

Tehuacana Creek Treaty
Republic of Texas Treaty
with the Comanche,
Keechi, Waco, Caddo,
Anadarko, Ioni,
Delaware, Shawnee,
Cherokee, Lipan and
Tawakoni Tribes Treaty
of Peace, Friendship and
Commerce;
9th day of October 1844

BY THE PRESIDENT OF THE REPUBLIC OF TEXAS.
PROCLAMATION.

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

Whereas, a Treaty of Peace, Friendship and Commerce, between the Republic of Texas, and the Comanche, Keechie, Waco, Cad-do, Ana-da-kah, Ionie, Delaware, Shawnee, Cherokee, Lipan, and Tah-wah-karro tribes of Indians, was concluded and signed at Tah-wah-karro Creek, on the ninth day of October, in the year of our Lord one thousand eight hundred and forty-four,-by Thomas I. Smith, J. C. Neill, and E. Morehouse, 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 words, to wit:-

TREATY OF PEACE, FRIENDSHIP AND COMMERCE,

Between the Republic of Texas, and the Comanche, Keechie, Waco, Caddo, Ana-dah-kah, Ionie, Delaware, Shawnee, Cherokee, Li-pan and Tah-wah-karro tribes of Indians, concluded and signed at Tah-wah-karro Creek, on the 9th day of October, in the year one thousand eight hundred and forty-four.

Whereas, in time past, hostilities have existed and war been carried on between the white and red men of Texas, to the great injury of both; 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 the two races; and, whereas, both parties are now willing to open the path of lasting peace, friendship and trade, and are desirous to establish certain sol-ernn rules, for the regulation of their mutual intercourse:

Therefore, the Commissioners of the Republic of Texas, and the Chiefs and Head men of the before mentioned tribes of Indians, being met in council at Tah-wah-karro Creek, on the 9th day of October, in the year 1844, have concluded, accepted, agreed to, and signed the following articles of Treaty:

Article 1.

Both parties agree and declare, that they will for-ever live in peace, and always meet as friends and brothers. The Tomahawk shall be buried, and no more blood appear in the path between them, now made white. The Great Spirit will look with delight upon their friendship, and will frown in anger upon their enmity.

Art. 2.

They further agree and declare, that the Government of Texas shall permit no bad men to cross the line into the hunting grounds of the Indians; and that if the Indians should find any such among them, they will bring him or them to some one of the agents, but not do any harm to his or their person or property.

Art. 3.

They further agree and declare, that the Indians will make no treaty with any nation at war with the people of Texas; and also, that they will bring in and give up to some one of the agents of the Government of Texas, any and all persons who may go among them for the purpose of making or talking of war.

Art. 4.

They further agree and declare, that if the Indians know of any tribe who may be going to make war upon the people of Texas, or steal their property, they will notify the whites of the fact through some one of the agents, and prevent such tribe or tribes from carrying out their intentions.

Art. 5.

They further agree and declare, that the Indians shall no more steal horses or other property from the whites; and if any property should be stolen, or other mischief done by the bad men among any of the tribes, that they will punish those who do so, and restore the property taken, to some one of the agents.

Art. 6.

They further agree and declare, that the Indians will not trade with any other people than the people of Texas, so long as they can get such goods as they need at the trading-houses.

Art. 7.

They further agree and declare, that the Government of Texas shall establish trading-houses for the convenience and benefit of the Indians, and such articles shall be kept for the Indian trade as they may need for their support and comfort.

Art. 8.

They further agree and declare, that when peace is fully established between the white and the red people, and no more war or trouble exists, the Indians shall be supplied with powder, lead, guns, spears and other arms, to enable them to kill game and live in plenty.

Art. 9.

They further agree and declare, that they will not permit traders to go among them, unless they are sent by the Government of Texas, or its officers.

Art. 10.

They further agree and declare, that the Indians will not sell any property to the whites, except such as are authorized to trade with them by the Government of Texas.

Art. 11.

They further agree and declare, that the President shall appoint good men to trade with the Indians at the trading-houses, so that they may not be cheated; and, also, that he shall appoint good men as agents, who will speak truth to the Indians, and bear their talks to him.

Art. 12. They further agree and declare, that if the trading-houses should be established below the line, to be run and marked, the Indians shall be permitted to cross the line, for the purpose of coming to trade.

Art. 13.

