1830

~~1831~~

Treaty
with the
Choctaws
Sep. 27. 1830

And 28th Sept. 1830

Ratified Feb. 24th 1831.

190

Rec'd

Andrew Jackson,

President of the United States of America,

To all and singular to whom these presents shall come,

Greeting:

Whereas a Treaty between the United States of America, and the Mingoes, Chiefs, Captains and Warriors of the Choctaw Nation was entered into at Dancing Rabbit Creek, on the twenty-seventh day of September in the Year of our Lord one thousand eight hundred and thirty, and of the Independence of the United States, the fifty-fifth, by John H. Eaton and John Coffee, Commissioners on the part of the United

States, and the Chiefs, Captains and Head-Men of the Choctaw Nation, on the part of said Na=tion; — which Treaty, together with the Supple=mental article thereto, is in the words following, To wit:

A Treaty

Mr. Pitch. ... 17

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The following interlineations were made before the treaty was signed

1st page — in fee simple to them & their decendants to inure to them ~~while they shall~~ exist as a nation, & live on it

2d page "The boundary of the same, to be agreeably to the treaty made & concluded at Washington City in the year 1825"

12 article two erasures made. 15 article, "each"

16. By waggons, or with Steam Boats as may be found necessary

19 — "~~each~~" "and" — "cultivated" Latter part of it "quarter"

20. "To each warrior who emigrates a"

1st page word "& inconsistent with the provision of this"

In presence of
E. Breathitt. Secty to Com.

No. Pitch. 10

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A treaty of perpetual friendship, cession and limits entered into by John H Eaton and John Coffee for and in behalf of the Government of the United States and the Mingoes Chiefs Captains and Warriors of the Choctaw Nation begun and held at Dancing Rabbit Creek on the 15th of September in the year 1830.

Whereas the General Assembly of the State of Mississippi has extended the laws of said State to persons and property within the chartered limits of the same and the President of the United States has said that he cannot protect the Choctaw people from the operation of these laws; Now therefore that the Choctaw may live under their own laws in peace with the United States and the State of Mississippi they have determined to sell their lands east of the Mississippi & have accordingly agreed to the following articles of treaty

Article 1st

Perpetual peace and friendship is pledged and agreed upon by and between the United States and the Mingoes, Chiefs, & Warriors of the Choctaw Nation of Red People; and that this may be considered the ~~only~~ treaty existing between the parties all other treaties heretofore existing are hereby declared null and Void. —

Article 2nd

The United States under a grant specially to be made by the President of the U.S. shall cause to be conveyed to the Choctaw Nation a tract of Country west of the Mississippi River, in fee simple to them & their decendants, to inure to the exclusive use of the Chiefs of said Nation beginning near Fort Smith where the Arkansas boundary crosses the Arkansas River, running thence ~~West~~ to the source of the Canadian fork; ~~if in~~ the limits of the United States, or to those limits; thence due South to Red River, and down Red River to the West boundary of the Territory of Arkansas; thence North along that line to the beginning.

the boundary of the same to be agreed, to the best made and concluded at Washington City, in the year 1825 — The grant to be executed so soon as the present Treaty shall be ratified —

Article 3rd

In consideration of the provisions contained in the several articles of this Treaty, the Choctaw Nation of Indians consent, and hereby cede to the United States, the entire Country they own and possess, East of the Mississippi River; and they agree to remove beyond the Mississippi River, early as practicable, and will so arrange their removal, that as many as possible of their people not exceeding one half of the whole number, shall depart during the fall of 1831 and 1832; the residue to follow during the succeeding fall of 1833; a better opportunity in this manner will be afforded the Government, to extend to them the facilities and comforts which it is desireable should be extended in conveying them to their new Homes. —

