

ments there was an immediate and considerable increase of the settlements, at and below Kia-miche on Red River.

In this state of things the Treaty of Dokes-stand of the 18th October 1820³ was entered into. This Treaty, as the petitioners very correctly state, provided for the removal of the whole of them, which they say greatly alarmed them. No subsequent act followed upon that Treaty, until the Treaty of January last, which had for one of its objects the purchase, from the Indians, of those lands upon which the petitioners, in part, reside. The whole of these lands could not be realized. It was thought best to make a Treaty upon the basis of a line beginning at the Arkansas, one hundred paces east of Fort Smith, and running thence, due south, to Red River. The line recognized by the Treaty of Dokes-stand, being far east of this, and including nearly three times the number of settlers, it was thought important to adopt the line recognized in the Treaty of January last, & it was accordingly agreed upon.

The only difference made to the Settlers by the Treaty of January last, is, that it releives the United States from the obligation to remove all, the settlers, instead of a part of them, the Treaty of Dokes-stand being no less binding on this point, than that of Washington, of January last.

The petitioners appear to have no right to the occupancy of the lands they have settled. They do not attempt to shew a title to them, except that which they derive from the indulgence of the United States which has permitted them to remain in their occupancy so long.

All which is respectfully submitted

THO: L: M^cKENNEY

[*Endorsed*] Mc.Kenney T. L. 26 Oct. 1825 Submitting a petition from the inhabitants of the Territory of Arkansas.

PETITION TO THE PRESIDENT BY CITIZENS OF
MILLER COUNTY

[NA:OIA, Lets. Recd. (Ark.): DS⁴]

[No date, 1825]

To the President of the United States

The Petition of the undersigned Inhabitants of that Part of Miller County, in the Territory of Arkansas, ceded and confirmed to the Choctaw Nation of Indians, by Treaty made with them at Washington City, in the present Year (1825). Respectfully Sheweth.—

That the tract of Country upon which Your Petitioners reside, was

³ 7 STAT. 210-214. See *ante*, XIX, 749, n.

⁴ How the document became separated from its cover is not clear.

acquired by the United States from the Quapaw Nation of Indians, by Treaty made with them about the Year 1818.⁵—By which said Treaty, the said tract of Country became a part of the public Lands of the United States. And that the Legislature of the Territory of Missouri (within which the said tract of country was then situated) included the said tract of Country upon which Your Petitioners now reside, within the Civil Jurisdiction of Hempstead County of that Territory, by an Act of the Legislature thereof (which has since been divided and Miller County erected out of the Western part of said County of Hempstead). That about the Year 1819, a part of the same public Lands upon which Your Petitioners now reside, were under the Authority of the United States surveyed into Townships, and subdivided into sections, as far as Ranges 38 or 39 West, and within about eight Miles of the present western boundary of Arkansas Territory, as established by Act of Congress,⁶ and lately surveyed and marked. That on the 5th January 1819. (see accompanying document N^o 1.⁷) by Authority of an order from the Secretary of War,⁸ a few Settlers that were on Red River above Kia-Miche, and on the Arkansas above the Poto, were removed below, and East of those Rivers, to where no prohibition to settling then, or since, existed, and within a few Miles of which point (Kia-Miche on Red River) the public Lands were about that time, or soon afterwards, surveyed into sections, as if to facilitate Settlers in acquiring titles to the Lands they choose to settle, in the usual way provided for by law. That under these encouragements by the Authorities of the Government, there was an immediate and considerable Increase of the settlements at and below Kia Miche, on Red River, upon and near the lands surveyed into sections as aforesaid, most of which settlements were made with a view to being permanent, and improvements large and valuable. That Your Petitioners became greatly alarmed by a Treaty made with said Choctaw Nation of Indians at Dokes stand, about the year 1820,⁹ by which the country upon which Your Petitioners reside (together with other large extents of adjoining Territory) was then ceded to said Indians,—But were soon afterwards reconciled by assurances from the President of the United States, received by James Miller, Governor of Arkansas, that it was not the view or intention of the General Government, to remove any of the Settlers from the Lands then ceded to said Indians and that the then settled

⁵ Concluded Aug. 24, 1818. See *ante*, XIX, 10, n.

⁶ Approved May 26, 1824, 4 STAT. 40-41.

⁷ Not present.

⁸ Not found.

⁹ See *ante*, XIX, 749, n.

parts of said country so ceded to said Indians would be repurchased from them, which assurances have been by the Delegate in Congress from said Territory, frequently since that time renewed. And under which assurances, Your Petitioners became satisfied, and have continued enlarging their farms and improvements.

Your Petitioners further respectfully represent, that from the time of their first settlement where they now reside, Civil Government, and Civil Jurisdiction has been extended to them, and Courts of Law established and held, within the tract of Country lately ceded and confirmed to said Choctaw Indians by the aforesaid Treaty of the present year (1825) and that under the authority of an Act of Congress (passed in 1824) granting rights of pre-emption for lands on which to establish permanent seats of Justice of New Counties,¹⁰ a quarter section of land had been selected by the proper commissioners of said County of Miller, and part of the public buildings contracted for. Under which assurances of protection and Civil Government a large number of Settlers (see accompanying Document N° 2)¹¹ have continued to ~~improve~~ enlarge their improvements, plant Orchards, and increase their Stocks &c, up to the present time, and that now to abandon their plantations, and remove their families and property, is to them ruinous and impossible.