They further agree and declare, that no whiskey or other intoxicating liquor, shall be sold to the Indians, or furnished to them upon any pretext, either within their own limits, or in any other place whatsoever.

Art. 14.

They further agree and declare, that the Government of Texas shall make such presents to the Indians, as the President, from time to time, shall deem proper.

Art. 15.

They further agree and declare, that the President may send among the Indians, such blacksmith and other mechanics, as he may think best for their benefit; and, also, that he may send schoolmasters and families for the purpose of instructing them in a knowledge of the English language and Christian religion, as well as other persons to teach them how to cultivate the soil and raise corn.

Art. 16.

They further agree and declare, that if the President should at any time send men among them to work mines, or agents to travel with them over their hunting-grounds, the Indians will treat them with friendship and aid them as brothers.

Art. 17.

They further agree and declare, that, hereafter, if the Indians go to war, they will not kill women and children, or take them prisoners, or injure them in any way; and that they will only fight against warriors who have arms in their hands.

Art. 18.

They further agree and declare, that they never will, in peace or war, harm any man that carries a white flag, but receive him as a friend, and let him return again to his people in peace.

Art. 19.

They further agree 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.

Art. 20.

They further agree and declare, that if ever hereafter, trouble should grow up between the whites and the Indians, they will immediately come with a white flag to some one of the agents, and explain to him the facts; and he will send a messenger to the President, who will remove all trouble out of the path between the white and the red brothers.

Art. 21.

They further agree and declare, that there shall be a general council held once a year, where chiefs from both the whites and the Indians, shall attend. At the council, presents will be made to the chiefs.

Art. 22.

They further agree and declare, that the President may 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

the parties, they agree to and confirm the same, by sealing and signing their several names. Commissioners on the part of Texas.

THOMAS I. SMITH, [SEAL]
J. C. NEILL, [SEAL]
E. MOREHOUSE, [SEAL]

In presence of-
BENJAMIN SLOAT,
GEO. W. ADAMS,
ELI SMITH,
R. H. PORTER,
STEPHEN T. SLATER,
Ro. WILSON,
JOHN F. TORREY,
J. E. SMITH.

Secretary to Commissioners.
WALTER WINN,

Comanches
Po-cha-na-qua-hip, his mark [L. S.] War Chief.
Mome-pa-cha-co-pe, his mark [L. s.] Chief.
Chom-o-pard-u-a, his mark [L. s.] '

Keechies
Ano-hetch-tow-ee, or White Plume, his mark [L. s.] War Chief.
Te-car-ke-qua-che, his mark [L. s.] Chief.

Wacoos
A cah-quash, his mark [L. s.] '
Nah-ash-tow-ee, his mark [L. S.] or Lame Arm.
Chars-tus-cow-ow, his mark [L. s.]

Caddoes
Binchah, hist mark [L. S.]
Red Bear, his mark [L. s.] Speaker.

Anadahkah,
Jose Maria, his mark [L. s.] Chief.

Ionie,
Bead Eye, his mark [L. s.]

Delawares,

San Luis, his mark [L. s.]
Roasting Ear, his mark [L. s.]

Shawnee, -
Black Cat, his mark [L. s.]

Ta-wah-karro
Na-ka-wa, his mark [L. s.] Captain.
Cas-tilla, his mark [L. s.] "
Te-ya-kar-ra, his mark [L. s.]

Caddoes.
Codeh, his mark [L. s.] "
Tah-win, his mark [L. s.] "
Ish-sha-ho-mo, his mark [L. s.]"
ICha-wah, his mark [L. s.] "
Decatur, his mark [L. s.]

Cherokee.
Ouks-tah-ha-la, his mark [L. s.] Chief.

Lipans,
Ramon Castro, his mark [L. S.] "
Capitan Chico, his mark [L. S.]

Interpreters.
Daniel G. Watson,
L. H. Williams,
Jesse Chisholm, his mark
Luis Sanchez, his mark
James Shaw, his mark
Vincenti, his mark
John Conner, his mark

Now, therefore, be it known, that I, ANSON JONES, President of the Republic of Texas, having seen and considered said Treaty, do, in pursuance of the advice and consent of the Senate, as ex-pressed by their resolution of the twenty-fourth of January, one thousand eight hundred and forty-five, 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 Washington, this fifth day of February in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the Republic the ninth.

ANSON JONES.

By the President:

ASHBEL SMITH,
Secretary of State.