

ALABAMA LAWS, Jan.-Feb., 1818

(Library of Congress)

Acts passed at the First Session of the
First General Assembly of the Alabama
Territory in the Forty-second Year of
Independence.

Pages 29, 30, 31, and 32. (Creating
Shelby County)

ALABAMA LAWS, 1832
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Acts passed at the Extra and Annual Sessions
of the General Assembly of the State of
Alabama begun and held in the Town of
Tuscaloosa, on the first Monday in November,
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Pages 9, 10, and 11. Public Law No. 11.
(Creating Benton, Talladega and other
Counties.)

THE STORY OF ALABAMA, Volume 1, page 503.
by Marie Bankhead Owen, LL.D.

ST. CLAIR COUNTY

Created by an act, November 20, 1818, and its territory was taken from Shelby County. By an act of the legislature, December 20, 1820, a part of this county was added to Jefferson.

ALABAMA LAWS, Nov. 1818
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Counties.)

THE STORY OF ALABAMA
by Marie Bankhead Owen, LL.D.

Volume 1, page 508.

TALLADEGA COUNTY

Created by an act December 18, 1832. The territory was part of the last Creek cession, March 24, 1832. By act of December 7, 1866, a part of its territory was added to Clay.

Its original boundaries were

"Beginning at a point on the east bank of the Coosa River, where the line dividing townships 16 and 17 intersects with said river; thence along said line due east to the line dividing ranges 8 and 9 east of the Meridian of Huntsville; thence south along said line to the line dividing Coffee's from Freeman's survey; thence west along said line to the east bank of the Coosa river; thence up said river to the beginning."

THE STORY OF ALABAMA
BY Marie Bankhead Owen, LL.D.

Volume 1, page 378

CALHOUN COUNTY

Created by the legislature December 18, 1832, from the land ceded by the Treaty of Cusseta, executed March 24, 1832. Its boundaries, as given in the act of creation, were;

"Beginning at a point on the east bank of the Coosa River opposite the mouth of Will's Creek, thence due east to the line dividing the state of Alabama from Georgia; thence along said line to the line between townships 16 and 17; thence due west along said line to the east bank of the Coosa River; thence up said river to the beginning."

INDIAN AFFAIRS.

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M.
Clerk of the Senate Committee of Indian Affairs.
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

pages 107, 108, 109, 110.

"Treaty With The Creeks, 1814."

August 9, 1814 at Fort Jackson.

(Library of Congress)

THE STORY OF ALABAMA, Volume 1, page 504
by Marie Bankhead Owen, LL.D.

SHELBY COUNTY

Created by an act, February 7, 1818. Its territory was in the Creek cession of Fort Jackson, August 9, 1814. It was nominally a part of Montgomery County. When it was first formed it embraced St. Clair County; Will's Creek was its northern boundary, and the southern boundary line was the township line north of Columbia.

Lapassine, or Ashenonquah, his x mark, [L. S.]	Keelswa, or Sun, his x mark, [L. S.]
Osage, his x mark, [L. S.]	Wabsca, or White Skin, his x mark, [L. S.]
Natoweesa, his x mark, [L. S.]	Wansepea, or Sunrise, his x mark, [L. S.]
Meshekeleata, or the Big man, his x mark, [L. S.]	Angatoka, or Pile of Wood, his x mark, [L. S.]
Sanamahhonga, or Stone Eater, his x mark, [L. S.]	Pattawatimaa:
Neshepehtah, or Double Tooth, his x mark, [L. S.]	Toopinnepe, his x mark, [L. S.]
Metoosania, or Indian, his x mark, [L. S.]	Onoxa, or Five Medals, his x mark, [L. S.]
Chequia, or Poor Raccoon, his x mark, [L. S.]	Metea, his x mark, [L. S.]
Wapepecheka, his x mark, [L. S.]	Conge, or Bear's foot, his x mark, [L. S.]
Chingomega Eboo, or Owl, his x mark, [L. S.]	Nanownseca, his x mark, [L. S.]
Kewesekong, or Circular Traveling, his x mark, [L. S.]	Chagobbe, or One who sees all over, his x mark, [L. S.]
Wapasabanah, or White Raccoon, his x mark, [L. S.]	Meshon, his x mark, [L. S.]
Chekemetine, or Turtle's Brother, his x mark, [L. S.]	Penosh, his x mark, [L. S.]
Pocondoqua, or Crooked, his x mark, [L. S.]	Checango, his x mark, [L. S.]
Chequeah, or Poor Raccoon, a Wea, or Little Eyes, his x mark, [L. S.]	Neshcotawa, his x mark, [L. S.]
Showlingeshua, or Open Hand, his x mark, [L. S.]	Tonguish, his x mark, [L. S.]
Okawea, or Porcupine, his x mark, [L. S.]	Nebaughkua, his x mark, [L. S.]
Shawano, his x mark, [L. S.]	Wesnanesa, his x mark, [L. S.]
Mawansa, or Young Wolf, his x mark, [L. S.]	Chechock, or Crane, his x mark, [L. S.]
Meshwawa, or Wounded, his x mark, [L. S.]	Kepoota, his x mark, [L. S.]
Sangwecomya, or Buffalo, his x mark, [L. S.]	Mackoota, or Crow, his x mark, [L. S.]
Pequia, or George, his x mark, [L. S.]	Papeketcha, or Flat Belly, his x mark, [L. S.]
	Kickapoos:
	Ketoote, or Otter, his x mark, [L. S.]
	Makotanecote, or Black Tree, his x mark, [L. S.]
	Sheshepa, or Duck, his x mark, [L. S.]
	Wapekonnia, or White Blanket, his x mark, [L. S.]
	Acooche, or the Man Hun, his x mark, [L. S.]
	Chekaskagalon, his x mark, [L. S.]

In presence of (the words "and the Wyandots, Delawares, Shawanees, and Senekas," interlined in the first article before signing).

James Dill, secretary to the commissioners,
Jno. Johnston, Indian agent,
B. F. Stickney, Indian agent,
James J. Nisbet, associate judge of court of common pleas, Preble County,
Thos. G. Gibson,
Antoine Boindi,
Wm. Walker,
William Connor,

J. Bts. Chandonnai,
Stephen Ruddeed,
James Pelteir,
Joseph Bertrand,
sworn interpreters,
Thos. Ramsey, captain First Rifle Regiment,
John Conner,
John Riddle, colonel First Regiment Ohio Militia.

TREATY WITH THE CREEKS, 1814.

Articles of agreement and capitulation, made and concluded this ninth day of August, one thousand eight hundred and fourteen, between major general Andrew Jackson, on behalf of the President of the United States of America, and the chiefs, deputies, and warriors of the Creek Nation.

Aug. 9, 1814.

7 Stat. 120.
Proclamation, Feb 16, 1815.

WHEREAS an unprovoked, inhuman, and sanguinary war, waged by the hostile Creeks against the United States, hath been repelled, prosecuted and determined, successfully, on the part of the said States, in conformity with principles of national justice and honorable warfare—And whereas consideration is due to the rectitude of proceeding dictated by instructions relating to the re-establishment of peace: Be it remembered, that prior to the conquest of that part of the Creek nation hostile to the United States, numberless aggressions had been committed against the peace, the property, and the lives of citizens of the

United States, and those of the Creek nation in amity with her, at the mouth of Duck river, Fort Mimms, and elsewhere, contrary to national faith, and the regard due to an article of the treaty concluded at New-York, in the year seventeen hundred ninety, between the two nations: That the United States, previously to the perpetration of such outrages, did, in order to ensure future amity and concord between the Creek nation and the said states, in conformity with the stipulations of former treaties, fulfill, with punctuality and good faith, her engagements to the said nation: that more than two-thirds of the whole number of chiefs and warriors of the Creek nation, disregarding the genuine spirit of existing treaties, suffered themselves to be instigated to violations of their national honor, and the respect due to a part of their own nation faithful to the United States and the principles of humanity, by impostures [impostors,] denominating themselves Prophets, and by the duplicity and misrepresentation of foreign emissaries, whose governments are at war, open or understood, with the United States. Wherefore,

Cession of territory
by the Creeks as equi-
valent to the expenses
of the war.

1st—The United States demand an equivalent for all expenses incurred in prosecuting the war to its termination, by a cession of all the territory belonging to the Creek nation within the territories of the United States, lying west, south, and south-eastwardly, of a line to be run and described by persons duly authorized and appointed by the President of the United States—Beginning at a point on the eastern bank of the Coosa river, where the south boundary line of the Cherokee nation crosses the same; running from thence down the said Coosa river with its eastern bank according to its various meanders to a point one mile above the mouth of Cedar creek, at Fort Williams, thence east two miles, thence south two miles, thence west to the eastern bank of the said Coosa river, thence down the eastern bank thereof according to its various meanders to a point opposite the upper end of the great falls, (called by the natives Woctumka,) thence east from a true meridian line to a point due north of the mouth of Ofucshee, thence south by a like meridian line to the mouth of Ofucshee on the south side of the Tallapoosa river, thence up the same, according to its various meanders, to a point where a direct course will cross the same at the distance of ten miles from the mouth thereof, thence a direct line to the mouth of Summochoico creek, which empties into the Chatahouchee river on the east side thereof below the Eufaulau town, thence east from a true meridian line to a point which shall intersect the line now dividing the lands claimed by the said Creek nation from those claimed and owned by the state of Georgia: Provided, nevertheless, that where any possession of any chief or warrior of the Creek nation, who shall have been friendly to the United States during the war, and taken an active part therein, shall be within the territory ceded by these articles to the United States, every such person shall be entitled to a reservation of land within the said territory of one mile square, to include his improvements as near the centre thereof as may be, which shall inure to the said chief or warrior, and his descendants, so long as he or they shall continue to occupy the same, who shall be protected by and subject to the laws of the United States; but upon the voluntary abandonment thereof, by such possessor or his descendants, the right of occupancy or possession of said lands shall devolve to the United States, and be identified with the right of property ceded hereby.

