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BLACK SLAVERY AMONG THE CREEKS AND SEMINOLES

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The Five Civilized Tribes practiced slavery in various forms: in some, it was very similar to the white practice; in others it was hardly recognizable as slavery at all. The life of a slave before Indian removal to the West was one of indolence and pliancy compared to a later life subjected to severe slave codes and prejudices. These growing prejudices and slave laws that were developed among the Indians as the aristocratic mixed bloods sought to alter the slavery of the original Indians to the genuine servitude that the neighboring states exercised.¹

The Creek Indians occupied and claimed lands in the present states of Georgia and Alabama. They were linguistically varied; most were of Muskogean stock. They were not geographically divided according to language, but their towns were divided along the Alabama, the Chalahooche and Flint rivers. Called the Upper and Lower Creeks, this geographical designation persisted until the removal of the Creeks to the West in the nineteenth century destroyed it.²

It cannot be determined when slavery was first introduced in the Creek Territory. However, in 1540 the first Negro entered the area with Hernando De Soto when his party explored the lands of the Creeks. De Soto left behind suffering, destruction, deserters, strays, and one Negro who set up housekeeping among the Indians and probably fathered children.³ All evidence indicates he was accepted as an equal but probably not given tribal citizenship.⁴

As English colonies developed along the Atlantic coast, blacks became more numerous among the Creek Indians; they were runaway slaves from white plantations in the South. From 1765 to 1767, Southern Superintendent John Stuart reported that Creeks protected and concealed runaways in Indian country. Before the Revolutionary War, these hundreds of fugitive blacks seeking security and freedom caused problems to erupt amid both the Indians and white slave

owners.⁵ Some whites believed that preventing the region from becoming as an "Asylum for Negroes" was "of the utmost consequence to the prosperity of the provinces", and that "any Intercourse between Indian and Negroes...ought to be prevented as much as possible."⁶ To solve the problem of runaways, plantation owners offered rewards for their return; many gave the Indians a musket and three blankets for each slave returned.⁷ Although whites pressed the Creeks to cooperate in returning the fugitives, many Indian protectors refused to surrender them.⁸ Occasionally, some slaves were recaptured, but Indian friends forewarned others who escaped into the swamps.⁹

However, many Creeks had suggested that blacks were not welcome among the Indians; they did not consider Negroes as desirable property as the white had. In 1763, South Carolinian, George Milligen-Johnston noted "a natural dislike and antipathy" among Indians and blacks. Nevertheless, he suspected that Creeks would soon harbor runaway Negroes from white settlements, "whose numbers would daily increase, and quickly become more formidable enemies than Indians" could ever be. The blacks spoke the English language, were intelligent, and could cause problems among the Indians and their white neighbors.¹⁰

The problems of runaway slaves in the Creek territory persisted until the outbreak of the Revolutionary War. Blacks continued to enter the Creek territory in increasing numbers. White slave owners in Georgia threatened to stop trading with Creeks unless the Indians returned fugitive slaves. The threat led to a trade embargo which whites maintained until October 20, 1774, when, in a treaty negotiated at Savannah, Indians agreed to deliver any runaway slaves. The Creeks soon returned thirteen blacks.¹¹

On the eve of the Revolutionary War, blacks still inhabited Creek territory, but Creeks had not yet engaged in black slavery. Travelers in the late 1750s

reported the Indians' lifestyles, noting Indian slaves among the Seminoles and Creeks; however, there was no mention of black slaves. Not until the Revolutionary War did Indians begin to look at blacks as property and soon after as slaves.¹²

During the Revolutionary War, many white slaveholders came from New England, the Southern colonies, and the West Indies to the Indian territory to participate in the war. To the Creeks, blacks became important as slaves instead of fugitives from white plantations. Due to the white influence, the Creeks found it difficult to remain neutral in the war because of increasing infractions with whites; consequently, in 1778 several hundred joined the British army, but more remained neutral or supported the colonies. The Creeks emerged from the war as slaveholders and were on the verge of adopting a system of African slavery.¹³

