

Mr. Howard Payne to
his Countrymen

Clemens de Baillet

1961

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Introduction

INJUSTICE there will always be, but the unjust will always be execrated. War and revolution follow their own lawless course, which we have not yet learned to understand. Desperados and a few fanatics man the barricades or break over frontiers. Often we see that in the simpler cultures laws are better obeyed, and the individual possesses greater dignity. In more highly developed civilizations only a few are aware of their obligations. Once in a while a declaration of human rights is issued in deep sincerity, but soon it becomes a curtain over a stage of crimes. In recent years the United Nations has issued such a declaration, but hardly anybody thinks of it. The French Revolution produced a similar manifesto, and our own constitution begins with a bill of rights. But the first such to be issued in modern times was the BULLA SUBLIMIS DEUS in 1537 (Pope Paul III), a document great in its simplicity and logic. This was primarily to protect the Indians from the cruelties of their conquerors. Under this protection and the leadership of a few missionaries, some Indian states began to flourish in South America. But hordes of white men greedy for gold finally invaded them; the missionaries were arrested and sent back to Spain in chains, and the Indians were forced to flee back into the wilderness.

A similar tragedy occurred in Georgia in the year 1828 when gold was found in the land of the Cherokees, where the town of Dahlonega was soon to be. Almost immediately a multitude of white men swarmed over the frontiers of the young and civilized nation. Time and again the Cherokees were forced to agree to the sale of land, to give up the best they had. What they got in return was a little money along with whiskey and vices. What they wanted were those

symbols of culture: the plough, the hoe, the wheel, and the loom.¹

Christianity, which a few had early accepted, spread rapidly, and they abandoned the fighting spirit which had been characteristic of this nation of warriors. Now new laws were made; they adopted a constitution modelled after that of the United States, which provided an upper and a lower house; even a Supreme Court was formed; law enforcement was in the hands of a Light Horse Guard. Sequoyah invented the "Cherokee alphabet," a syllabary of eighty-six characters, and with it began a new era. "Within a few months several thousand Cherokees had learned to read and write the symbols and were teaching others."² A newspaper, *The Cherokee Phoenix*, started its operation in 1828 shortly before the cry of "Gold!" shook the boundaries. Before this the relationship between white man and Indian had become close. Traders, and later missionaries, had established contact. Inter-marriages became frequent; even white women of social standing had married superior Indians. The offspring of these marriages often became leaders, who prevented the arising of any racial problems. These individuals were free to choose with which people they would live, and red man as well as white man accepted them.

In 1802 the Federal Government had agreed to nullify Cherokee land titles in favor of Georgia, if it could be peacefully arranged. But now the State of Georgia immediately claimed the Cherokee land as its own. In 1832 the country was surveyed, and a land lottery took place. American citizens as well as Indians lost their property. Georgia law was extended to this territory, and the Cherokee became an outlaw in his own country.

The Moravian missionary, H. G. Clauder, describes the taking over by "force and fraud" of the Spring Place Mission on December 24th, 1829, by Colonel Bishop of the Georgia Guard. He concludes ". . . Since that period Bishop has kept the Mission buildings in possession. The Chapel has been used for several years as a court house, and the dwelling

¹Malone, Henry T., *Cherokees of the Old South*. Athens: University of Georgia Press, 1956. p. 51.

²*Ibid.*, p. 156.

house for a tavern. Grog shops have been opened on the premises and in the vicinity, and the once venerable spot has become a hot bed of vice and every manner of wickedness." This is the same Spring Place where the Vann House stands today, and the same Colonel Bishop whom we shall find described in the letter of John Howard Payne.

The Reverend Samuel A. Worcester, missionary at New Echota, the Cherokee capital, who dared claim his right as an American citizen to continue to live there, was arrested at the bedside of his gravely sick wife. In forwarding Worcester's letter to Mission headquarters, Elias Boudinot, the full-blooded Cherokee who as a leader had tried hard to maintain good relations with Georgia, wrote, "When Mr. Worcester left his place this morning, we had the expectation of his returning, supposing that Col. Nelson . . . would release him on account of the state of his family. But we were mistaken . . . we over-rated the humanity of these officers of Georgia. . . ." Colonel C. H. Nelson was Captain of the Georgia Guard. During this term of imprisonment, Worcester and three other missionaries confined with him requested permission to hold outside the prison a prayer meeting on the sabbath. Their letter was returned with a few words written on the outside: "We view the within request as an impertinent one. If your conduct be evidence of your character and the doctrines you wish to promulgate, we are sufficiently enlightened as to both. Our object is to restrain, not to facilitate their promulgation. If your object be true piety you can enjoy it where you are. Were we hearers we would not be benefited, devoid as we are of confidence in your honesty." This note was signed by Colonel Nelson.

The peaceful occupation progressed, peaceful because the Cherokees were gentle and trusted in the "Great Father" in Washington, Andrew Jackson, and in the peace-loving Chief John Ross who maintained a policy of passive resistance. He relied on the decision of the Supreme Court which had clearly declared in favor of the Indians. Meanwhile the soldiers of the Georgia Guard herded the Cherokees into stockades, marched them for days without provisions and in the blazing heat, and packed them, often in chains, into small steamboats to be carried to Arkansas. Acts of extreme cruelty occurred; a woman dropped out of line, broke

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 DISSENT

down to give birth, but a piercing bayonet ended slowly and painfully two lives.³

"United States citizens are so much worse than the Indians that the latter cannot live with them without being robbed, corrupted, and debauched. Let all the nations of the world know this. Let France and England know it. Let Spain know that the bloody hands of her Cortes and Pizarro are white when compared with those of American citizens, so that the poor Indians will doubtless be obliged to fly from their own land to seek refuge in her dominions. Let Italy know it, Let the Pope be told that the inoffensive Indians think of fleeing from the perfidy of American Christians to the milder and more equitable decisions of his Inquisition."⁴

Chief John Ross still hoped that President Jackson, whose life had once been saved by the Cherokees, would keep his word, honor the treaties and the Constitution, and protect the Indians. But the Honorable President ignored the decision of the Supreme Court and said, "John Marshall made the decision. Let him enforce it." The civilized world inside and outside the United States tried to help. Letters were written to Congress and to the President, newspapers attacked the government, and begged for humanity but in vain. The "trail of tears" on which a quarter of the Cherokee nation perished ran undisturbed its course to the West.

John Howard Payne happened to appear in Georgia in the midst of this struggle. He was well aware that he could not help, but he had hoped to be the historian of the Cherokee people, and he could write. A letter introducing Mr. Payne to Chief John Ross indicates the esteem in which he was held.

John Ross, Esq.
Principal Chief
Dr Sir

Cassville Sept. 24th., 1835

Permit me to introduce to your particular acquaintance & regard, a distinguished American John Howard Payne, Esq.,

³Quoted with permission of the American Board of Commissioners of Foreign Missions from the *Journal* of the Reverend Daniel S. Butrick, Missionary at Brainerd, which is a part of its manuscript collection in the Houghton Library, Harvard University.
⁴*Ibid.*

whose high literary reputation, both at home & abroad you are doubtlessly acquainted with.

Mr. Payne's object in visiting you, is to obtain an insight into your national history & copies of such documents, as you may have in your possession concerning the traditions of the [*sic*] this oppressed People in order that if the race is to be extinguished, its history & that of its wrongs may be preserved. You can safely communicate with Mr. Payne & it would give me great pleasure that the object of his visit should be accomplished.

Should you desire my promised attendance at the approaching council please write me at Milledgeville & I will forth with come up.

Your letter by Mr. Martin I have received & shall remember its contents.

truly

S. Rockwell

This letter, now in the files of the Oklahoma Historical Society, was written by the same Samuel Rockwell who is treated in Mrs. Louise Frederick Hays' *Cherokee Indian Letters, Talks & Treaties, 1786-1838*, Vols. II and III, compiled in 1939 (typescript in the Georgia State Department of Archives and History). There he is mentioned with others defending the Cherokee case before a court. In 1835, Z. B. Hargrove⁵ wrote to Governor Lumpkin that he considered Samuel Rockwell as the favorite and chief advisor of John Ross. But Colonel Bishop, whom we shall later meet more intimately, was sharply opposed to him, accusing him of making false statements and seeking a bribe. He was definitely *persona non grata* to the Captain of the Georgia Guard at Spring Place. Mr. Rockwell is mentioned later as a Trustee of Oglethorpe University, and in the Military Affairs Book as a Division Inspector and Colonel of the Georgia Rangers in Columbus, Georgia; so he could not really have been as bad as some persons wished him to seem.

In *The History of Rome and Floyd County* by G. M. Battey, 1922, Samuel Rockwell is mentioned as Colonel in connection with John Howard Payne. This history gives an elaborate account of Mr. Payne's travels, according to which

⁵Colonel Zachariah B. Hargrove, attorney, one of the first town commissioners at Cassville and one of the founders of Rome, Georgia.

he came from Alabama through the Creek country by way of Macon to Augusta. Here he visited Augustus Baldwin Longstreet, editor of the *States Rights Sentinel*. Payne then proceeded to Sandersville, where he met Dr. Tennille,⁶ brother of the Secretary of State of Georgia, who advised him to study the problem of the removal of the Indians. From there he went to Athens where he spent several days at the house of General B. Harden and visited students on the University campus with Mrs. Harden. The story is that Payne fell in love with the General's beautiful daughter. He left Athens in company with Governor Wilson Lumpkin, General Harden, and Colonel Samuel Rockwell when he set out for the Indian country. In the Cherokee land he visited several places in Bartow and Floyd counties. Rockwell's letter to Ross was written in Cassville, three miles north of Cartersville.

Chief Ross had invited Mr. Payne to the Council Meeting which was to consider the treaty proposed by the United States Government. The place appointed for the meeting was Red Clay in Tennessee as the Council House at New Echota had necessarily been abandoned since Cherokee administration had been outlawed by Georgia, and Council Meetings forbidden. George Featherstonehaugh, an English traveller, who was at Red Clay at the same time, and whom Payne may have met, gives a vivid description of the physical surroundings in which the meeting was held:

... we walked out . . . to see the Council-House. Crossing the Cooyahallay, we soon found ourselves in an irregular sort of street consisting of huts, booths and stores hastily constructed from the trees of the forest, for the accommodation of Cherokee families. . . . This street was at the foot of some hilly ground upon which the Council-room was built, which was a simple parallelogram formed of logs, with open sides, and benches for the councillors. The situation was exceedingly well chosen in every respect, for there was a copious limestone spring on the bank of the stream which gave out a delicious cool water in sufficient quantities for this great multitude.

⁶Dr. Alexander StC. Tennell of Washington County was granted a permanent license to practice medicine in 1832 at the seventh annual session of the Board of Physicians of Georgia. A. S. Tennille of Washington County was included in the 1848 census. Despite the discrepancy in spelling, both these listings seem to refer to the same person.