Article 4th

The Government and people of the United States are hereby obliged to secure to the said Choctaw Nation of Red People the Jurisdiction and Government, of all the Persons & Property that may be within their limits West, so that no territory or State shall ever have a right to pass laws for the Government of the Choctaw Nation of Red People & their Descendants; and that no part of the land granted them shall ever be embraced in any territory or State, but the U.S. shall forever secure said Choctaw Nation from, & against, all laws except such as from time to time may be enacted in their own National Councils, not inconsistent with the Constitution, Treaties, and laws of the United States; & except such as may, & which have been enacted by Congress, to the extent that Congress under the Constitution are required to exercise a legislation over Indian affairs. But the Choctaws, should this treaty be ratified, express a wish that Congress

may grant to the Choctaws the right of punishing by their own laws, any white man who shall come into their Nation, & infringe any of their National regulations

Article 5th

The United States are obliged to protect the Choctaws from domestic strife & from foreign enemies on the same principles that the citizens of the United States are protected, so that whatever would be a legal demand upon the U.S. for defence or for wrongs committed by an Enemy, on a citizen of the U.S. shall be equally binding ~~on in favour~~ of the Choctaws, & in all cases where the Choctaws shall be called upon by a legally authorized Officer of the U.S. to fight an Enemy, such Choctaw shall receive the pay & other emoluments, which citizens of the U.S. receive in such cases, provided, no war shall be undertaken or prosecuted by said Choctaw Nation but by declaration made in full Council, & to be approved by the U.S. unless it be in self defence against an open rebellion or against an enemy marching into their country, in which cases they shall defend, until the U.S. are advised thereof.

Article 6th

Should a Choctaw or any party of Choctaws commit acts of violence upon the person or property of a citizen of the U.S, or join any war party against any neighbouring tribe of Indians, without the authority in the preceding article; & except to oppose an actual or threatened invasion or rebellion, such person so offending shall be delivered up to an Officer of the U.S. if in the power of the Choctaw Nation, that such Offender may be punished as may be provided in such cases, by the laws of the U.S.; but if such Offender is not within the control of the Choctaw Nation, then said Choctaw Nation shall not be held responsible

for the injury done by said Offender.

Article 7th

All acts of violence committed upon persons and property of the ~~Cho~~ people of the Choctaw Nation either by Citizens of the U.S. or neighbouring tribes of Red people, shall be reffered to some authorized agent by him to be reffered to the ~~the~~ President of the U.S, who shall examine into such cases and see that every possible degree of justice is done to said Indian party of the Choctaw Nation —

Article 8th

Offenders against the laws of the U.S. or any individual State shall be apprehended & delivered to any duly authorized person where such Offender may be found in the Choctaw Country, having fled from any part of U.S. but in all such cases application must be made to the Agent or Chiefs & the expence of his apprehension and delivery provided for & paid by the State

Article 9th

Any Citizen of the U.S. who may be ordered from the Nation by the Agent & Constituted authorities of the Nation and refusing to obey or return into the Nation without the Consent of the aforesaid persons, shall be subject to such pains and penalties as may be provided by the laws of the U.S. in such cases. Citizens of the U.S. travelling peaceably under the authority of the laws of the U.S. shall be under the care & protection of the Nation

Article 10th

No person shall expose goods or other article for sale as a trader, without a written permit from the Constituted authorities of the Nation, or authority of the laws of the Congress of the U.S. under penalty of forfeiting the Articles, & the Constituted authorities of the Nation shall grant no license except to such persons as reside in the Nation and

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are answerable to the laws of the Nation. The U.S. shall be particularly obliged to assist to prevent the introduction of ardent spirits from being introduced into the Nation

Article 11th

Navigable streams shall be free to the Choctaws who shall pay no higher toll or duty than citizens of the U.S. It is agreed further that the U.S. shall establish one or more Post Offices in said Nation, & may establish such Military post roads, and posts, as they may consider necessary