The Creeks observed that owning black slaves generated prestige for themselves among the whites. They were sufficiently impressed to procure a few slaves. The Indians raided nearby plantations for additional slaves, some of whom were captured runaways during the Revolutionary War.¹⁴ In the last two years of the war, the Georgia government used slaves as bounty to defray its debts. Some slaves were fortunate enough to escape, later to set up settlements of their own among the Indians. Agents of Great Britain granted numerous blacks to Indians as "King's gifts" in payment for their services in the Revolutionary War.¹⁵

Prior to the war, the Creeks had been generally cooperative in rendering fugitive slaves, but during the war many slaves were lost, and it became more difficult for whites to obtain slaves. The Indians had begun to keep all runaway slaves. One reason for the change was the rise of Creek mixed-bloods who composed the greatest number of slaveholders. These slaveowners for the most part were the children of traders, adventurers, public officials, and military

officials who had become accustomed to the institution of black slavery among the southern whites.¹⁶

By the 1780s, black slavery had become a significant part in the life of the Creek Nation. Creek leaders considered labor beneath their status and became even more eager to obtain slaves to cultivate the crops. Wealthier Creeks became large plantation owners, purchased more slaves, and cultivated larger crops of tobacco and cotton. Alexander McGillivray, a wealthy Creek, at his death possessed two immense plantations in Georgia and Carolina and owned sixty slaves.¹⁷

The blacks that the Indians had acquired from the white plantations, either through theft, purchase, or as runaways, knew farming and husbandry, while the Indians knew little of either. The Creeks had no cognizance of large scale agriculture, especially that done on great plantations. Thus, there was not a need for slave labor equivalent to that of white plantations, and in most instances those who owned slaves in the late eighteenth-century apparently did not utilize them as the whites did.¹⁸

Evidence of slavery among Creeks during the early years remains sketchy. Therefore, to gain additional knowledge of slave life amidst the Creeks, it is necessary to canvas the characteristics of slavery among the Seminoles, a kindred tribe, once part of the thirty-seven confederations that created the Creek Nation. The word "Seminoles" means "runaway" or "broken-off-people." Most were of the Muskogean linguistic stock, speaking Muskogee or Hitchiti. They established homes in Florida, where many fugitive slaves took refuge, and were generally British in sentiment.¹⁹

The idea of slavery impressed the Seminoles. Although there is little evidence of a description of slavery among the tribe, scholars speculate that they were interested enough to barter their stock for slaves. But, the Seminoles were

at a loss as to what to do with the blacks. Therefore, the Indians gave the slaves tools to build their own houses and thrust them to work cultivating their own crops and raising livestock, a small portion of which the master took as tribute.²⁰ The evolution of slavery among the Seminoles was very similar to that of the Creeks.

Travelers among the Seminoles in the early 1820s noted that the Seminole masters treated their slaves with kindness and indulgence. The masters required slaves to live in separate towns and to do little work. The slaves planted and cultivated fields in common, apart from the Seminole fields, and part of the produce went to the slave owners. Also the Indians allowed their bondsmen to own large herds of livestock, from which the masters took an annual share. As a result, the slaves never produced a surplus of crops and livestock for trade. Apparently, the lives of slaves and their Seminole masters were those of subsistence.²¹

The Seminole blacks, in numerous ways, lived as their owners and their allies did. The slaves dressed in Seminole fashions and lived in dwellings built of shingles and timbers lashed to posts and rafters with strips of oak. The men owned guns and hunted game to increase their food supply. They were described as being "stout and even gigantic" in comparison to the Seminoles and appeared to be more skilled than their masters. Most blacks spoke Spanish and English as well as the Indian languages. As a result, they frequently became interpreters and "go-betweens" when the Indians had dealings with the whites. The Seminoles had great confidence in them. For instance, Whan, a former slave of King Payne, quickly emerged as a principal interpreter.²²

To the English, the life of a Seminole slave seemed indolent compared to a slave's life on a white plantation. In 1823, Haratio L. Dexter wrote about the Seminole blacks:

The Negroes possessed by the Indians live apart from them & (sic) they give the master half of what the land produces. He provides them nothing a (sic) they are at liberty to employ themselves as they please. The Indian Negroes are a fine formed athletic race, speak English as well as Indian & (sic) feel satisfied with their situation. They have the easy unconstrained manner of the Indian, but more vivacity & (sic) from their understanding both languages possess considerable influence with their master.²³

