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Message from the President of the United States, transmitting a communication from the Secretary of the Interior, with draft of bill and accompanying papers, in reference to the proposition of the Creek Nation of Indians for the cession of certain of their lands in the Indian Territory occupied by the Seminole Indians.

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M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of the Interior, with draft of bill and accompanying papers, in reference to the proposition of the Creek Nation of Indians for the cession of certain of their lands in the Indian Territory occupied by the Seminole Indians.

JANUARY 24, 1882.—Read, referred to the Committee on Indian Affairs, and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith a communication from the Secretary of the Interior, with draft of a bill and accompanying papers, in reference to the proposition of the Creek Nation of Indians for the cession of certain of their lands in the Indian Territory occupied by the Seminole Indians.

The subject is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
January 24, 1882.

DEPARTMENT OF THE INTERIOR,
Washington, January 10, 1882.

SIR: I have the honor to submit herewith, for your information and such action as you may deem proper, a copy of a letter of the 9th instant from the Commissioner of Indian Affairs, upon the subject of Creek Indian lands in the Indian Territory occupied by Seminole Indians, with copy of draft of proposed legislation and other papers noted therein.

This subject was brought to the attention of Congress at its last session, but, so far as this department is informed, no action has been taken by that body in relation to the matter.

The importance of a final settlement of the questions involved will be appreciated when it is stated that three several attempts at settlement have been made by the United States with the Creeks without avail, until last winter, when the Creek delegation, in this city, made a proposition under instructions from the legislative authority of their nation, which was submitted to Congress, as before noted.

The draft of bill herewith presented by the Commissioner for the ratification of the agreement or proposition of the Creeks is designed to settle the points at issue, and concurring in his recommendations I

respectfully suggest that the measure, should it meet with your approval, be recommended to the favorable consideration of Congress.

I have the honor to be, sir, very respectfully, your obedient servant,
S. J. KIRKWOOD,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 9, 1882.

SIR: Referring to office report of February 18, 1881 (two copies herewith), upon the subject of the Creek lands in Indian Territory occupied by the Seminole Indians, in which recommendation was made that Congress be asked to appropriate one hundred and seventy-five thousand dollars for the purchase of one hundred and seventy-five thousand acres of land (at one dollar per acre) from the Creek Indians, embracing the improvements made thereon by the Seminole Indians, and referring to my views on this subject, as expressed in the annual report of this office for the year 1881, page LIV, I have now the honor to recommend that the agreement made in this city February 14, 1881, by the Creek Nation of Indians, ceding one hundred and seventy-five thousand acres of land in Indian Territory to the United States, being the land in question, for the sum of one hundred and seventy-five thousand dollars, be laid before Congress for ratification, and that that body be requested to make the necessary appropriation to carry the same into effect; and that said lands be set apart for the use of the Seminole Nation of Indians, to be held by the same title as they now hold their land under the treaty of March 21, 1866, whenever said Seminoles shall have relinquished to the United State in lieu thereof one hundred and seventy-five thousand acres of land from the western portion of their reserve in Indian Territory ceded to them by the treaty of 1866, and when said relinquishment shall have been approved by the Secretary of the Interior and recorded in the Office of Indian Affairs.

I further recommend that Congress be asked to appropriate the sum of three thousand dollars to be expended in ascertaining and determining the area and surveying the outboundaries of said tracts of land. I submit herewith a copy of this report, and the draft of a bill for the approval and ratification of said Creek agreement, and for the necessary appropriations to carry the same into effect.

The inclosed copies of letter from the Creek delegates, dated the 7th instant, is herewith submitted, setting forth the necessity for early action in the premises.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

The honorable the SECRETARY OF THE INTERIOR.

A BILL to accept and ratify an agreement made and submitted by the Creek Nation of Indians for the relinquishment of a portion of their land in the Indian Territory to the United States, for the use of the Seminole Nation of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the agreement made and submitted to the Secretary of the Interior by the Creek Nation of Indians, through their delegates duly authorized thereto, bearing date February fourteenth, one thousand eight hundred and eighty-one, be, and the same is hereby, ratified and confirmed.