What contributed to make the situation extremely picturesque, was the great number of beautiful trees growing in every direction, the underwood having been most judiciously cut away to enable the Indians to move freely through the forest, and to tie their horses to the trees . . . but the most impressive feature, and that which imparted life to the whole, was an unceasing current of Cherokee Indians, men, women, and children, moving about in every direction, and in the greatest order, and all, except the younger ones, preserving a grave and thoughtful demeanor . . .⁷

The situation at Red Clay was tense. J. F. Schermerhorn, present as agent of the Federal Government, was prepared to effect the acceptance of the treaty. He and Payne had been friends in student days, and Payne, now forty-three years old, remembered him as a clergyman. But he had left the ministry and was now an obscure character, a well chosen tool for a mission of fraud and treachery. Two of the Cherokee leaders, Elias Boudinot and Major John Ridge, had been in Washington, where they had tried their best to solve the problems of their people. Dissatisfied with Chief Ross' tactics, they saw the hopelessness of the situation which was steadily growing worse. Their purpose was to save the Nation, and to get as much as possible in the way of political support, money, and protection for the future. They were in favor of the treaty. But John Ross and the Council rejected it. The immediate answer to this was the kidnapping and imprisonment of Payne and Ross by the Georgia Guard. Schermerhorn knew how to intimidate and to bring pressure; however, he never acknowledged a role in this affair.

Unfortunately the Cherokees were now divided; the minority with Ridge were willing to make the best of a hopeless situation. Ridge tried to be on good terms with the Georgia government. In the following hitherto unpublished letter from Major Ridge to Governor Lumpkin (Keith Read Manuscript Collection, University of Georgia Libraries) we see how Ridge appraised the situation and endeavored to maintain peaceful relations. He even speaks favorably of Colonel Bishop and the Georgia Guard.

⁷G. W. Featherstonehaugh. *A Canoe Voyage up the Minnay Sotor* . . . London: Richard Bentley, 1847, v. 2, p. 231-2.

22d Sept. 1835
Cassville Ga.

Gov. Wilson Lumpkin,
Dear Sir,

I have been intending to write to you on the Indian Affairs for some time, but the press of business in conducting the business of our Nation at this interesting period, has prevented. I feel pleasure now to say that our cause prospers, & I believe will result in the general cession of the Nation. The views taken in a communication by a Gentleman of the bar in the Georgia Pioneer on the Cherokee treaty, Should be republished with the correction of misprints in the paper alluded to. John Ross & his party will try to *outlive* the Administration of Genl. Jackson if they are not forced into the treaty, & it now depends upon the treaty party to take a bold and decided stand. We have gained so much now in Georgia & Alabama, that we shall soon organise head chiefs & a regular Council for those two states and close the treaty— However this is conditioned upon the refusal of the Ross party to join in a general treaty — He has requested a Conference, and we have accepted it, & it is possible that we may agree to make a General Cession. This Conference will be held it is supposed on the 2d Monday in Oct. next in the chartered limits of Tennessee— If that Council passes by with out bringing the parties to an understanding, you may depend upon a vigorous course of measures on our part— How shall we proceed? It is plain that Indians hold title to Land by the *right of occupancy*. The Ross party chiefs are about aba[n]don this & go to Tennessee— We have chiefs & a Council & the President can acknowledge us & treat with us. In the meantime, and all the time the enrollment can go on & will go on which will give us strength. For this purpose the next Legislature ought to pass laws to protect us in our possessions while we are in the act of preperation [sic] for the West unless this is done our efforts will prove abortive. The U. S. promises this protection, but individual avidity to get possession of Indian Improvements, falsifies all these promises. As soon as an Indian enrolls the Georgia claimant presses him out—this stops them from enrolling—it gives them no time to breathe—no comfort after it— This should not be. I know Sir, that by force of circumstances your State will get in possession of the whole of our lands, but it will be with great suffering to the Indians. Our exertions will be crippled if a favorable legislation is not had upon this very subject. It is nothing but what the dictates of humanity will sanction

to allow the Indians to go off unmolested, when they evince a desire to do so by enrollment. I cannot close this letter without referring to the great good, which Col. Bishop & the Georgia Guard have effected. If the Legislature would grant him certain discretionary powers in relation to the Indians it would be of great service.

The Ross Party tried hard to counteract the growth of our party by murders—it is dreadful to reflect on the amount of blood which has been shed by the savages on those who have only exercised the right of opinion— The Guard has been watchful & they have arrested these persons who encourage the murders, & some of the murderers themselves. They see now that this course will not do. The amount of other crimes committed in this country is amazing, & I do sincerely believe that this Guard is necessary to be continued in this Country until the treaty is consummated. If this guard was not in existence our labors would be inefficient compared to what they are— The lives of the emigrating party would be sacrificed, & also the lives of the citizens of Georgia would be in danger—

I can say that the prospects of a general treaty is flattering, but we must prepare for the work as good generals in time of war. Keep what we have & gain the balance. The officers of the U. S. in this Country & myself wrote you a joint letter on the subject of granting indulgence to the treaty party in their possessions while they remained according to the promises of the U. S. which I hope you have received before this.

Of course this letter is not for publication. I shall write to you again—

Your friend
John Ridge

When Mr. Payne and Chief Ross were arrested by the Georgia Guard, they were brought to Spring Place, and confined in a log cabin at the house of Joseph Vann,⁸ a wealthy, mixed-breed. The Vann House (now reconstructed by the Georgia Historical Commission) was the noblest establishment in the Cherokee country. Built in 1804 near the Moravian Mission on the Federal road, it was a great landmark.

In 1834 Colonel Bishop took possession of it in a rather dramatic manner. A Georgian by the name of Spencer Riley had occupied the house which he claimed as his property,

⁸de Baillou, Clemens, "The Chief Vann House at Spring Place, Georgia," *Early Georgia*, 2:3-8, Spring, 1957.

and with his band of followers had fortified himself in the upper stories. Colonel Bishop decided to seize the place, and appeared with his riflemen. A battle flashed between the two parties, while the legal owner and his family huddled together in a corner of the lower floor. Riley was finally dislodged, Vann driven out, and Bishop took over. He later transferred this house to his brother Absalom, and took the Moravian Mission buildings as his own.

For those who are interested in seeing how things developed, quotations are given here from two letters written about two years later by John Mackay of Savannah. Mr. Mackay had graduated from West Point in 1829, and was serving as a United States officer in the Cherokee territory. (His letters, the property of Miss Clermont Lee of Savannah, are now in the files of the Colonial Dames there.) He wrote to his mother: ". . . the Indians are still of the opinion they are not to emigrate. They are willing to give up every foot of good land to stay, and actually think, though told the contrary, that John Ross can get the treaty changed, and they will be permitted to remain. . . . If Jno. Ross would tell them he could do nothing for them, perhaps they would realize their true position, but if he were to tell them to stay and to resist, they would most certainly do so." Further on in Mr. Mackay's letter is a remark that seems to agree with Payne's opinion: ". . . The General commenced discharging the Militia. They have committed fewer outrages than I expected, though they have in some instances behaved badly enough; at all times they are a greater terror to their friends than their enemies."

The situation at Spring Place is described in another letter of Mr. Mackay, as follows: ". . . It is a terrible country too for a peaceable man, at the election in October, 1837, the Bishop party took possession of the Court House and streets, and shot at all of the opposite party, who came to vote. There were 23 men, women and children wounded in the course of the day and no legal election, in fact, no court has been allowed to sit in Murray County for some years. The Pistol and the Bowie Knife take the place of law, and there are few respectable people there besides the Cherokees. The room I occupied had a number of rifle ball holes in the sides and doors and the *Lady* of the house had once been wounded in the leg in a fray in the same house. Before I left it, however,

I wished the ball had done more execution, for she chewed tobacco at the supper and breakfast table."

The *Augusta Constitutionalist*, which printed Payne's letter and his Cherokee address, was not the only voice raised in Georgia. Many deplored the action of their government and shared the views of David Crockett of Tennessee. He, with Theodore Frelinghuysen and Edward Everett, Northern congressmen, was active in the fight for justice and humanity.⁹

The following letter from Payne to Daniel Webster written immediately after his arrest is a powerful statement in the defence of the constitutional rights of an American citizen:¹⁰

Knoxville, Tennessee, Dec. 1, 1835

Private./
Sir,

I have the honor of submitting to you the statement of a gross violation of my rights as an American Citizen. You will perceive, from the nature of the offence, that it is not a case which ought to be passed over without such notice as may prevent a recurrence of similar wrongs. I do not feel thus because I am the sufferer. I should feel the same had it occurred to any other American. Every one who considers the affair seems excited by its enormity.

I place my statement before you, in the hope that you will reflect whether there is not some way in which the outrage may obtain proper reproof from those high in the councils of my country. If we must endure these things in silence, we cannot consider ourselves as freemen. It is only to the eloquent & the great that the humble can look for protection when oppressed.

Should any further information be desirable, I shall probably reach Charleston, S. C. by the time you could enable me to hear of its being wished for.

I have the honor to be,

Sir

Your very faithful and obedient humble servant
John Howard Payne.

Hon: D. Webster

⁹Starkey, Marion L., *The Cherokee Nation*. New York: Alfred Knopf, 1946, pp. 124, 284.

¹⁰The original letter is in the Fales Collection, New York University Libraries. It is reproduced here with permission of Mr. Edward Lazare, Rare Book Librarian.

Daniel Webster was at that time United States Senator. No reply to this or record of any action taken in the matter have so far been found.

The second item herein published, the address written for the Cherokee nation to the people of the United States, is impressive for its epic qualities. Payne speaks not only for the Cherokees, but blends his literary style and feelings with theirs; an almost biblical, dramatic style with a touch of classical rhetoric had become their own. The simplicity of early Christian civilization had developed under the influence of missionaries, and with it purity of feelings and expression. This address, far from being merely a political pamphlet, will be remembered for its literary value.

True human dignity and the expression of it is always beautiful. Payne wrote with dignity and with the vigor of a deep conviction. From every point of view it seems proper and valuable to bring these documents again to light. Moreover a few vivid figures that he has drawn for us will not be erased from our minds: the incomparable grandeur of Captain Bishop on his Bucephalus, curvetting with a fine show of mettle, but perfect safety for his rider; and later, when Payne is released, the venerable Going Snake "eloquent with looks of joy."

Clemens de Baillou

John Howard Payne to His Countrymen

The Augusta Constitutionalist, Wednesday Morning, Dec.
23, 1835

At the instance of Mr. John Howard Payne, I hand for publication, his address to his countrymen of the United States, giving an account of his abduction from the State of Tennessee, and of his imprisonment and brutal treatment in this State by the Georgia Guard. To none of his countrymen is it so important, as to those of Georgia, to be acquainted with the facts of this outrage. Every man of patriotic feeling within its borders, will regret that any power *with the semblance of state authority*, should have acted in such a Banditti-like manner towards the amiable and talented author of "*Home Sweet Home!*" And for the credit of the State will desire, that the principal actors may be made to suffer the punishment of crimes so flagrant and disgraceful to the country.

ROBERT CAMPBELL,
Augusta, December 18th, 1835.

[*From the Knoxville, (Tenn.) Register.*]

John Howard Payne to his Countrymen.

A conspiracy has been formed against my reputation and my life. From the latter I have just escaped, and very narrowly. I would protect the former and therefore hasten to acquaint the public with the truth regarding this extraordinary affair.