Guaranty of other
territory of the Creeks.

2nd—The United States will guarantee to the Creek nation, the integrity of all their territory eastwardly and northwardly of the said line to be run and described as mentioned in the first article.

Intercourse with
British or Spanish
posts to cease.

3d—The United States demand, that the Creek nation abandon all communication, and cease to hold any intercourse with any British or Spanish post, garrison, or town; and that they shall not admit among

them, any agent or trader, who shall not derive authority to hold commercial, or other intercourse with them, by licence from the President or authorized agent of the United States.

4th—The United States demand an acknowledgment of the right to establish military posts and trading houses, and to open roads within the territory, guaranteed to the Creek nation by the second article, and a right to the free navigation of all its waters.

Establishment of military posts.

5th—The United States demand, that a surrender be immediately made, of all the persons and property, taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickesaw, and Choctaw nations, to the respective owners; and the United States will cause to be immediately restored to the formerly hostile Creeks, all the property taken from them since their submission, either by the United States, or by any Indian nation in amity with the United States, together with all the prisoners taken from them during the war.

All property taken to be surrendered.

6th—The United States demand the caption and surrender of all the prophets and instigators of the war, whether foreigners or natives, who have not submitted to the arms of the United States, and become parties to these articles of capitulation, if ever they shall be found within the territory guaranteed to the Creek nation by the second article.

The prophets and instigators of the war to be given up.

7th—The Creek nation being reduced to extreme want, and not at present having the means of subsistence, the United States, from motives of humanity, will continue to furnish gratuitously the necessaries of life, until the crops of corn can be considered competent to yield the nation a supply, and will establish trading houses in the nation, at the discretion of the President of the United States, and at such places as he shall direct, to enable the nation, by industry and economy, to procure clothing.

Supplies of corn to be presented to the Creeks.

8th—A permanent peace shall ensue from the date of these presents forever, between the Creek nation and the United States, and between the Creek nation and the Cherokee, Chickesaw, and Choctaw nations.

Permanent peace.

9th—If in running east from the mouth of Summochico creek, it shall so happen that the settlement of the Kennards, fall within the lines of the territory hereby ceded, then, and in that case, the line shall be run east on a true meridian to Kitchofoonce creek, thence down the middle of said creek to its junction with Flint River, immediately below the Oakmulgee town, thence up the middle of Flint river to a point due east of that at which the above line struck the Kitchofoonce creek, thence east to the old line herein before mentioned, to wit: the line dividing the lands claimed by the Creek nation, from those claimed and owned by the state of Georgia.

Lines of the territory.

The parties to these presents, after due consideration, for themselves and their constituents, agree to ratify and confirm the preceding articles, and constitute them the basis of a permanent peace between the two nations; and they do hereby solemnly bind themselves, and all the parties concerned and interested, to a faithful performance of every stipulation contained therein.

In testimony whereof, they have hereunto, interchangeably, set their hands and affixed their seals, the day and date above written.

Andrew Jackson, major general commanding Seventh Military District, [L. S.]	William McIntosh, jr., major of Cowetan, his x mark, [L. S.]
Tustunnuggee Thlucco, speaker for the Upper Creeks, his x mark, [L. S.]	Tuskee Eneah, of Cussetan, his x mark, [L. S.]
Micoo Aupoegan, of Tonkaubatchee, his x mark, [L. S.]	Fane Emautia, of Cussetan, his x mark, [L. S.]
Tustunnuggee Hopoiee, speaker of the Lower Creeks, his x mark, [L. S.]	Toukaubatchee Tustunnuggee, of Hitchetee, his x mark, [L. S.]
Micoo Achulee, of Cowetan, his x mark, [L. S.]	Noble Kinnard, of Hitchetee, his x mark, [L. S.]

TREATY WITH THE POTAWATOMI, 1815.

Hopoiee Hutkee, of Souwagoolo, his x mark, [L. S.]	Espokokoke Haujo, of Wewoko, his x mark, [L. S.]
Hopoiee Hutkee, for Hopoie Yo- holo, of Souwagoolo, his x mark, [L. S.]	Eneah Thlucco Hopoiee, of Tale- see, his x mark, [L. S.]
Folappo Haujo, of Eufaulau, on Chattohochee, his x mark, [L. S.]	Efau Haujo, of Puccan Tallahassee, his x mark, [L. S.]
Pachee Haujo, of Apalachoela, his x mark, [L. S.]	Talessee Fixico, of Ocheobofau, his x mark, [L. S.]
Timpoeechee Bernard, captain of Uchees, his x mark, [L. S.]	Nomatlee Emautla, or captain Isaacs, of Cousondee, his x mark, [L. S.]
Uchee Micco, his x mark, [L. S.]	Tuskegee Emautla, or John Carr, of Tuskegee, his x mark, [L. S.]
Yoholo Micco, of Kialijee, his x mark, [L. S.]	Alexander Grayson, of Hillabee, his x mark, [L. S.]
Socoskee Emautla, of Kialijee, his x mark, [L. S.]	Lowee, of Ocmulgee, his x mark, [L. S.]
Choochchau Haujo, of Wocwocoi, his x mark, [L. S.]	Nocoosee Emautla, of Chuskee, Tallafau, his x mark, [L. S.]
Esholoctee, of Nauchee, his x mark, [L. S.]	William McIntosh, for Hopoiee Haujo, of Ooseochee, his x mark, [L. S.]
Yoholo Micco, of Tallapoosa Eu- faulau, his x mark, [L. S.]	William McIntosh, for Chehahaw Tustunnuggee, of Chehahaw, his x mark, [L. S.]
Stinthellis Haujo, of Abecoochee, his x mark, [L. S.]	William McIntosh, for Spokokey Tustunnuggee, of Otellewhoyon- nee, his x mark [L. S.]
Ocfuskee Yoholo, of Toutacaugee, his x mark, [L. S.]	
John O'Kelly, of Coosa, [L. S.]	
Eneah Thlucco, of Imookfau, his x mark, [L. S.]	

Done at fort Jackson, in presence of—

Charles Cassedy, acting secretary,
Benjamin Hawkins, agent for Indian affairs,
Return J. Meigs, A. C. nation,
Robert Butler, Adjutant General U. S. Army,
J. C. Warren, assistant agent for Indian affairs,
George Mayfield,
Alexander Curnels,
George Lovett,

Public interpreters.

TREATY WITH THE POTAWATOMI, 1815.

July 18, 1815.

7 Stat., 123.
Ratified, Dec. 25,
1815.

A treaty of peace and friendship, made and concluded at Portage des Sioux between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned Chiefs and Warriors of the Potawatamie Tribe or Nation, residing on the river Illinois, on the part and behalf of the said Tribe or Nation, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

ART. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Potawatamie tribe or nation.

ART. 3. The contracting parties hereby agree, promise, and bind themselves, reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Fort Clarke, on the Illinois river, as soon as it may be practicable.

Injuries, etc., for-
given.

Peace and friend-
ship perpetual.

Prisoners to be de-
livered up.

INDIAN AFFAIRS

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M.
Clerk of the Senate Committee of Indian Affairs.
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

Pages 341-343, inclusive.
"Treaty with the Creeks, 1832."
March 24, 1832 at the City of Washington.

(Library of Congress)

Done in presence of—

C. Clarke, Secretary to the Commissioner,
Joseph McCutcheon, justice of the peace in the county of Crawford, Ohio,
John C. Dewit,
Richard Reynolds,
G. W. Sampson.

EXPLANATION.

In the first draft of this treaty, provision was made for the removal of the land west of the Mississippi, but they refused to accept of a grant of land, or to remove there, and the articles having relation thereto were accordingly omitted. It was therefore necessary to omit the 6th article; and circumstances did not admit of time to remodel and copy the whole treaty.

J. B. GARDINER,
Special Commissioner, &c.

TREATY WITH THE CREEKS, 1832.

Articles of a treaty made at the City of Washington between Lewis Cass, thereto specially authorized by the President of the United States, and the Creek tribe of Indians.

Mar. 24, 1832.

7 Stat., 336.
Proclamation, Apr. 1, 1832.

ARTICLE I. The Creek tribe of Indians cede to the United States all their land, East of the Mississippi river.

Cession of land by the Indians.

ARTICLE II. The United States engage to survey the said land as soon as the same can be conveniently done, after the ratification of this treaty; and when the same is surveyed to allow ninety principal Chiefs of the Creek tribe to select one section each, and every other head of a Creek family to select one half section each, which tracts shall be reserved from sale for their use for the term of five years, unless sooner disposed of by them. A census of these persons shall be taken under the direction of the President and the selections shall be made so as to include the improvements of each person within his selection, if the same can be so made, and if not, then all the persons belonging to the same town, entitled to selections, and who cannot make the same, so as to include their improvements, shall take them in one body in a proper form. And twenty sections shall be selected, under the direction of the President for the orphan children of the Creeks, and divided and retained or sold for their benefit as the President may direct. Provided however that no selections or locations under this treaty shall be so made as to include the agency reserve.

Land to be surveyed, &c.