Said agreement is in words and figures following, namely: "Under the provisions of the act of March 3, 1873 (17 Stats., 626), the Secretary of the Interior was authorized to negotiate with the Creek Indians 'for the relinquishment to the United States of such portions of their country as may have been set apart, in accordance with treaty stipulations, for the use of the Seminoles, and the Sacs and Foxes, of the Mississippi tribes of Indians, respectively, found to be east of the line separating the Creek ceded lands from the Creek Reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations.'" * * *

So much of said act as relates to the Sacs and Foxes has been carried into effect by their removal to their proper location on lands west of the said "dividing line." The Seminoles are, however, still occupying the lands belonging to the Creeks, for which occupancy the Creeks have as yet received no compensation, from the fact that no agreement could be arrived at between them and the United States as to the price per acre to be paid to the said Creeks by the United States for said lands.

The undersigned, members of the Creek delegation, resident in Washington, duly authorized to act in the premises, both by appointment for general purposes under the certificate of the governor, under the national seal, and also by special action of the National council in this instance, copies of which general and special authority are hereto attached, do promise and agree for themselves and for their nation that they will sell, cede, and dispose of the lands now occupied by the Seminoles, belonging to the Creek Nation, to the United States for the sum of one hundred and seventy-five thousand dollars.

And the said Creek delegation do hereby agree for and on behalf of said nation that they will cede to the United States, and do hereby cede, a strip of land in the Indian Territory, now occupied by the Seminole Nation of Indians, lying east of the said line dividing the Creek lands from the lands ceded to the United States in the treaty of June 14, 1866; bounded on the north by the North Fork of the Canadian River, on the south by the Canadian River, on the west by the dividing line between the Creek Reservation and the lands ceded under treaty of 1866, above noted, and on the east by a line running north and south between the rivers named; so far east of said division line as will comprise within said described boundaries one hundred and seventy-five thousand (175,000) acres at the price of one dollar (\$1) per acre; said cession to be in full force and effect when the sum of one hundred and seventy-five thousand dollars shall have been deposited in the Treasury of the United States to the credit of the Creek Nation, to draw interest at the rate allowed in the treaty of June 14, 1866, wherein certain of their lands in the Indian Territory were ceded to the United States. And one-third of said fund shall be forever set aside for educational purposes, and the remaining two-thirds shall be subject to such use as the Creek council shall determine.

WARD COACHMAN,
PLEASANT PORTER,
DAVID M. HODGE,
Creek Delegation.

WASHINGTON, D. C.,
February 14, 1881.

SECTION 2. That the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, set apart and hold as a perpetual fund as provided in said agreement, in trust for the Creek Nation of Indians, the sum of one hundred and seventy-five thousand dollars, to bear interest at the rate of 5 per cent. per annum.

SEC. 3. That the land ceded to the United States by said agreement shall be set apart for the exclusive use and occupancy of the Seminole Nation of Indians, to be held by the same title as they now hold their land under the treaty of March twenty-first, one thousand eight hundred and sixty-six, whenever the said Seminole Nation of Indians shall have duly relinquished to the United States in lieu thereof one hundred and seventy-five thousand acres of land from the west side of their present reserve in Indian Territory, as defined in the third article of said treaty of March twenty-first, one thousand eight hundred and sixty-six, and when said relinquishment shall have been approved by the Secretary of the Interior and duly recorded in the office of Indian Affairs.

SEC. 4. That the sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated, to be expended under the direction of the Secretary of the Interior in determining by actual survey the areas of said two tracts of country, and establishing the outboundaries thereof.

SEC. 5. That this act shall be in force from and after its passage.

WASHINGTON, D. C., January 7, 1882.

SIR: Referring to the Creek, Seminole land matter, we most respectfully request that you will recommend prompt action by Congress, because, in addition to the merits of the case, under the treaty of 1866, and the act of March 3, 1873, we call attention to the following facts, showing the urgency of the situation:

During the last winter the Tallahassee mission was destroyed by fire, and at the same time the Creek Nation and the Baptist board were constructing, or preparing to construct, a new mission. In September last the Asbury mission, near Eufaula, was destroyed by fire. The Creek Nation was anxious to rebuild the Tallahassee mission, and to construct the new Baptist mission, and this anxiety to increase their educational facilities was one of the leading causes of their consent to sell the Seminole land, and in anticipation of funds from this source, they began and are now proceed-

ing to erect a new Tallahassee mission and are carrying on a school at the Baptist mission.