Article 12th

All intruders shall be removed from the Choctaw Nation and kept without it. Private property to be always respected & on no occasion taken for public purposes without just compensation being made therefor to the rightfull owner. If an Indian unlawfully take or steal any property from a White man a citizen of the U.S. the offender shall be punished. ~~& the property or its value paid to a citizen of the U.S. or the property of the Nation~~ And if a white man unlawfully take or steal any thing from an Indian, the property shall be restored & the offender punished. ~~If to some [illegible] as relative & the U.S. will make [illegible] remuneration for the same.~~ It is further agreed that when a choctaw shall be given up to be tried for any offence against the laws of the U.S. if unable to employ Counsel to defend him, the U.S. will do it, that his trial may be fair and impartial

Article 13th

It is consented that a qualified Agent shall be appointed for the Choctaws every four Years, unless sooner removed by the President; and he shall be removed on petition of the Constituted authorities of the Nation the President, being satisfied there is sufficient cause shown. The Agent shall fix his residence convenient to the great body of the people; & in the selection of an Agent immediately after the ratification of this Treaty, the wishes of the Choctaw Nation on the subject shall be entitled to great respect.

Article 14th

Each Choctaw head of a family being desirous to remain & become a Citizen of the States, shall be permitted to do so, by signifying his intention to the Agent within Six Months from the ratification of this Treaty, & he shall thereupon be entitled to a reservation of one Section of Six Hundred and forty Acres of Land, to be bounded by Sectional lines of Survey; in like Manner ~~to~~ shall be entitled to one half that quantity for each unmarried child which is living with him over Ten years of Age; & a quarter section to such child as may be under 10 years of age, to adjoin the location of the Parent. If they reside upon said lands intending to become Citizens of the States for five Years after the ratification of this Treaty in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this Article shall not loose the priviledge of a Choctaw Citizen, but if they ever remove are not to be entitled to any portion of the Choctaw Annuity; ~~[illegible]~~

Article 15th

To each of the chiefs in the Choctaw Nation (to wit) Greenwood LaFlore, Nutackachie, and Mushulatubbe there is granted a reservation of four sections of land, two of which shall include and adjoin their present improvement; & the other two located where they please but on unoccupied unimproved lands, such sections shall be bounded by sectional lines, & with the consent of the President they may sell the same. Also to the three principal Chiefs & to their successors in office there shall be paid Two Hundred and fifty Dollars

Annually while they shall continue in their respective offices, except to Mushulatubbe who as he has an annuity of One Hundred & fifty Dollars for life under a former treaty, shall receive only the additional sum of One Hundred Dollars, while he shall continue in office as Chief; & if in addition to this the Nation shall think proper to elect an additional principal Chief of the whole to superintend and govern upon republican principles he shall receive annually for his services Five Hundred Dollars, which allowance to the chiefs and their successors in office, shall continue for Twenty Years, & at any time when in Military service, & while in service by authority of the U.S. the district Chiefs under and by selection of the President shall be entitled to the pay of Majors; the other Chief under the same Circumstances shall have the pay of a Lieutenant-Colonel. The Speakers of the three districts, shall receive Twenty five Dollars a Year each for four Years; & the three Secretaries One to each of the Chiefs, fifty Dollars each for four years. Each Captain of the Nation, the number not to exceed Ninety nine, thirty three from each District shall be furnished upon removing to the West, with each a good suit of clothes & a broad sword as an outfit, & for four years commencing with the first of their removal, shall each receive Fifty Dollars a Year, for ~~[illegible]~~ the trouble of keeping their people in order in settling; & whenever they shall be in military service by authority of the U.S. shall receive the pay of a Captain

Article 16th

In wagons, & with Steam Boats as may be found necessary the U.S. agree to remove the Indians to their new Homes at their expense and under the care of discreet and carefull persons, who will be kind & brotherly to them. They agree to furnish them with ample corn and beef, or pork for themselves & families for Twelve Months after reaching their new homes.

It is agreed further that the U.S. will take all their cattle, at the valuation of some discreet person to be appointed by the President, & the same shall be paid for in money after their arrival at their new homes; or in other cattle such as may be desired shall be furnished them, notice being given through their Agent of their wishes upon this subject before their removal that time to supply the demand may be afforded.