Your Petitioners are aware, that the General Government have heretofore remove from Indians lands, Citizens of the United States, who settled upon lands owned at the time of such settlements by Indians, Where the settlement at at the beginning were upon Indian lands, but Your present Petitioners respectfully deny having settled upon Indian lands: They settled upon the public lands of the United States, where settlements were not prohibited by any order of the Government, where part of the public lands were surveyed into sections (a thing Never done for Indian purposes) and where, after the same country was first ceded to the Choctaws, the people have had assurances from the highest Authority, that the settled parts of said Country should be repurchased, and Your Petitioners afforded an opportunity of acquiring titles to their possessions, in the way that the Settlers upon the public lands have usually done, in Ohio, Indiana, Illinois, Missouri, Alabama &c. Yet notwithstanding all the foregoing circumstances and assurances, Your Petitioners are now informed, that the lands they now occupy, are ceded and confirmed to said Choctaw Indians, and that Your Petitioners are shortly to be removed from their farms, without payment or recompence for their improvements, to give Place to Indians !! An Act that would have no

¹⁰ 4 STAT. 50.

¹¹ Not present.

example in any civilized Government, under the same circumstances which these settlements were made. An improved Country of Citizens where they have had the protection of Civil Laws and Civil Government for more than six successive Years, to be ceded by their Government to a Nation of Indians, has, it is believed, No examples.

These settlements, not having been commenced upon the lands of the Choctaw Indians, but upon the public Lands of the United States, then surveying for market, still claim the same protection of the same laws and Government, under the faith of which they commenced their settlements. To be forced and driven by our own Government from the farms and improvements we have laboured for years to make, for the support of our families, in order to give place to Indians, would under all the circumstances and assurances before mentioned, appear so unjust and unprecedented, and to the Settlers so ruinous, that its enforcement would produce the greatest possible excitement. Your Petitioners therefore respectfully ask of Your Excellency to suspend the survey of the eastern boundary of Territory, lately ceded to said Choctaw Indians, and to suspend the time of giving said Indians possession of said Territory, and cause to be re-purchased from them, the parts of said Territory settled and improved by Citizens of the United States, as aforesaid East of the Kia-Miche on red River, and of the Poto on Arkansas, where settlements by Citizens has never been prohibited, but approbated and encouraged as before mentioned.

As Your Petitioners in duty bound will ever pray

Petitioner Names

Aaron Coe.—	James Watt
Bailey English	Walter Hogon
Jesse Cheek	Henry Tollett
Joseph English	Henry K Brown
Micajah Reder	Asa Hartfield
Solomon Moffitt	James R, Brown
John Swagerty	Travis G Wright
Allon Rains	John Hinds—10
Thomas Gatathite	John Adams
Thomas Wafer jun	D Clark
Thomas Wafer Snr	Johnston Bowers
Mabry Wafer	Jonathan Poole
Josiah Trent	Franklin Greenwood
John Trent	John Greenwood
Rucker Tanner	Joel Greenwood
joseph Porter	Henry B Greenwood
John J Mors	Philip Henson
Lewis Potter	Nathaniel More—10
Zacariah Thompson	William Hensley
Wesley Tollett	Thomas More
Elijah Tollett	John Tucker

Thomas J Garner	Timothy Harrell
Nicholas Porter	Joshua Harrell
Samuel Strickland	Hodg P Raburn
John Green—	Jacob Nidever
Butler Roberts	George nidever
Otho, B Cocke	Mark nidever
Paul Scarbrough—10	Mitchel crownover
John farly	Joseph Adkison
Adam Hampton	David Frame
Thomas Owen	Joseph Jenkins
W ^m Slingland	William Stiles
Wilobe Sparks	Jesse Perkins
Will Woods	Partrick T Carnall
Joshua Ewing	William Forsyth
Jessey keliher	Absolom Sparks Jnr
George Wilson	Isaac N Charles
Maurice Pendergast	William Brice Junior
Arther Leebe—	Peter Miller
Lewis Boatright	John Morton
Alexander Linch	Samuel Brice
Mathew Sparks—	James Brice
Thos Boatright	Jas Clark
William Modglan	T. B. Ballard
David Gutman	John M ^o vay
Philip Tramell	John Kerley
Allon Miller	John Wood
Thomas Linch	Noah Reeder
Thomas P French	Samuel Guthry
Joseph French	Thomas Guthry
Levy G. French	William Guthry
Amos Strickland	Gorge Lawrence
W ^m Brice J ^r	Jams Lawrence
James Amburn	Walter Poole
Thomas Cheser	David G Strickland
David Fraser	Ezra M ^o Elvey
Taylor Polk	Maurice Pendergast
Thomas Tramel	Hugh M ^o Elvey
James Polk	David lawrence
Ruland Polk	Wyat Hanks
William Bradford	Ja ^o Strickland
James S. Hanks—	Amos Strickland
Richard Stiles	Ja ^o M ^o Elvey
John Emmerson	John Hudson
Allen Carter	Adam Lawrence Jun ^r
John Will	John Chumney
Elijah Carter	Ambrose Hilburn
Ad. Chr. Hartung	Joseph Clark
Joseph Reed	John Deck—
John Stiles	Joseph Deck
James Harrell.	John Roberts
Joel Harrell	Luke Robberts
Isaac Harrell	John Wolsey