At the last council, in October, provisions were made for the rebuilding of Asbury mission.

Unless an appropriation shall be promptly made, these school interests will be greatly injured, and, indeed, the probability now is that some of the schools must be suspended.

Even had the appropriation been made by the last Congress, it would have required great prudence and financial skill to have carried on our public school system, embracing 28 schools, and to have constructed the new Baptist mission; but when the Tallahassee and Asbury missions were burned the fiscal burdens were increased beyond the ability of our nation, unless re-enforced from this Seminole obligation. The United States urged the Creeks for ten years to sell this land, and when our nation agreed to the terms proposed, we did not contemplate any delay in payment.

Respectfully, your obedient servants,

WARD COACHMAN,
PLEASANT PORTER,
Creek Delegates.

To Hon. S. J. KIRKWOOD,
Secretary Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 18, 1881.

The honorable the SECRETARY OF THE INTERIOR:

SIR: I have the honor to invite the attention of the department to a question that has been a matter of dispute and disturbance since 1867 between the Seminoles and Creeks in Indian Territory, the present location of the Seminoles. The history of the matter is, briefly as possible, as follows:

By the 3d article of the Creek treaty of June 14, 1866 (Stats. 14, p. 786), the Creeks ceded to the United States the west half of their entire domain, "to be sold to, and used as homes for, such other civilized Indians as the United States may choose to settle thereon." The Creek domain at that date embraced the region designated in red on the map herewith. The 8th article of the treaty made it the duty of the Secretary of the Interior to cause the line dividing the Creek country to be accurately surveyed, the expense to be paid by the United States.

By the 3d article of the Seminole treaty of March 21, 1866 (Stats. 14, p. 756), the Seminoles ceded their entire domain to the United States, "to locate other Indians and freedmen thereon," the United States agreeing to pay therefor to the Seminoles the sum of \$325,362. By the same article the United States granted to the Seminoles two hundred thousand acres of the lands acquired by cession from the Creeks. The lands thus granted to the Seminoles was to be taken from the extreme eastern portion of the tract ceded by the Creeks, as is evident from the terms of the grant in the treaty, although in that respect the treaty is loosely worded, the two hundred thousand acres granted to the Seminoles being described as follows:

"Beginning on the Canadian River where the line dividing the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866, following said line due north to where said line crosses the North Fork of the Canadian River, thence up said North Fork of the Canadian River a distance sufficient to make two hundred thousand acres by running due south to the Canadian River; thence down said Canadian River to the place of beginning."

It is clear that the line separating the westerly half of the Creek domain, ceded to the United States, from the easterly half retained by the Creeks, was intended to be the east line of the Seminole two hundred thousand acre tract; that the south and north boundaries of this tract were to be the Canadian River and North Fork of Canadian River, respectively, and that the west boundary must be a line parallel to the east boundary and distant therefrom far enough to include the requisite number of acres. The reference in this treaty to the date of the Creek treaty (February 6, 1866) is evidently either a misprint or a mistake of the draftsman, as there is no treaty of that date between the United States and the Creeks. The treaty with the Seminoles was concluded March 21, 1866; that with the Creeks, June 14, of that year. As before stated, it was, however, evidently the intention of the parties to the treaty of March, 1866, that the lands ceded to the Seminoles, should be situated on the eastern portion of the domain, which it was believed would be ceded to the United States, for it is well known that negotiations were going on for a length of time between the commissioners on the part of the United States and the delegates of the Creek and Seminole Indians, and that the cession by the Creeks to the United States of the land granted to the Seminoles was agreed upon and would be made when a treaty was concluded. Before,

Therefore, the actual location granted to the Seminoles, and which was to constitute their national domain, could be determined, it was necessary that the Creek dividing line should be established. This duty was devolved upon the Secretary of the Interior by the 8th article of the Creek treaty, the expenses to be paid by the United States, and an appropriation of \$4,000 was made by Congress for this purpose, July 28, 1866 (Stats. 14, p. 320, 3d paragraph from top of page).