ARTICLE III. These tracts may be conveyed by the persons selecting the same, to any other persons for a fair consideration, in such manner as the President may direct. The contract shall be certified by some person appointed for that purpose by the President, but shall not be valid 'till the President approves the same. A title shall be given by the United States on the completion of the payment.

Conveyances.

ARTICLE IV. At the end of five years, all the Creeks entitled to these selections, and desirous of remaining, shall receive patents therefor in fee simple, from the United States.

Land patents.

ARTICLE V. All intruders upon the country hereby ceded shall be removed therefrom in the same manner as intruders may be removed by law from other public land until the country is surveyed, and the selections made; excepting however from this provision those white persons who have made their own improvements, and not expelled the Creeks from theirs. Such persons may remain 'till their crops are gathered. After the country is surveyed and the selections made, this article shall not operate upon that part of it not included in such selections. But

Intruders.

TREATY WITH THE CREEKS, 1832.

intruders shall, in the manner before described, be removed from these selections for the term of five years from the ratification of this treaty, or until the same are conveyed to white persons.

Additional locations.

ARTICLE VI. Twenty-nine sections in addition to the foregoing may be located, and patents for the same shall then issue to those persons, being Creeks, to whom the same may be assigned by the Creek tribe. But whenever the grantees of these tracts possess improvements, such tracts shall be so located as to include the improvements, and as near as may be in the centre. And there shall also be granted by patent to Benjamin Marshall, one section of land, to include his improvements on the Chatahoochee river, to be bounded for one mile in a direct line along the said river, and to run back for quantity. There shall also be granted to Joseph Bruner a colored man, one half section of land, for his services as an interpreter.

Locations, how to be made.

ARTICLE VII. All the locations authorized by this treaty, with the exception of that of Benjamin Marshall shall be made in conformity with the lines of the surveys; and the Creeks relinquish all claim for improvements.

Additional annuity to Creeks.

ARTICLE VIII. An additional annuity of twelve thousand dollars shall be paid to the Creeks for the term of five years, and thereafter the said annuity shall be reduced to ten thousand dollars, and shall be paid for the term of fifteen years. All the annuities due to the Creeks shall be paid in such manner as the tribe may direct.

Consideration for improvements.

ARTICLE IX. For the purpose of paying certain debts due by the Creeks, and to relieve them in their present distressed condition, the sum of one hundred thousand dollars, shall be paid to the Creek tribe, as soon as may be after the ratification hereof, to be applied to the payment of their just debts, and then to their own relief, and to be distributed as they may direct, and which shall be in full consideration of all improvements.

Expenses of delegation.

ARTICLE X. The sum of sixteen thousand dollars shall be allowed as a compensation to the delegation sent to this place, and for the payment of their expenses, and of the claims against them.

United States to pay certain claims.

ARTICLE XI. The following claims shall be paid by the United States.

For ferries, bridges and causeways, three thousand dollars, provided that the same shall become the property of the United States.

For the payment of certain judgments obtained against the chiefs eight thousand five hundred and seventy dollars.

For losses for which they suppose the United States responsible, seven thousand seven hundred and ten dollars.

For the payment of improvements under the treaty of 1826 one thousand dollars.

Annuities.

The three following annuities shall be paid for life.

To Tuske-hew-haw-Cusetaw two hundred dollars.

To the Blind Uchu King one hundred dollars.

To Neah Mico one hundred dollars.

There shall be paid the sum of fifteen dollars, for each person who has emigrated without expense to the United States, but the whole sum allowed under this provision shall not exceed fourteen hundred dollars.

There shall be divided among the persons, who suffered in consequence of being prevented from emigrating, three thousand dollars.

The land hereby ceded shall remain as a fund from which all the foregoing payments except those in the ninth and tenth articles shall be paid.

Removal of Creeks.

ARTICLE XII. The United States are desirous that the Creeks should remove to the country west of the Mississippi, and join their countrymen there; and for this purpose it is agreed, that as fast as the Creeks

United States, and shall receive subsistence while upon the journey, and for one year after their arrival at their new homes— Provided however, that this article shall not be construed so as to compel any Creek Indian to emigrate, but they shall be free to go or stay, as they please.

Proviso.

ARTICLE XIII. There shall also be given to each emigrating warrior a rifle, moulds, wiper and ammunition and to each family one blanket. Three thousand dollars, to be expended as the President may direct, shall be allowed for the term of twenty years for teaching their children. As soon as half their people emigrate, one blacksmith shall be allowed them, and another when two-thirds emigrate, together with one ton of iron and two hundred weight of steel annually for each blacksmith.— These blacksmiths shall be supported for twenty years.

Presents to emigrants.

Blacksmiths.

ARTICLE XIV. The Creek country west of the Mississippi shall be solemnly guarantied to the Creek Indians, nor shall any State or Territory ever have a right to pass laws for the government of such Indians, but they shall be allowed to govern themselves, so far as may be compatible with the general jurisdiction which Congress may think proper to exercise over them. And the United States will also defend them from the unjust hostilities of other Indians, and will also as soon as the boundaries of the Creek country West of the Mississippi are ascertained, cause a patent or grant to be executed to the Creek tribe; agreeably to the 3d section of the act of Congress of May 2d, [28,] 1830, entitled "An act to provide for an exchange of lands with the Indians residing in any of the States, or Territories, and for their removal West of the Mississippi."

Creek country west of the Mississippi.

1830, ch. 148.

ARTICLE XV. This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the United States. In testimony whereof, the said Lewis Cass, and the undersigned chiefs of the said tribe, have hereunto set their hands at the city of Washington, this 24th day of March, A. D. 1832.

Treaty obligatory when ratified.

Lewis Cass,
Opotleholo, his x mark,
Tuchebatche hadgo, his x mark,
Efematla, his x mark,
Tuchobatche Micco, his x mark,
Tomack Micco, his x mark,
William McGilvery, his x mark,
Benjamin Marshall.

In the presence of—

Samuel Bell,
William R. King,
John Tipton,
William Wilkins,
C. C. Clay,
J. Speight,
Samuel W. Mardis,
J. C. Isacks,
John Crowell, T. A.
Benjamin Marshall,
Thomas Carr,
John H. Brodnax,
Interpreters.

THE STORY OF ALABAMA, Volume 1, Page 503.
by Marie Bankhead Owen, LL.D.

ST. CLAIR COUNTY

Created by an act, November 20, 1818, and its territory was taken from Shelby County. By an act of the legislature, December 20, 1820, a part of this county was added to Jefferson.

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(Library of Congress)

Acts passed in the Second Session of the
First General Assembly of the Alabama
Territory in the Forty-third year of
American Independence.

Pages 18, 19, 20, and 21. (Creating
St. Clair County)

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(Library of Congress)

Acts passed at the Extra and Annual Sessions
of the General Assembly of the State of
Alabama begun and held in the Town of
Tuscaloosa, on the first Monday in November,
1832.

Pages 9, 10, and 11. Public Law No. 11.
(Creating Benton, Talladega and other
Counties.)

THE STORY OF ALABAMA
by Marie Bankhead Owen, LL.D.

Volume 1, page 508.

TALLADEGA COUNTY

Created by an act December 18, 1832. The territory was part of the last Creek cession, March 24, 1832. By act of December 7, 1866, a part of its territory was added to Clay.

Its original boundaries were

"Beginning at a point on the east bank of the Coosa River, where the line dividing townships 16 and 17 intersects with said river; thence along said line due east to the line dividing ranges 8 and 9 east of the Meridian of Huntsville; thence south along said line to the line dividing Coffee's from Freeman's survey; thence west along said line to the east bank of the Coosa river; thence up said river to the beginning."

THE STORY OF ALABAMA
BY Marie Bankhead Owen, LL.D.

Volume 1, page 378

CALHOUN COUNTY

Created by the legislature December 18, 1832, from the land ceded by the Treaty of Cusseta, executed March 24, 1832. Its boundaries, as given in the act of creation, were;

"Beginning at a point on the east bank of the Coosa River opposite the mouth of Will's Creek, thence due east to the line dividing the state of Alabama from Georgia; thence along said line to the line between townships 16 and 17; thence due west along said line to the east bank of the Coosa River; thence up said river to the beginning."

THE STORY OF ALABAMA, Volume 1, page 504
by Marie Bankhead Owen, LL.D.

SHELBY COUNTY

Created by an act, February 7, 1818. Its territory was in the Creek cession of Fort Jackson, August 9, 1814. It was nominally a part of Montgomery County. When it was first formed it embraced St. Clair County; Will's Creek was its northern boundary, and the southern boundary line was the township line north of Columbia.

ALABAMA LAWS, Jan.-Feb., 1818

(Library of Congress)

Acts passed at the First Session of the
First General Assembly of the Alabama
Territory in the Forty-second Year of
Independence.

Pages 29, 30, 31, and 32. (Creating
Shelby County)

INDIAN AFFAIRS.

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M.
Clerk of the Senate Committee of Indian Affairs.
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

pages 107, 108, 109, 110.

"Treaty With The Creeks, 1814."

August 9, 1814 at Fort Jackson.

