred and sixty dollars. And it not being desired by the Confederate States that the Creek Nation should continue to receive these annual sums from the government of the United States, or otherwise have any further connection or communication with that government and its Superintendents and agents; therefore, the said Confederate States of America do hereby assume the payment, for the future, of all the above recited annuities and annual payments, and agree and bind themselves regularly and punctually to pay the same; and do also agree and bind themselves to pay immediately upon the complete ratification of this treaty, the said sum of seventy-one thousand nine hundred and sixty dollars for such annuities and annual payments, due on the first day of July, A. D. one thousand eight hundred and sixty-one, and for arrearages as above stated.

ARTICLE XLIII. It is also further agreed between the said parties to this treaty, that the United States of America, while the said several Confederate States were States of the said United States, held and do still continue to hold in their hands, invested in bonds and stocks of certain States, part or all of which are now members of the said Confederacy of States, the sum of two hundred thousand seven hundred and forty-two dollars and sixty cents, bearing an annual interest of eleven thousand six hundred and ninety-four dollars and fifty-four cents, and also arrearages of interest on the same in money, which amounted, on the first day of July, A. D., one thousand eight hundred and sixty-one, to so much as to make, with the principal, the sum of two hundred and forty-nine thousand nine hundred and thirty-seven dollars and fourteen cents, in bonds, stocks and money, in the hands of the United States, and belonging to those persons surviving, and the legal representatives of those persons deceased, who were orphan children of the Creeks, on the twenty-fourth day of March, A. D., one thousand eight hundred and thirty-two, the same being the proceeds of the twenty sections of land selected under the direction of the President of the United States, for such orphan children of the Creeks under and by virtue of the second article of the treaty of that date, and which were sold and the proceeds invested in such stocks as aforesaid, under the direction of the President of the United States, in conformity to the provision of that article that said twenty sections should be divided and retained, or sold, for the benefit of such children as the President might direct.

And it is further agreed that in addition to this sum, and to the sum of two hundred thousand dollars which should have been invested under the sixth article of the treaty of the seventh day of August, A. D., one thousand eight hundred and fifty-six, there has also long been and still

Amount due  
orphan children of  
the Creek nation.

Amount due cer-  
tain claimants.



is due and owing from the said United States to certain individuals in the Creek Nation, from claims allowed by William Armstrong, as Commissioner, in their favour on account of depredations by the Osages, as provided by treaty, the sum of nine thousand seven hundred and fifty-seven dollars and fifty cents, to pay which, and other like claims, there has long remained in the treasury of the United States the sum of sixteen thousand dollars, remainder of the sum of thirty thousand dollars allowed by treaty with the Osages, made the eleventh day of January, A. D., one thousand eight hundred and thirty-nine, for the purpose of

Payment of orphan children and claimants assumed by the Confederate States.

paying what should be adjudged for such depredations; and the said Confederate States of America do hereby assume the duty and obligation of collecting and paying over as trustees to the said Creek Nation, for the said orphans and legal representatives of orphan children of the Creeks, all sums of money accruing, whether from interest or capital of the bonds of the several States of the Confederacy now held by the government of the United States as trustee for the said orphans and legal representatives of orphan children of the Creeks, or for the Creek Nation; and the said interest and capital, as collected, shall be paid over to the said orphans or legal representatives of orphans of the Creeks or to the Creek Nation for them. And the said Confederate States will request the several States whose bonds are so held, to provide by legislation or otherwise, that the capital and interest of such bonds shall not be paid to the government of the United States, but to the government of the Confederate States, in trust for the said orphans and legal representatives of orphans.

States not to pay capital or interest of its bonds to U. S. but to C. S. in trust for said orphans.

Final settlement and full payment to be made after the restoration of peace.

And the said Confederate States hereby guarantee to the said Creek Nation the final settlement and full payment upon and after the restoration of peace, and the establishment and recognition of their independence, as of debts in good faith and conscience, as well as in law due and owing, on good and valuable consideration, by the said Confederate States and other of the United States, jointly, before the secession of any of the States, of all the said sums of money so due and owing by the late United States, and of any sums received by that government, and now held by it, by way of interest on a capital of said bonds of the States; and do also guarantee to it the full and final settlement and payment, at the same period of the capital and interest of any and all bonds or stocks of any Northern State, in which any of the Creek funds may have been invested.