At this time a large part of the Seminoles were homeless. During the war of the rebellion a portion of them had cast their fortunes with the South, and those declining to do so were refugees in Kansas, in the neighborhood of Neosho Falls, whence in the fall of 1865 they were removed to the west side of the Arkansas River, in Indian Territory, upon Cherokee lands. It had been found impracticable to remove them to their old homes in the Seminole country, for the reason that no supplies could be had there, and the long distance from Fort Gibson (about one hundred and sixty miles) to transport supplies induced the department to abandon the idea of settling them on their own domain, and to locate them, for the time being, near Fort Gibson, where Indian supplies were then delivered.

In September, 1866, the agent for the Seminoles reported that a considerable portion of the tribe had removed to their new homes and that the remainder were preparing to emigrate that fall. In October the agent reported as follows:

"On my arrival here (Fort Gibson) I find this state of facts to exist: The Seminoles were living on Cherokee lands. They have raised small crops of corn and garden produce, which is now all gone. There is no game or meat nearer than their own country, 125 miles from here. In their own country the few remaining cattle are being exhausted by the southern portion of the Seminoles. They are anxious to get home to save what few they may be able to secure. They wanted to get home so as to cut hay and prepare cabins for winter; and besides all this the Cherokees are dissatisfied at their long stay on their lands and the using of their timber, when it was understood, when permission was given to camp on their lands, that the Seminoles were only to stay during last winter. They could not go without some assistance from the government. Acting with the advice of Judge Harlin, agent for the Cherokees, and J. W. Dunn, agent for the Creeks, I have assumed the responsibility to attempt their removal. I have employed teams on my own credit and will start them for home in a day or two. I shall provide transportation only for the sick, the children, and their household goods. What they will do for provisions at their homes I cannot tell, but they are suffering here and cannot do worse in the Seminole country. I am aware that I have assumed considerable responsibility, but I *know* I have acted for the best interests of the government and the Indians, and I hope I may be sustained."

A portion of the Seminoles thus removed themselves, and the remainder were removed by the government, to what was supposed to be the country granted to them by the treaty, before the boundaries of the land thus ceded had been marked. No appropriation had been made for the survey of this tract, except the appropriation of \$4,000, before referred to, to survey the Creek dividing line, and this was found to be inadequate even for that purpose. In the mean time the necessity for the survey of the dividing line between the Creek lands ceded to the United States and those retained by the Creeks, as well as for the segregation of the 200,000 acres granted to the Seminoles, was urged by the Creek and Seminole agents, and in August, 1867, the superintendent of Indian affairs was instructed to have the dividing line surveyed if in his opinion the appropriation of \$4,000 was sufficient to defray the expenses; if insufficient, that he should submit an estimate of the amount required.

After examination of the matter that officer reported that he was forced to the conclusion that there was a deficiency of information required to make the survey, and especially a deficiency of means on hand to accomplish it, and submitted an estimate made by a practical surveyor, showing that a much larger amount was required than had been appropriated.

Afterward the superintendent was authorized to employ a competent surveyor to execute the survey of the Creek dividing line and the Seminole 200,000 acre tract; an additional estimate to be made to Congress, and payment to be made as far as the existing appropriation of \$4,000 would provide, the surveyor to rely upon the favorable action of Congress for the remainder. An additional appropriation of \$5,000 was made March 3, 1869, to complete the survey of the dividing line and to survey the exterior boundary of the grant to the Seminoles (Stats. 15, p. 315). The superintendent entered into contract with John C. Rankin to do the work. I am informed that his survey at first located the east boundary of the Seminole tract (and to that extent the Creek dividing line) about seven miles east of the correct location of said line, as afterward ascertained, and this survey was therefore not approved, and he was required to correct it.

This incorrect survey placed the eastern line of the Seminole tract approximately as shown in green on the map. As finally surveyed and approved by the Secretary of the Interior, July 15, 1872, the correct Creek dividing line is as shown in black on the

map. The country between these two lines, embracing an area estimated at about 175,000 acres, had been settled upon and occupied by the Seminoles since the fall of 1866, the Indians believing themselves, and the department believing them, to be upon the domain granted by the treaty, and having made for themselves homes and very valuable improvements.