It has long been well known that in August, 1833, I published proposals at New York, for a literary periodical. The prospectus stated as a part of my plan, that I would travel through the United States for the double purpose of gathering subscribers and material; and especially such in-

formation regarding my own republic as might vindicate our national character, manners and institutions, against the aspersions of unfriendly travellers from other countries. In the pursuit of these objects, I have for upwards of a year been upon my journey. I have visited Ohio, Kentucky, Missouri, Illinois, Mississippi, Louisiana and Alabama. In each of these States I have been honored with most flattering hospitality and support. Some time in August last, I entered Georgia, on my regular course northward through the Carolinas and Virginia. I was induced by the descriptions I had heard of the beauty of its mountain region, to turn somewhat aside from my road in order to seek the upper parts of the State: for I was anxious, in any thing I might write hereafter, to leave nothing which deserved admiration untouched. I went to Tellulah, Tuckoah, the cave in Cass county, the Gold Region and the falls of Amacooloola. A mere accident led me among the Cherokees.—The accident was this:

In the course of my rambles, I met with Dr. Tennille, of Saundersville, brother to the Georgia Secretary of State. This gentleman spoke to me of the Cherokees. He suggested that their history for the last 50 years, could it be obtained, would be one of extreme interest and curiosity, and especially appropriate to a work like mine. I knew next to nothing then of the Cherokees. I had been in Europe when their cause was brought so eloquently before the public by Mr. Wirt, Mr. Everett, and others. The hint I speak of led me to ask about them. The more I heard, the more I became excited.—I obtained letters to their leading men and went into the nation. Circumstances, however, had induced me to relinquish my first purpose of proceeding so far as the residence of Mr. Ross, their Principal Chief. But I was told that Mr. Ross possessed a series of letters which had been sent to him by his predecessor in office, Charles R. Hicks, detailing memoranda for the earlier history of his country; and that he himself had taken up the narrative where it was discontinued by the other, extending it to the year 1835. I was encouraged to believe that were I to call on Mr. Ross he would not only readily allow me the use of these manuscripts, but be gratified in an opportunity of seeing them made public. I therefore resumed my original intention

and on the 28th of last September rode into Tennessee to the residence of Mr. Ross.

By Mr. Ross I was received with unlooked for cordiality and unreserve. I felt the deeper sympathy for him because I found him driven by the hard policy against his nation, from a splendid abode to that of a log hut, of but one single room, and scarcely proof against the wind and rain. He had a part of the letters of Mr. Hicks, but of the continuation by himself I had been misinformed.—He told me, however, that any or all the documents he had were at my service. I thought if he were disposed to allow me to take these with me and transcribe them at my leisure, he would have proposed it; but as he did not, I began to make copies where I was—intending to confine myself to very few. My first calculation was to limit my visit to a day; but I thought I should now be warranted in prolonging it three or four; my task, however, detaining me longer than I expected, Mr. Ross urged me to remain until the meeting of the Council.—He told me that he could then shew me all their leading men. He thought, besides, that two gentlemen, who have made valuable researches into the antiquities and the language of the Cherokees would be present. To the arrival of the Reverend Commissioner, Mr. Schermerhorn, I also looked with interest. I believed him to be the same Mr. Schermerhorn who was in an upper classmate when I entered College; we had been intimate there: I had not met him for five and twenty years, and was solicitous to talk over times long past.—In addition to these great inducements, I felt a deep attraction in the opportunity of witnessing the last days on their native soil of the last of the nations of the redmen. I determined to see the opening of the Council.

My stay with Mr. Ross having been so unexpectedly protracted, of course the range of my collections was extended. In addition to the literature and the anecdote of the nation, I involuntarily became well acquainted with its politics, because I had transcribed nearly all the documents relative to the recent negotiations for a Treaty. I thought these curious, not only as historical evidence, but as specimens of Indian diplomacy, more complete than any upon record in any age or country.—I confess I was surprised at what

these papers unfolded regarding the system pursued by the agents of our government, and I thought if the real position of the question were once understood by our own country and its rulers, their ends would be sought by different and unexceptionable means. Though no politician, as a philanthropist, I fancied good might be done by a series of papers upon the subject. I conceived, as an American, it was one of the most precious and most undisputed of my rights, to examine any subject entirely national, especially if I could render services to the country by such explanations as peculiar circumstances might enable me to offer. For this purpose I commenced such a series as I have spoken of, but having written one number, I thought I would lay it by for reconsideration, and forbear to make up my mind finally until I saw how matters were carried on at the Council then approaching. The number in question was consequently put aside—and no second number ever written. It was signed "Washington." The mention was brief and incidental. It was such a paper as we see hourly upon our public affairs, only somewhat more gentle and conciliatory. Among other things it mentioned of necessity the Georgia Guard. It spoke of their outward appearance as more resembling banditti than soldiers; and alluded to the well known fact of an Indian prisoner who had hanged himself while in their custody, through fear that they would murder him. I wish the reader to bear this paper in mind, for it will be particularly noticed more than once again; and at the same time let it be remembered that it was never printed, nor made known in any way, but kept among my private manuscripts, until the proper season for publication had gone by. Indeed, the very plan of which it was meant for the beginning, was ere long merged in another. It had been suggested that great service might be done by an address to the people of the United States from the Cherokees explaining fully and distinctly, all their views and feelings. I was told that no one had ever possessed such opportunities as mine had been for undertaking these. I took the hint; and felt gratified in the opportunity of enabling the nation to plead its own cause. I promised to prepare such an address, and if approved, it was to be sent round by runners, for the signature of every Cherokee within the country. I confess I felt proud of an advocacy in which some of the first talent

of the land had heretofore exulted to engage. I only lamented that my powers were so unequal to my zeal.

The Council assembled. One of the first inquiries of the Reverend Commissioner was for his former friend; and I felt happy in the wilderness to recognize one whom I had known so early in my life. I accompanied him by his invitation to his cabin. I found him strongly prejudiced against Mr. Ross. He introduced me to Major Currey, the United States' agent. Major Currey, as well as Mr. Schermerhorn, proffered any documents or books or other facilities which might aid me in my search for information. They urged upon me to read some papers they were preparing against Mr. Ross and the council. I *did* read them. I entered into no discussion, but then, as at all other times, briefly assured Mr. Schermerhorn with the freedom of an associate in boyhood, that I conceived his course a mistaken one, and that I was convinced it could not lead to a treaty. The same thing had been said to him by many. He replied in a tone of irritation that "he would have a treaty in a week;"—"John Ross was unruly now, but he would soon be tame enough;"—and on one occasion he asked a gentleman connected with the then opposition party in the nation—"if the wheels were well greased," and informed me that an address in Cherokee, was coming before the people, which I inferred from his words and manner was expected to produce a sudden influence fatal to the cause of Mr. Ross. He also introduced me to Mr. Bishop, captain of the Georgia Guard, whose manner then was perfect meekness. A few half jocose words passed between Mr. Bishop and myself. He asked me how long since I *arriv*, named the Cherokee question, and I replied to him that I differed with him in opinion. "This is the case with most of you gentlemen from the north," he replied. "It is not," said I, "because I am from the north that I think as I do, but because I am jealous of our national honor and prize the faith of treaties." "You would feel differently if you had the same interest we have." "I should hope I would forget my interest where it went against my principle," I observed. Mr. Bishop laughed and so did I, and thus we parted. After this I abstained from visiting the quarters of Mr. Schermerhorn, not wishing, as the guest of Mr. Ross, to expose myself to the necessity of acquiescing

in disagreeable remarks against one whose hospitality I was sharing, or of being drawn into irritating discussions. The proceedings took the very course I apprehended. Mr. Schermerhorn's plan defeated himself; and when I next saw him it was upon the council ground. Lieut. Bateman of the United States' army was standing with me when he came up. The conversation necessarily turned upon the Treaty. I repeated my doubts as to the policy of his course, and he again declared he would have a treaty—and forthwith. I asked him for some documents he had promised. He said he would gather them and send them to New York. I pressed him for them at once,—because I had already every thing from the other side and wished the entire evidence, for I meant to write a history of the Cherokees; and, added I, laughing, “don't complain if I use you rather roughly.” I saw that he was chafed, although he forced a smile. “No,”—replied he—“but if you do, don't complain if I return the compliment.” “Certainly not,” said I, “if you can shew that I deserve it,” and he departed in apparent good humor, and I saw no more of the Reverend Commissioner.

The negociation was broken off. The Council adjourned. Mr. Ross pressed me to return to his house, which I did, for the purpose of awaiting the journey of a messenger, whom he had promised to send some 80 miles across the country, for a complete file of the Cherokee Phoenix newspaper, of which, after long search, I had made the discovery and obtained the offer. During the absence of the messenger I renewed my transcription of documents. I also completed the address for the Cherokee nation. It was approved, and measures were to be taken for obtaining the signatures of all the people. It was now Saturday evening, November 7th. I had determined on Monday morning to depart, taking, on my road back through Athens, the Stone mountain of Georgia, a view of which had been one of the leading objects of my journey. Some bustle had taken place that afternoon with a person from whom Mr. Ross had purchased his present place of refuge. The man had returned to plant himself within the boundaries of the estate with which he had parted. Mr. Ross sent out all his negroes and other men, to throw up a worm fence and mark his limits and some dispute was apprehended. It was supposed that the measure was a pre-

concerted one, for the purpose of showing that the threat of harrassing the Indians more and more, was real. All however, seemed quiet enough. Mr. Ross and myself were engaged the whole evening in writing. My papers were piled upon the table, ready to be packed for my approaching journey. At about eleven, I was in the midst of a copy from a talk held by Gen. Washington, in 1794, with a delegation of Cherokee chiefs. Suddenly there was a loud barking of dogs; then the quick tramp of galloping horses, then the rush of many feet; and a hoarse voice just at my side, shouted “Ross! Ross!”—Before there was time for a reply, the voice was heard at the door opposite, which was burst open. Armed men appeared. “Mr. Ross”—“Well, gentlemen”—“We have business with you, sir.” Our first impression was, that there had been a struggle for the boundary and that these men had come to make remonstrance. But instantly we saw the truth. The room was filled with the Georgia Guard—their bayonets fixed, and some, if not all, with their pistols and dirks or dirk knives. An exceeding long, lank man, with a round-about jacket, planted himself by my side, his pistol resting against my breast, “you are to consider yourself as a prisoner, Sir,” said he to Mr. Ross. “Well, gentlemen,—I shall not resist; But what have I done? Why am I a prisoner? By whose order am I taken?”—“You'll know that soon enough.—Give up your papers and prepare to go with us,” and then a scramble began for papers. I had not moved from my place, when the long lank man, whom I afterwards found was Sergeant Young, leader of the gang, began to rummage among the things upon the table. “These, sir,” observed I, “are *my* papers. I suppose you don't want these.”—Young, his pistol still pointed, struck me across the mouth. “Hold your d—d tongue,” he vociferated. “*You* are here after no good. Yours are jest what we *do* want. Have your horse and be off with us. We can't stay.” It was useless to reply. I asked for my saddlebags. They said I might take them if there were no arms in them. I said there *were* arms, and my pistols were required. The Sergeant took them and was at a loss how to manage the straps which confined them under my vest.—“How the d—d are these put on” exclaimed he.—“Come—put 'em on me.” This was too much.—I turned upon my heel, and this unfortunate creature seemed for a moment