All other sums due by this treaty to be paid upon the restoration of peace.

ARTICLE LXIII. It is also further agreed that whatever sums of money are by this treaty provided to be settled and paid by the Confederate States to the Creek Nation, for itself, upon the restoration of peace, not including those belonging to the said orphans, shall be paid over to the authorities of the nation, to be held by them invested in stocks, or shall be by the government of the Confederate States so invested, in stocks bearing the best rate of interest, and at the market rate of such stocks as the authorities of the nation may require, so that the nation may in either mode, have all the advantages of the investment; and that, if paid over to the authorities of the nation, the government of the Confederate States shall have no further control over the same in any wise, nor be in any wise responsible for its proper investment or disposition.

Treaties with the U. S. not inconsistent with this treaty to be binding.

ARTICLE LXIV. It is further agreed between the parties that all provisions of the treaties of the Creek Nation with the United States which secure or guarantee to the Creek Nation, or individuals thereof, any rights or privileges whatever, and the place whereof is not supplied by, and which are not contrary to, the provisions of this treaty, and so far as the same are not obsolete and unnecessary, or repealed, annulled, changed or modified by subsequent treaties, or laws, or by this treaty, are and shall be continued in force, as if made with the Confederate States.

ARTICLE LXV. It is hereby further agreed by the Confederate States that all the members of the Creek Nation as hereinbefore defined, shall be henceforward competent to take, hold and pass, by purchase or descent, lands in any of the Confederate States heretofore or hereafter acquired by them, and to sue and implead in any of the courts of each of the States, in the same manner and as fully, and under the same terms and restrictions and the same conditions only as citizens of another of the Confederate States can do.

Creeks entitled to own land, and sue in the courts of any of the States of the C. S.

ARTICLE LXVI. A general amnesty of all past offences against the laws of the United States, and of the Confederate States, committed in the Indian country before the signing of this treaty, by any member of the Creek Nation, as such membership is defined by this treaty, is hereby declared; and all such persons, if any, whether convicted or not, imprisoned or at large, charged with any such offence, shall receive from the President full and free pardon and be discharged.

Amnesty.

ARTICLE LXVII. It is also further agreed that the sum of seven hundred and fifty dollars shall be appropriated, upon the ratification of this treaty, by the Congress of the Confederate States, to pay the expenses of the Commissioners of the Creek Nation who have negotiated the same, and that the same shall be paid to the Principal Chief, Motey Kinnard, who shall distribute the same among the Commissioners as they shall agree and direct.

Payment of expenses of Creek commissioners.

ARTICLE LXVIII. This treaty shall take effect and be obligatory upon the contracting parties, from the tenth day of July, in the year of our Lord one thousand eight hundred and sixty-one, whenever it shall be ratified by the General Council of the Creek Nation, and by the Provisional President and Congress, or the President and Senate of the Confederate States.

When to take effect.

*In perpetual testimony whereof*, the said Albert Pike, as Commissioner, with plenary powers, on the part of the Confederate States, doth now hereunto set his hand and affix the seal of his arms, and the undersigned, the Commissioners appointed in this behalf by the General Council of the Creek Nation, do hereunto set their hands and affix their seals.

{ SEAL }

Done in duplicate, at the place, and upon the day, in the year first aforesaid.

*Commissioner of the Confederate States to the Indians west of Arkansas.*

MOTY KINNIARD,

*Principal Chief.*

ICHO HACHO,

*Principal Chief Upper Creeks.*

CHILLY McINTOSH,

LOUIS McINTOSH,

JAMES M. C. SMITH,

G. W. STIDHAM,

THOS. C. CARR,

Signed in duplicate in our presence.

ALBERT PIKE,

*to the Indians west of Arkansas.*

JOHN L. SMITH,

TIM BARNETT,

W. F. McINTOSH,

GEO. W. BRINTON,

OK-CHUN HACHO,

CO-AS-SAT-TI FIX-I-KO,

JOSEPH CORNELLS,

GEO. W. WALKER,

SAMUEL CHECOTE.

M. H. GARRETT,

*C. S. Agent.*

G. W. STIDHAM,

*C. S. Interpreter.*

W. WARREN JOHNSON,

WM. QUESENBERRY,

*Secretary to Commissioner.*

H. S. BUCKNER,

W. L. PIKE.

Ratification by  
the Creek nation.