When it became known that the Seminoles were occupying lands belonging to the Creeks, the latter protested against such occupancy. Disputes as to jurisdiction arose between the Creeks and Seminoles, the former contending that as the country was theirs they had jurisdiction over it, and the Seminoles refusing to recognize such jurisdiction over the tract occupied by them. The department held, that while the Creeks were not responsible for the inaccurate survey of the western boundary of their country, the Seminoles certainly should not be subjected to the experience of a jurisdiction to which they were averse and within which it was not designed in the treaty to place them, and the Creeks were accordingly notified that their claim to exercise jurisdiction over the Seminoles was not approved by the department, and that any idea of attempting it should be abandoned.

By act of 3d of March, 1873 (Stat. 17, p. 626), the Secretary of the Interior was authorized to negotiate with the Creeks for the relinquishment to the United States of the tract on which the Seminoles had been erroneously located. Under this authorization three attempts were made to effect a satisfactory adjustment of the matter. Soon after the passage of the act a committee, consisting of Enoch Hoag, one of the superintendents of Indian Affairs, Thomas C. Jones, and John M. Milliken, were deputed to negotiate with the Creeks and Seminoles for a final and permanent adjustment of their reservations. They accomplished nothing. The Creeks were unwilling to lessen the area of their reserve, and refused to cede or sell, and demanded that the Seminoles should either become incorporated with them or remove from their land, neither of which the Seminoles would do, as they had been placed there by the government, and were unwilling again to break up their homes and establish new ones. This effort being fruitless of any satisfactory results, in 1875 Hon. J. P. C. Shanks was appointed a special commissioner, among other duties, to settle, or attempt to settle the matter, the records of this office showing that he was authorized to offer the Creeks one dollar per acre for the Seminole tract. In October of that year Mr. Shanks laid before the Creek council a proposition contemplating the cession by the Creeks to the United States for the Seminoles of the tract occupied by them (estimated to contain 175,000 acres), the United States to pay the Creeks one dollar per acre; its true area to be ascertained by survey, to be paid for by the United States.

The Creek council authorized a committee of five "to arrange and settle by a treaty or otherwise all Creek interests with the United States Government." This committee proposed to Mr. Shanks to negotiate for the cession to the United States of the tract upon which the Seminoles were located, but they embraced in such negotiation an agreement on the part of Mr. Shanks to obligate the government to bring to speedy settlement and payment a mass of claims alleged by them to be unsettled.

As the authority of the Secretary of the Interior and the agent appointed under the act of 3d March 1873, was specifically for the adjustment of the question of the location of the Seminoles, the proposition of the Creeks could not be entertained, and General Shanks so informed them. So that effort ended, except that after Mr. Shanks' arrival in Washington he was informed by a letter from the Creek principal chief that the Creek council had authorized a commission of thirteen to negotiate for the sale of the Seminole tract upon such terms "as will give the best satisfaction to the Muscogee people," and directing the commission to "report their negotiations to the next annual session of the national council for its approval or rejection."

Matters rested thus until November, 1876, when the third effort was made, by sending Mr. S. A. Galpin as a special agent to negotiate. He made no report.

I am now informed by letter from the department, dated 12th instant, that the Creek delegation resident in this city have signified their willingness to sell to the United States one hundred and seventy-five thousand acres of their land lying east of the "division line," for the use of the Seminoles, at the rate of one dollar per acre, in settlement of all differences and demands on or against the United States growing out of the question of the Seminole occupation thereof. In view of the fact that the tract of country in question is understood to embrace among the most valuable land in the Creek reserve, and that the Creeks have been deprived of its use for more than fifteen years in consequence of the location of the Seminoles on it by the agent of the government, I regard the price named as a just basis for settlement, and therefore respectfully recommend that Congress be requested to insert in one of the appropriation bills yet to be acted on at the present session an item of appropriation in the sum of \$175,000 for the payment to the Creeks, at one dollar per acre, for one hundred and seventy-five thousand acres of land lying east of the dividing line and between the Canadian River and the North Fork of Canadian River, for the use of the Seminoles, and an additional item of one thousand dollars, or so much thereof as may be neces-

sary, to survey the outboundaries of the tract so purchased. To this end I submit a draught of items as above indicated.