to feel the reproof, and blundered into the paraphernalia as he could. A person, whom I afterwards learned was a mere amateur offender in this lawless affair, Mr. Absalom Bishop, a brother of the Captain of the Guard, the one commonly called Colonel—was exceedingly officious with Mr. Ross. He insisted on the correspondence, especially the recent correspondence of the Principal Chief; and was peculiarly pert and peremptory in handling the contents of his portmanteau. There was another amateur in the affair, Mr. Joshua Holden, a big, sanctimonious-visaged red-skinned man, whose voice I never heard, but who, from the evening of our capture, to the hour of my departure, I saw busy, moving to and fro, on all occasions, apparently as a sort of fac-to-tum for the dirty work of the establishment.—We set away. The greater number of the horses had been left at a distance, in the road. When all were mounted, our cavalcade consisted altogether, I believe, of six and twenty—Mr. Ross and myself included, and we two were permitted, generally, to ride together, the guard being equally divided in front and rear of us.—The earlier part of the night was bright and beautiful. But presently a wild storm arose. The rain poured in torrents. The movements of our escort were exceedingly capricious;—sometimes whooping and galloping and singing obscene songs;—and sometimes, for a season, walking, and in sullen silence. During one of the pauses in the blended tumult of the tempest and of the travellers, I chanced for a while to find myself by the side of the smooth and silky Mr. Absalom Bishop. My mind was absorbed in recollections of the many moments, when abroad, I had dwelt upon my innocent and noble country. I remembered that in one of those moments I had composed a song which has since met my ear, in every clime and in every part of every clime where I have roved. At that instant, I was startled by the very air on which I was musing. It came from the lips of my companion. I could scarcely believe my senses. It almost seemed as if he had read my secret thoughts. “What song was that I heard you humming?” “That?—‘sweet home’ they call it, I believe. Why do you ask?” “Merely because it is a song of my own writing, and the circumstances under which I now hear it, struck me as rather singular.” My partner simply grumbled that he was not aware I had written the song; but added

knowingly, that it was in the Western Songster, and the verses there generally had the authors' names annexed.—We halted at Young's. It happened curiously enough that the Western Songster was the first object which caught my view upon the table, standing open at “Sweet Home,”—and fortunately for my character, with “the author's name annexed.” I pointed it out to Mr. Ross and we both smiled. This man, Young, at whose house we halted, like others connected with the Guard, keeps a tavern. Excursions of this nature present favorable opportunities for taxing the State for expences—and, I am told, they are seldom overlooked. Our band of six and twenty took supper at Young's. They had scarcely entered the room, when some one struck up—

“We're crossing over Jordan,
Glory, Hallelulah!”

and our sergeant landlord sprawled before the fire and began to talk literary. He reckoned I had heard tell of *Marryboy*. I assured him I did not remember any such author. “What! Not his system of *nater*?” I replied, perhaps he might mean Mirabeau. “Ah! Yes, that might be. He and Wolney and Tom Paine were grand writers. Was Tom Paine any kin of yours?” Something was said of the Bible; but of that our friend disclaimed much knowledge: he didn't believe he'd ever read fifteen chapters, but *Marryboy* he liked of all things.

It was announced that we had lingered long enough, and the horses were brought out. Young, himself, remained at home; but most of the residue dashed recklessly onward. Our four and twenty miles through the forest was completed by daybreak. All were drenched in the heavy showers and covered with mud. As we entered the enclosure, the guard were ordered into line; their musquets were discharged in triumph for their splendid crusade against one little goose-quill, and we were directed to dismount.

We went to our prison. It was a small log hut, with no window and one door. At one end was what they call a bunk—a wide case of rough boards, filled with straw. There were two others on one side of the room, and opposite to them a fire place. Overhead were poles across, on which hung saddle bags, old coats and various other matters of the same description. In one corner sat an Indian chained

to a table, by the leg, his arms tightly pinioned. We found it was the son of the Speaker of the Council, Going Snake. They had charged him with refusing to give in his name and the number of his family, to the United States Census Taker. He denied the accusation, but his denial was unheeded. He smiled and seemed patient. They removed him and left us the only prisoners; but never alone. The door was always open.—The place was a rendezvous for all the guard and all their friends. Two sentinels with musquets loaded and bayonets fixed, kept us always in view; the place of one was in the house, and of the other outside. I was wet to the skin, fatigued, and unconsciously sighed; at that moment I saw two of the young men exchange looks and laugh. Throughout the day I heard dark phrases which I interpreted to betoken some intended mischief. Several people came in to look at us, and we were shown the largest bunk, which was set apart for our use, and there we tried to sleep. Presently my saddle bags were demanded, examined and after awhile returned. I heard a guard say that not a soul ought to leave the lines that day; all were bound to remain as witnesses. Another asked a companion what he would be doing, were it not Sunday.—The companion made the motion of wielding a scourge and with a grin, declared "*that!* and glad of a chance, too." "Where's Tom?" asked one. "Gone to preaching," was the reply. "Oh, H—ll!" rejoined a third and a hoarse laugh followed. Then some one struck up

"Jenny will your dog bite?
No sir, no."

Which was responded to by

"Jesus the glorious,
Reigns here victorious."

And from another side came

"I'll not go home till morning, till morning,
I'll not go home till morning."

And then there would be a huddling off to fire pistols; and thus passed the Sabbath. I ought not to forget that in the course of the day I saw Mr. Absalom Bishop, talking to some strangers. All stared frowningly towards me and I heard

Mr. Absalom, as I passed, muttering low, as if finishing a sentence, "best leave the country." Towards evening I asked who was the officer in command. I was told the Quarter Master. I sent for him and he answered he was busy, but would come by and by.—When he appeared I asked if he would send a letter for us to an officer of the United States Troops at the Agency, provided we would pay the cost of an express. He asked why we wanted to send? I said perhaps a message might be returned which would set our affairs right.—The Quarter Master muttered that "that would be rather contrary to orders," gave a puff or two of his pipe and walked away, all the rest in the room following and for the first time leaving us a moment by ourselves. The long night came. Some ten or twelve remained in our room, the floor being paved with sleepers. I heard an order spoken of during the night that no one was to be allowed to enter that room; but when the drum was tapped at day break, every man was to fly to his gun. Long before morning several got up and sat around the fire smoking and talking. "Ah," said one, "there must have been some beautiful slicking done last night!" And then stories were recounted of exploits upon people around. One small house had been tipped over, to dislodge the tenants: into another they had broken through the roof.

"First one timber fell—and the family tumbled on their knees."

"Ha! ha! ha!"

"And one began to beg."

Here was another roar.

"And the little ones squalled 'mammy—mammy.'"

Now they all mimicked crying children.

"And then the old woman fell to praying."

Here was a deafening shout of laughter, which was so long continued that they became exhausted, and we had some repose. Some where about this time a house in the town had been attacked as far as we could gather, by a mob, and violence committed, but all knowledge of the rioters was denied by the guard among themselves, though the attack was a constant theme of conversation, and all the particulars connected with it detailed.

The time dragged on most drearily. In a day or two

Young returned. He seemed in better humor. He brought me a couple of volumes of Gil Blas and the "Belgian Traveller." He also brought some clothes for Mr. Ross. He said too, he had my pistols and I could take them when I liked. He told me he wanted to subscribe for my periodical. He hoped if I ever mentioned him I would speak well of him. I assured him I would speak as well as I could, but I must tell the truth. "Ah," said he, "you've abused us already. We've got a letter where you say the guard look like Banditti." I replied that the letter was never published and of course could form no part of the excuse for my arrest. "No matter," added he, "you ought'nt to have abused the guard."—I need not remark that this was the letter I have alluded to before. I pressed Young to let us know in what grounds we were arrested. "Why" he said, "can tell you one thing they've got agin you, only you need'nt say nothing that I told you. They say you're an abolitionist." I could not help laughing at the excessive absurdity of this, and considered it as a mere dream of the man, whose brain often seemed in the wrong place. At the same time he told Mr. Ross that the charge upon him was, that he had impeded taking the Census. Mr. Ross repelled the accusation indignantly, and required to be heard and to know his accuser. Young said all he could tell was that Major Currey gave him the order for our arrest; that he had not only a written, but a verbal order from Major Currey, and upon that we were taken.—What the verbal order was, he would not tell to any body. We asked how long we were to be confined? He said till Col. Bishop returned from Milledgeville. We requested to know when that would be? "About Christmas." I then asked to write to the President of the United States. It was refused. I asked to write to the Governor of Tennessee. It was refused. I asked to write to the Governor of Georgia. It was refused. And I was also denied my request to communicate with my friends at home. I asked Young if he was an officer of the United States. He replied that he was not. Mr. Ross then asked him, how, if he were not an officer of the U. States, he came to obey the order of Mr. Currey by passing over the boundaries of Tennessee. He replied that in Georgia it was not law, it was all power. I then observed that the rights of an American Citizen were

sacred.—They were secured to him by the Constitution and that to trample upon them thus wantonly would render his, or any man's situation, a very dangerous one with the people of a country like ours, who must look upon it as their common cause. "Pooh," replied he, "that might have done very well once; but, lord? don't you know that's all over now?" This was, of course, unanswerable.

In the meantime, a suggestion was made to us, in a very unexpected way, of a plan of escape. We looked upon it with suspicion, and thought it best not even through curiosity to give it encouragement. It appeared to us that it might be a plan even should it succeed to make us seem in the wrong; and we knew that attempts of that nature, which had not succeeded, had generally been fatal. We thought it safer to be patient. I contrived, however, to elude the vigilance of my watchers. I found among my clothes a letter of introduction from one of the first merchants of Athens to a Lawyer in Floyd county, Georgia. There was blank room enough in it to allow me to turn the sheet and to write inside. I had a pencil in my pocket. While pretending to read a newspaper, I scribbled by snatches an appeal to the Governor of Tennessee. It was conveyed out of the lines, to a friend who inked the superscription and made a copy from the inside, which he afterwards gave me; but I have mislaid it. An express, with the most kind friendship, flew across the country with this letter to the Cherokee Agency, and thence it was forwarded by another express to Nashville. I have not yet learned the result.

We now heard that a brother of Mr. Ross and another gentleman had in vain sought to see us. We next obtained information that a son and a friend of Mr. Ross had arrived. After much demur, Mr. Ross was allowed to speak with his son, provided he only conversed on family affairs. The father and son met at the steps of one entrance to the enclosure. The steps were filled with curious listeners. When attempting to utter a syllable of domestic enquiry, to his son in Cherokee, Mr. Joshua Holden suddenly interdicted Mr. Ross from proceeding.

One afternoon, subsequently, there was an arrival which gave great joy to Sergeant Young. Some guards returned from furlough with Governor Lumpkin's valedictory mes-

sage;—with news that Mr. Bishop had got the better of an old enemy in a street affray at Milledgeville and that a sort of patron of Young, by the name of Kenan, had been elected Judge of the Supreme Court in Georgia. At this last intelligence Young frisked about like a lunatic. He drew my pistols and fired them off in triumph. He whooped, he laughed, he capered. He ran into our room. "Aha!" exclaimed he, "He's the fellow that will bring down the constitution."—I replied I thought it would have been much better to have found some *fellow* that would bring it up. It was down low enough already.—But Young seemed to look upon this election, especially when coupled with the appointment of two of his family connexions to high places in the state, as a source of great hope for his own advancement, and was perfectly bewildered with exultation. In the evening, a newspaper was produced, containing Gov. Lumpkin's valedictory message. There were some envenomed passages in it against Mr. Ross. Young had already put it into the hands of Mr. Ross and then desired me to read it aloud. I objected. I appealed to his own sense of decency, but he persisted, and when Mr. Ross united with him, I read the passage, and gave the hearers the full benefit of this petty triumph over a prisoner in their power.

