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By the President of the Republic of Texas

Proclamation

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To all and singular to whom these presents shall come, Greeting:-

Whereas, a Treaty of peace and friendship between the Republic of Texas and the Delaware, Chickasaw, Waco, Tah-woc-cany, Keechi, Caddo, Ana-dah-Kah, Ionie, Biloxi, and Cherokee Tribes of Indians, was concluded and signed at Bird's Fort, on the Trinity River, on the Twenty ninth day of September, in the year of Our Lord one thousand eight hundred and forty three, by G.W. Terrell and E.T. Tarrant, Commissioners on the part of the Republic of Texas, and certain Chiefs, Head men and warriors of the tribes of Indians aforesaid, on the part of said Tribes; which Treaty is, in the following word, to wit:

A Treaty of Peace and Friendship, Between the Republic of Texas, and the Delaware, Chichasaw, Waco, Tah-woc-cany, Keechi, Caddo, Ana-dah-kah, Ionie, Biloxi, and Cherokee tribes of Indians, concluded and signed at

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Bird's Fort, on the Trinity River, the 29th day of September, 1843.

Whereas, for sometime past, hostilities have existed and war been carried on between the white and red men of Texas, to the great injury of both parties; and whereas, a longer continuance of the same would lead to no beneficial result, but increase the evils which have so long unhappily rested upon both races; and whereas, the parties are now willing to open the path of lasting peace and friendship and are desirous to establish certain solemn rules for the regulation of their mutual intercourse:

Therefore, the Commissioners of the Republic of Texas, and the chiefs and Headmen of the beforementioned Tribes of Indians being met in Council at Bird's Fort, on the Trinity River, the 29th day of September, 1843, have concluded, accepted, agreed to and signed the following articles of Treaty:

Article I. Both parties agree and declare, that they

will forever live in peace and always meet as friends and brothers. Also, that the war which may have heretofore existed between them, shall cease and never be renewed.

Article II. They further agree and declare, that it is the duty of warriors to protect women and children; and that they will never make war upon them, or upon unarmed persons; but only upon warriors.

Article III. They further agree and declare, that the Indians will never unite with the enemies of Texas, nor make any treaty with them, which shall require of the Indians to take part against Texas; and that if any such proposals should ever be made to them, that they will immediately communicate the same to an agent or to the President.

Article IV. They further agree and declare, that when they learn that Texas is at war with any people, a chief will come to an Agent and ask to be conducted to the President, that he may counsel with him

Article V. They further

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agree and declare, that agents shall be appointed by the Govern-ment of Texas and be stationed at such places as may be deemed proper, for the purpose of hearing the complaints of the Indians and seeing that justice is done between them and the whites; and also to communicate the or-ders and wishes of the President to the various bands and tribes.

Article VI. They fur-ther agree and declare, that no person shall go among the In-dians to trade, except by the ex-press authority of the Government of Texas.

Article VII. They further agree and declare, that no white man or other person within the control of the laws of Texas, shall introduce among any tribe or nation of Indians, or sell to any Indian or Indians, ardent spirits or intoxicating liquors of any kind.

Article VIII. They fur-ther agree and declare, that no white man or other person, else

than a regularly licensed trader, shall purchase any property of an Indian or Indians, without the consent of an Agent of the Government of Texas.

Article IX. They further agree and declare, that when any property is found among the whites, belonging to the Indians, it shall be the duty of the Agent to see that the same is restored; and on the other hand, whenever property, belonging to the whites, is found among the Indians, the same shall be restored in like manner by the chiefs, on application of the owner or owners thereof, through the Agent.

Article X. They further agree and declare that no trader shall furnish any warlike stores to the Indians, but by the express permission of the President.

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Article XI. They further agree and declare, that no person or persons shall pass the line of trading houses, without the special permission of the President; and then only for friendly purposes; nor shall any person or persons reside or remain within the territory assigned to the Indians, unless by express direction of

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the President.

Article XII. They further agree and declare, that any person or persons, who shall molest, or attempt to molest the persons or property of the Indians while they remain peaceable under this Treaty, shall be held guilty of felony and punished accordingly by the Government of Texas.

Article XIII. They further agree and declare, that any killing or outrage whatsoever, committed by a white man, or other person within control of the laws of Texas, upon an Indian in time of peace, shall be punished by the Government of Texas in the same manner as though the Indian were a white man; and that the person so offending shall be liable to indictment and punishment in any county in the Republic.