As shown in the foregoing, the homeless condition of the Seminoles, and their unwelcome occupation of lands belonging to another tribe, as well as the necessity of settling them somewhere as soon as possible, in order to enable them to commerce to support their families, led the government to locate them on what, at the time, was supposed to be the land that would inure to them, when the "dividing line" should be surveyed, but which, upon correct survey of the line, was found to be included in the Creek reserve. That they were thus erroneously located is, under the circumstances, not to be wondered at, but certainly it was through no fault of the Seminoles, and the government should therefore pay the Creeks for the lands sought to be purchased, and should also meet the expense of the survey thereof. The Seminoles certainly should not be required to do this, especially when it is considered that they received only fifteen cents an acre for the country relinquished by them in the treaty of 1866, while the United States paid the Creeks thirty cents per acre for the half of their domain ceded to the United States, and then charged the Seminoles fifty cents an acre for the part of the same land sold to them, and only after the lapse of nine years made up to them the difference in price.

Very respectfully, your obedient servant,

THOS. M. NICHOL,
Acting Commissioner.

To purchase from the Creek Nation of Indians for the use of the Seminole Indians, at the price of one dollar per acre, one hundred and seventy-five thousand acres of land adjacent on the east to the dividing line between that portion of the Creek domain ceded to the United States by the Creek treaty of June 14, 1866, and that portion retained by the Creeks, being the land belonging to the Creek Nation upon which the Seminoles were erroneously located by the authorities of the United States, supposing it to be the land granted to the Seminoles by the 3d article of the treaty with the Seminoles, dated March 21, 1866, one hundred and seventy-five thousand dollars, and the Secretary of the Interior is hereby authorized to purchase said lands from the Creek Nation of Indians for the use of the Seminole Indians.

To pay for the survey of the tract of land to embrace one hundred and seventy-five thousand acres, authorized by this act to be purchased from the Creek Nation of Indians for the use of the Seminole Indians, one thousand dollars, or so much thereof as may be necessary, and the Secretary of the Interior is hereby authorized to cause said lands to be surveyed and set apart for the use of the Seminole Nation of Indians.

Under the provisions of the act of March 3, 1873 (17 Stats., 626), the Secretary of the Interior was authorized to negotiate with the Creek Indians "for the relinquishment to the United States of such portions of their country as may have been set apart in accordance with treaty stipulation for the use of the Seminoles and the Sacs and Foxes of the Mississippi tribes of Indians, respectively, found to be east of the line separating the Creek ceded lands from the Creek reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations." * * *

So much of said act as relates to the Sacs and Foxes has been carried into effect by their removal to their proper location on lands west of the said "dividing line." The Seminoles are, however, still occupying the lands belonging to the Creeks, for which occupancy the Creeks have as yet received no compensation, from the fact that no agreement could be arrived at between them and the United States as to the price per acre to be paid to the said Creeks by the United States for said lands.

The undersigned, members of the Creek delegation, resident in Washington, duly authorized to act in the premises, both by appointment for general purposes under the certificate of the governor, under the national seal, and also by special action of the National Council in this instance, copies of which general and special authority are hereto attached, do promise and agree for themselves and for their nation that they will sell, cede, and dispose of the lands now occupied by the Seminoles, belonging to the Creek Nation, to the United States for the sum of one hundred and seventy-five thousand dollars.

And the said Creek delegation do hereby agree for and on behalf of said nation that they will cede to the United States, and do hereby cede, a strip of land in the Indian Territory, now occupied by the Seminole Nation of Indians, lying east of the said line dividing the Creek lands from the lands ceded to the United States in the treaty of June 14, 1866; bounded on the north by the North Fork of the Canadian River; on the south by the Canadian River; on the west by the dividing line between the Creek reservation and the lands ceded under treaty of 1866 above noted; and on the

east by a line running north and south between the rivers named, so far east of said division line as will comprise within said described boundaries one hundred and seventy-five thousand (175,000) acres at the price of one dollar (\$1) per acre; said cession to be in full force and effect when the sum of one hundred and seventy five thousand dollars shall have been deposited in the Treasury of the United States to the credit of the Creek Nation, to draw interest at the rate allowed in the treaty of June 14, 1866, wherein certain of their lands in Indian Territory were ceded to the United States; and one-third of said fund shall be forever set aside for educational purposes and the remaining two-thirds shall be subject to such use as the Creek Council shall determine.

WARD COACHMAN,
PLEASANT PORTER,
DAVID M. HODGE,
Creek Delegation.