The next change which occurred, was, the determination of the Sergeant to post off to Milledgeville. When he communicated this to us, Mr. Ross asked to be conducted with him thither, that he might learn from the Governor and the State why he was detained, and answer his accusers. This was denied. But the Sergeant promised he would take a letter. Soon afterwards the polished Mr. Absalom Bishop made his appearance. He had understood from Mr. Young that Mr. Ross wished to address the Governor. If, on seeing the letter, Mr. Absalom Bishop should find it might facilitate the settlement of the Cherokee question, he would himself be the bearer. This seemed to me, especially in an unofficial person, a piece of the most arrant impertinence I had ever heard; but both Mr. Ross and myself had long since ceased to wonder. I took occasion myself at the same time to repeat my request for leave to write not only to the Gov. of Georgia, but to the Gov. of Tennessee, to the President and to my friends. I received

this extraordinary reply: "Your fate will be decided and the result made public, before any communication can reach either of the persons you have named." I pressed to know on what charge I was imprisoned. Mr. Absalom Bishop remarked that I would learn ere long from the proper authority; and added, with a simper, "you are not in so bad a fix as Arthur Tappan, for I see by the papers that they are parading him with a halter round his neck." Mr. Ross, with some warmth exclaimed, "I hope, Sir, you do not compare our case with his." "Indeed, Sir," smiled the gentle Mr. Absalom, "Mr. Payne has for some time been under suspicion as an abolitionist," and still the charge seemed to me so ridiculous that I could not but join Mr. Absalom Bishop in his smile, and I answered, "Oh, if that's all it can soon be settled." "No," replied my comforter, mysteriously, "that's not the only charge; but you will know in time, and a fortnight cannot make much difference."—Mr. Ross was now supplied with paper and Mr. Absalom Bishop remained to watch him. When the letter was completed, the guards were already crowding the door way, their eyes and ears and mouths distended with curiosity. Mr. Ross folded the letter and handed it to Mr. Absalom. He very deliberately opened and read it; and replied he thought it might do and then went out, followed by Sergeant Young. After a while, both returned. Mr. Absalom Bishop observed that he wished a postscript, more distinctly assuring the Governor that Mr. Ross was desirous of making a Treaty speedily, and that he urged a release forthwith, merely in order to accompany the delegation to Washington and accelerate the treaty. Mr. Ross pointed out a part of his letter which already stated as much. But Mr. Absalom Bishop thought a postscript advisable and so the postscript was added and pronounced satisfactory and the letter and its bearer disappeared, and I could almost fancy the genius of his country exclaiming after him, with uplifted eyes and hands as he went, "Oh, Absalom, my son! my son! !"—The departure was fixed for the next day. But in the meantime there arose trouble in the camp. Sergeant Young heard a guard complaining of him and rushed at him with a club. The guard struggled and Young drew my pistol on him. The rest of the troop caught the Sergeant's arm and saved

their comrade. Young afterwards was grumbling at this failure. "I have paid 1500 dollars already" said he, "for shooting and *stobbing*, and I think I can raise another 1500." He next entertained us with a story of his revenge upon a negro slave of his, whom he had caught stealing. He had shaved the fellow's ear close off with a razor, and the d...d rascal," added he, "said he never could hear after that, and it was a d...d of a while before the place healed up."

I confess it somewhat annoyed me to find my pistols in the constant wearing of this person. I had frequently given him hints, after he had promised to return them; but he took no notice. One morning I remarked—"these pistol straps will be worn out before I get a chance of putting them on." "I reckon not," said Young.—"They'll last till spring, I take it."—But now that he was preparing for a long journey and an indefinite absence, I thought it expedient to request their return explicitly. He demurred—would take it as a great favor if I would lend them to him—he should be back long before I could get out—he would do as much at any time for me.—Then, suddenly recollecting himself—"I know," said he, "I've behaved like a d...d mean man to you." "Yes, you have," observed I, "you struck me." "I know I did, and I've hated it ever since." "I never named it," I replied, "but I never forgot it." "But you'd better," added Young, "you'd better let me have the pistols—I'll buy them—what did they cost?" I named the cost and he cried "I'll leave 'em. I'll give 'em to the Quarter Master to keep." The pistols were eventually sent out of the lines to a son of Mr. Ross, from whom I have since obtained them. But their withdrawal seemed to sink deep into the Sergeant's mind. In speaking of it to him, I remarked, "my own things may as well be under my own command. I did not seek the pistols because I thought them of any great importance as a defence; for, whatever may chance, I suppose our lives are safe enough." "Maybe not," observed the Sergeant. Soon afterwards another conversation arose. "Did I understand you rightly," observed I to the Sergeant—"or were you only joking, when you said awhile ago, that our lives were in danger here. You surely could not mean that we were in danger." "You see the sort of company you've got into," replied he, "I can't answer for any body

when I'm once away. However, there's one honest man here, and I'll put you under his charge.—Riley Wilson's an honest man, I've plenty of enemies in these lines. But I'll not be made an instrument of by any man. When I go away now, I'll wash my hands of the whole concern. No man shall make me an instrument. I'll not bear the whole brunt of this affair, I'll assure you." I made a very serious appeal to him, but he took no heed of it, nor did he recall his words, but left us thus for Milledgeville.

He had not long been gone, when I chanced to fall into conversation with a young man of the party, and asked him whether there was any prejudice afloat against us? If there was, I should be glad to know, what it was and whence it arose. He inquired why I made the question. I told him Young's assertion of our being in danger. It flew like wildfire through the lines. The room was filled on the instant and I told the whole story, which was confirmed by Mr. Ross. Some proposed to pursue Young instantly, tye him to a tree and "give him the hickory." Others threatened to fling him over the lines whenever he should return. I assured them I did not believe he meant more than to annoy us; but they declared he was too fond of tormenting prisoners; that there was no person there at all inclined to impose on a prisoner but Young; and it was time he should be taught better or withdraw. They asserted that there was not a man on the hill but respected both of us, and we might rely on their support. The burst of good feeling which appeared on this occasion convinced me that most of these persons, in conscientious hands, might be moulded into valuable characters. It is their misfortune to be governed by men whose fitness may be gathered from the facts I have detailed, and youths, as many of them are, of unformed principles and habits, cannot but be endangered by such directors; especially as their captain, for electioneering purposes, cajoles them into a blind devotedness to him and to any thing he may propose, no matter how outrageous. They now seemed for a moment to feel how much their reputation had been darkened by their leaders. "Yes," one exclaimed, "this is the way that that Indian lost his life. He was told by a man who talked Cherokee that the Guard meant to come in during the night and cut his throat, so

he hanged himself on the pole there that crosses at the foot of your bed."

In the afternoon of this day, there came a great and unexpected revolution in the affairs of our little world. There was a sudden announcement of the arrival of the Captain—Colonel Bishop. An express was instantly sent off to recall Young and Absalom Bishop, with their letter, from Milledgeville. Next morning, at breakfast time, the mighty chieftain appeared. He is a dapper, well dressed, and well made little man, with a grey head and blue coat, well brushed, and bright yellow buttons. I had already remarked that his Bucephalus seemed trained to curvet and plunge like Circus horses—with a great show of mettle but perfect safety to the rider. In manner, his grandeur was somewhat melodramatic. I have seen Napoleon Bonaparte—I have seen the Duke of Wellington—I have seen the Emperor Alexander—the Emperor Francis—the King of England—the King of Prussia—I have seen Ney—Rapp—Blucher—Swartzenburg—in short, I have seen most of the contemporary great men of Europe, as well as America;—but I have never yet seen quite so great a man as the Tavern Keeper, Clerk of the Court, Postmaster, County Treasurer, Captain, Colonel, W. N. Bishop. He was now no longer the meek Moses of the Council ground. He was all emphasis and frown to the poor prisoners in his power, but with a peculiar affection to his men of *bonhomie*.—He came into the mess room, exclaiming "Ah, boys!" (for *Boys* is the cant word by which they speak to and of each other in the lines)—"Ah, Boys! how are you!" and he walked round, shaking hands with each of the boys; but to both of us he was especially cold and formal; to me, he scarcely even deigned a specific nod. Mr. Ross expressed a wish, through one of our sentries, for an interview, but no notice was taken of the request. On the evening of that day, as I was walking to and fro before my prison, reading, a voice bawled out—"Mr. Payne, that was a mistake of yours about what I said," and I saw Young bearing down upon me, flourishing a club. Some one called to the sentry, "guard your prisoner!" and the sentry closed up towards me, on one side, putting his gun in readiness for action; and about thirty of the guard drew nigh on the other. I did not conceive there was any intention on the

Sergeant's part to do mischief, although the guard thought otherwise, and declared if he had struck, it would have been the unluckiest blow of his life. He attempted to deny a part of his words and then to explain them away, but he saw it was of no use, and so the matter ended.

The Sergeant's revenge, however, was rather amusing. He said Mr. Ross and I should turn out of the bunk of which he was part owner. The men laughed, and gave us up one of theirs. Here is another instance of their superiority to their officers. If we were state prisoners, however, we ought not, for our miserable straw, to have been dependent, either upon the men, or upon the Sergeant.

Some where about this time, a very extraordinary incident took place. A Dr. Farmer came into the room with one of the guard. After sitting awhile, he looked at me and said, *Parlez vous francais, monsieur?*—"Oui, Monsieur," I replied. The Doctor and the guard now exchanged looks and both smiled, "*Je parle francais,*" continued I, "*mais je suis Americain.*" The Doctor mused for awhile and then departed with the guard, leaving Mr. Ross and me alone. I observed "this is a strange business. I think that man has something to communicate which may be important and he wished to know if I could speak French, that he might tell me his errand more freely." Mr. Ross asked me what he had said? I replied he only asked if I understood French, and I answered that I did, but was an American. Mr. Ross observed, that he knew nothing of the man but had heard bad stories of his connections. It then occurred to me that the Doctor had merely meant to try his French upon me, and had soon got to the end of his stock. Nor did the scene return to my memory until I heard, on my liberation, that he had become one of my most formidable accusers; that he had said I confessed to him that my parents were French, and that I myself was an Abolitionist!—The Doctor must be within reach of this narrative. If he is innocent of the falsehood, of which I sincerely acquit him, it is due to himself to seek and to expose the inventor.