WHEREAS, a treaty of alliance and friendship was made and concluded, subject to the ratification of the general council of the Creek Nation, on the tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one, by and between Albert Pike, Commissioner with plenary powers, of the Confederate States of America, on the part and behalf of the Confederate States, and Motey Kinnaird, Principal Chief, Icho Hacho, First Chief of the Upper Creeks, Chilly McIntosh, Louis McIntosh, James M. C. Smith, Geo. W. Stidham, Thomas C. Carr, John L. Smith, Timothy Barnett, William F. McIntosh, George W. Brinton, Ok-Chun Hacho, Co-as-sa-ti Fixico, Joseph Cornells, George W. Walker, Samuel Chicote and Daniel N. McIntosh, a Committee appointed by the General Council of Mus-ko-ki Nation, at the North Fork Village, on the North Fork of the Canadian River, in the said Creek Nation; and whereas by the forty-ninth article thereof, it is provided in these words, that "This Treaty shall take effect and be obligatory upon the contracting parties, from the tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one, whenever it shall be ratified by the General Council of the Creek Nation, and by the Provisional President and Congress, or the President and Senate of the Confederate States;"

Now therefore be it known, That the Creek or Mus-ko-ki Nation, in General Council assembled, on this, the twentieth day of July, in the year of our Lord, one thousand eight hundred and sixty-one, at the Council Ground of the said nation, having maturely considered the said treaty, and every article and clause thereof, and being satisfied therewith, doth upon its part, assent to, ratify and confirm the same, as its solemn act and compact, as is therein stipulated, and doth direct that a copy of this ratification signed by the Principal Chief and National Clerk be annexed to each part of the said treaty for authentication thereof.

Thus done and approved, the day and year aforesad.

A true copy of the original act of ratification, as adopted by the General Council.

MOTey KINNAIRD,  
*Principal Chief.*

Attest:

D. N. McINTOSH,  
*National Clerk.*

Signed and attested in our presence.

W. H. GARRETT,

*C. S. Agent for the Creeks.*

G. W. STIDHAM,

*C. S. Interpreter for the Creeks.*

Names of the Chiefs who signed the treaty concluded on the 10th day of July, 1861, and approved by the General Council of the Creek Nation on the 20th July, 1861, between the Confederate States of America and the Creek Nation of Indians:

Echur Harjo,	He-ne-mathco-che,	Ya-ha Harjo,
Cowassart Harjo,	Tullisse Fixico,	Fixico Harjo,
Nocus Emathla,	Tallof Harjo,	Ok-chun Harjo,
Us-so-na Harjo,	No-cus-illy,	Ne-ha Ya-ho-la,
In-suk-ko,	Cha-low Harjo,	Tallise Fixico,
Tustunnuk Kee,	Ok-ta-ha-hassee Harjo,	Jimmy Larney,
Ar-chu-le Harjo,	Ho-siche Boatswain,	Halputter Mikko,
Oh-sa Ya-ho-la,	Thear-ke-ta,	Samuel Lasley,



Ya-ha Tustunnukke,	It-chin Ya-ho-la,	Pow-has-e Marthla,
Ne-ha Ya-ho-la,	Nocus Fixico,	Ok-cus-ca Fixico,
Co-we Harjo,	Mikko Hutke,	Ar-hul Le-mathla,
Wm. Bruner,	Napoche Fixico,	Tul-wa Mikko,
Jacob Derrysaw,	Cotchar Fixico,	Ar-ha-luk Fixico,
E-ne-ha,	James McHenry,	Lou-cher Harjo,
Car-pit-char Ya-ho-la,	Cully Mikko,	Carpechar Fixico.

Attest:

*National Clerk.*

To the Indian names are subjoined marks.

### ARTICLE SUPPLEMENTARY

*To the treaty concluded between the Confederate States of America and the Creek Nation of Indians, at the North Fork Village, in the Creek Nation, on the tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one.* July 10, 1861.