WASHINGTON, D. C.,
February, 14, 1881.

MUSKOGEE NATION, IND. T.,
Okmulgee, Ind. T., Nov. 15, 1880.

To whom it may concern :

This is to certify, Hon. Ward Coachman, Hon. Pleasant Porter, and Hon. David M. Hodge are the regularly appointed delegates of the Creek Nation, empowered by the Chief Executive and National Council to act for and represent the Creek government and people in all matters pertaining to their relations with the United States, as per act of National Council approved October 19, 1880.

In testimony whereof I hereunto set my hand and affix the seal of the Muskogee Nation.

[SEAL.].

SAM'L CHECOTE,
Principal Chief of Muskogee Nation.

B. E. PORTER,
Private Secretary.

Be it enacted by the National Council of the Muskogee Nation : That the delegates to be appointed to represent this government at the city of Washington during the next session of Congress are hereby instructed as follows: They shall endeavor to obtain a release from the United States of the land now occupied by the Seminoles, and also of all land of which we have been dispossessed by mistake in survey by representatives of the United States Government.

Secondly, if they find it impossible to reobtain possession of the said lands, they shall then endeavor to obtain a grant of the same quantity and quality of which we have been dispossessed; said grant to be contiguous to our present reservation.

Thirdly, if they then find it utterly impossible either to reobtain the land of which we have been dispossessed, or to obtain other land of similar quality and quantity, in its place, they shall then endeavor to make a final adjustment of the whole matter, by obtaining from the United States Government the largest possible amount of money for a release to the United States both of the land on which the Seminoles now reside and the land of which we were dispossessed by mistake in survey. But in no case shall they accept a smaller amount than one dollar per acre for all land so released, and

Be it further enacted, That should the delegates be forced to release the above mentioned land, one-third of the money obtained for the release shall be devoted to educational purposes, and the remaining two-thirds shall be subject to the action of the National Council of the Muskogee Nation.

The foregoing is a true copy of the act of the Creek National Council of October, eighteen hundred and eighty, at regular annual session.

WARD COACHMAN,
PLEASANT PORTER,
DAVID M. HODGE,
Creek Delegation.

WASHINGTON, D. C.,
February 14, 1881.

EXECUTIVE OFFICE,
Muskogee Nation, Okmulgee, Ind. T., November 22, 1881.

To whom it may concern :

This is to certify that Hon. Ward Coachman and Hon. Pleasant Porter are the regularly appointed delegates of the Creek Nation, empowered by the Chief Executive and

National Council to act for and represent the Creek government and people in all matters pertaining to their relations with the United States, as per act of National Council approved October 29, 1881.

In testimony whereof I hereunto set my hand and affix the seal of the Muskogee Nation.

[SEAL.]

B. E. PORTER,
Private Secretary.

SAM'L CHECOTE,
Principal Chief of the Muskogee Nation.

WASHINGTON, D. C., December 8, 1881.

Hon. H. PRICE,
Commissioner of Indian Affairs:

SIR: Representing the Muskogee Nation, we respectfully call attention to the provisions of an act of Congress approved March 3, 1873 (vol. 17, 626), enacting "that the Secretary of the Interior be, and he is hereby, authorized, to negotiate with the aforesaid Creek Indians for the relinquishment to the United States of such portion of their country as may have been set apart in accordance with treaty stipulations for the use of the Seminoles and the Sacs and Foxes of the Mississippi tribe of Indians respectively, found east of the line separating the Creek ceded lands from the Creek Reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations, and the Secretary shall report the result to Congress."

Under said statute negotiations were concluded, and the Secretary of the Interior made a report asking for an appropriation of \$175,000 to compensate the Muskogee Nation for 175,000 acres of land in the possession of the Seminoles, but said report was received too late for consideration and adoption by Congress.

We therefore request that an estimate of appropriations for said sums be again submitted to Congress at your earliest convenience, and in this connection we would refer to a letter from the Office of Indian Affairs, dated July 29, 1881, directed to our chief, in which occurs the following language: "It is the intention of this office to renew the recommendations for the adjustment of the case at the next session of Congress."

Very respectfully,

WARD COACHMAN,
PLEASANT PORTER,
Creek Delegates.

S. Ex. 75—2