Article 17th

The several Annuities and sums secured under former Treaties to the Choctaw Nation and People shall continue as tho. this Treaty had never been made. And it is further agreed that the U.S. in addition will pay the sum of Twenty thousand Dollars for Twenty Years, commencing after their removal to the West, of which, in the first year after their removal, Ten thousand Dollars shall be divided and arranged to such as may not receive reservations under this Treaty.

Article 18th

The U.S. shall cause the lands hereby ceded to be surveyed, & surveyors may enter the Choctaw Country for that purpose, conducting themselves properly & disturbing or interrupting none of the Choctaw people. But no person is to be permitted to settle within the Nation, or the lands to be sold before the Choctaws shall removed. And for the payment of the several amounts secured in this Treaty, the lands hereby ceded are to remain a fund pledged to that purpose, until the debt shall be provided for and arranged. And further it is agreed, that in the construction of this Treaty wherever well founded doubt shall arise, it shall be construed most favourably towards the Choctaws.

Jno. Pitchlynn

Article 19th

The following reservations of land are hereby admitted.
To Col. David Fulsom Four sections of which Two shall include his present improvements, & two may be located elsewhere, on unoccupied, unimproved land.
To J. Garland, Col. Robert Cole, Tuspsanahomer, John Pytchlynn, Charles Tuzard, Tohokebetubbe, Eyaychahobia, Ofchoma two sections each, to include their improvements, and to be bounded by sectional lines, & the same may be disposed of and sold with the consent of the President.
And that others not provided for, may be provided for, there shall be reserved as follows.
First, One section to each head of a family not exceeding Forty in number, who during the present year, may have had in actual cultivation, with a dwelling House thereon Fifty Acres or more. Secondly three quarter sections after the manner aforesaid to each head of a family not exceeding Four Hundred and Sixty, as shall have cultivated Thirty Acres and less than Fifty, to be bounded by quarter section lines of survey, & to be contiguous & adjoining.
Third, One half section as aforesaid to those who shall have cultivated from Twenty to Thirty Acres the number not to exceed Four Hundred. Fourth, a quarter section as aforesaid to such as shall have cultivated from twelve to twenty Acres, the number not to exceed three hundred and fifty, and one half that quantity to such as shall have cultivated from two to twelve Acres, the number also not to exceed three hundred and fifty persons.
Each of said class of cases shall be subject to the limitations contained in the first class, & shall be so located as to include that part of the improvement which contains the dwelling House. If a greater number shall be found to be entitled to reservations under the several classes of this article, than is stipulated for under the limitation prescribed, then & in that case the Chiefs separately and together shall determine the persons

who shall be excluded in the respective districts. Fifth; Any Captain the number not to exceed Ninety persons, who under the provisions of this article shall receive less than a section, he shall be entitled, to an additional quantity of half a section adjoining to his other reservation. The several reservations secured under this Article, may be sold with the consent of the Presidents of the U.S. but should any prefer it, or omit to take a reservation for the quantity he may be entitled to the U.S. will on his removing pay fifty cents an acre, after reaching thier new homes, provided that before the first of January next they shall adduce to the Agent, or some other authorized person to be appointed, proof of his claim & the quantity of it. Sixth, likewise Children of the Choctaw Nation residing in the Nation, who have neither Father nor Mother a list of which, with satisfactory proof of Parentage and Orphanage being filed with Agent in six months to be farwarded to the War Department, shall be entitled to a quarter section of Land, to be located under the direction of the President, & with his consent the same may be sold and the proceeds applied to some beneficial purpose for the benefit of said Orphans —

Article 20th.