In 1827, Seminole Agent Gad Humphreys reported:

The Negroes of the Seminole Indians,(sic) are wholly independent, (sic)or at least regardless of the authority of their masters;(sic) and are slaves but in name; they work only when it suits their inclination and are their own Judges,(sic) as to what portion,(sic) of the products for the labor,(sic) shall go to their owners;(sic) their(sic) habits are, with few with exceptions, indolent in the extreme,(sic) on which account,(sic) their example is calculated to have a baneful influence upon the Indians,(sic) whom it is desirable and necessary to withdraw as fast as practicable from their erratic and idle habits,(sic) to the pursuits and practice of industry, without which, they will not,(sic) as game is rapidly diminishing, be able much longer to exist in Florida.²⁴

Like Dexter, Humphreys also noted that the blacks had a great influence over their masters. The slaves suggested to the Indians that whites were hostile to all who differ from them in complexion. The Seminoles perceived the blacks "rather as fellow sufferers and companions in misery than as inferiors."

Similar to the patterns of Seminole slavery, the Creeks only forced their first blacks to work in the fields just as the Creek women did. The women fulfilled all the tasks of the house and fields; in fact, they were little more than slaves to the Indian men. The women had no will of their own; they were subjected to the commands of the Indian men except in the rearing of the children. They were universally called wenches; the only difference between them and the black women was that they had Indian offspring.²⁵

In 1797, Benjamin Hawkins visited the Creek Indians. He noted that several slave owners seldom had enough provisions to support themselves or their slaves. A number of Indians had no control over their slaves, while Hawkins only reported that one had "good government" over his nine blacks. Usually, those

with better control had the superior plantations. However, the Creeks had made progress towards improving their tribal status through industries, agriculture, and the utilization of the slaves' knowledge and skills.²⁶

Other than tending herds and cultivating crops, the slaves had additional tasks. The duties included working in blacksmith shops, building fences, and clearing land. The reliable blacks also served as delivery men and interpreters. Black translators had a double advantage in the recollection of matter and a better opportunity to gather information because of their ability to speak more than one language. However, the blacks had no role in the affairs of the Creek government.²⁷

The Creeks granted freedom of movement to blacks in their territory. Private citizens and public officials often sent them on various missions requiring long-distance travel. Slaves did not live in separate villages, as the Seminole blacks did, although the Seminole slaves also had freedom of movement. Creek blacks dwelled in "Negro houses," separate dwellings, on the premises of their masters. And, like their masters, many of them practiced polygamy.²⁸

As evidence indicates, Indians permitted blacks to accrue personal possessions. They owned their household goods including beds, quilts, sheets, and pillows; chairs, tables; tin utensils, pans, and clay pots; spinning wheels for thread and weaving equipment for their clothing; axes, saws, and carpentry tools; farming equipment; and musical instruments. In order to feed themselves, the masters allowed them to grow vegetables, corn, and rice. They also grew cotton and feed for their domestic fowl. Unlike the Seminoles, who allowed their blacks to keep livestock, there is no evidence that the Creeks permitted their slaves to do so.²⁹

The mode of dress, most slaves adopted Creeks styles. By the time the Creeks adopted slavery, they had come to depend more on trade goods, including fabric.

The Creeks, including the blacks, dressed in colorful hunting skirts and dresses. A number of the blacks wore moccasins. Some adopted the popular turban of the Yuchis, Seminoles, and Creeks; they also wore rings, beads, and broaches. The men owned weapons such as tomahawks and club axes. One observer later noted that the blacks were similar to the Creeks in every way but color.³⁰

Obviously, the Creeks made distinctions among the free blacks and slaves in the matters of property ownership. Freed people were accustomed to more privileges and wider latitudes than slaves. They were allowed to own weapons such as rifles and muskets. They had a greater number of saws, axes, hatches, hammers, augers, and chisels to aid them in a life of substance apart from the Indians. They also owned livestock including hogs, cattle, and horses.³¹