(Library of Congress)

Lapawine, or Ashenonquah, his x mark, [L. S.]	Keelwa, or Sun, his x mark, [L. S.]
Osage, his x mark, [L. S.]	Wabsea, or White Skin, his x mark, [L. S.]
Natowessa, his x mark, [L. S.]	Wansepa, or Sunrise, his x mark, [L. S.]
Meshekeleata, or the Big man, his x mark, [L. S.]	Angatoka, or Pile of Wood, his x mark, [L. S.]
Sanamahonga, or Stone Eater, his x mark, [L. S.]	Pattawatimas:
Neshepeltah, or Double Tooth, his x mark, [L. S.]	Toopinnepe, his x mark, [L. S.]
Metosania, or Indian, his x mark, [L. S.]	Onoxa, or Five Medals, his x mark, [L. S.]
Chequila, or Poor Raccoon, his x mark, [L. S.]	Metea, his x mark, [L. S.]
Wapepecheka, his x mark, [L. S.]	Conge, or Bear's foot, his x mark, [L. S.]
Chingomega Eboo, or Owl, his x mark, [L. S.]	Nanownseca, his x mark, [L. S.]
Kewesekong, or Circular Traveling, his x mark, [L. S.]	Chagobbe, or One who sees all over, his x mark, [L. S.]
Wapasabanah, or White Raccoon, his x mark, [L. S.]	Meshon, his x mark, [L. S.]
Chekemetine, or Turtle's Brother, his x mark, [L. S.]	Penosh, his x mark, [L. S.]
Pocondoqua, or Crooked, his x mark, [L. S.]	Checanoe, his x mark, [L. S.]
Chequeah, or Poor Raccoon, a Wea, or Little Eyes, his x mark, [L. S.]	Neshcootawa, his x mark, [L. S.]
Showlingeshua, or Open Hand, his x mark, [L. S.]	Tonguish, his x mark, [L. S.]
Okawea, or Porcupine, his x mark, [L. S.]	Nebaughkua, his x mark, [L. S.]
Shawano, his x mark, [L. S.]	Wesnanesa, his x mark, [L. S.]
Mawansa, or Young Wolf, his x mark, [L. S.]	Chechock, or Crane, his x mark, [L. S.]
Meshwawa, or Wounded, his x mark, [L. S.]	Kepoota, his x mark, [L. S.]
Sangwecomya, or Buffalo, his x mark, [L. S.]	Mackoota, or Crow, his x mark, [L. S.]
Poquia, or George, his x mark, [L. S.]	Papeketcha, or Flat Belly, his x mark, [L. S.]
	Kickapoos:
	Ketoote, or Otter, his x mark, [L. S.]
	Makotanecote, or Black Tree, his x mark, [L. S.]
	Sheshepa, or Duck, his x mark, [L. S.]
	Wapekonna, or White Blanket, his x mark, [L. S.]
	Acooche, or the Man Hun, his x mark, [L. S.]
	Chekaskagalon, his x mark, [L. S.]

In presence of (the words "and the Wyandots, Delawares, Shawanees, and Senecas," interlined in the first article before signing).

James Dill, secretary to the commissioners,	J. Bts. Chandonnai,
Jno. Johnston, Indian agent,	Stephen Ruddeed,
B. F. Stickney, Indian agent,	James Pelteir,
James J. Nisbet, associate judge of court of common pleas, Preble County,	Joseph Bertrand,
Thos. G. Gibson,	sworn interpreters,
Antoine Boindl,	Thos. Ramsey, captain First Rifle Regiment,
Wm. Walker,	John Conner,
William Connor,	John Riddle, colonel First Regiment Ohio Militia.

TREATY WITH THE CREEKS, 1814.

Articles of agreement and capitulation, made and concluded this ninth day of August, one thousand eight hundred and fourteen, between major general Andrew Jackson, on behalf of the President of the United States of America, and the chiefs, deputies, and warriors of the Creek Nation.

Aug. 9, 1814.

7 Stat. 120.
Proclamation, Feb. 16, 1815.

WHEREAS an unprovoked, inhuman, and sanguinary war, waged by the hostile Creeks against the United States, hath been repelled, prosecuted and determined, successfully, on the part of the said States, in conformity with principles of national justice and honorable warfare—And whereas consideration is due to the rectitude of proceeding dictated by instructions relating to the re-establishment of peace: Be it remembered, that prior to the conquest of that part of the Creek nation hostile to the United States, numberless aggressions had been committed against the peace, the property, and the lives of citizens of the

United States, and those of the Creek nation in amity with her, at the mouth of Duck river, Fort Mimms, and elsewhere, contrary to national faith, and the regard due to an article of the treaty concluded at New-York, in the year seventeen hundred ninety, between the two nations: That the United States, previously to the perpetration of such outrages, did, in order to ensure future amity and concord between the Creek nation and the said states, in conformity with the stipulations of former treaties, fulfil, with punctuality and good faith, her engagements to the said nation: that more than two-thirds of the whole number of chiefs and warriors of the Creek nation, disregarding the genuine spirit of existing treaties, suffered themselves to be instigated to violations of their national honor, and the respect due to a part of their own nation faithful to the United States and the principles of humanity, by impostures [impostors,] denominating themselves Prophets, and by the duplicity and misrepresentation of foreign emissaries, whose governments are at war, open or understood, with the United States. Wherefore,

Cession of territory by the Creeks as equivalent to the expenses of the war.

1st—The United States demand an equivalent for all expenses incurred in prosecuting the war to its termination, by a cession of all the territory belonging to the Creek nation within the territories of the United States, lying west, south, and south-eastwardly, of a line to be run and described by persons duly authorized and appointed by the President of the United States—Beginning at a point on the eastern bank of the Coosa river, where the south boundary line of the Cherokee nation crosses the same; running from thence down the said Coosa river with its eastern bank according to its various meanders to a point one mile above the mouth of Cedar creek, at Fort Williams, thence east two miles, thence south two miles, thence west to the eastern bank of the said Coosa river, thence down the eastern bank thereof according to its various meanders to a point opposite the upper end of the great falls, (called by the natives Woetumka,) thence east from a true meridian line to a point due north of the mouth of Ofushee, thence south by a like meridian line to the mouth of Ofushee on the south side of the Tallapoosa river, thence up the same, according to its various meanders, to a point where a direct course will cross the same at the distance of ten miles from the mouth thereof, thence a direct line to the mouth of Summochico creek, which empties into the Chatahouchee river on the east side thereof below the Eufaulau town, thence east from a true meridian line to a point which shall intersect the line now dividing the lands claimed by the said Creek nation from those claimed and owned by the state of Georgia: Provided, nevertheless, that where any possession of any chief or warrior of the Creek nation, who shall have been friendly to the United States during the war, and taken an active part therein, shall be within the territory ceded by these articles to the United States, every such person shall be entitled to a reservation of land within the said territory of one mile square, to include his improvements as near the centre thereof as may be, which shall inure to the said chief or warrior, and his descendants, so long as he or they shall continue to occupy the same, who shall be protected by and subject to the laws of the United States; but upon the voluntary abandonment thereof, by such possessor or his descendants, the right of occupancy or possession of said lands shall devolve to the United States, and be identified with the right of property ceded hereby.

Guaranty of other territory of the Creeks.

Intercourse with British or Spanish posts to cease.

2nd—The United States will guarantee to the Creek nation, the integrity of all their territory eastwardly and northwardly of the said line to be run and described as mentioned in the first article.

3d—The United States demand, that the Creek nation abandon all communication, and cease to hold any intercourse with any British or Spanish post, garrison, or town; and that they shall not admit among

them, any agent or trader, who shall not derive authority to hold commercial, or other intercourse with them, by licence from the President or authorized agent of the United States.

4th—The United States demand an acknowledgment of the right to establish military posts and trading houses, and to open roads within the territory, guaranteed to the Creek nation by the second article, and a right to the free navigation of all its waters.

5th—The United States demand, that a surrender be immediately made, of all the persons and property, taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickesaw, and Choctaw nations, to the respective owners; and the United States will cause to be immediately restored to the formerly hostile Creeks, all the property taken from them since their submission, either by the United States, or by any Indian nation in amity with the United States, together with all the prisoners taken from them during the war.

6th—The United States demand the caption and surrender of all the prophets and instigators of the war, whether foreigners or natives, who have not submitted to the arms of the United States, and become parties to these articles of capitulation, if ever they shall be found within the territory guaranteed to the Creek nation by the second article.

7th—The Creek nation being reduced to extreme want, and not at present having the means of subsistence, the United States, from motives of humanity, will continue to furnish gratuitously the necessaries of life, until the crops of corn can be considered competent to yield the nation a supply, and will establish trading houses in the nation, at the discretion of the President of the United States, and at such places as he shall direct, to enable the nation, by industry and economy, to procure clothing.

8th—A permanent peace shall ensue from the date of these presents forever, between the Creek nation and the United States, and between the Creek nation and the Cherokee, Chickesaw, and Choctaw nations.

9th—If in running east from the mouth of Summochoico creek, it shall so happen that the settlement of the Kennards, fall within the lines of the territory hereby ceded, then, and in that case, the line shall be run east on a true meridian to Kitchofoonee creek, thence down the middle of said creek to its junction with Flint River, immediately below the Oakmulgee town, thence up the middle of Flint river to a point due east of that at which the above line struck the Kitchofoonee creek, thence east to the old line herein before mentioned, to wit: the line dividing the lands claimed by the Creek nation, from those claimed and owned by the state of Georgia.

The parties to these presents, after due consideration, for themselves and their constituents, agree to ratify and confirm the preceding articles, and constitute them the basis of a permanent peace between the two nations; and they do hereby solemnly bind themselves, and all the parties concerned and interested, to a faithful performance of every stipulation contained therein.

In testimony whereof, they have hereunto, interchangeably, set their hands and affixed their seals, the day and date above written.