Article XIV They further agree and declare, that if any Indian or Indians shall kill any white person, he or they shall suffer death; and that if any Indian or Indians shall steal any property

of the whites, he or they shall be punished by the Tribe, in presence of an agent, with whipping or other punishment, according to the offence.

Article XV. They further agree and declare, that the Chiefs and Captains will not permit the Indians to cross the line for any purpose whatsoever without authority and a passport from an agent; nor sell any property to a white man, unless authorised so to do by some agent.

Article XVI. They further agree and declare, That if any person or persons shall come among the Indians, without authority from the President or agent, they will immediately seize and deliver him or them to some one of the agents.

Article XVII. They further agree and ~~and~~ declare, that they will mutually surrender and deliver up all the prisoners which they have of the other party for their own prisoners; and that they will not be friendly with any people or nation, or enter into treaty with them who will take prisoners from Texas, or do its citizens any injury.

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Article XVIII. They further agree and declare, that the President may send among the Indians such blacksmiths

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and other mechanics, as he may think proper, for their benefit; and also that he may send schoolmasters and fam-=ilies, for the purpose of instructing them in a Knowledge of the English language and Christian Religion.

Article XIX. They further agree and declare, that when the Presi-=dent shall send persons among the Indians, they will extend to them kind treatment and protect them from harm.

Article XX. They further agree and declare, that the chiefs and War-=riors of the Indians will cause their young men and warriors to behave themselves agreeably to the words of this Treaty; or that they will punish them with death, or in such other way as will compel them to keep peace and walk in the path made straight between the white and red brothers.

Article XXI. They further agree and declare, that should any difficulty or cause for war arise between the Government of Texas and the In-=dians, they will send their complaints to the President, and hear his answer be-=fore they commence hostilities; and the Government of Texas will do the same.

Article XXII. They further agree and declare, that so soon as the Indians shall have shown that they will keep this treaty, and no more make war upon the whites, nor steal horses from them, the President will authorise the Traders of Texas to sell to them powder, lead, guns, spears and other arms, such as they may need for the purpose of killing game; and also make to them every year, such presents as the Government of Texas may provide

Article XXIII. They further agree and declare, that the Government of Texas reserves to itself the right of working all mines which have been or may hereafter be discovered in the territory assigned the Indians

Article XXIV. They further agree and declare, that the President shall make such arrangements and regulations with the several tribes of Indians as he may think best for their peace and happiness.

The foregoing articles having been read, interpreted and fully understood by them, they hereby agree to and confirm the same by sealing and signing their several

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names.

In presence of

Ro S Gilchrist,
L Williams,
B Booth,
Sam G Marshall,
Robt S Hulme.

G W Terrell. (Seal)
E H Tarrant. (Seal)

Commissioners on the part of Texas

Delaware chiefs.
- Roasting-Ear × (Seal)
- McCallah × (Seal)
- James St Louis × (Seal)

Chickasaw chief - - - Ish-te-u Kah-tubby × (Seal)

Waco Chief - - - Acah-quash × (Seal)

Waco Chief - - - - Che-tick-kaha × (Seal)

Tah-woc-cany chief - Ke-chi-ka-roqua × (Seal)

Kechi chief - - - - Kah-te-ah-tick × (Seal)

Caddo chiefs....
- Red Bear × (Seal)
- Pinchah × (Seal)
- Had-dah-bah × (Seal)

Ana-dah-kah chief - Jose maria × (Seal)

Ionie Chief - - - Tow-a-ash × (Seal)

Biloxi Chief - - Hoyo Tubby × (Seal)

Cherokee Captain - Chicken Trotter × (Seal)

Interpreters
- James Shaw ×
- Luis Sanchez ×
- Chow-a-nish ×
- Pierce Tobby ×
- Choctaw Tom ×

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Now, Therefore, be it Known That I, Sam. Houston, President of the Republic of Texas, having seen and considered said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the thirty first of January, one thousand eight hundred and forty four, accept, ratify and confirm the same, and every clause and article thereof.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the Republic to be affixed.

Done at the Town of Washington, this third day of February in the year of our Lord one thousand eight hundred and forty four and of the Independence of the Republic the eighth.

Sam Houston

By the President

Anson Jones

Secretary of State

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Proclamation

Feb. 3. 1844

Ratifying a Treaty of Peace &c with various tribes of Indians concluded at Birds Fort.

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