Although the Creeks were liberal with free blacks, they wanted to control the emancipation of blacks. Therefore, they passed stricter laws for their freemen "who would be recognized as freedmen of the Nation without condition." Unless a freeman was a citizen or under twelve years of age, the Nation required a three dollar annual tax and twenty-five cents per head for sheep, horses, and cattle. They were also taxed five dollars for each wagon owned. "On May 8, 1859, the Creek council made 'bonafide members and citizens' all free-born persons, except those of African descent, who had theretofore been received and acknowledged as citizens of the Creek Nation." Appointed Creek officials took a census of the free blacks and collected their taxes.³²

The United States' government in its attempt to change the Indians helped shape the institution of slavery as it developed among the Creeks. This policy underwent changes in the wake of the War of 1812 and in the devastating effects of the Red Stick War of 1813-14.³³ The laws and social practices regarding blacks had grown more severe in some parts of the Creek territory following the Red Stick War, "but vestiges of the old Creek life still existed."³⁴

The Creek Nation had no written laws until 1818, when William McIntosh and other Lower Creek chiefs produced a code of eleven laws. The federal government pressured the Creeks to formalize their laws into written form; their reasons were obscure but could have been a step to prepare the Indians for removal treaties.³⁵ A code relating to blacks was included: "This agreed, that if a Negro kill an Indian, the Negro shall suffer death. And if an Indian kill a Negro he shall pay the owner & (sic) the value." The laws also provided for a reward of fifteen dollars for capturing runaway slaves and delivering them to appointed Creek officials who received them.³⁶

To indicate the importance of the slaves to the Indians, the Lower Creeks wrote more severe slave codes than the Upper Creeks. The Lower Creeks were under pressure from whites who apparently were influential. Most important of these pressures was the large number of blacks among Indians in Florida. Approximately 430 blacks, in 1823, were affiliated with the Red Sticks, which gave them a militant posture.³⁷

Other Creek laws pertained to slaves holding property, the intermarriage of Creeks and Negroes, the emancipation of slaves, and the raiding of Southern plantations. The laws stated:

The slaves shall not raise property of any kind. If the master does not take it from them the law makers shall and they may do as they please with the property." Law 20 states: 'If any of our people have children and Negroes and either of the children should take a Negro as a husband or wife -- and should Said child have a property given to it by his or her parent the property shall be taken from them and divided among the rest of the children as it is a disgrace to our Nation for our people to marry a Negro.' The laws mentioned nothing about citizenship rights for the freeman but provided a code for emancipation which read: 'If any man should think proper to Sett (sic) his Negro free he shall be considered a freeman by the Nation.' Law 23 dealt with problem raids on Southern plantations. It declared: 'Prisoners taken in War shall not be Considered or traded as slaves and it shall be the tudy (duty) of the law makers to make them free of ourselves.'³⁹

To keep order among the slaves, the Creeks wrote a law declaring that "if any slave should kill a slave such punishment shall be death." To prevent slave fraud

the legal code stated: "no master Shall be bound for any trade or bargain made by his slave."⁴⁰

The Lower Creeks continued to change rapidly regarding slavery. In early 1825, Chilly McIntosh wrote down the laws of the Creek Nation. If old laws were repeated and new laws were added which provided the Creek slave owners to emancipate their blacks, and consider them to be freedmen of the Nation. Therefore, owners would be relieved of any obligations "for any trade or bargain" their former slaves made.⁴¹

Through a series of removal treaties, a large majority of Creeks and their slaves were forced into Indian Territory, present day of Oklahoma, between 1826 and 1840. Early statistics estimated that the Creeks and Negro slaves numbered from 15,000 to 20,000 in population.⁴² Both Creeks and blacks suffered a harsh removal; many left their families in the east, and many died of exertion or were killed during the trek. Most, however, died of diseases contracted in Indian Territory soon after removal. The weather was much colder in the western lands, and the Indians suffered from respiratory disease. Aside from facing disease and starvation, the Osage Indians posed a threat in the West.⁴³

Material losses and a declining population hindered economic development during the decade following removal. Slave rebellions among the Creeks and the difference of treatment of Seminole blacks also hampered the rebuilding of the Creek Nation. Western land was found to be unhealthy and less fertile than their eastern lands. Many people died from diseases such as cholera, smallpox, pneumonia, fever, influenza, and others. Floods destroyed homes and crops in the river bottoms and left unhealthy conditions. The number of Creeks continued to decline. The census of 1857 listed 14,888 in the tribe, a loss of 10,000 since removal. A census of 1859 listed 13,550 persons, a decline of 43 percent in the Creek population since removal.⁴⁴ Shortly after removal, despite health

problems, the Creeks set about rebuilding their society, including the institution of slavery.

