Choctaw Compromise

On that summer night of 1832, Capt. Dutillet of the New Orleans City Guard was strolling at his desk. Suddenly, a sharp knocking brought him wide awake.

Opening the office door, the officer found himself facing a burly seaman in an advanced state of agitation.

"The Indians," panted the seaman. "The Choctaws—they've got my schooner, and they're trying to make me take them across the lake!"

Capt. Dutillet questioned the man and learned the Choctaws had arrested a young brave of their tribe whom they judged guilty of murdering a fellow Indian, and were planning to take him to their settlement up the Tchefuncta River to be executed.

It was a delicate situation. The city had maintained a laissez-faire policy toward the Choctaws, a practice dating from the Indians' alliance with the early colonists in repulsing the Natchez and Chickasaw tribes. The Choctaws were allowed to visit the city as they pleased, and the guard never arrested them for crimes committed among themselves, but turned any offender over to his tribal elders for punishment.

In this case, private property was at stake, and Dutillet wondered what to do. To use force in retrieving the schooner would be unwise: Hostilities would ensue; bloodshed would surely result.

He decided to try reasoning with the Indians, and, with the seaman, he made his way to the Old Basin, where the schooner lay.

There, lying bound on the schooner's bow, was the condemned brave. His whimpering squaw and children cowered nearby, and Choctaws, relatives of the dead Indian, swarmed the deck.

The elders, though they greeted Dutillet courteously enough, were determined that the prisoner be conveyed to St. Tammany and there, in the presence of his assembled tribe, suffer execution at the hands of the victim's kin. The schooner's master remained adamant in his objection, however, and the Choctaws grew less courteous.

Dutillet, stalling for time, asked permission to hold the prisoner in the guardhouse overnight. He gave his word that an agreeable arrangement would be worked out in the morning.

The elders withdrew to themselves and argued the captain's proposal in a lively manner. At last, they reluctantly turned the prisoner over to Dutillet.

Back at the guardhouse, the captain ordered the brave unbound and fed; then he asked for his side of the story.

The brave, Eh-be-lum-abe by name, told in broken French how he had been attacked by three worthless young men of his tribe. In self-defense, he said, he had shot one and put the other two to flight.

Dutillet, accustomed to distinguishing truth from lies, was impressed with the brave's story. He tried a test, telling the Indian he thought him innocent and intended to send him to a safe place.

Suddenly the brave, who had told his story impassively, fell to his knees and beseeched the captain to return him to the schooner. "Me kill Indian! Me die!" he cried.

The captain understood: Under Choctaw law, if a condemned brave escaped punishment, his next-of-kin was required to suffer the sentence in his place. Eh-be-lum-abe's outburst was caused by fear for his son's life.

The story of the brave's plight circulated swiftly among the guard, and sympathy for him mounted. But the captain had given the Indian elders his word; early the next morning he returned to the Basin with the prisoner—and with a plan.

"Your law permits a condemned brave to be ransomed, does it not?" he asked the elders. "It does," they replied, "if the dead man's kin will allow it."

The question was put to the dead Indian's relatives, and they went into protracted discussion. Finally they announced that the prisoner could be ransomed for the sum of $100.

The officers and men of the guard took up a collection, and the money was quickly gathered.

With the ransom paid, everyone felt satisfied: Eh-be-lum-abe had his freedom, the skipper his schooner, the Choctaws their justice.

-Submitted by John H. Matter Covington, La.