The next thing we heard, Mr. John Ridge was in the enclosure and closetted with Col. Bishop. It was said he was at first denied an interview with Mr. Ross; but at length Mr. Ross was sent for to meet Ridge and Bishop. After a

few words, Bishop suddenly arose and left them together. When Mr. Ross returned, "It's all out now," he exclaimed to me. "We are both Abolitionists and here for a capital offence. We are the agents of some great men, Mr. Clay, Mr. Calhoun, Judge White, Mr. Poindexter, and the Lord knows who,—and we have both plotted in concert with them to raise an insurrection among the negroes who are to join the Indians against the whites!!!" I could not even yet regard the charge as having ever been made seriously, but Mr. Ross was assured it had been; and he added, "Bishop wishes to screen Currey and take the arrest upon himself; so we had better say nothing about that." In the evening Mr. Ridge had another interview; and on Monday, Nov. 16th, all were closetted for some hours. About four, Mr. Ross entered our room with a bundle in his hand. "I've got my papers," exclaimed he, and dashing them into the bunk we went to dinner.—Bishop and his brother sat opposite. They were silent, and all the party appeared nettled. I will do the brace of Bishops the justice to own that they both, from first to last, seemed in their hearts ashamed to meet my glance, notwithstanding much outward swagger. When dinner was ended, Col. Bishop, giving a sort of menacing look at me, exclaimed to the sentinel, with an emphatic gesture, "Mr. Ross—is discharged." I walked back to my prison. Mr. Ross, after some time, came for his things. He said he was under the necessity of getting home that night; told me to make myself easy, all would come out right. "You have never published any thing about Bishop, or the Guard, in Lumpkin county, have you?" was his only remark.—"Not a syllable," replied I, "either in Lumpkin county, or any other county, in Georgia or elsewhere." "So I said," added he; "and you may as well explain that, when you see Col. Bishop." Mr. Ross seemed in haste. I imagined he had been interdicted from communicating with me, and therefore asked no explanations; especially as the sentry was watching; nevertheless, I requested he would solicit an interview for me with Bishop, and ask a speedy examination of my papers. He went out, and after some conversation with Bishop, came back, and stated that Bishop had business that afternoon which would prevent his attending to me; but the next day (Tuesday) he would see me: and then my com-

panion mounted his horse and left me alone and with feelings and under a suspense and doubt by no means to be envied. This event, I observed, produced an instantaneous effect upon the manner of the guard towards me; but, ere long, some of them seemed to feel a deeper sympathy than ever, and were marked, through silent, in their civility. Others were unusually rude. One man in particular, who was to have been a sort of ruler during Young's intended stay at Milledgeville, became very coarse. "Here" bawled he one day across the yard to me, after I had been forgotten at the first table for dinner,—“here, you old prisoner, you,—come along and eat.” At one time, I apprehended some intention to increase the rigor of my treatment. I heard one of the officers calling for “The Indian chain! Where’s the Indian chain?” This is a chain they keep expressly for Indians, and the captive whom we found there, having been dismissed, as he was taken, without law or reason assigned,—the chain was thrown under one of the bunks in our room and had been awhile without an occupant. But my impression was not realised. The chain was undisturbed.

Although friends and acquaintances were rigorously excluded from my prison, there seemed no exclusion of any one who came out of mere curiosity. A drunken countryman staggered in one day. I was reading. "I've spent all my money" said he, "wating in this yere town to see John Ross and that other fellow." I told him John Ross was gone.—After a while he gave me a knowing wink and touched my elbow—"aye, aye—mighty good books—I like 'em too—I'm all for the ablutions." I asked him what he meant? He then hinted that he had heard John Ross was one of the ablutions and so was—I interrupted him; told him he was mistaken in John Ross, and that I presumed I was "the other fellow," and that the story he had heard against us was all an invention, and if he wanted ablutions, as he called them, he must look for them elsewhere. He begged a thousand pardons; the guard then said it was against orders to talk to the prisoner; and my friend of the ablutions reeled out, bowing and hoping he "hadn't given no offence to nobody, only he *did* want jest to have a look at the ablutions."

The time began to drag on more drearily than ever. I had read up all the books. I had no pen nor ink, nor paper to write

with. My only amusement was parading before the door, and mentally composing a doggrel description of my captivity, of which even the little I remember is not yet committed to paper. Scenes of extreme confusion were occurring hourly in my den. The evenings were almost insupportable. The room was thronged. A violin was tormented into shrieks and groans, which were nicknamed music; there was dancing and singing until tattoo; and, after that, conversation, which exceeded in vulgarity, obscenity, profanity and filth, any thing which I ever could have fancied. Almost the only exceptions which could in the least amuse, were these:—

“Where’s that Saint Helena” said the Sergeant, that Kill Blast belonged to?

Saint Helena, replied I, is the place where Bonaparte died: Gil Blas belonged to another part of the world: Santillane in.....

Ah, Yes—Yes—well—You remember ’most every thing—I wish you’d remember that I’m to take a dose of salts to-morrow morning at four, and tell me of it.

Are you any thing of a silversmith?—asked one of the young men. I want to get some silver work fixed.

Where’s New York? inquired another. In England, a’nt it? No. It is the largest city in our own country.

But you must go to it over the ocean, must’nt you?

You may if you go the right way to work, I replied.

One day the sentry who was guarding me in a ramble round the grounds, made a sudden halt, and dropping down his musquet abruptly, stared me fiercely in the face.

What do you follow when you’re at home?

I paused, returned the fierce stare and replied, Literature.

The man looked astounded. He stood a while motionless, then took up his gun. “Go on” cried he, and we proceeded in silence, he, no doubt imagining that I had made a full confession of my sins.

One evening the importance of knowing how to spell was discussed.

“There’s no use in it at all,” said the oldest of the party; “because there’s two ways to spell every thing.”

Yes, observed I, there’s a right way and a wrong one. Come, now, exclaimed one guard to another, how would

you spell *axe*; we’ll leave it to the man (meaning me) to say which way’s right.

Oh, that’s easy enough—A-X—

No, was the reply, doubtingly, and with a glance at me—

There are three letters, observed I, in the word—

I know, said a third—W-A-X—

That spell’s *wax*, exclaimed the first, in triumph—

E-A-X—cried a fifth—

That’s *eax*, called out the third, with a laugh, and they all looked at me—

There’s the number of letters, and the proper letters if they were only in the proper places—The E is at the wrong end—I observed—

Ah—I know—replied two or three clapping their hands—A-X-E—And so the contest ended.

The remainder of Monday and then Tuesday and then Wednesday passed off in the Col’s paying arrearages to the men and settling accounts; and the men themselves were engaged in trafficking and settling up their little bills among themselves and swapping. From first to last they had been wishing to swap for nearly everything I had, my knife, my pistols, my horse, my whip, my saddle, my watch,—in short, every thing seemed to tempt them; but above all, a buffalo hide which I used over my saddle. My watch was a perpetual torment to me. Every five minutes, at some times for hours, I was teased to tell what o’clock it was; and at night I was desired to hang up my watch that the two sentinels might regulate their movements by it. Some of the guards borrowed money from me; but except a trifle, which was only withheld, probably, because my sortie was unforeseen, all was punctually repaid. During all the remainder of the time, Bishop and his brother avoided meeting me at table, or elsewhere.

And now all pretence of business appeared at an end. Every thing of that nature seemed to wind up with an auction, in which the Captain—Colonel, performed the Auctioneer to his men. Some rifles belonging to Indians who had been shot in attempting to escape capture, were bid off; then a rifle belonging to one of the guards; then a coat; then the “boys” were asked if they had any thing else which they desired to sell, and then the “gentlemen” were thanked for their attention and dismissed.—After this, the Captain—

Colonel, seemed closetted upon secret business. I inferred from some circumstances that he was making copies from among the manuscript documents, I had transcribed regarding Cherokee affairs. They were mostly the same with the papers returned to Mr. Ross, but fairly written and arranged in order and therefore more convenient for a transcriber. During this employ, a fine of twenty dollars was proclaimed against any guard who should approach the door of the sanctum sanctorum and a sentinel was ordered to keep watch and prevent intrusion. All I heard from without, during the week, was that Mr. Ross had sent a messenger, who was prevented from seeing me; and a guard apprised me that he had been requested by this messenger to say "my friends had not forgotten me, in a few days all would come right." I learned afterwards that this informant had proffered to convey to me letters or papers; and a note was consequently given to him, but it never came to hand. I had been told that Mr. Schermerhorn was expected, about this time, and I knew, that if we met, decency would have rendered it imperative on him to bring about my release. I asked Young, and he pretended not to know when the Reverend Commissioner would appear; but observed "he knows all about it, for news was sent off to him at once."

On Friday morning, Nov. 20th, Sergeant Young told me he was going to his home. I had already understood that Col. Bishop was preparing for a journey to Milledgeville. Young had several times bantered me about "when I expected my furlough," and "why I didn't get on my horse and ride off." He repeated his jeers this morning. He asked me if I had not seen the Col. yet? I replied, no: expressed a wish to see him and desired Young to name my wish.—"The Colonel's got nothing again you that I know of, but somem'nt you've writ about us in Lumpkin." I replied I had written nothing in Lumpkin. "Well, then, in Habersham, when you was up there at Clarkesville." I said that was equally a slander; and asked as a point of common justice, at least, to be shown the articles I was accused of having written.—But Young evaded the request, by saying "at any rate, you wrote a letter where you called the guard Banditti, for we found that among your papers; and you ought not to have wrote such a letter."—"Have I not a right

to make what private notes I please? The paper you speak of was never published. Even had it been, no one can be justified in complaining of me for only exercising a privilege guaranteed to me by the constitution of my native country. But it was not published and therefore could form no portion of the cause of my arrest, nor of the pretext for my detention." "I mean to keep them letters" said Young, "in case you should ever print any thing if ever you git out, so as to prove it agin you. I don't give them up. You ought'nt to have said the guard looked like banditti."

It was not above half an hour after this, when I perceived preparations for something unusual. The men were all summoned to be ready at the roll of the drum. My horse was ordered out, as I understood, to be taken to water. But I was convinced, from many signs, that I myself was the object of the mysterious movements. A son of the Colonel kept staring round at me, with intense curiosity and many others looked on in silence, as persons looked upon any one about to undergo some terrible ordeal. The Colonel's horse was saddled and put in readiness; and another horse was also prepared, and Mr. Joshua Holden appeared, equipped for a campaign. At length, the drum beat. I heard the sergeant say, recommending some one to the Captain—Colonel, "He may be trusted." And now one of the guard ran to me—"Your Saddle Bags—your Saddle Bags"—"Why?"—"You're going out."—I went to the bunk—"Is there not some mischief intended?" asked I. "I can't tell; but you'd better make me a present of that buffalo hide." "No," answered I, "it was given to me and has been too good a friend to me in trouble."—The guard took the saddle bags and buffalo skin, and with it a very large and cumbersome cloak and some loose clothes. I found them heaped upon my horse. "The straps to fasten these are not here." "I can't help it." was the answer—"Get on—get on." "I cannot over this pile of things." "You must." "This is not my bridle—mine was a new one and double—where are my martingales? my straps"—"Get on, get on."—I was compelled to mount;—the mass of unfastened things was piled up before me,—the saddle was loosely girted, and the horse was startled, and, as if on purpose, covered with mud. I still claimed my bridle but was conducted in front of the paraded guard,—he who led my

horse muttering as we went "that's the bridle they *said* was yours."—The Captain Colonel stood in front of his men.

"Halt your horse there, Sir, and beware how you speak a word." I attempted to speak,—but he shouted—

"Be silent, sir.—Look upon them men. Them's the men you in your writings have called banditti."

Whether the eloquent Captain Colonel imagined I meant to reply, I cannot say; but he repeated, eagerly—

"Don't speak, Sir."

And I did *not* speak, but I *did* look upon the men; and, if ever I compared them in appearance to Banditti, the glance of that moment made me feel that I ought to ask of any Banditti the most respectful pardon. Spirit of Shakespear's, forgive me, too; for if thy Falstaff and his ragged regiment came into my mind at such a moment, it was my misfortune, not my fault.—But I will proceed.

"You've come into this country to pry, ever since you *arriv*, into things that you've no business with. You're a d...d incendiary, Sir.—You've come into this country to rise up the Cherokees against the whites. You've wrote agin these worthy men, (pointing to the Guards.) You've wrote agin the State of Georgia. You've wrote agin the Ginerel Government of the United States.—Above all, sir, you've wrote agin ME!—Now, Sir—"

Then turning, with an aside speech to some bystander, I think it was Mr. Joshua Holden—"hand the things," said the Captain Colonel; and a bundle with a loop, carefully pre-arranged so as to let the arm through, was given to me.