In 1839, Creeks continued living in agricultural towns. Both Indians and blacks were attached to a chief, lived together, and cultivated a town field, all sharing the labor. By 1845, the Lower Creeks had given up the practice of town fields. In fact, they had given up many of the old ways. The Upper Creeks were more isolated from white influence; therefore, they maintained more of the original farming methods, along with manners and dress.⁴⁵

The Creeks colonized some of the richest farmlands in the region of the Grand, Arkansas, Verdigris, and Canadian rivers which provided the Indians outlets to market places in the South. The slaves immediately built log cabins for themselves and for their masters.⁴⁶ The slave abodes were as good as those of poor Creeks, usually one or two rooms with chimneys. The cabins were sometimes clustered together for protection against any warning Indians. The blacks performed duties of farming cotton, making clothing, tanning hides, and raising vegetables, rice, and corn. Many were also artisans and smiths.⁴⁷

Indian owners gave slaves free time as long as they performed a certain amount of work. In 1845, traveler William Quesenbury studied the Creek slaves. He had been told that one of his slaves could produce as much or more work than three of the Indian slaves. He learned why. The slaves had to clothe and feed themselves in addition to their masters. To accomplish this, the slaves needed Saturdays off every week and from July when the crops were planted until the September harvest.⁴⁸

The first missionaries entered the Indian Territory during the 1820s after some eastern Indians had voluntarily migrated. They constructed missions and taught Christianity to the Indians and slaves. Later, it became clear that not all Indians welcomed the missionaries. Some Indian owners beat their slaves for

attending services at the missions. By 1828, the missions began to fail, and most were abandoned.⁴⁹ The missionaries became such a problem that in 1835 Roley McIntosh filed misconduct charges against them. McIntosh claimed that the missionaries taught abolition; and allowed the slaves into their churches; and encouraged their slaves to build their own churches. As a result, the Indian agent ordered all missionaries out of the Creek Nation.⁵⁰

Laws were decreed preventing the practice of religion among the blacks. It declared that no black slave or freedman could preach to an Indian congregation. Slaves were allowed to have meetings only if they were held within two miles of their owner's premises. One free person, not of the Negro race, had to be present at the meetings as an observer.⁵¹

Many of the Creeks believed as McIntosh did concerning missionary work among the slaves. For many years the religious men were not allowed in the Creek Nation, but an old Negro named "Billy" taught a young Indian, Joseph Islands, the precepts of Christianity in 1842. Together they spread the faith to both Indians and blacks, a task white missionaries continued later. Still, many of the slaves were whipped to near death if they were discovered attending worship meetings. One woman was given fifty lashes for her belief in Christ.⁵² But many continued to attend religious services secretly, knowing the consequences if discovered. C. G. Samuel, whose mother was half Indian and half black recollected:

The slaves loved to pray, they wanted to pray and they did pray. They knew that there was a Supreme Being but the masters would never want to hear any praying. The slaves were told that there was no God. If there was to be any praying the slaves should do it so that they could not be heard or that they should pray under pot.⁵³

Although most Creeks prohibited the teaching of Christianity in the Creek Nation, in 1842, the New England and New York Meetings of Friends (Quakers) dispatched two men on an excursion to the Creek Nation in Indian Territory.

John D. Long and Samuel Taylor, Jr., informed the Quakers that the Indians appeared to be religious and sober. Other observations included a description of a religious slave meeting held on the first day of the week. Apparently, these same Indians felt religious work made the slaves better men and women.⁵⁴