Andrew Jackson, major general commanding Seventh Military District, [L. S.]	William McIntosh, jr., major of Cowetau, his x mark, [L. S.]
Tustunnuggee Thlucce, speaker for the Upper Creeks, his x mark, [L. S.]	Tuskee Eneah, of Cussetau, his x mark, [L. S.]
Mico Aupegan, of Toukabatchee, his x mark, [L. S.]	Faue Emautla, of Cussetau, his x mark, [L. S.]
Tustunnuggee Hopolee, speaker of the Lower Creeks, his x mark, [L. S.]	Toukabatchee Tustunnuggee, of Hitchetee, his x mark, [L. S.]
Mico Achulee, of Cowetau, his x mark, [L. S.]	Noble Kinnard, of Hitchetee, his x mark, [L. S.]

Establishment of military posts.

All property taken to be surrendered.

The prophets and instigators of the war to be given up.

Supplies of corn to be presented to the Creeks.

Permanent peace.

Lines of the territory.

TREATY WITH THE POTAWATOMI, 1815.

Hopolee Hutkee, of Souwagoolo, his x mark, [L. S.]	Espokokohe Haujo, of Wewoko, his x mark, [L. S.]
Hopolee Hutkee, for Hopolee Yo- holo, of Souwagoolo, his x mark, [L. S.]	Eneah Thlucco Hopolee, of Tale- see, his x mark, [L. S.]
Folappo Haujo, of Eufaulau, on Chattochochee, his x mark, [L. S.]	Egan Haujo, of Puccan Tallahassee, his x mark, [L. S.]
Pachee Haujo, of Apalachochoe, his x mark, [L. S.]	Talessee Fixico, of Ocheobofau, his x mark, [L. S.]
Timpochee Bernard, captain of Uchee, his x mark, [L. S.]	Nomatlee Emautla, or captain Isaacs, of Consondee, his x mark, [L. S.]
Uchee Mico, his x mark, [L. S.]	Tuskegee Emautla, or John Carr, of Tuskegee, his x mark, [L. S.]
Yoholo Mico, of Kialjee, his x mark, [L. S.]	Alexander Grayson, of Hillabee, his x mark, [L. S.]
Socooskee Emautla, of Kialjee, his x mark, [L. S.]	Lowee, of Ocmulgee, his x mark, [L. S.]
Chocochan Haujo, of Wococoi, his x mark, [L. S.]	Nocooskee Emautla, of Chuskee Tallafau, his x mark, [L. S.]
Esholoctee, of Nauchee, his x mark, [L. S.]	William McIntosh, for Hopolee Haujo, of Ooseochee, his x mark, [L. S.]
Yoholo Mico, of Tallapoosa Eu- faulau, his x mark, [L. S.]	William McIntosh, for Chehahaw Tustunnuggee, of Chehahaw, his x mark, [L. S.]
Stintheelle Haujo, of Abercochee, his x mark, [L. S.]	William McIntosh, for Spokohee Tustunnuggee, of Otellewhoyon- nee, his x mark [L. S.]
Ocuskee Yoholo, of Tontauguee, his x mark, [L. S.]	
John O'Kelly, of Coosa, [L. S.]	
Eneah Thlucco, of Immoockfau, his x mark, [L. S.]	

Done at fort Jackson, in presence of—
 Charles Cassedy, acting secretary,
 Benjamin Hawkins, agent for Indian affairs,
 Return J. Meigs, A. C. nation,
 Robert Butler, Adjutant General U. S. Army,
 J. C. Warren, assistant agent for Indian affairs,
 George Mayfield,
 Alexander Curnels,
 George Lovett,
 Public interpreters.

TREATY WITH THE POTAWATOMI, 1815.

July 18, 1815.

7 Stat., 123.
Ratified, Dec. 23,
1815.

A treaty of peace and friendship, made and concluded at Portage des Sioux between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned Chiefs and Warriors of the Pontawatamie Tribe or Nation, residing on the river Illinois, on the part and behalf of the said Tribe or Nation, of the other part.

THE parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

ART. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Pontawatamie tribe or nation.

ART. 3. The contracting parties hereby agree, promise, and bind themselves, reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Fort Clarke, on the Illinois river, as soon as it may be practicable.

Injuries, etc., for-
given.Peace and friend-
ship perpetual.Prisoners to be de-
livered up.

INDIAN AFFAIRS

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M
Clerk of the Senate Committee of Indian Affairs
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

Pages 341-343, inclusive.
"Treaty with the Creeks, 1832."
March 24, 1832 at the City of Washington.

(Library of Congress)

Done in presence of—

C. Clarke, Secretary to the Commissioner,
Joseph McCutcheon, justice of the peace in the county of Crawford, Ohio,
John C. Dewit,
Richard Reynolds,
G. W. Sampson.

EXPLANATION.

In the first draft of this treaty, provision was made for the removal of the band west of the Mississippi, but they refused to accept of a grant of land, or to remove there, and the articles having relation thereto were accordingly omitted. It was therefore necessary to omit the 6th article; and circumstances did not admit of time to remodel and copy the whole treaty.

J. B. GARDINER,
Special Commissioner, &c.

TREATY WITH THE CREEKS, 1832.

Articles of a treaty made at the City of Washington between Lewis Cass, thereto specially authorized by the President of the United States, and the Creek tribe of Indians.

Mar. 21, 1832.

7 Stat., 366,
Proclamation, Apr.
4, 1832.

ARTICLE I. The Creek tribe of Indians cede to the United States all their land, East of the Mississippi river.

Cession of land by
the Indians.

ARTICLE II. The United States engage to survey the said land as soon as the same can be conveniently done, after the ratification of this treaty, and when the same is surveyed to allow ninety principal Chiefs of the Creek tribe to select one section each, and every other head of a Creek family to select one half section each, which tracts shall be reserved from sale for their use for the term of five years, unless sooner disposed of by them. A census of these persons shall be taken under the direction of the President and the selections shall be made so as to include the improvements of each person within his selection, if the same can be so made, and if not, then all the persons belonging to the same town, entitled to selections, and who cannot make the same, so as to include their improvements, shall take them in one body in a proper form. And twenty sections shall be selected, under the direction of the President for the orphan children of the Creeks, and divided and retained or sold for their benefit as the President may direct. Provided however that no selections or locations under this treaty shall be so made as to include the agency reserve.

Land to be surveyed,
etc.

ARTICLE III. These tracts may be conveyed by the persons selecting the same, to any other persons for a fair consideration, in such manner as the President may direct. The contract shall be certified by some person appointed for that purpose by the President, but shall not be valid till the President approves the same. A title shall be given by the United States on the completion of the payment.

Conveyances.

ARTICLE IV. At the end of five years, all the Creeks entitled to these selections, and desirous of remaining, shall receive patents therefor in fee simple, from the United States.

Land patents.

ARTICLE V. All intruders upon the country hereby ceded shall be removed therefrom in the same manner as intruders may be removed by law from other public land until the country is surveyed, and the selections made; excepting however from this provision those white persons who have made their own improvements, and not expelled the Creeks from theirs. Such persons may remain till their crops are gathered. After the country is surveyed and the selections made, this article shall not operate upon that part of it not included in such selections. But

Intruders.

intruders shall, in the manner before described, be removed from these selections for the term of five years from the ratification of this treaty, or until the same are conveyed to white persons.

Additional loca-
tions.

ARTICLE VI. Twenty-nine sections in addition to the foregoing may be located, and patents for the same shall then issue to those persons, being Creeks, to whom the same may be assigned by the Creek tribe. But whenever the grantees of these tracts possess improvements, such tracts shall be so located as to include the improvements, and as near as may be in the centre. And there shall also be granted by patent to Benjamin Marshall, one section of land, to include his improvements on the Chatahoochee river, to be bounded for one mile in a direct line along the said river, and to run back for quantity. There shall also be granted to Joseph Bruner a colored man, one half section of land, for his services as an interpreter.

Locations, how to be
made.

ARTICLE VII. All the locations authorized by this treaty, with the exception of that of Benjamin Marshall shall be made in conformity with the lines of the surveys; and the Creeks relinquish all claim for improvements.

Additional annuity
to Creeks.

ARTICLE VIII. An additional annuity of twelve thousand dollars shall be paid to the Creeks for the term of five years, and thereafter the said annuity shall be reduced to ten thousand dollars, and shall be paid for the term of fifteen years. All the annuities due to the Creeks shall be paid in such manner as the tribe may direct.

Consideration for
improvements.

ARTICLE IX. For the purpose of paying certain debts due by the Creeks, and to relieve them in their present distressed condition, the sum of one hundred thousand dollars, shall be paid to the Creek tribe, as soon as may be after the ratification hereof, to be applied to the payment of their just debts, and then to their own relief, and to be distributed as they may direct, and which shall be in full consideration of all improvements.

Expenses of delega-
tion.

ARTICLE X. The sum of sixteen thousand dollars shall be allowed as a compensation to the delegation sent to this place, and for the payment of their expenses, and of the claims against them.

United States to pay
certain claims.

ARTICLE XI. The following claims shall be paid by the United States.

For ferries, bridges and causeways, three thousand dollars, provided that the same shall become the property of the United States.

For the payment of certain judgments obtained against the chiefs eight thousand five hundred and seventy dollars.

For losses for which they suppose the United States responsible, seven thousand seven hundred and ten dollars.

For the payment of improvements under the treaty of 1826 one thousand dollars.

Annuities.

The three following annuities shall be paid for life.

To Tuske-hew-haw-Cusetaw two hundred dollars.

To the Blind Uchu King one hundred dollars.

To Neah Mico one hundred dollars.