The U.S. agree & stipulate as follows, that for the benefit, and advantage of the Choctaw people, & to improve thier condition, thier shall be educated under the direction of the President & at the expense of the U.S. forty Choctaw Youths for Twenty years. This number shall be kept at school, & as they finish thier education others, to supply thier places shall be received for the period stated. The U.S. agree also to erect a Council House for the Nation at some convenient central point, after thier people shall be settled, & a House for each Chief, also a church for each of the three Districts, to be used also as School

Houses, until the Nation may conclude to build others; & for these purposes Ten thousand Dollars shall be appropriated; Also Fifty thousand Dollars (viz) Twenty Five Hundred Dollars annually shall be given for the support of three Teachers of Schools for Twenty Years. Likewise there shall be furnished to the Nation, three Blacksmiths one for each District for sixteen Years, & a qualified Mill wright for five years, Also there shall be furnished the following articles, Twenty One Hundred Blankets, To each warrior who emigrates a ~~Twelve Hundred~~ rifle, Moulds, Wipers and ammunition. One thousand axes, Ploughs, Hoes, Wheels and Cards each; and four Hundred looms. There shall also be furnished One Ton of Iron & two hundred Weight of Steel annually to each District for sixteen years.

Article 21st.

A few Choctaw Warriors yet survive who marched and fought in the Army with General Wayne the Whole number stated not to exceed Twenty. These it is agreed shall hereafter while they live receive Twenty Five dollars a year; a list of them to be early as practicable, & within six months made out, and presented to the Agent to be forwarded to the War Department —

Article 22d.

The Chiefs of the Choctaws have suggested that thier people are in a state of rapid advancement in education and refinement, and have expressed a solicitude that they might have the priveledge of a Delegate on the floor of the House of Representatives extended to them. The Commissioners do not feel, that they can under a treaty stipulation accede to the request, but at thier desire, present it in the Treaty, that Congress may consider of and decide the application.

Done and signed and executed by the Commissioners of the United States and the Chiefs Captains and Head Men of the Choctaw Nation at Dancing Rabbit Creek this 27th day of September Eighteen Hundred and Thirty.

		His marks	
In Presence of	Nd Eaton	(Seal)	
E. Breathitt Secty	Wm Ward	(Seal)	
to the Commrs =	Greenwood Leflore	(Seal)	
William Ward Agt	Mushulatubbee	(Seal)	X
for Choctaws.	Nittucachee	(Seal)	X
John Pitchly	Eyarhoucttubbee	(Seal)	X
US Intr.	Izachorhopia	(Seal)	X
M Mackey	Offahoomah	(Seal)	X
US Intr.	Archatatex	(Seal)	X
Geo S Gaines	Onnee hubbee	(Seal)	X
of Alabama	Holarterhoomah	(Seal)	X
R M Irwin	Hopiaunchahubbee	(Seal)	X
Peter Hawkins	Lishomingo	(Seal)	X
Sam. S. Worcester	Captain Thalko	(Seal)	X
Jno N Byrne	James Shield	(Seal)	X
John Reed	Pistoyubbee	(Seal)	X
Ind Bond	Tobatpunchahubbee	(Seal)	X
	Holubbee	(Seal)	X
	Robert Cole	(Seal)	X
	Mokelarchar hopia	(Seal)	X
	Lewis Perry	(Seal)	X
	Artonamastubbee	(Seal)	X
	Hopeytubbee	(Seal)	X
	Hoshahoomah	(Seal)	X
	Chuallahoomah	(Seal)	X
	Joseph Kincaid	(Seal)	X
	Artookhubbeetushka	(Seal)	X
	Mletubbee	(Seal)	X
	Arsarkatubbee	(Seal)	X
	Issaterhoomah		X

Jno Pitchlynn Jr. (Seal)