ARTICLE. The survivors now residing in the Creek Nation, of the Apalachicola Band of Indians, have earnestly represented to the commissioner of the Confederate States the facts following, that is to say:

*Proamble.*

That the Apalachicola Band of Indians, being by origin a part of the Creek Nation, long resided on the Apalachicola river, in what is now the State of Florida, and were parties to the treaty concluded at camp Moultrie, with the Florida tribes of Indians, on the eighteenth day of September, A. D., one thousand eight hundred and twenty-three.

That by two treaties, made and concluded with the United States on the eighteenth day of June, A. D., one thousand eight hundred and twenty-three, by different portions of the said Apalachicola Band, the chiefs and warriors of that band relinquished all the privileges to which they were entitled as parties to the treaty aforesaid, concluded at camp Moultrie, and all their right and title to certain reservations by it secured to them; and in consideration of that cession, the United States agreed to grant, and to convey within three years, by patent, to certain named chiefs, for the benefit of themselves and of the sub chiefs and warriors of the said Apalachicola Band, the quantity, in all, of six sections of land, to be laid off under the direction of the President, after the lands should have been surveyed.

That it was provided by the same two treaties that the said six sections of land might be disposed of by the chiefs, with the consent and advice of the Governor of Florida, at any time before the expiration of said term of three years, and that the said band might thereupon migrate to a country of their choice. And it was further thereby provided, that if, at any future time, the chiefs and warriors of the Apalachicola Band should feel disposed to migrate from Florida to the Creek and Seminole country west, they might either sell the grants of land made by those treaties, and in that case must, themselves, bear the whole expense of their migration, subsistence, &c.; or they might surrender to the United States all the rights and privileges acquired under said two treaties, in which case, they should become parties to the obligations, provisions, and stipulations of the treaty of Payne's Landing, made with the Seminoles on the ninth day of May, A.

D., one thousand eight hundred and thirty-two, as a constituent part of that tribe, and re-unite with that tribe in their abode west, in which case the United States would pay six thousand dollars for the reservations in that case relinquished by the first article of the said two treaties.

That in the hostilities that afterwards took place between the Creeks and Seminoles and the United States, the said Apalachicola Band remained loyal to the United States, and maintained their peace and friendship unbroken; but, in the year 1837, they were induced by the urgent solicitation of the emigrating agent of the United States, to remove from the country occupied by them in Florida, to the Indian country west of Arkansas, leaving the lands so granted them as aforesaid, and a large number of horses, mules, cattle, hogs, wagons, and other articles which they could not collect together and carry with them, and which the said emigrating agent persuaded them to leave in his charge, on his promise that the owners should be paid the value of all such their property, in money, by the agent of the United States, on their arrival in the country provided for them on the west side of the Mississippi; a schedule of all of which property so abandoned, and of its value, and of the improvements on lands abandoned by them, and the value of each, is annexed to this article, and forms a part of it.

That, by the treaty of Payne's Landing, made on the ninth day of May, A. D., one thousand eight hundred and thirty-two, the United States agreed to pay the Seminole Indians, in full compensation for all their claim to lands in the Territory of Florida, and for all improvements on the lands so ceded, the sum of fifteen thousand four hundred dollars, to be divided among the chiefs and warriors of the several towns in a ratio proportioned to their population; and they further agreed to take the cattle belonging to the Seminoles, at the valuation of some person to be appointed by the President, and to pay the valuation, in money, to the respective owners, or give them other cattle; and the expenses of removal were to be paid by the United States, and subsistence for twelve months, to all emigrants, furnished by them;

And that no compensation has ever been made any of the said Apalachicola Band, for the lands or improvements so abandoned by them, or for the horses, mules, cattle and other property abandoned by them; nor have they ever received any part of the annuities paid the Seminole or Creek Nation since their removal west, or been recognized as an integral part of the Seminole Nation, as it was provided they should be;

And, inasmuch as the forced emigration of the said band, and their surrender and abandonment of their lands, improvements, horses, cattle and other property in consequence thereof, was equivalent; as against the United States, to an election, by them, to surrender the rights, privileges secured by the treaties of the 18th June, 1833, and to claim the rights and privileges thereby vesting in them, as parties to the treaty of Payne's Landing, of the 9th of May, 1832;

C. S., upon restoration of peace to investigate and pay certain claims of Apalachicola Indians.

Therefore, it is hereby agreed by the Confederate States of America, by Albert Pike, its Commissioner, with full powers, with the members and survivors of the Apalachicola Band of Florida Indians, that upon and after the restoration of peace, the said claims of the members of that Band, to compensation for the loss of the lands, improvements, horses, cattle, mules and other property, shall be fairly investigated, in a generous and liberal spirit, by an officer or commissioners, to whom that duty shall be assigned by the Confederate States; and that whatever shall appear, upon such investigation, to be justly or equitable owing to members of the said band, on account of such losses as aforesaid, shall be paid to the persons originally entitled to the same, or to the legal representatives of such of them as may be deceased.

