

(Reece's history of Creek note to Perry Fuller 1860)

Extracts (2) of official report  
relative to stock taken from  
Indians Lieut. Geo Williams --- 1860

~~Instructions to Commissioner to meet  
in peace conference with  
spokoches~~

Letter of H. Garland to J. B. Luce  
about Grayson's matters. --- 1883

of Commissioner relative to \$4710<sup>00</sup> ✓ 1884

" of delegates requesting that  
\$5000 be not withheld from annuity --- 1883

" about \$5000 --- 1882

" asking further instructions --- 1882

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House of Representatives U. S.

Eureka Springs Sept 6. '84

Mayor Thos Lanigan

Dear Sir

You ask me to state what I know about the note for \$84396. signed by the Creek delegates in 1866 and now in your hands for collection.

That note corresponds in form with another formerly held by me, executed on the same day by the same parties and for the same amount, the only difference being that one was payable to J. B. Luce, the other, now in your hands, to Perry Fuller.

Both notes were signed, if I remember rightly by Oktahasash Harjo, Coweta Mico, and Katchu Chee, delegates representing the Northern Creeks and by D. M. McIntosh and James M. C. Smith who represented the Southern Creeks.

Why the two delegations united in signing notes for the same amount to attorneys representing the different parties I will endeavor to explain.

A Treaty had been signed by the Northern delegation ceding one half the Creek territory for \$975,168. being at the rate of 30 cents an acre for the land ceded - \$200,000. of the purchase money was to be divided in the shape of farming implements and other goods among the Creek people. The remaining \$775,168.

1 was to be divided among the Loyal Creeks  
2 to the exclusion of those who had gone  
3 South, who were to get nothing for their  
4 share of the Cession except so much  
5 of the goods to be divided as might be  
6 assigned to them by the Northern Creek  
7 Chiefs who were recognized as the ruling  
8 power.

9 To defeat this unjust scheme,  
10 then in the hands of the President  
11 on its way to the Senate, I was employed  
12 by McIntosh and Smith in behalf of  
13 the Southern Creeks with the understand-  
14 -ing that I was to have one fourth of  
15 whatever might be ~~secured~~<sup>recovered</sup> for them -  
16 that is one fourth of whatever might  
17 be gained in a new Treaty over and  
18 above what was secured for them in  
19 the one then in the hands of the President.

20 A new Treaty was made in which  
21 the amount to be paid to the Loyal Creeks  
22 was reduced to \$100,000. \$200,000. was  
23 to be paid per Capita to the Creek people  
24 in money instead of goods. The re-  
25 -maining \$675,168. was to be held as a  
26 National Fund for the benefit of the  
27 whole. It was agreed by the two dele-  
28 -gations that the Southern Creeks should  
29 be rated as one half of the Nation and  
30 therefore that my fee should be one fourth  
31 of one half of the National Fund thus  
32 secured of \$675,168. or one fourth of the

half secured for the Southern Creeks,  
that half being evidently \$337,584.<sup>00</sup>  
the fourth of it was \$84,396.

Personally I had no communication  
with the Northern delegates or their At-  
torney Mr Fuller but Col McIntosh  
told me when the notes were signed  
that he had agreed with them to sign  
their notes to Mr Fuller in consideration  
of their joining Smith and himself in  
signing the note in my favor.

It was understood as part of this  
arrangement that Mr Fuller was to  
reduce his fee from one third to one  
fourth. Under his original contract  
with the Northern Creeks he would have  
been entitled to one third of all they  
received. The third of \$337,584. is  
\$112,528. The difference between that  
sum and \$84,396. (\$28,132.) he relin-  
quished to secure the signatures and  
cooperation of the Southern delegates.

I do not now remember when this  
change from one third to one fourth was  
first made known to me, but of the  
fact there is no doubt. I have seen  
the original notes given by the Northern  
delegates to Mr Fuller for one third of  
the price of the whole session.

Another feature in this transaction  
I never knew until quite lately.  
When I first presented my note to

+ Lands would sell itself - Indians never wanted to sell land.

1 the Creeks in 1867 and when I appeared  
2 before their Council in January, 1868 I  
3 was prejudiced against Mr Fuller and  
4 of course did all I could to make a  
5 strong showing against the Treaty made  
6 under his auspices which I had de-  
7 feated and in favor of the one I had  
8 secured, and among other things said  
9 a great deal against the low price of  
10 the cession - 30 cents an acre - and  
11 about the absurdity of the Northern  
12 Creeks having employed an Attorney to  
13 sell their land at so low a price. I  
14 know that a strong impression was made  
15 against Mr Fuller and his claims on that  
16 ground. I heard many Creeks say that  
17 Indians needed no attorney to sell  
18 ~~land would sell itself. Indians never wanted to sell~~  
19 land - They always want to keep it.  
20 What the Creeks did not realize was  
21 the disposition then existing among the  
22 Republicans in the Senate to regard the  
23 lands of those Indians who had joined  
24 the Confederacy as confiscated. That  
25 position was opposed by Mr Latrobe in  
26 behalf of the Choctaws and by me in  
27 behalf of the Southern Creeks in a  
28 paper I laid before President Johnson.  
29 But Mr Haslaw who was then Secretary  
30 of the Interior was strongly inclined to  
31 that view of the case, and also, to the  
32 opinion that none of the Indian land  
was worth more in large bodies than

15 cents an acre. He made a Treaty with the Seminoles on that basis, and but for Mr. Fuller's influence would have fixed the price of the Creek cession at 15 cents.

This last fact I never knew until about ~~eighteen months~~ two years ago; but it came to me in such a way, and with such proof that I cannot doubt that it is true. If it is the Creeks are indebted to Mr. Fuller for securing half the price of their cession - or \$487,584.

That the purchase money was exactly double that sum was due to his efforts. For that service \$84396. would be a very small compensation.

Very Respectfully

Yours &c

(Signed) John B. Luce

Personally appeared before me on this day of September 1884 John B. Luce, whose name is signed to the foregoing letter and who being duly sworn deposes and says that the facts therein stated, on his own knowledge are true; and that the other facts therein stated are true to the best of his knowledge and belief.

(Signed) Jereias D Stewart  
Notary Public

29 23  
Seal 3  
2.27