Chahtahmatahah	(Seal)	X	
Tunnuppashubbee	(Seal)	X	
Okechanyer	(Seal)	X	X
Hoshhopia	(Seal)	X	X
Warshar sha hopia	(Seal)	X	X
Mlaarshunchahubbee	(Seal)	X	X
Mistarigubbee	(Seal)	X	X
Daniel McCurtain	(Seal)	X	X
Tushkerhancho	(Seal)	X	X
Hoktoontubbee	(Seal)	X	X
Nukonaarchookmarhee	(Seal)	X	X
Mingo hoomah	(Seal)	X	X
Pisinhocuttubbee	(Seal)	X	X
Tullarhacher	(Seal)	X	
Little leader	(Seal)	X	X
Mlaarhutter	(Seal)	X	X
Cowe hoomah	(Seal)	X	X
Tillamoer	(Seal)	X	X
Innullacha	(Seal)	X	
Artopelachubbee	(Seal)	X	
Shuspherunchahubbee	(Seal)	X	
Nitter hoomah	(Seal)	X	
Oklargubbee	(Seal)	X	
Pukunna	(Seal)	X	
Arpalar	(Seal)	X	
Holber	(Seal)	X	
Hoparmingo	(Seal)	X	
Isparhoomah	(Seal)	X	
Liebenhoomah	(Seal)	X	
Tishoholarter	(Seal)	X	
Mlahazarchubbee	(Seal)	X	
Arlarter	(Seal)	X	
Nittakubbee	(Seal)	X	
Lishonowar	(Seal)	X	
Warkharshahoomah	(Seal)	X	

Isaac James	Esq	X
Hopiaintushken	Esq	X
Arjoshkermer		X
Shemotar		X
Hopiaisketema		X
Thomas Leflore		X
Arnokechatubbee		X
Shokoperlukna		X
Poshenhoomal		X
Robert Folsom		X
Arharyotubbee		X
Kushonolarter		X
James Vaughan		X
James Karnes		X
Tishohatubbee		X
Narjnalar		X
Pennasha		X
Inharyarker		X
Mohubbee		X
Narharjubbee		X
Ishmarjubbee		X
~~Commissioner~~ James McKing		
Lewis Wilson		X
Istonarkerharcho		X
Hoshinchamartarker		X
Kemmeachubbee		X
Cyarlinsubbee		X
Sam.l Garlands		
Thomas Wall		
Sam.l Worcester		
Jacob Folsom		
William Hester		
Ontiocharcho		X
Hugh Hester		
Pierre Juzan		

Mo. Pitchlynn P.	Seal	
David Folsom	Seal	
Sholohammastubbe	Seal	X
Tisho	Seal	X
Lawwechubee	Seal	X
Hashkhomma	Seal	X
Ofenowa	Seal	X
Ahekache	Seal	X
Kalashaube	Seal	X
Atoko	Seal	X
Ishtemeche	Seal	X
Emmitahabe	Seal	X
Silas D. Fisher	Seal	
Isaac Folsom	Seal	X
He Ratube	Seal	X
Hakseche	Seal	X
Jerry Carney	Seal	X
John Washington	Seal	X
Philip	Seal	X
Mechamuse	Seal	X
Ishtehka	Seal	X
Heshohomme	Seal	X
John McKelbery	Seal	X
Benjm. James	Seal	
Tikbachahamba	Seal	X
Aholiktubbe	Seal	X
Walking Wolf	Seal	X
John Waide	Seal	X
Big Ace	Seal	X
Bob	Seal	X
Tishkochamubbe	Seal	X
Itabe	Seal	X
Tishowa Karpe	Seal	

Holehomma	Seal	+
John Garland	Seal	+
Kochona	Seal	+
Ishleyo homube	Seal	+
Oklanowa	Seal	+
Neto	Seal	+
James Fletcher	Seal	+
Silas D Pitchlynn	Seal	
William Kahum	Seal	
Tosh Kahemmitto	Seal	+
Tethetayo	Seal	+
Emoklashahoffie	Seal	+
Zishoimita	Seal	X
Thomas H Foster	Seal	
Badoc Brashears		