Wreding Robberts	Roabit Slaven
ElsBerry Sparks	Joseph James
John Woolsey	Stephen Wingate
Jonathan Franklin	Thomas Swagerty
James Smith Sen	Isaac Landers
A: Hanscom	Abr ^m Landers
Elijah Reid—	John Lackey
Charles Curtiss	Mark Lewis
Abra ^m Tidell	Jane Brown,
G.G M ^c Kinny	Margaret Tollett
Tho ^s Potter	Pharoah Kitchen
J.C. Ragsdall	Preston Kitchen
James Smith Junior	Clayborn Wright
Samul. S. Fench	William Fagan
M Rulong	A Carnall
Absolam Sparks	Silas C Blair
I. G. Pennington	Hiram Tidwell
Nath ^l Dixon	J H Carnall
W ^m Porter—	Partrick Carnall
B L Kavanaugh	E G blair
William Long	James Brown—
Isaack Murphy	Leonard M Simpson
George Carlton	William King
John H. Fowler	J. G. W. Pierson
Benjamin Crownover	John Noll
G.C. Wetmore	Tho ^s Barrow
Ja ^s Furguson—	William Harse
Jacob Black	Larken Noll
George F. Lawton	Elizabeth Denton
John Ring	Samuel French
John Edmondson	John Ball
Joshua Calloway	Levi C. French—10
William Montgomery	Samuel Moren
B. Gooch	Abram Ogdon
Andrew Montgomery	Cornelius Martin
W.P. Ferguson	John Robins
L.M. Rice	Alex ^r O. Wetmore
David Clap	Nathaniel Robbins
Jacob Shurley	John Dunlop
Nathaniel Mare Junior	Lewis, B. Dayton
Evritt Edwards	William Humphry
Stephen Wiley Jun.	William Woods—10
Thomas Wiley	James J. Ward Sr—
Holawar Noll	James J. Ward, Jun—
Clark, Robinson	Joshua Robbins
Y E Bradsaw	Hugh B. Shaw
John Newman	Alfred Sain
Daniel Conner	James Burkhm
Tho ^s Coil	J E Hopkins
Ralph Shelton	E ^d Hopkins
Bengeman Geames	Benjamin Polk
Asa Blankinship	Rich ^d Harvey

Dan ^l Willson	Eligah Cutbuth
John Oniell	Martin g. Noll
Hiram Tidwell	Thomas Paterson
David Tramell	William Noll
Dennis Tramell	Samuel Clark
Ritchard Boatright	James Hall
Mongomer Roberson	Silus Rogers
William Brice Sn ^r	John M ^o Murry
John Bowman	Joseph Green
henry nidever	William Collins
James Lawrence	John Spurlock
Jesse Robinson	James Taylor
James gillelad	Samuel Wyley
Richard Wilson	Cornelius Wiley
Edward Taylor	Isaack Tyler
John Lawrence	Willis M ^o Conn
Wiat Anderson	Charles Moore
Samuel Brown	Samuel Burnam
Benjamin Rains	John Dollarhide
Edward Chosser	William Bartlet
Richard boatright	George Halbrook
Daniel gilleland	David umphry
James Rains	Andrew Dollarhide
Daniel Wilson	A. H. Ash
Adam Laurance	Young Bradshaw
Jesse Shelton	Sherod Bradshaw
James Andeson	Absalam Bauren
William Shelton	Francis Hopkins
G. N. Martin	Henry Wyatt Seign
Matthew Martin	Henry Watt Junior
Jessey Moren	N. Thomes
Jason Pate	George T Boren

[*Endorsed*] Petition of sundry inhabitants of Miller County in Arkansas Territory, praying that measures may be adopted to relieve them of the difficulties under which they are placed by the late treaties with the Choctaws, giving them lands in Arkansas.¹³

THOMAS L. MCKENNEY TO GOVERNOR IZARD

[NA:OIA, Lets. Sent, Bk. 2¹³]

DEPARTMENT OF WAR, Office Indian Affairs, *October 27th 1825.*
TO HIS EXCELLENCY, GEORGE IZARD, Little Rock, Ark^a Terr^y

SIR, Your letter to the Secretary of War of the 24th Ult^o is received.¹⁴
In my letter of the 8th July last,¹⁵ I had the honor, by direction of

¹³ The word "print", is written in pencil between the columns of names on the above petition. Whether the document was ever printed has not been ascertained.

¹⁴ An extract of this letter is printed in *A. S. P., Ind. Affairs*, II, 707.

¹⁵ *Ante*, p. 112.

¹⁶ *Ante*, p. 87.

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