And it is also farther agreed, that the foregoing provisions of this article shall extend to, and include the claims for losses of the same kind, by members of Black Dirt's Band of friendly Seminoles, who lost property in like manner, in consequence of their hurried removal west, as the same is contained in the schedule thereof, marked B, annexed to this article.

Also, claims of Black Dirt's Band of Seminoles.

And it is also agreed that the claims to money, in lieu of bounty land warrants, of the persons whose names and those of their heirs are contained in the schedule marked C, annexed to this article, shall in like manner, and at the same period, be investigated, and so far as they shall be found to be well founded, shall be paid by the Confederate States.

Also, claims to money in lieu of land warrants.

*In perpetual testimony whereof*, the said Albert Pike, Commissioner, with full powers, of the Confederate States of America, doth hereunto set his hand and affix the seal of his arms.

SEAL

Thus done, signed and sealed, at the North Fork Village, on the North Fork of the Canadian river, this tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one.

ALBERT PIKE,

*Commissioner of the Confederate States to the Indian Nations west of Arkansas.*



Schedule A.

SCHEDULE A.

Claims of Apalachicola Indians.

NAMES.	Horses.		Mules.		Cattle.		Hogs and Pigs.		Sheep, Oxen.		Corn, Rice, etc.		Wagons.		Improvement on land. Value of.
	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	No. Bu.	Value.	Number.	Value.	
Charley Walker.....	6	180	2	200	16	306	19	\$76	1	50					
Jemmy Walker.....					17	176	15	45							\$40
Watley.....	3	45			6	48	12	36							35
Betsy Walker.....	6	180			16	112	25	75							200
Fisher Walker.....	8	240			23	138	24	72							150
Tom-i Hacho.....	5	150			9	54	18	54							
Dinah Walker.....	3	120			24	144	30	90							200
Jenkins.....	8	240			14	98	16	48							160
Tal-si Tlac-co.....	1	105			19	152	14	42							25
Ni-ha Tlac-co chi.....	2	60					20	60							30
Hi-cha.....					17	119	26	72							20
A-he.....	3	60			12	72	15	45							20
O-chi Hacho.....	2	80			8	48	13	39							30
Su-na Co-chi.....					4	24	8	24							25
Fos Ima-thla.....	3	90					15	45							35
Ni-ha.....	2	60			6	36	14	42							20
Ni-ha.....	1	40			19	60	16	48							25
I-ma-thla-chi.....	4	160			7	42	30	90							25
Pa-his Hacho.....	3	126			7	42	24	72							20
Sally Hacho.....	3	120			6	36	16	48							15
Pa-nosi-ka.....	6	240			7	42	8	24							40
To-hi-pi.....	3	140			26	147	14	42							30
Milly Walker.....	2	80			23	178	19	57							50
Micoo Ya-ho-la.....	7	210			18	126	16	48							50
John Milly.....	6	180			15	90	14	42							80
Betsy.....	1	40			5	30	6	18							20
Polly Walker.....	5	150			12	84	26	78							30
Ti-fa Chi-yi.....	3	120			4	24	6	18							30
Ki-nat Ho-ho-yi.....	3	90			5	30	8	24							15
So-ni Tlac-co.....	3	120			5	35	10	30							20
Davy Tlac-co.....	2	60			11	77	15	45							20
Letty.....	4	160			8	56	11	33							30
Fi-ho-ki.....	3	126			39	219	24	72							25
Old Sampson.....	6	300			18	126	5	15							40
Ya-hi Tlac-co.....	3	120			14	98	12	36							25
Cho-il-li.....	6	240			4	28	5	15							25
Ta-co-si Ya-ho-la.....	3	120			7	49	11	33							25
Co-a-co-chi.....	21	840			34	238	5	15							40
Madison.....	3	120			5	35	14	42							45
Nor-co-si Ya-ho-chi.....	3	120			11	77	7	21							100
Hii-y-ya-ka.....	1	40			4	28	6	24							
Co-si Ya-ho-la.....	6	240			14	98	15	45							40
A-ha-loc Hacho.....	6	240			14	98	20	60							28
Cho-ni.....	6	240			18	126									14
Ok-chai-yi.....	2	80			21	147	8	24							50
Co-ni.....	4	160			6	42	14	42							10
Mi-ca-leh.....	2	80			4	28	6	18							16
Mary.....	4	160			7	42	12	36							60
Ni-co.....	5	200			4	24	8	24							38
Ro-sa-na.....	3	120			10	60	18	54							27
Capt. Billy or Isa-fa Hacho.....	4	160			18	108	20	60							90
Lindy.....	2	80			7	42	13	39							20
Fa-chi-ni-chi.....	1	120			10	70									15
Co-cho-co-ni.....	1	30			5	30	7	21							30
Tom Farby.....	1	120					11	33							20
I-con-cha-ta Micoo.....	6	180			23	138	12	36	13	39					30
Fa-fa Hacho.....	2	80			12	72	27	81							300
Jo Riley.....	6	180			36	216	45	135							115
Simon.....	3	90					25	75							40
Imatha Johnson.....	4	120			38	228	18	54							35
Fos Hutchi.....	2	60			7	42	8	24							40
George.....	2	80			9	54	13	39							25
So-ho Hth-li.....	4	120					18	54							20
Si-hi-chi.....	3	90					15	45							30
Ok-mul-ki.....	4	120			7	42	16	48							25
John Lewis.....	5	200			11	66	20	60							30
Tho-po-li.....	3	90			8	48	19	57							15
Woc si Hacho.....	2	60			10	60	35	105							25