Although the slaves may have suffered from the lack of religious nutrients to feed their souls, they did not experience the shortage of nutriment for their bodies. One ex-slave remembered: "Master Holmes always say, 'a hungry man can't work' and he always saw to it that we had lots to eat."⁵⁵ The slaves prepared numerous Indian dishes: Tom-fuller, a dish made from beaten corn which tasted like hominy; pashofa, beaten corn cooked with pork; hickory-nut grot, beaten corn cooked in a sack of beaten hickory nuts dropped in; askcakes and Tom-budha, green corn and fresh meat cooked together and seasoned with either tongue or pepper-grass; ashcakes rolled in cabbage leaves baked in hot ashes; and pound cakes sweetened with molasses. They also prepared vegetables and meat dishes; but corn or cornmeal constituted the main ingredient of most meals. Smokehouses were filled with sausage, dried beans, meat, lard, corn, potatoes, peas, collards, butter, and plenty of milk. Furthermore, Indians and blacks hunted possums, raccoons, and squirrels.⁵⁶

Although the life of slaves appeared to be somewhat flexible and facile, some slaves became despondent. Several discontent slaves began a serious uprising in the Creek Nation, as did Cherokee slaves. "The Slave Revolt of 1842" involved from 200 to 600 slaves who wanted to migrate to a settlement of free blacks in Mexico. The leaders may have been blacks who immigrated with the Seminoles to Indian Territory. The revolt occurred at Webbers Falls, but people involved came from the lower Grand and Verdigris Rivers. The slaves locked the overseers in their cabins and seized horses, mules, guns, and food; then they fled at daylight. The commander at Fort Towson, in Indian Territory, dispatched

troops to crush the revolt. Numerous blacks were wounded, killed, or captured. Those apprehended faced a hanging or whipping on their return to the Creek Nation.⁵⁷

The two decades prior to the Civil War represent a period of flux in race relations for the Indian slave owners. Slave codes increased in severity as the aristocratic mixed-bloods sought to change the easy and tolerant slavery of the Indian to the real servitude that the southern states practiced. In 1840, Creeks recorded and compiled statutes into a code of laws for the entire nation. The codes alleged if a black killed an Indian, the black would suffer death. If an Indian killed a black, the Indian would pay the owner his value or suffer death. If a slave killed another slave, he would receive one hundred lashes, and his owner would pay the owner of the dead black one half of that black's value. It was unlawful for any black to abuse an Indian citizen. No Indian man could take a black for a wife, and any black, slave or free, convicted of having intercourse with a Creek woman obtained one hundred lashes. Any citizen found guilty of harboring runaway slaves paid a fine of fifty dollars or received one hundred lashes. Blacks guilty of the same offense received one hundred lashes. Slaveowners were not responsible for the debts of their slaves.⁵⁸

Additional laws relating to slavery in the Creek Nation dealt with the education of Creek children. Although Creeks wanted their children educated, they sanctioned a law against abolitionists teaching against slavery. The Creek council provided a national education system which provided fourteen schools divided into two equal districts. A superintendent of schools managed each district; his duty was to hire teachers. The law clearly stated that under no circumstances was the superintendent to hire anyone who advocated the abolition of slavery because the abolitionists often enticed the slaves to run away.⁵⁹

Freedmen living among the Creeks became a bigger concern to the Indians

as time passed. To hinder any influence of freedom among the slaves, the Creek council on March 1, 1861, passed legislation forcing all free blacks to choose masters among the Creeks. If they failed to do so within ten days, they would be put up for auction and sold to the highest Creek bidder.⁶⁰

Other laws regarding blacks were passed earlier in the 1850s and showed growing racial consciousness among the Creeks. The laws regarding citizenship reflected this racial prejudice.⁶¹ On May 8, 1859, the Creek Council made "bona fide members and citizens all free-born persons, except those of African descent, who had theretofore been received and acknowledged as citizens of the Creek Nation." Persons of not more than half African blood, if their mothers were Creeks, were considered Creek citizens.⁶²

Evidence suggests that racial prejudice became widespread, especially in post-removal days and particularly among the Lower Creeks. One of the pre-removal laws had denied the right of inheritance to the offspring of blacks and Indians and had called it a "disgrace" to the Nation for Creeks to marry blacks. Such laws had been reinstated in Indian Territory. Some historians believe that this law was meant to forbid intercourse with blacks. If an Indian kept one of his black women, she was taken away from him and given to his nearest relative. If it was proved that an Indian woman had sexual intercourse with a black, each received lashes.⁶³ There were other evidences of racial prejudice. In 1842, David Grayson complained to Colonel Ethan Allen Hitchcock that he had received no provisions "of any account," nor had he received any annuity money since he arrived in the West. When asked the reason, "he said he didn't know, but he has colored blood in him he says, and some have told him that was the reason, yet Jim Boy a colored mixed is a Chief."⁶⁴