Levi Perkins	Seal	X
Isaac Perry	Seal	+
Ishlonocka Hoomah	Seal	+
Hiram King	Seal	
Ogla Enlah	Seal	X
Nultlahtubbee	Seal	X
Tuska Hollattah	Seal	X
Panohestubbee	Seal	X
P P Pitchlynn	Seal	
Joel Hale		
Yopaia Stonakey	Seal	+
Kochoomma	Seal	+
William Wade	Seal	+
Pansh Stickubbee	Seal	+
Holittauk chashubbee	Seal	+
Kothauk chashubbee	Seal	
Eyarpulubbee	Seal	+
Okintahubbee	Seal	+
Living War Club	Seal	+
John Jones	Seal	
Charles Jones	Seal	
Isaac Jones	Seal	X
Hoklucha	Seal	+
Muscogee	Seal	+
Edan Nelson	Seal	

Various Choctaw persons have been presented by the chiefs of the Nation with a desire that they might be provided for, Being particularly deserving, an earnestness has been manifested that provision might be made for them, It is therefore by the undersigned Commissioners here assented to with the understanding that they are to have no interest in the reservations which are decreed and provided for under the general Treaty. to which this is a supplement.

As evidence of the liberal and kind feelings of the President and Government of the United States the Commissioners agree to the request as follows (to wit) Pierre Juzan, Peter Pitchlynn, G. W. Harkins, Jack Pitchlynn, Israel Folsom, Louis Laflore, Benjamin James, Joel H Nail, Hoseyn yahubbee, Onorkubbee, Benjamin Laflore, Michael Laflore & Allen Yates & wife shall be entitled to a reservation of two sections of land each to include thier improvement where they at present reside, with the exception of the three first named persons & Benj. Laflore who are authorized to locate one of thier sections on any other unimproved and unoccupied land, within thier respective districts.

Article 2d

And to each of the following persons there is allowed a reservation of a section and a half ~~of~~ land, (to wit) James L McDonald, Robert Jones, Noah Wall, James Campbell, G. Nelson, ~~and~~ Vaughn Brasheans, R. Harris, Little Leader, A. Foster, J. Vaughn, L Durant Samuel Long, T. Magagha, Thos Everge, ~~Silas~~ Giles Thompson ~~Thomas~~ Garland, John Bond, William Laflore, and Turner Brasheans; the two first named persons, may locate one section each, and one section jointly on any unimproved and unoccupied land, these not residing in the Nation, The others are to include thier present residence and improvement.

Also one section is allowed to the following persons (to wit) Middleton Mackey, Wesley Train - Choctaw Born, Moses Foster, D. M. Wall, Charles Scott

Molly Nail, Susan Colbert, who was formerly Susan James, Saml. Garland, Silas Fisher, D. McCurtain, Oklahoma, & Polly Fillecuthey, to be located in entire sections to include thier present residence and improvement, with the exception of Molly Nail & Susan Colbert, who are authorized to locate thiers, on any unimproved unoccupied land.

John Pitchlynn has long and faithfully served the Nation in character of U. States interpreter, he has acted as such for forty years, in consideration it is agreed, in addition to what has been done for him there shall be granted to two of his Children, (viz:) Silas Pitchlynn, & Thomas Pitchlynn one section of land each to adjoin the location of thier father. likewise to James Madison and Peter Sons of Mushulatubbee One section of land each to include the Old House and improvement where thier Father formerly lived on the old Military road adjoining a large Prerarie.

And to Henry Groves Son of the Chief — Natticache there is one section of land given to adjoin his Fathers land.

And to each of the following persons Half a section of land is granted on any unoccupied and unimproved lands in the Districts where they respectively live (to wit) Willis Martins, James D. Hamilton, William Fuzan, Tobias Lafloro, Jo Dowsa, Jacob Fulson, P. Hays, Saml. Worcester, Geo. Hunter, William Frain and Robert Nail and Alexander McKee.