Gun, \$30,

SCHEDULE A.—CONTINUED.

Schedule A.

NAMES.	Horses.		Mules.		Cattle.		Horses and Hogs.		Sheep, Oxen.		Corn, Rice, etc.		Wagons.		Improvement on land. Value of.
	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	No. Bu.	Value.	Number.	Value.	
Kat-cha Hacho.....	3	\$105			8	\$36	15	\$90							\$25
Ya-ha Hacho.....	1	30			7	42	4	12							50
Susy.....	2	50			6	36	5	15							50
Sim-ma-li-chi.....							20	80							50
Tha-thlo Hacho.....	5	150			9	51	15	45							80
Ha-a-thlum Hacho.....	5	180			15	90	13	39							80
Co-cho-co-mi Hacho.....	3	90			8	51	13	39							35
Ya-da-wa Hacho.....	3	90			6	36	16	48							Gun, \$50,
So-co-ski.....	2	60			4	24	8	24							40
H-li Kat-chi.....					6	36	10	40							30
Sim-ma-li-chi.....	5	200			5	30	45	135							50
Wil-yam-ai.....	6	240			35	245	25	75							250
A-sni-wa.....	2	80			3	12	6	18							40
Wa-hi.....	4	160			8	56	6	18							20
Co-ha Thlacco.....	3	120			15	90	38	114	60	\$180	50	\$50			150
Charly Inatila.....					2	12	140	420			150	150			Gun, \$10,
Micco Yahola.....					25	150	60	180			40	40			100
Susy.....					50	200					50	50			125
Towko.....					7	42	20	60			30	30			75
Cho-wus-ti Hacho.....											20	15			50
Micco Mo-cha-sa.....							13	39			40	40			40
Ok-li-chi.....											50	50			80
Hillis Hacho-chi.....											83	83			140
Chos-ka.....											67	67			85
Sai-yi Mo-ho-ka.....											74	74			84
Ta-na-li-chi.....											84	84			84
Pai-chis-chi.....											55	55			65
Cho-co-yu-chi.....											74	74			74
Ti-wa-chi.....											84	84			84
Un-dolla Hacho.....											160	160			100
Thli-chi-co.....											104	104			85
H-sa E-sie-co.....											84	84			83
Con-ta L-arch-la.....											200	200			150
Sti-hi-nu-cu.....											203	203			100
Wol-hus-ti.....											100	100			103
Micco Hacho.....											70	70			100
Hok-u Thlacco.....											74	74			84
Shok-ho-ka.....											150	150			160
Jenny.....											50	50			150
Hillis Hacho.....											70	70			50
Kat-chas Hacho.....											100	100			80
No-co-si-mann-la.....											85	85			82
Co-tai-n-the Yahola.....											73	73			64
Woo-si Hacho.....											82	82			72
Ikey.....											55	55			45
Sim-ma-va-li.....							10	30			43	43			54
Chi-pa-ni Thlacco.....	2	105			7	42	21	63			60	60			85
Co-sa Micco.....											60	60			70
Khaofa Po-o-ka.....	2	70					45	135			50	50			84