"Now, Sir, take your papers, Hang 'em on your arm, Sir, and I order you to cut out of Georgia. If you ever dare again show your face within the limits of Georgia, I'll make you curse the moment with your last breath. With your foul attacks on me you've filled the Georgia papers."

I could not very well endure to hear assertions so utterly unfounded, and took advantage of the pause of the eloquent Captain Colonel for breath, and exclaimed, rather vehemently—

"Upon my honor, no, Sir!"

"Hold your tongue, I say," resumed my jailor. "The minute you hear the tap of the drum, I tell you to cut out of this yard, and I order you never, while you exist, to

be seen in this State of ours any more; for if you are, I'll make you rue it. Let this be a lesson to you, and thank my sympathy for a stranger that you have been treated with such extraordinary kindness; and now, Sir, clear out of the State forever, and go to John Ross, G...d d...n you!"

I looked upon this pitiable exhibition with more of compassion than of resentment; and it seemed to me as if most of the guard felt sorry for their leader. Never before so forcibly did I realize the truth of that beautiful passage:

—Frail man, frail man,
Drest in a little brief authority
Plays such fantastic tricks before high Heaven
As make the angels weep!

I claimed my bridle again, but in vain; and I then moved of necessity slowly from the place, because I had great difficulty in detaining the things which were piled upon my horse. When I got outside of the lines, some of the affairs dropped off, and I stopped to ask a person to hand them to me and at the same time to inquire the route to Big Spring. On turning a corner, a stranger told me I had better stop and dismount and arrange my baggage; and just then a gentleman called to me that he wished a word with me and approached. He said he had a letter for me. I asked him the direction towards the residence of Mr. Ross. I saw that the letter he handed was from Mr. Ross and related to my route.—At that moment Col. Bishop and Mr. Josiah Holden dashed up like fiends. Bishop cursed me, threatened me, if I dared speak to any "d...d Nullifier" and menaced to make an example of me if I did not get instantly out of the State. I paused to return the letter and ask the road, but my pursuer continued to execrate and roar. I went on and for the last time I had the honor of again hearing the Colonel's eloquence, in a volley of oaths as he passed back towards the camp, threatening my life as a "d...d old rascal" if ever he caught me daring to speak to another man in Georgia. I turned abruptly,—entirely ignorant of the way, into a little wood. Descending a slippery spot, my horse, which had been startled by the rushing of the pursuers, stumbled,—the saddle, which had been scarcely girded on, turned;—the large cloak caught around his legs and I found myself equally entangled in its

folds with the horse, one of whose fore hoofs was planted on my breast. He snorted and stood in a sort of stupor of amazement, his mouth open and almost touching mine, his ears erect, his nostrils distended, and his eyes staring wildly into my eyes, for at least a minute. It is singular enough that I felt not the slightest sense of danger or even uneasiness; I only thought it best to remain quiet till I found what the horse meant to do; and then I took his hoof, lifted it aside, disengaged myself, arose and with some difficulty got my cloak from about his limbs. He did not even stiffen a joint when I lifted his foot from my breast: nor did I feel, while it was planted there, the slightest pressure, although the form of the hoof was by the red clay in which he had been treading, so strongly defined upon my shirt bosom, that it might, in N. England, have answered for a sign, to keep away the witches. But no sooner was the danger wholly past, than I felt feeble and faint and perfectly unmanned. I had never, from the beginning to the end of my misadventure, experienced any sensation like that which now came over me. I could scarcely move. Before me there was a muddy streamlet across which there arose a hill with a hut at its top. I determined to walk up to that hut and there seek assistance in adjusting my things for a journey and purchase cords or straps of some sort.—But I could scarcely drag my horse through the stream. He was ravenous for water and kept me standing for some time in the middle of it while he drank. The woman of the house was much agitated by my appearance. She asked, trembling and in tears, “if the Guard would not come to her and hurt her for speaking to me,” and seemed exceedingly anxious for me to get out of sight. I answered that I could not think they would be so brutal.—I now found that my buffalo hide was missing. I promised to pay another woman for going back to look for it, as it must have fallen close at hand. She returned presently and said it was not there. I had by this time secured my things with ropes. In paying the one woman, I gave silver to pay the other. I could not help being struck by the circumstance, under all this alarm at the hut, of my being called to by the one of these people who had failed to accomplish her errand, to know whether I had left any money for her, too.”—It so chanced that I got

upon the direct road to M’Nair’s, some 15 miles off, and within the chartered limits of Tennessee. It is an Indian family. Nothing could be kinder or more cordial than my reception and treatment, notwithstanding the strong probability they fancied there might be of my being still pursued thither for fresh torment by the guard. They looked upon me as one risen from the dead. At M’Nair’s, for the first time I was apprized of the full extent of the dangers which had beset me and which still were to be dreaded. I found that during my thirteen days’ captivity the most industrious efforts had been made to excite the country against me as an abolitionist and a Foreign Emissary. The most important step had been already taken. The minds of the country people had been familiarized to the expectation of my being hanged and they only waited for notice to assemble and enjoy the execution. The wife of a tavern keeper at Spring Place, was reported to me by a traveller as having been heard to say—“I was a very bad man. I was sure to be hanged. One man had been hanged thereabouts before for much less than I had done. I deserved the gallows, and she herself would see me swinging with much pleasure.—*that* she would, wicked thing that I was!” This may be taken, I presume, as a fair specimen of the sort of excitement which had been got up. Those best acquainted with the neighborhood and with the spirit prevailing, looked upon my situation, from the first as the more perilous of the two; but when I was found to have been detained after Mr. Ross, it was considered as altogether desperate. That this was no idle belief may be inferred from a fact of which I was afterwards advised. A paper belonging, as I understand, to a friend of Bishop in Cassville,—the only paper of the region through which it was my long avowed plan to have returned,—had sent forth the following tissue of impudent falsehoods, during the earlier days of our captivity and the poison had taken effect:—“Report” says the Cassville Pioneer, of Nov. 13, “has just reached us of the apprehension, by the Georgia Guard, of John Ross, together with a gentleman from the north. They were pursued by the United States’ soldiers stationed at Calhoun, Tennessee, as far as the line of this State, where the chase was taken up by the Guard, who succeeded in overtaking them at an Indian’s, by the

name of Sneaking Rabbit. The crime with which they were charged, seems to be an effort, making by them, to arouse the Cherokees and negroes to the commission of hostilities on the white citizens of the Cherokee country. If information be true, the papers found in their possession go far to prove the hostility of their designs. Their communications had, in a great measure, been carried on in the French language. For want of a knowledge of that language, the guard was unable to comprehend fully their designs. Time, alone, can develop the truth of the report; but, we trust, for the peace of the community at large, that it may not prove as true as present appearances seem to indicate."

On discovering these reports, I felt some anxiety to examine the papers myself, wondering what could have created the French part of the charge. I looked among the manuscripts returned. The French papers which had puzzled the Captain, Colonel and the rest, seem to have been these:—A numeration table, in Cherokee, by George Gist, the native inventor of the Cherokee alphabet; a specimen of Gist's hand-writing in Cherokee and in the character he had invented;—an account of his life, also in the same language and character, and written by his relation, George Lowry, second Principal Chief, and a literary composition by Mr. Lowry, in Cherokee words, but English letters, which I preserved as a remarkable curiosity, because Mr. Lowry had never learned to read or write in any way, until after he had attained in age nearly half a century. These were the French letters. This was the French plot. And I have reason to believe, that in their eagerness to get some evidence against us, the wisecracks by whom we had been kid-napped, sent far across the country for some learned Theban to translate the aforesaid *French*, out of the aboriginal Cherokee! ! ! My other papers consisted of transcripts of public documents, a book of private memoranda, some specimen copy books from the Missionary School at Brainerd, the latter already mentioned, and never printed, signed Washington, and the address which I had drawn up for the Cherokee nation to the citizens of the United States. The former of these was not returned to me. It stolen, I cannot conjecture wherefore. If it had been returned, although the publication had not been intended, events would have in-

duced me to have enabled the public to judge of it, as I now enable them to do of the other paper, which *was* meant for circulation, and only restrained by its seizure and our detention from being sent round for signatures by all the people.—My countrymen will find it annexed. It will show them how far my accusers have been justified in attempting my destruction as an exciter of the Cherokees to rise and murder the whites!

I must not omit here to mention that often and often since this affair, have I blessed the chance which had kept out of my reach any of those Abolition pamphlets which have been so much talked about. I have never seen any, and have had some desire to see one; for I am in the habit of gathering scraps of that sort, as curiosities; and if one had come in my way, I should have certainly preserved it, as valuable for a future illustration of our times; and that would have sealed my fate, for had the slightest document of such a nature been discovered in my possession, no explanation could have saved me. A pretext, and not the truth, was wanted; and such an accident, by no means an unlikely one, could, ere this, have cost me my life upon a scaffold.—And before I close my list of escapes, let me mention one more. Mr. Ross had told me during our ride when first captured, how glad he was of the precautions which had been taken for a long time before, to prevent any resentment on the part of the Indians of any wrong whatever to their nation or its chiefs. Some indignity to him had long been expected and he felt satisfied that the Cherokees would be discreet. I learned, afterwards, however, that the indignation of some of them at this enormity almost overpowered the efforts of their elders to keep them patient. Had they attacked the camp for our rescue, I am convinced that, as a first step of its defenders, we should have been shot—A scheme was also on foot, I have been told, in the bordering counties of Tennessee, to raise a force and bring us and the guard back over the line and there punish the intruders. This attempt would equally have exposed our lives, and in either case, we should have been branded as having caused a civil war, and the first bloodshed might have been made an excuse to exterminate the Indians. In more than one instance, during our imprisonment, I remarked some uneasiness in the camp, but have

only since learned whence it probably arose.

But to resume my story. I sent a messenger across the forest to Red Clay, for the purpose of knowing what had become of Mr. Ross. With the messenger, next day, Mr. Ross, and his assistant Principal Chief and Dr. Butler, came to congratulate me on my escape. Of Dr. Butler I ought to make especial mention. He was one of those who had been imprisoned in the Georgia Penitentiary under the famous attack upon the Missionaries.—He had deeply felt my danger; had written to my friends, though a stranger to them, in order that the result he secretly apprehended might not come upon their knowledge too suddenly: and had travelled a long road thro' a dreary night to seek influences in my favour. His little family had implored Heaven for me with their prayers, and when I met them again, welcomed me with a touching enthusiasm, which told the story of the peril I had escaped. It was when I went back with my visitors to the house of Mr. Ross, that I saw them; and soon afterwards, Mr. Ross and Mr. Lowry accompanied me as far as the agency. There the venerable Ehna tah naah eh, commonly called Going Snake, Speaker of the Council, and one or two of its other members were in waiting to congratulate me. Old Ehna tah naah eh, though he could not speak a syllable of English, was eloquent with looks of joy. He had told Mr. Ross when he first called to see him after his emancipation, "It makes me happy to find you here. But I am only half happy. I do not see our friend. I look at the chair where he used to sit, and it is empty. I look at the door and he does not enter. I listen for his voice, but all is silent." On hearing I was to be at the agency, the old man hastened thither. There, too, the officers of the United States' Army hailed me with the cordiality of compatriots and gentlemen, feeling that the republic had been insulted in the treatment I had received, a spirit which appeared to prevail wherever I passed in my lonely ride to Knoxville, where I have had ample proof that Tennessee disdains the baseness of which I have been a victim within the limits of her sway.