There shall be paid the sum of fifteen dollars, for each person who has emigrated without expense to the United States, but the whole sum allowed under this provision shall not exceed fourteen hundred dollars.

There shall be divided among the persons, who suffered in consequence of being prevented from emigrating, three thousand dollars.

The land hereby ceded shall remain as a fund from which all the foregoing payments except those in the ninth and tenth articles shall be paid.

Removal of Creeks.

ARTICLE XII. The United States are desirous that the Creeks should remove to the country west of the Mississippi, and join their countrymen there; and for this purpose it is agreed, that as fast as the Creeks are prepared to emigrate, they shall be removed at the expense of the

United States, and shall receive subsistence while upon the journey, and for one year after their arrival at their new homes—Provided however, that this article shall not be construed so as to compel any Creek Indian to emigrate, but they shall be free to go or stay, as they please.

Proviso.

ARTICLE XIII. There shall also be given to each emigrating warrior a rifle, moulds, wiper and ammunition and to each family one blanket. Three thousand dollars, to be expended as the President may direct, shall be allowed for the term of twenty years for teaching their children. As soon as half their people emigrate, one blacksmith shall be allowed them, and another when two-thirds emigrate, together with one ton of iron and two hundred weight of steel annually for each blacksmith.—These blacksmiths shall be supported for twenty years.

Presents to emigrants.

Blacksmiths.

ARTICLE XIV. The Creek country west of the Mississippi shall be solemnly guarantied to the Creek Indians, nor shall any State or Territory ever have a right to pass laws for the government of such Indians, but they shall be allowed to govern themselves, so far as may be compatible with the general jurisdiction which Congress may think proper to exercise over them. And the United States will also defend them from the unjust hostilities of other Indians, and will also as soon as the boundaries of the Creek country West of the Mississippi are ascertained, cause a patent or grant to be executed to the Creek tribe; agreeably to the 3d section of the act of Congress of May 2d, [28,] 1830, entitled "An act to provide for an exchange of lands with the Indians residing in any of the States, or Territories, and for their removal West of the Mississippi."

Creek country west of the Mississippi.

1830, ch. 149.

ARTICLE XV. This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the United States.

Treaty obligatory when ratified.

In testimony whereof, the said Lewis Cass, and the undersigned chiefs of the said tribe, have hereunto set their hands at the city of Washington, this 24th day of March, A. D. 1832.

Lewis Cass,
Opothleholo, his x mark,
Tuchebatcheheadgo, his x mark,
Efiematla, his x mark,
Tuchebatche Micco, his x mark,
Tomack Micco, his x mark,
William McGilvery, his x mark,
Benjamin Marshall.

In the presence of—

Samuel Bell,
William R. King,
John Tipton,
William Wilkins,
C. C. Clay,
J. Speight,
Samuel W. Mardis,
J. C. Isacks,
John Crowell, I. A.
Benjamin Marshall,
Thomas Carr,
John H. Brodnax,
Interpreters.

References from THE STORY OF ALABAMA by Marie Bankhead Owen
concerning the creation of St. Clair County by an Act of Legislature,
November 20, 1818.

A photostatic copy of a typewritten copy of the TREATY WITH THE CREEKS, 1814

THE STORY OF ALABAMA, Volume 1, page 503.
by Marie Bankhead Owen, LL.D.

ST. CLAIR COUNTY

Created by an act, November 20, 1818, and its territory was taken from Shelby County. By an act of the legislature, December 20, 1820, a part of this county was added to Jefferson.

ALABAMA LAWS, Nov. 1818
(Library of Congress)

Acts passed in the Second Session of the
First General Assembly of the Alabama
Territory in the Forty-third year of
American Independence.

Pages 18, 19, 20, and 21. (Creating
St. Clair County)

ALABAMA LAWS, 1832
(Library of Congress)

Acts passed at the Extra and Annual Sessions
of the General Assembly of the State of
Alabama begun and held in the Town of
Tuscaloosa, on the first Monday in November,
1832.

Pages 9, 10, and 11. Public Law No. 11.
(Creating Benton, Talladega and other
Counties.)

THE STORY OF ALABAMA
by Marie Bankhead Owen, LL.D.

Volume 1, page 508.

TALLADEGA COUNTY

Created by an act December 18, 1832. The territory was part of the last Creek cession, March 24, 1832. By act of December 7, 1866, a part of its territory was added to Clay.

Its original boundaries were

"Beginning at a point on the east bank of the Coosa River, where the line dividing townships 16 and 17 intersects with said river; thence along said line due east to the line dividing ranges 8 and 9 east of the meridian of Huntsville; thence south along said line to the line dividing Coffee's from Freeman's survey; thence west along said line to the east bank of the Coosa river; thence up said river to the beginning."

THE STORY OF ALABAMA
by Marie Bankhead Owen, LL.D.

Volume 1, page 378

CALHOUN COUNTY

Created by the legislature December 18, 1832, from the land ceded by the Treaty of Cusseta, executed March 24, 1832. Its boundaries, as given in the act of creation, were:

"Beginning at a point on the east bank of the Coosa River opposite the mouth of Will's Creek, thence due east to the line dividing the state of Alabama from Georgia; thence along said line to the line between townships 16 and 17; thence due west along said line to the east bank of the Coosa River; thence up said river to the beginning."

THE STORY OF ALABAMA, Volume 1, page 504
by Marie Bankhead Owen, LL.D.

SHELBY COUNTY

Created by an act, February 7, 1818. Its territory was in the Creek cession of Fort Jackson, August 9, 1814. It was nominally a part of Montgomery County. When it was first formed it embraced St. Clair County; Will's Creek was its northern boundary, and the southern boundary line was the township line north of Columbia.

ALABAMA LAWS, Jan.-Feb., 1818

(Library of Congress)

Acts passed at the First Session of the
First General Assembly of the Alabama
Territory in the Forty-second Year of
Independence.

Pages 29, 30, 31, and 32. (Creating
Shelby County)

INDIAN AFFAIRS.

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M.,
Clerk of the Senate Committee of Indian Affairs.
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

Pages 107, 108, 109, 110.

"Treaty With The Creeks, 1814."

August 9, 1814 at Fort Jackson.

(Library of Congress)

Lapassine, or Ashenonquah, his x mark, [L. S.]	Keelswa, or Sun, his x mark, [L. S.]
Osage, his x mark, [L. S.]	Wabsea, or White Skin, his x mark, [L. S.]
Natoweesa, his x mark, [L. S.]	Wansepea, or Sunrise, his x mark, [L. S.]
Meshkeleata, or the Big man, his x mark, [L. S.]	Angatoka, or Pile of Wood, his x mark, [L. S.]
Sanamahhonga, or Stone Eater, his x mark, [L. S.]	Pattawatimas:
Neshepehtah, or Double Tooth, his x mark, [L. S.]	Toopinnepe, his x mark, [L. S.]
Metosania, or Indian, his x mark, [L. S.]	Onoxa, or Five Medals, his x mark, [L. S.]
Chequia, or Poor Raccoon, his x mark, [L. S.]	Metea, his x mark, [L. S.]
Wapepecheka, his x mark, [L. S.]	Conge, or Bear's foot, his x mark, [L. S.]
Chingomega Eboo, or Owl, his x mark, [L. S.]	Nanownesca, his x mark, [L. S.]
Kewesekong, or Circular Traveling, his x mark, [L. S.]	Chagoble, or One who sees all over, his x mark, [L. S.]
Wapasabanah, or White Raccoon, his x mark, [L. S.]	Meshon, his x mark, [L. S.]
Chekematine, or Turtle's Brother, his x mark, [L. S.]	Penosh, his x mark, [L. S.]
Pocondoqua, or Crooked, his x mark, [L. S.]	Checango, his x mark, [L. S.]
Chequeah, or Poor Raccoon, a Wea, or Little Eyes, his x mark, [L. S.]	Neshcotawa, his x mark, [L. S.]
Showilingeshua, or Open Hand, his x mark, [L. S.]	Tonguish, his x mark, [L. S.]
Okawea, or Porcupine, his x mark, [L. S.]	Nebaughkua, his x mark, [L. S.]
Shawance, his x mark, [L. S.]	Wesnanesa, his x mark, [L. S.]
Mawansa, or Young Wolf, his x mark, [L. S.]	Chechock, or Crane, his x mark, [L. S.]
Meshwawa, or Wounded, his x mark, [L. S.]	Kepoota, his x mark, [L. S.]
Sangweromya, or Buffalo, his x mark, [L. S.]	Mackoota, or Crow, his x mark, [L. S.]
Pequia, or George, his x mark, [L. S.]	Papeketcha, or Flat Belly, his x mark, [L. S.]
	Kickapoos:
	Ketoote, or Otter, his x mark, [L. S.]
	Makotanecote, or Black Tree, his x mark, [L. S.]
	Sheshepa, or Duck, his x mark, [L. S.]
	Wapekonnia, or White Blanket, his x mark, [L. S.]
	Accoche, or the Man Hun, his x mark, [L. S.]
	Chekaskagalon, his x mark, [L. S.]

In presence of (the words "and the Wyandots, Delawares, Shawanees, and Senekas," interlined in the first article before signing).

James Dill, secretary to the commissioners,
Jno. Johnston, Indian agent,
B. F. Stickney, Indian agent,
James J. Nisbet, associate judge of court of common pleas, Preble County,
Thos. G. Gibson,
Antoine Boindi,
Wm. Walker,
William Connor,

J. Bts. Chandonnai,
Stephen Ruddleed,
James Pelteir,
Joseph Bertrand,
sworn interpreters,
Thos. Ramsey, captain First Rifle Regiment,
John Conner,
John Riddle, colonel First Regiment Ohio Militia.