I certify that the foregoing three folios constitute Schedule A, of the article supplementary to the Creek Treaty, to which are they attached, and so form a part thereof.

ALBERT PIKE,  
 Commissioner of the Confederate States to the Indian Nations west of  
 Arkansas

Schedule B.

SCHEDULE B.

Claims of Persons of Black Dirt's Band.

	Horses.		Mules.		Cattle.		Hogs.		Oxen.		Corn, Rice, &c.		Value of Improvements.
	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	
Fos-hut-chi Tus-te-nug-ge..	2	\$90			6	\$36	150	\$450			56	\$56	94
Micoo Hache							50	150					
A-ha-luc Ya-ho-la							23	60					
Cho-wus-tar-yi Ima-thla	2	100			2	12	14	42					
Hillis Hacho					4	24	17	51					
Sa-ya-ho-la							13	39					
Cosah Micoo							10	30					
Hepsey	3	18			13	78	53	159			83	\$80	Sugar cane, 120 100 90 50
So-wi-ki					14	84	48	144			99	90	
Fo-kno-pi					3	18	40	120			24	28	
Ho-po-ith-se	1	55											
No-cos Hacho	1	60											
Chul Hacho											63	63	87
Cho-wus-ta-yi Hacho					21	144	90	270					
Fai-i-chi-che							11	42					
Pa-hos Ima-thla	15	525			60	360	60	180			80	80	109
So-ko-i-ki	3	108											
Ok-tar-ar-chi Hacho							150	450					
Ok-ta-a-chi Ya-ho-la					6	36	109	300					
To-wa-chi					10	60	5	15					
Pa-lut Hacho							29	60					
Ok-ta-chi							12	36					
O-sun-i-ha							20	120					
Tai-ya-ki							9	27					
O-thai-chi							6	18					
Hillis Hacho-chi					2	12	60	180					
Hillis Hacho					4	24	10	30					
Vcho Fic-si-co	2	90											
Pi-yi-ki-cha	3	129											
Wo-li-cha					41	246	18	54					
Co-at-chas Hacho													
O-sun I-ma-thla	2	90					100	600					
Fos Hacho	1	60											
Ya-ha Hacho					40	240	5	15					
Con-tol Hacho							13	39			56	56	80
Tus-ta-nuk Hacho							43	129					
La-ni							18	54					
Lo-ni-si							19	57			20	20	36
Tus-te-nuk-ki	2	90									33	33	76
Eliza											33	33	116
Chus-si							25	75			40	40	80

I certify that the last foregoing two folios are schedule B. of the article supplementary to the Creek treaty, to which they are attached, and that they form a part thereof.

ALBERT PIKE,  
Commissioner of the Confederate States to the Indian nations west of Arkansas.



## SCHEDULE C.

Schedule C.

*Persons of Tus-ti-nuk-o-chi's people entitled to money in lieu of Land Warrants.*