Many historians have tried to explain why racial prejudice existed among the Indians; regardless of the reasons, prejudice existed. According to

Tuckabahchee Micco in 1842:

"the old people" believed that at first there were only red men. The Creator decided to make some white men so He told three red men to go into the river and wash. The first went in and stayed a long time and came out white. The second stayed only a short time, the water had been soiled, and his color was not changed. When the third went into the water, it was more soiled, and he came out black.⁶⁵

Neamathla, a Creek, contributed another theory. According to him:

the Great Spirit created three races and assigned duties to each, never intending the three to mingle. The Great Spirit gathered some dust and blew it from His hand, and a white man stood up in front of Him. The Great Spirit was sorry, for the feeble and sickly man was not what He had intended to make. But the Great Spirit spared him. He tried again and this time created a black man. That grieved Him, for the man was black and ugly. On the third attempt, He created a red man, at whom he smiled. He gave each a choice from three boxes containing tools necessary for supporting themselves. The white man, first created, got first choice. The white man chose the box containing "pens, ink and paper and all things white people use." The black man did not get a choice, even though created second. The Great Spirit's favorite, the red man, got second choice; he chose the box containing "beaver traps, bows and arrows and all the things used to support life. The black man was given the box containing "hoes and axes, plainly showing that the black man was made to labor for both the white and red man."⁶⁶

As the United States' debate over slavery grew more severe and the nation moved toward war, racial prejudice increased among the Creeks. The census of 1860 showed that 1,651 slaves inhabited the Creek Nation.⁶⁷ To maintain control over those slaves, harsher laws were executed. The slaves had to obtain written permission to go beyond two miles from their master's premises, and they could not leave their homes at night. Also, carrying weapons of any type and conducting a mercantile business on their own property was prohibited.⁶⁸ Slaves could not own or be in possession of horses, cattle, or guns. To enforce the laws, the Creek Lighthorsemen were instructed to confiscate all such property. The Nation then sold the seized property for profit.⁶⁹

In the decade before the Civil War "slavery in the Creek Nation was one of change for blacks in the Indian Territory, particular in the Creek country." Seminoles and Creeks had constantly quarreled over slavery. In 1865 the

Seminoles gained their own lands in Indian Territory and lived separate from the Creeks, therefore freeing what slaves were left to the Seminoles. But was too late for most Seminole slaves; by 1856, Creeks and whites had secured numerous Seminole slaves and had caused others to flee. The Creek slave population had increased; therefore, the slave codes became more severe as the Civil War approached.⁷⁰

In the Civil War, the Southern states became the Confederate States of America and fought to maintain the institution of slavery. The Indians of Indian Territory preferred to remain neutral, the reasons being that they were not part of any state; that the majority of Indians did not own slaves; and that the controversy seemed to be only a foolish white man's war. The geographical location of Indian Territory and the commercial ties with the South determined why many Indians were eventually forced to side with the South. Also, the United states had abandoned the military forts located in Indian Territory; consequently, the Indians had no protection against the Confederates. The tribes split over which side to choose, the North or the South, and some factions fought to remained neutral. Less than one half of the Creeks chose the South, and eventually the neutral ones and their slaves chose the North.

On September 9, 1865, 6,000 Union Creeks and blacks met at Fort Smith to negotiate their Reconstruction treaties with the United States. One part of the Creek Treaty included a provision which ended all slavery in the Creek Nation forever:

The Creeks hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in punishment of crimes, whereof the parties shall have been duly convicted in accordance with laws applicable to all members of said tribe, shall ever exist in said nation; and inasmuch as there are among the Creeks many persons of African descent, ..."⁷²

After considerable deliberation, the Creeks adopted the terms of the treaty, and the long history of slavery ended in the Creek Nation.

