Richmond, Va. 29th December 1861

Sir:

I have the honor herewith to transmit to you an authenticated copy of the Resolutions of the Congress of the Confederate States ratifying, with amendments, the Treaty made between these States and the Choctaw and Chickasaw Nations, on the 12th day of July, 1861.

I also enclose a copy of the President's message and of my report as Commissioner.

By the message you will perceive what objections the President made to the Treaty. These objections were (met?) by the amendments; and I endeavored to have the changes made, in such (shape?) as not materially to affect the Treaty or your interests.

The amendment is Article XXVII specially defines certain rights which your delegates in Congress are to possess, and is preferable to the original provision, since we have no Territories, and therefore it could not be determined what rights under that original (provision?) your delegates would possess. The president's objection, as you will see, was not concurred in by Congress, and the amendment is in no matter prejudicial to your people.

As new States can only be admitted by an act of Congress, your application to be admitted would necessarily have gone before that body, under the original provision in Article XXVIII, and I could not but admit, when the President stated the objection, that it was time that a Treaty could not bind Congress absolutely to admit a State, or give the people of any territory or nation a positive and unqualified right to ad-

Country

mission of your territory as a State, in the aspect of a that is at some day to take place, and this tends to familiarize both with the idea, and so to bring about its realization at the proper time.

I did not agree with the President that a Treaty could not make your Citizens competent witnesses in the State Courts; but I could not prevail before Congress against his opinion. If Congress had maybe had the power to effect such competency by a Treaty, it would have been done; because all the members or nearly all of them were anxious to do Moth justice. It is probably better that the proposed change in the State laws

should be asked for by the Confederate Government, to avoid any conflict between these laws and the Treaty, which might make the fight of no value. I regret that it has been found necessary to make the change but I feel every conficence that the States which are your neighbors will cheerfully agree to the request of the Confederate Government, and remove a (disability?) equally unjust and ungenerious and quite as unwise and impolite.

The amendment to Article XLIV is so worded as to mean nothing and amount to nothing. It was intended by the \_\_\_\_\_ as a mark of respect for the State laws as to criminal trials hat he did not effect what he intended.

The amendment to Article LVII merely corrects a mistake made by the clerk who copied the Treaty.

Congress has appropriated \$681,000 to carry out the provisions of the \_\_\_\_\_ Treaties  $\underline{\mathcal{I}}$  have made. I shall leave this place tomorrow and take these moneys with me to the superintendent at Fort Smith. As soon as the amendments are ratified by your Legislature, your annuities and annual payments for 1861 will be paid in Specie, \$50,000 in Treasury notes paid you as an advance for purchase of arms, and \$2,000 be paid

your delegates and those of your brothers the Chickasaws, and made the Treaty. Your delegates here at present will also reserve the interest due you on the forest of Virginia, in which parts of your funds are invested.

I respectfully request Sir, that you will <u>Convent</u> in Special Session the Legislature of your nation, and lay before them the Resolutions of Ratification. I venture to hope that you will recommend concurrence in these amendments; since the principal features of the treaty are unaltered, and the benefits and privleges secured by it are not materially <u>diministry</u> Immediately upon its ratification your moneys will be paid; and the Superintendent will probably attend your <u>Convent</u> for that purpose.

I am very truly and respectfully yours

Albert Pike Commissioner of the Confederate States and Brig. General

Paraman, Va.

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Thave the housen Leventh & hausening to you an authorities of the Confederate tates, rutifying, with amendment, an otenty made between these Nates and the Chartan and Chickasair hatims, in the 12th Day of fully 1361.

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States which are you neighbors will checafully agree whe regnest of the Confederate Government, and remove a drawing alute Equally impost and ungeneral, and quite as unlike and D The amendment we write XIIV is to moder as w Quean nothing and amount of nothing, or was intended of 2: he more as a mark of respect for the state saws as to Criminal hais, · un hur he did not effect what he wounded. eut, The amend ment to article IIII merely corrects a mistake made of the Clarke who copied the hearty. Congress has appropriated "681.000 to carry one to printing the officer teater thave made . I stan leave this. iai: place to morrow and take here maneys with me whethere. in the tendent at the timit. Is form as the amendment are ration fred by your degislature, your aunusties and annual payments enty for 1861 will be paid in operie, "vo. ovo in training notes paid it you as an assaure for purchase of arms, and 2 no bepare gin your Delegates and those of your Bothers the Chickasaus, und made The treaty. I'm belegates here as present with also receive the the universo due you on he builds of he State of brigania, in which part g you funds are invested. Tespertfully request, di, har you will convene in Sperial Sessem the Legislature of your haten, and lay topic them any The Pero witions of Patification. I beneaue whope has you are de Exercised Concurrence in the amondment; vince impaire what features of it ready are unatered, and he benefit and prin Leger Serviewly is are not materially dein initied. Sumewater upon it rainfraction you rainers and he paid, and the dependent tendent will probably attend you launcil for that purpose.

A and being they and respectfully your amount seems of the launcil format.

Commissioner of the launcil format.

Olater and Day, general.

Hen. Genge Hudsu \_\_\_\_

In Chartan hatin.