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Kon-tol Hacho, of I-con-hut-ki town.  
 Wal-ho-chi, widow of Ya-ha Fic-si-co.  
 Ok-fus-ki, heir of Api-co-chi I-ma-thla.  
 Fai-chi-chi, heir of Tul-ma-chi Hacho.  
 Sa-la-ko-ki, heir of Kon-hut-ki Micco.  
 Si-ma-thli, heir of Ta-lap I-ma-thla.  
 Yi-ak-chi, widow of Oetai I-ma-thla.  
 A. W. Fuller, heir of Ho-poi-ilth-thli, of Fos Hutchi town.  
 Ho-poi-ilth-thli, heir of Ima-thla, of Fos Hutchi town.  
 I-poi-yi, heir of Imathla Thlaceo, of Fos Hutchi town.  
 So-in-ki-cho-cho, heir of Oetai-i-achi Ya-ho-la.  
 Sa-na, heir of Fos Hacho.  
 Si-a-ka-li, heir of Ya-ho-lo-ehi.  
 Chi-pa-ni Thlaceo, heir of Tus-ti-nuk Hacho.  
 La-ni, heir of Pa-hos Ya-ho-la.  
 Pa-mos-ka, heir of Tus-ti-nuk I-ma-thla.  
 Si-ma-mai-chi, heir of Us-sun I-math-la.  
 A-po-lo-ti-ki, heir of Si-i-ya Pus-ka.  
 Mii-hai-yi, heir of A-tus Ya-ho-la.  
 Pa-chii-yi-si, heir of I-thla-nis I-ma-thla.  
 Ca-la-ni, heir of Po-ilth Hacho.  
 Mun-tul-ka, heir of Ho-poi-yi Hacho.  
 Mo-lit-tai-ki, heir of Co-o-sa Hacho.  
 Ma-lit-cha, heir of Ho-pa-ni Hut-ki.  
 Lo-li, heir of A-tus Micco.  
 A-pi-la-ni, heir of Micco Hacho.  
 Sa-lit-hot-chi, heir of Con-tol I-mathla.  
 Ko-nit Yahola, heir of Pa-kat-cha.  
 Ot-los-si, heir of Fai-ya-hola.  
 Pa-ma-chul-li, heir of Hillis Hacho.  
 Mi-i-ak-ka, heir of Achul-li Hacho.  
 Sa-nua-ka, heir of Illis Hacho-chi.  
 Thla-ma-yi, heir of Co-sis Ima-thla.  
 Si-a-will-i, heir of Ho-o-pa.  
 Louisa, heir of Cho-co-te Ima-thla.  
 Sa-hoi-yi, heir of Ni-ha Thlae-co-chi.  
 Ho-poi-yi, heir of Ho-tul-li I-ma-thla.  
 Si-li-it-ka, heir of Sa-mo-chi.  
 Sa-pi-it-ka, heir of Tul-ma Fic-si-co.  
 Ta-lo-pi, heir of Kat-cha Ya-ho-la.  
 Sa-mi, heir of Ho-tul-ki Ya-ho-la.  
 Co-o-sa Micco.

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I hereby certify that the foregoing two pages constitute Schedule C, of the article to which they are attached, supplementary to the Creek Treaty, and so are a part of that article.

ALBERT PIKE,

*Commissioner of the Confederate States to the Indian Nations West of Arkansas.*

Ratification by  
Congress.

RATIFICATION BY THE CONGRESS.

*Resolved*, (two-thirds of the Congress concurring,) That the Congress of the Confederate States of America, do advise and consent to the ratification of the articles of treaty, including the Secret Article and Supplementary Article, made by Albert Pike, Commissioner of the Confederate States to the Indian Nations west of Arkansas, in behalf of the Confederate States, of the one part, and the Creek Nation of Indians, by its chiefs, headmen and warriors, in general council assembled, of the other part, concluded at the North Fork Village, on the North Fork of the Canadian River, in the Creek Nation, on the tenth day of July, in the year of our Lord, one thousand eight hundred and sixty-one, with the following

AMENDMENTS:

Amendments.

I. Strike out from article xxviii., the following words; "or in a State court," and insert, in lieu thereof, the following words: "or in a State court, subject to the laws of the State."

II. Add at the end of article xxx. the following words: "and the Confederate States will request the several States of the Confederacy to adopt and enact the provisions of this article, in respect to suits and proceedings in their respective courts."

III. Strike out from article xi. the following words: "the same rights and privileges as may be enjoyed by delegates from any Territories of the Confederate States, in the said House of Representatives," and insert, in lieu thereof, the following words: "a seat in the hall of the House of Representatives to propose and introduce measures for the benefit of said nations, and to be heard in regard thereto, and on other questions in which either of said nations is particularly interested, with such other rights and privileges as may be determined by the House of Representatives."

NOTE.—The foregoing amendments were subsequently ratified by General Council of the Creek Nation.