The treaties required the tribes to register their slaves as tribal citizens or grant them land allotments of 180 acres. According to Campbell's Abstract of Creek Freedman Census Cards and Indexes, the Creek Tribe issued 811 roll numbers to former slaves.⁷³ Of the remaining blacks, some owners abandoned them; some brought them back; those released from the military had to find their own way back; some fled to other Indian nations and failed to return under the time limitations of the treaties and lost their citizenship rights. By 1869, many of the freedmen were organized into three black settlements in the Creek Nation: Canadian Colored, Arkansas Colored, and North Fork Colored, where they began their lives as freed people.⁷⁴

In conclusion, as early as the 1760s, blacks were present in the Creek country, either as runaways or as property of white traders. The Creeks emerged from the Revolutionary War as holders of blacks as property but had not developed an economic system that called for a labor force. This came with the rise of a mixed-blood class of Creeks and with the United States government policy of encouraging the Creeks to undertake farming and the domestic arts. In the 1790s, the Creeks adopted an institution of slavery, but one that little resembled that in nearby states. As the United States grew in population and the need for agricultural lands increased the Indians became a problem. With the Indian Removal Act of 1830, the Five Civilized Tribes and their black slaves found themselves on the "Trail of Tears" to Indian Territory.

Before removal, Creek attitudes and social practices regarding blacks differed from the plantation slavery among the whites in the surrounding region. In Indian Territory, the circumstances were entirely different. Away from the slave holding regions, the Creeks passed stricter laws as time passed. The laws developed from the reactions to political and economic cultural pressures, especially within the tribe and the surrounding tribes.

By 1860, the tribes split, with many people favoring neutrality and others joining the Union or the Confederates in a war that was the beginning of the end to great Indian nations. In 1865, the Reconstruction treaties took land that had been promised to them forever and their institution of black slavery. Possibly the Indian tribes submitted to black slavery with the idea of trying to be like the their white neighbors and trying to assimilate themselves into a white culture. Perhaps slavery under the ownership of the Creeks and Seminoles was better, but being an oppressed person is not the same as being a freed person.

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⁵Kenneth Wiggins Porter, The Negro on the American Frontier (New York: Arno Press and The New York Times, 1971), p. 171.

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¹⁰Stuart to Gage, 26 September 1767 and Stuart to Gage, 27 November 1727, Gage Papers.

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¹² Littlefield, Jr., Africans and Creeks, p. 22.

¹³*Ibid.*, p. 26.

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¹⁵John R. Swanton, Early History of the Creek Indians and Their Neighbors,

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¹⁸Littlefield, Africans and Creeks, p. 38.

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²⁰Ibid., p. 40.

²¹Porter, The Negro on the American Frontier, pp. 46, 187, 189-90.

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²³Seminole Towns and Report of Heratio L. Dexter, National Archives Microfilm Publications, Microcopy M 271 (Letters Received by the Secretary of War Relating to Indian Affairs, 1800-1823) 4: frames 507, 513.

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²⁶Ibid., p. 43.

²⁷Ibid., pp. 44-45.

²⁸Ibid., pp. 45-46.

²⁹Ibid., p. 46.

³⁰Ibid.

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³³Ibid., p. 45.

³⁴Ibid., pp. 88-87.

³⁵Janet Halliburton, "Black Slavery In The Creek Nation", The Chronicles of Oklahoma, LVI, Number 3 (Fall 1978), pp. 298, 314.

³⁶Code of Laws of the Creek Indians, 12 June 1818, National Archives Microfilm Publications, Microcopy M 271 (Letters Received Relating to Indian Affairs, 1800-1823) 2: 771.

³⁷Seminole Towns, Report of Haratio L. Dexter, M 271-4 frames 507, 513.

³⁸Waring, ed., Laws of the Creek Nation, pp. 20-21.

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⁴²George W. Rawick, ed., The American Slave: A Composite Autobiography, 20 vols. (Westport: Greenwood Press, 1977), 7: 7305.

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- ⁴⁸Halliburton, "Black Slavery In The Creek Nation", p. 305.
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- ⁵²Ibid., p. 80-81.
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- ⁵⁴Teall, Black History In Oklahoma, pp. 42-43.
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- ⁵⁶Teall, Black History In Oklahoma, p. 32.
- ⁵⁷Ibid., p. 38.
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- ⁶²Laws 110-111, "Laws of the Creek Nation."
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