And there is given a quarter section of land each to Delila and her five fatherless Children, she being a Choctaw woman residing out of the Nation, also the same quantity to Peggy Frichard another Indian Woman residing out of the Nation & her two fatherless Children; & to the Widows of Pushmilaha, & Puck Shenubbee, who were formerly distinguished Chiefs of the Nation and for their Children four ~~quarter~~ sections of land, each in trust for themselves & their Children

All of said last mentioned Reservations are to be located under and by direction of the President of the U States

Article 3

The Choctaw people now that they have ceded their lands are solicitous to get to thier new Homes early as possible & accordingly they wish that a party may be permitted to proceed this fall to ascertain where abouts will be most advantageous for their people to be located.

It is therefore agreed that three or four persons (from each of the three districts) under the guidance of some discreet and well qualified person or persons may proceed during this fall to the West upon an examination of the Country.

For thier time and expenses the U. States agree to allow the said Twelve persons Two Dollars a day each, not to exceed One Hundred days, which is deemed to be ample time to make an examination.

If necessary Pilots acquainted with the Country will be furnished when they arrive in the West.

Article 4th

John Donly of Alabama who has several Choctaw grandchildren, and who for Twenty years has carried the mail through the Choctaw Nation, a desire by the Chiefs is expressed that he may have a section of land, it is accordingly granted, to be located in one entire section, on any unimproved & unoccupied land.

Allen Glover and George S Gaines licensed Traders in the Choctaw Nation, have accounts amounting to upwards of Nine thousand Dollars against the Indians who are unable to pay their said debts without distressing their families; a desire is expressed by the Chiefs that two sections of land be set apart to be sold and the proceeds thereof to be applied toward the payment of the aforesaid debts. It is agreed that two sections of any unimproved and unoccupied land be granted to George S Gaines who will sell the same for the

best price he can obtain and apply the proceeds thereof to the credit of the Indians on their accounts due to the before mentioned Glover and Gaines; & shall make the application to the present Indian Chiefs

At the earnest and particular request of the Chief Greenwood Leflore there is granted to David Haley One half section of land to be located in a half section on any unoccupied and uninproved land as a compensation for a journey to Washington City with dispatches to the Government and returning others to the Choctaw Nation

~~The~~ foregoing is entered into, as supplementary to the treaty concluded yesterday.

Done at Doaks Rabbit Creek the 28th day of September 1830

Ind. St Calvin (Ed)

In presence of
E. Breathitt Secty to Com.
W. Ward Agt for Choctaws
M. Mackey US Intr.
John Pitchlynn
US Intr
R. Cowin
J. W. Byers
Geo. S. Gaines

The following words in this supplement were interlined before being signed "Article" & "Allen Gates & wife" also & Benj. Leflore Dr. Wesley Train — Choclehoma "person or persons"

In presence of
E. Breathitt Secty to Com.

Wm. Coffee (Ed)
Greenwood Leflore
Nittucachee his X mark
Musholatubbee his X mark
Chahoma L his X mark
Eyarhoucttubbee his X mark
Yachehopia his X mark
Holubbee his X mark
Onarhubbee his X mark
Robert Cole his X mark
Hopia unchahubbee his X
Daniel Folsom
John Garland his X mark
Hopia homah his X mark
Captain thalko his X mark
Pierre Juzan
Immarstarhee his X mark
Hoshinthomartarhee his X mark

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the twenty-first day of February, one thousand eight hundred and thirty-one, accept, ratify and confirm the same, and every clause and article thereof, with the exception of the Preamble.

In Testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this twenty fourth day of February, in the Year of our Lord one thousand eight hundred and thirty-one, and of the Independence of the United States, the fifty-fifth.

Andrew Jackson

By the President,

M. Van Buren
Secty of State

In the Senate of the United States
February 21st: 1831.

Resolved, (two thirds of the Senators present concurring,) That the Senate do advise and consent to the ratification of the Treaty, between the United States of America and the Mingoes, Chiefs, Captains and Warriors of the Choctaw Nation, concluded at Dancing Rabbit Creek on the 15th of September 1830, together with the supplement thereto, concluded at the same place the 28th of September 1830: with the exception of the preamble.

Attest, Walter Lowrie