TREATY WITH THE CREEKS, 1814.

Articles of agreement and capitulation, made and concluded this ninth day of August, one thousand eight hundred and fourteen, between major general Andrew Jackson, on behalf of the President of the United States of America, and the chiefs, deputies, and warriors of the Creek Nation.

Aug. 9, 1814.

7 Stat., 120.
Proclamation, Feb 16, 1815.

WHEREAS an unprovoked, inhuman, and sanguinary war, waged by the hostile Creeks against the United States, hath been repelled, prosecuted and determined, successfully, on the part of the said States, in conformity with principles of national justice and honorable warfare—And whereas consideration is due to the rectitude of proceeding dictated by instructions relating to the re-establishment of peace: Be it remembered, that prior to the conquest of that part of the Creek nation hostile to the United States, numberless aggressions had been committed against the peace, the property, and the lives of citizens of the

United States, and those of the Creek nation in amity with her, at the mouth of Duck river, Fort Mimms, and elsewhere, contrary to national faith, and the regard due to an article of the treaty concluded at New-York, in the year seventeen hundred ninety, between the two nations: That the United States, previously to the perpetration of such outrages, did, in order to ensure future amity and concord between the Creek nation and the said states, in conformity with the stipulations of former treaties, fulfil, with punctuality and good faith, her engagements to the said nation: that more than two-thirds of the whole number of chiefs and warriors of the Creek nation, disregarding the genuine spirit of existing treaties, suffered themselves to be instigated to violations of their national honor, and the respect due to a part of their own nation faithful to the United States and the principles of humanity, by impostures [impostors,] denominating themselves Prophets, and by the duplicity and misrepresentation of foreign emissaries, whose governments are at war, open or understood, with the United States. Wherefore,

Cession of territory by the Creeks as equivalent to the expenses of the war.

1st—The United States demand an equivalent for all expenses incurred in prosecuting the war to its termination, by a cession of all the territory belonging to the Creek nation within the territories of the United States, lying west, south, and south-eastwardly, of a line to be run and described by persons duly authorized and appointed by the President of the United States—Beginning at a point on the eastern bank of the Coosa river, where the south boundary line of the Cherokee nation crosses the same; running from thence down the said Coosa river with its eastern bank according to its various meanders to a point one mile above the mouth of Cedar creek, at Fort Williams, thence east two miles, thence south two miles, thence west to the eastern bank of the said Coosa river, thence down the eastern bank thereof according to its various meanders to a point opposite the upper end of the great falls, (called by the natives Woetumka,) thence east from a true meridian line to a point due north of the mouth of Ofushee, thence south by a like meridian line to the mouth of Ofushee on the south side of the Tallapoosa river, thence up the same, according to its various meanders, to a point where a direct course will cross the same at the distance of ten miles from the mouth thereof, thence a direct line to the mouth of Summochico creek, which empties into the Chatahouchee river on the east side thereof below the Eufaulau town, thence east from a true meridian line to a point which shall intersect the line now dividing the lands claimed by the said Creek nation from those claimed and owned by the state of Georgia: Provided, nevertheless, that where any possession of any chief or warrior of the Creek nation, who shall have been friendly to the United States during the war, and taken an active part therein, shall be within the territory ceded by these articles to the United States, every such person shall be entitled to a reservation of land within the said territory of one mile square, to include his improvements as near the centre thereof as may be, which shall inure to the said chief or warrior, and his descendants, so long as he or they shall continue to occupy the same, who shall be protected by and subject to the laws of the United States; but upon the voluntary abandonment thereof, by such possessor or his descendants, the right of occupancy or possession of said lands shall devolve to the United States, and be identified with the right of property ceded hereby.

Guaranty of other territory of the Creeks.

2nd—The United States will guarantee to the Creek nation, the integrity of all their territory eastwardly and northwardly of the said line to be run and described as mentioned in the first article.

Intercourse with British or Spanish posts to cease.

3d—The United States demand, that the Creek nation abandon all communication, and cease to hold any intercourse with any British or Spanish post, garrison, or town; and that they shall not admit among

them, any agent or trader, who shall not derive authority to hold commercial, or other intercourse with them, by licence from the President or authorized agent of the United States.

4th—The United States demand an acknowledgment of the right to establish military posts and trading houses, and to open roads within the territory, guaranteed to the Creek nation by the second article, and a right to the free navigation of all its waters.

Establishment of military posts.

5th—The United States demand, that a surrender be immediately made, of all the persons and property, taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickesaw, and Choctaw nations, to the respective owners; and the United States will cause to be immediately restored to the formerly hostile Creeks, all the property taken from them since their submission, either by the United States, or by any Indian nation in amity with the United States, together with all the prisoners taken from them during the war.

All property taken to be surrendered.

6th—The United States demand the caption and surrender of all the prophets and instigators of the war, whether foreigners or natives, who have not submitted to the arms of the United States, and become parties to these articles of capitulation, if ever they shall be found within the territory guaranteed to the Creek nation by the second article.

The prophets and instigators of the war to be given up.

7th—The Creek nation being reduced to extreme want, and not at present having the means of subsistence, the United States, from motives of humanity, will continue to furnish gratuitously the necessaries of life, until the crops of corn can be considered competent to yield the nation a supply, and will establish trading houses in the nation, at the discretion of the President of the United States, and at such places as he shall direct, to enable the nation, by industry and economy, to procure clothing.

Supplies of corn to be presented to the Creeks.

8th—A permanent peace shall ensue from the date of these presents forever, between the Creek nation and the United States, and between the Creek nation and the Cherokee, Chickesaw, and Choctaw nations.

Permanent peace.

9th—If in running east from the mouth of Summochico creek, it shall so happen that the settlement of the Kennards, fall within the lines of the territory hereby ceded, then, and in that case, the line shall be run east on a true meridian to Kitchofoonee creek, thence down the middle of said creek to its junction with Flint River, immediately below the Oakmulgee town, thence up the middle of Flint river to a point due east of that at which the above line struck the Kitchofoonee creek, thence east to the old line herein before mentioned, to wit: the line dividing the lands claimed by the Creek nation, from those claimed and owned by the state of Georgia.

Lines of the territory.

The parties to these presents, after due consideration, for themselves and their constituents, agree to ratify and confirm the preceding articles, and constitute them the basis of a permanent peace between the two nations; and they do hereby solemnly bind themselves, and all the parties concerned and interested, to a faithful performance of every stipulation contained therein.

In testimony whereof, they have hereunto, interchangeably, set their hands and affixed their seals, the day and date above written.

Andrew Jackson, major general commanding Seventh Military District, [L. S.]	William McIntosh, Jr., major of Cowetau, his x mark, [L. S.]
Tustunnuggee Thlucco, speaker for the Upper Creeks, his x mark, [L. S.]	Tuskee Eneah, of Cussetau, his x mark, [L. S.]
Micco Apocogan, of Tonkaubatchee, his x mark, [L. S.]	Faue Emautla, of Cussetau, his x mark, [L. S.]
Tustunnuggee Hopolee, speaker of the Lower Creeks, his x mark, [L. S.]	Toankaubatchee Tustunnuggee, of Hitchetee, his x mark, [L. S.]
Micco Achulee, of Cowetau, his x mark, [L. S.]	Noble Kinnard, of Hitchetee, his x mark, [L. S.]

TREATY WITH THE POTAWATOMI, 1815.

Hopotee Hutkee, of Sonwagoolo, his x mark, [L. S.]	Espokokoke Haujo, of Wewoko, his x mark, [L. S.]
Hopotee Hutkee, for Hopotee Yo- holo, of Sonwagoolo, his x mark, [L. S.]	Eneah Thlucco Hopotee, of Tale- see, his x mark, [L. S.]
Folappo Haujo, of Eufaulan, on Chattochee, his x mark, [L. S.]	Efan Haujo, of Puccan Tallahassee, his x mark, [L. S.]
Pachee Haujo, of Apalachoocha, his x mark, [L. S.]	Talessee Fixico, of Ocheobofan, his x mark, [L. S.]
Timpoeechee Bernard, captain of Uchees, his x mark, [L. S.]	Nomatlee Emautla, or captain Isaacs, of Cousoudee, his x mark, [L. S.]
Uchee Micco, his x mark, [L. S.]	Tuskegee Emautla, or John Carr, of Tuskegee, his x mark, [L. S.]
Yoholo Micco, of Kialijee, his x mark, [L. S.]	Alexander Grayson, of Hillabee, his x mark, [L. S.]
Socuskee Emautla, of Kialijee, his x mark, [L. S.]	Lowee, of Ocmulgee, his x mark, [L. S.]
Choochau Haujo, of Wococool, his x mark, [L. S.]	Nocoosee Emautla, of Chuskee Tallafan, his x mark, [L. S.]
Esholotee, of Nauchee, his x mark, [L. S.]	William McIntosh, for Hopotee Haujo, of Ooseochee, his x mark, [L. S.]
Yoholo Micco, of Tallapoosa Eu- faulan, his x mark, [L. S.]	William McIntosh, for Chehahaw Tustunnuggee, of Chehahaw, his x mark, [L. S.]
Stinthellis Haujo, of Abecoochee, his x mark, [L. S.]	William McIntosh, for Spokokee Tustunnuggee, of Otellewhoyon- nee, his x mark [L. S.]
Oefuskee Yoholo, of Toutacaugee, his x mark, [L. S.]	
John O'Kelly, of Coosa, [L. S.]	
Eneah Thlucco, of Immoookfau, his x mark, [L. S.]	

Done at fort Jackson, in presence of—

Charles Cassedy, acting secretary,

Benjamin Hawkins, agent for Indian affairs,

Return J. Meigs, A. C. nation,

Robert Butler, Adjutant General U. S. Army,

J. C. Warren, assistant agent for Indian affairs,

George Mayfield,

Alexander Carnels,

George Lovett,

Public interpreters.

TREATY WITH THE POTAWATOMI, 1815.

July 18, 1815.

7 Stat. 123.
Ratified, Dec. 26,
1815.

A treaty of peace and friendship, made and concluded at Portage des Sioux between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned Chiefs and Warriors of the Potawatamie Tribe or Nation, residing on the river Illinois, on the part and behalf of the said Tribe or Nation, of the other part.

THE parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

ART. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Potawatamie tribe or nation.

ART. 3. The contracting parties hereby agree, promise, and bind themselves, reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Fort Clarke, on the Illinois river, as soon as it may be practicable.

Injuries, etc., for-
given.

Peace and friend-
ship perpetual.

Prisoners to be de-
livered up.

INDIAN AFFAIRS

LAWS AND TREATIES, Volume II (Treaties)

Compiled and edited by Charles J. Kappler, LL.M.
Clerk of the Senate Committee of Indian Affairs.
(Government Printing Office 1904)
Senate Document No. 319, 58th Congress,
2d Session.

Pages 341-343, inclusive.
"Treaty with the Creeks, 1832."
March 24, 1832 at the City of Washington.

(Library of Congress)

Done in presence of—

C. Clarke, Secretary to the Commissioner,
Joseph McCutcheon, justice of the peace in the county of Crawford, Ohio,
John C. Dewit,
Richard Reynolds,
G. W. Sampson.

EXPLANATION.

In the first draft of this treaty, provision was made for the removal of the land west of the Mississippi, but they refused to accept of a grant of land, or to remove there, and the articles having relation thereto were accordingly omitted. It was therefore necessary to omit the 8th article; and circumstances did not admit of time to remodel and copy the whole treaty.

J. B. GARDINER,
Special Commissioner, &c.

TREATY WITH THE CREEKS, 1832.

Articles of a treaty made at the City of Washington between Lewis Cass, therein specially authorized by the President of the United States, and the Creek tribe of Indians.

Mar. 21, 1832.
7 Stat., 306.
Proclamation, Apr. 4, 1832.

ARTICLE I. The Creek tribe of Indians cede to the United States all their land, East of the Mississippi river.

Cession of land by the Indians.

ARTICLE II. The United States engage to survey the said land as soon as the same can be conveniently done, after the ratification of this treaty, and when the same is surveyed to allow ninety principal Chiefs of the Creek tribe to select one section each, and every other head of a Creek family to select one half section each, which tracts shall be reserved from sale for their use for the term of five years, unless sooner disposed of by them. A census of these persons shall be taken under the direction of the President and the selections shall be made so as to include the improvements of each person within his selection, if the same can be so made, and if not, then all the persons belonging to the same town, entitled to selections, and who cannot make the same, so as to include their improvements, shall take them in one body in a proper form. And twenty sections shall be selected, under the direction of the President for the orphan children of the Creeks, and divided and retained or sold for their benefit as the President may direct. Provided however that no selections or locations under this treaty shall be so made as to include the agency reserve.

Land to be surveyed, &c.

ARTICLE III. These tracts may be conveyed by the persons selecting the same, to any other persons for a fair consideration, in such manner as the President may direct. The contract shall be certified by some person appointed for that purpose by the President, but shall not be valid 'till the President approves the same. A title shall be given by the United States on the completion of the payment.

Conveyances.

ARTICLE IV. At the end of five years, all the Creeks entitled to these selections, and desirous of remaining, shall receive patents therefor in fee simple, from the United States.

Land patents.

ARTICLE V. All intruders upon the country hereby ceded shall be removed therefrom in the same manner as intruders may be removed by law from other public land until the country is surveyed, and the selections made; excepting however from this provision those white persons who have made their own improvements, and not expelled the Creeks from theirs. Such persons may remain 'till their crops are gathered. After the country is surveyed and the selections made, this article shall not operate upon that part of it not included in such selections. But

Intruders.

TREATY WITH THE CREEKS, 1832.

intruders shall, in the manner before described, be removed from these selections for the term of five years from the ratification of this treaty, or until the same are conveyed to white persons.

ARTICLE VI. Twenty-nine sections in addition to the foregoing may be located, and patents for the same shall then issue to those persons, being Creeks, to whom the same may be assigned by the Creek tribe. But whenever the grantees of these tracts possess improvements, such tracts shall be so located as to include the improvements, and as near as may be in the centre. And there shall also be granted by patent to Benjamin Marshall, one section of land, to include his improvements on the Chatahoochee river, to be bounded for one mile in a direct line along the said river, and to run back for quantity. There shall also be granted to Joseph Bruner a colored man, one half section of land, for his services as an interpreter.

ARTICLE VII. All the locations authorized by this treaty, with the exception of that of Benjamin Marshall shall be made in conformity with the lines of the surveys; and the Creeks relinquish all claim for improvements.

ARTICLE VIII. An additional annuity of twelve thousand dollars shall be paid to the Creeks for the term of five years, and thereafter the said annuity shall be reduced to ten thousand dollars, and shall be paid for the term of fifteen years. All the annuities due to the Creeks shall be paid in such manner as the tribe may direct.

ARTICLE IX. For the purpose of paying certain debts due by the Creeks, and to relieve them in their present distressed condition, the sum of one hundred thousand dollars, shall be paid to the Creek tribe, as soon as may be after the ratification hereof, to be applied to the payment of their just debts, and then to their own relief, and to be distributed as they may direct, and which shall be in full consideration of all improvements.

ARTICLE X. The sum of sixteen thousand dollars shall be allowed as a compensation to the delegation sent to this place, and for the payment of their expenses, and of the claims against them.

ARTICLE XI. The following claims shall be paid by the United States. For ferries, bridges and causeways, three thousand dollars, provided that the same shall become the property of the United States. For the payment of certain judgments obtained against the chiefs eight thousand five hundred and seventy dollars.

For losses for which they suppose the United States responsible, seven thousand seven hundred and ten dollars. For the payment of improvements under the treaty of 1826 one thousand dollars.

The three following annuities shall be paid for life. To Tuske-hew-haw-Cusetaw two hundred dollars. To the Blind Uchu King one hundred dollars. To Neah Mico one hundred dollars. There shall be paid the sum of fifteen dollars, for each person who has emigrated without expense to the United States, but the whole sum allowed under this provision shall not exceed fourteen hundred dollars.

There shall be divided among the persons, who suffered in consequence of being prevented from emigrating, three thousand dollars. The land hereby ceded shall remain as a fund from which all the foregoing payments except those in the ninth and tenth articles shall be paid.

ARTICLE XII. The United States are desirous that the Creeks should remove to the country west of the Mississippi, and join the other men there; and for this purpose it is the policy of the United States to

Additional locations.

Locations, how to be made.

Additional annuity to Creeks.

Consideration for improvements.

Expenses of delegation.

United States to pay certain claims.

Annuities.

Removal of Creeks.

United States, and shall receive subsistence while upon the journey, and for one year after their arrival at their new homes— Provided however, that this article shall not be construed so as to compel any Creek Indian to emigrate, but they shall be free to go or stay, as they please.

Proviso.

ARTICLE XIII. There shall also be given to each emigrating warrior a rifle, moulds, wiper and ammunition and to each family one blanket. Three thousand dollars, to be expended as the President may direct, shall be allowed for the term of twenty years for teaching their children. As soon as half their people emigrate, one blacksmith shall be allowed them, and another when two-thirds emigrate, together with one ton of iron and two hundred weight of steel annually for each blacksmith.— These blacksmiths shall be supported for twenty years.

Presents to emigrants.

Blacksmiths.

ARTICLE XIV. The Creek country west of the Mississippi shall be solemnly guarantied to the Creek Indians, nor shall any State or Territory ever have a right to pass laws for the government of such Indians, but they shall be allowed to govern themselves, so far as may be compatible with the general jurisdiction which Congress may think proper to exercise over them. And the United States will also defend them from the unjust hostilities of other Indians, and will also as soon as the boundaries of the Creek country West of the Mississippi are ascertained, cause a patent or grant to be executed to the Creek tribe; agreeably to the 3d section of the act of Congress of May 2d, [28,] 1830, entitled "An act to provide for an exchange of lands with the Indians residing in any of the States, or Territories, and for their removal West of the Mississippi."

Creek country west of the Mississippi.

1830, ch. 149.

ARTICLE XV. This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the United States.

Treaty obligatory when ratified.

In testimony whereof, the said Lewis Cass, and the undersigned chiefs of the said tribe, have hereunto set their hands at the city of Washington, this 24th day of March, A. D. 1832.

Lewis Cass,
Opothleholo, his x mark,
Tuchebatcheehadgo, his x mark,
Efiematla, his x mark,
Tuchebatche Micco, his x mark,
Tomack Micco, his x mark,
William McGilvery, his x mark,
Benjamin Marshall.

In the presence of—
Samuel Bell,
William R. King,
John Tipton,
William Wilkins,
C. C. Clay,
J. Speight,
Samuel W. Mardis,
J. C. Isacks,
John Crowell, J. A.
Benjamin Marshall,
Thomas Carr,
John H. Brodnax,
Interpreters.