It may be asked whence this high handed outrage of which Mr. Ross and myself have been the victims, arose?—There must have been some cause for it.—The only cause I can guess for it, is this.—There was a wish to get possession of

certain documents regarding the treaty discussions from Mr. Ross, which had been asked for by the government agents, and not given. It was known that I had made copies of all the recent public documents of the Cherokee nation. The seizure of the papers of both Mr. Ross and myself would probably supply all that had been asked. There was no force sufficiently lawless to undertake this, but the Georgia Guard. Having ventured on the step, it was requisite to invent a pretext and to cover themselves from indignation by keeping us out of view until the country could be excited against us. The mad dog cry of the day is "Abolitionist." That was the most obvious mode of strangling complaint against the injury, for it was the most certain to get the injured themselves strangled; and "dead men tell no tales." Besides, if a mob could be raised, mischief could be done without responsibility. In order to make "assurance doubly sure" the slander was heightened by imputations of a French and Indian, connected with a negro plot, for universal massacre.—The scheme, however, did not take the effect expected. Then was Mr. Ross set free,—under the idea, probably, that he had more friends than I. He was even treated at the dismissal with a show of courtliness, that his story might discredit mine.—I was probably detained after him for two reasons. My papers contained fair copies of all such among his, as might be wanted. Mine were fairly written and arranged and could more readily be made use of by the transcriber. It was convenient to keep me till copies could be made of whatever Cherokee documents the parties concerned might think useful.—The other reason, appears very likely to have been this. Alone and a stranger in a strange place, I might be made the readier victim could a stir be raised against me, either within the camp or within the neighborhood. The frequent mention by the officers of my having "abused the guard" was intended to spirit them up to do me injury. I heard one of them intimate, with some indignation one day, that he himself so understood it. To them and to all, my continued imprisonment was doubtless meant to convey the idea of proven guilt. The mode of my dismissal was evidently intended to be understood as an encouragement to any violence the "boys" within might choose to perpetrate and the hostile pursuit with threats, as an excitement to the boys

without.—By crushing me my persecutors might crush a witness, and prevent future inquiry. Perhaps I was only saved by taking a road which no one expected I would take; though, in truth, as I said before, I think the “boys” considerably better than their leaders.

But, whatever the pretext for this enormity, there can be no excuse. If my visit at the house of Mr. Ross was objected to by the government agents, a hint would have been enough. If doubts were entertained of the nature of my memoranda, a request would have opened them to examination. Violence would have been early enough when an indisposition had been shown to respect gentleness. But that I was really engaged in any plot of any sort, I am persuaded never was believed by those who have committed this outrage. What could I gain by the Cherokees? Every moment I have passed in their country has been a loss to me and an inconvenience. Nothing which they can offer, can render me services, and men do not contrive treason where they can gain no advantage.—I have been swayed, in the very little I have gathered regarding the Cherokees, by a pure and disinterested wish to render my own country service, in leading it to be simply just to theirs, and I have wished to supply myself with such material, that the fairness, which it might be impossible for me to excite for them from present legislation, I might myself bestow on them in future history.—In party questions I take no interest. I repeat again and again, I have looked into this matter as a philanthropist, not as a politician.

Mr. Ross will presently tell his own story. His affairs have prevented him from joining me here in time to give it to the world with mine. I have wished to put my portion of the facts on record as speedily as possible, because I am aware that great falsehood must be resorted to by my oppressors in order to prevent public indignation against a great wrong. Indeed, with such foes and such modes as they adopt for gaining ends and such a long and lonely road to travel, who knows how soon the complainer may be yet silenced? It is but a week since I was a prisoner. But whatever may be the risk I deem it a duty to my country not to shrink from speaking the entire truth.

People of Tennessee!—To you I appeal.—I was a peaceful

visitor to your State. I had dwelt in it for some weeks. A band of armed men, who, in overpassing the limits of their own region surely rendered themselves felons and banditti, burst into my retreat at midnight, dragged me four and twenty miles, through a forest and during a drenching tempest. I was denied to communicate with friends; with your government, with our common protector, the President of the Union. I was denied a knowledge of the charge against me, or of my accuser. After nearly two weeks imprisonment, I was insultingly and without examination ordered back into Tennessee, by the Captain of the outlaws who had laughed your power of protecting your own chartered boundaries to scorn. People of Tennessee! Will you bear these things? Will you see your hospitality thus dishonoured? Will you know that the stranger who comes to visit you cannot be safe, even in his blamelessness from injury and insult within your domain.

People of Georgia! I appeal to you. I came among you as a fellow countryman. I came to make myself acquainted with your history, and your character and with the numberless natural beauties and with the countless riches of your domain. I came under the guarantee of the compact between the sister States of the republic, which secures to the citizens of each, unobstructed communication with all. I came, relying upon the spirit of hospitality which has distinguished the South. I have told you how I have been treated. If any member of the republic has been especially remarkable for her resistance to the intrusion of one State upon the rights of another, it is Georgia—How then can I believe that she will uphold her officers, who have in the most glaring and the coarsest manner, been guilty of such an intrusion? I do not, therefore, identify the State with the wrongs. I cannot again enter the State, until its people do themselves the justice to tell me, that I have judged them fairly in believing they feel themselves insulted by the insults which have been heaped, in their name, upon the independence of a neighboring power, and upon the constitution, our common protector,—in the person of a stranger a countryman, a friend.

My fellow citizens throughout my native land! To all of you, alike, I appeal;—for there is not one in our republic to

whom this case is not of vital import.—It is not a party, it is an universal,—question, and I doubt not but the Chief Magistrate of the Republic, whose government has been prophaned by being made by subalterns to seem the source of the wrong, will be foremost in declaring this enormity.—Insulting inquisitions—domiciliary visits,—midnight intrusions into the sanctuary of homes,—seizures by armed men of private papers,—the imprisonment and the secreting of citizens, without disclosure either of the charge or of the accuser, contempt of the boundaries of States,—mockery of the hallowed privileges of the constitution;—all these the worst deeds of the basest despotism, have been perpetrated already in the instance now before you, and if you do not rise, like men, and declare—such things shall not be suffered,—not a citizen among you can say he sleeps in safety. This is no idle declamation. It has happened to me and it may happen to any one of your; the Rubicon has been passed. But think of me: think of yourselves; think of those most dear to you, to whom you would bequeath the freedom you inherited.—not for personal chargin, but for the honor of our country, I will tell you,—and, Oh! let not posterity echo the assertion as a prophecy!—if tamely you look on and see these things unmoved,—I care not for proscriptions nor for bayonets—neither the guards of Georgia, nor the denunciations of reckless and wily and insidious hirelings shall freight me into silence—for I will tell you and with my latest breath,—if tamely you behold these things you are only slaves,—heartless, abject slaves,—and unworthy of the immortal ancestors who bravely fought and nobly died to make their country free. But, for this, I am satisfied, you will give no cause. The spirit of your fathers is not dead within you. My country will not see even the humblest of her sons oppressed.

JOHN HOWARD PAYNE.

Saturday, November 1835.

NOTE.

The following paper is alluded to in the foregoing. It is the only article, with the exception of a letter never published, and some slight memoranda and occasional private notes, which

Mr. PAYNE has ever written upon the subject of the Cherokees. The letter never published, has been detained by the Guard. The present Address, which embodies the argument used in that letter, was written by request, as the Cherokee statement to the people of the United States, of their own feelings in relation to their own case. It was produced for them in the way of literary, not of political, assistance,—and in the same spirit which has heretofore brought their affairs before the public through Mr. Wirt, Mr. Everett, Mr. Frelinghuysen, Mr. Storrs, and many of the highest names of our country.

The Cherokee Nation

TO THE PEOPLE OF THE U. STATES.

FRIENDS—Listen! The voice of thousands and of thousands, now speak to you in one voice. Listen! A nation asks it of you—Listen! We bring you no angry words. We would touch your hearts; for we think your hearts are good; and, therefore, for your own sakes, as well as for ours, friends, we would have you listen!

We, who now come to you in weakness and in the tone of deprecation, are the descendants of those from whom your fathers asked a little ground to give them shelter, and it was granted. The strangers grew and grew, and they said the land was too small for them, and we gave them more and more and more—until we found what was left had become too small for ourselves; then we ceased to give, and then the strangers began to frown upon us, for we were few, and they were many.

But all this you know. You know, too, that our red neighbors and brethren on every side, who once filled this region which is now called the only remaining refuge on earth for the oppressed, are no longer to be seen. Even from the soil for which their fathers gloriously fought whenever their independence was assailed, and made their names illustrious—even from that soil their very graves have been trodden out by the stranger whom they welcomed although he came masked. Amid the universal hurricane, a small forest stood the desolation and yet remains. The wild tempest howls around it, yet it still stands. We are that little forest. We are the only embodied people now remaining of the first natives in their native land. Countless nations have disappeared before

the white man and we are left alone. It is of that which we would speak.

There was a time when,—(to talk after the manner of the white man,)—we were the possessors of upwards of five and thirty millions of the finest land in North America. Much of that which makes Alabama, Tennessee, Georgia, the Carolinas, and a part of Virginia, so precious, once belonged to us. Rich tracts of cotton and of corn land.—of land, in short, which poured forth every treasure of agriculture was ours; and beneath a surface which excited admiration and desire, other treasures were found, and especially an abundance of those so bewildering to the white man,—gold and silver. With million after million of those acres, we parted to our brethren the whites; and we trusted all the more freely, because some came among us and dwelt and took wives and formed a part of ourselves and their children and our children were as one.—And trusted them for another reason. We trusted them from gratitude.

There was a great and a good man in times past—George Washington. He called us “his beloved.” He wished to lure us from the hunter’s life. He sent kind and careful friends among us, who taught our men how to plough, and our women how to spin and weave; and, after that, we learned the true religion; and then we were instructed how to read and write. Our own people at last spoke the word of God to us in our own language. Our forests now echo with hymns to the Eternal in the tones most sacred to us, because they mingle with the memory of our mothers when we were little children. We always prized the soil which gave us birth. Your own histories will tell you, from the earliest times, that, while other Indians roved, no charm could tempt the Cherokee from his devotedness to the wild wood of his birth. We cling to it, because it is full of recollections of ancestors in whom we glory. We cling to it because places which may look barren to the stranger, speak to us of deeds and of times which make our spirits exult. We cling to it because it is our first love;—we cling to it, because it shall be our last.

Such ever were our feelings. But how much deeper, how much holier had they grown, when we found the place of our birth becoming the birth place of that in us which was better than ourselves;—of higher preceptions of our dignity

in this world, and of our hopes in the next;—of a consciousness of what we were as men, and of what we ought to make each other as a nation. We had no fears from our white brethren. The spirit of the great Washington seemed to extend its benignant influence even here. It had moulded a persecuted province into a happy republic. We felt as if it had flung over us the light which was to change a benighted tribe into an intelligent nation.

These hopes, and their realization, were making us prosperous and happy, when we found ourselves, after gradually yielding million after million of acres to our white brethren, only remaining in possession of some ten millions more. We now resolved to pause and cease to yield our land. We were importuned, but still we would not yield. They came to us and told us they would give us money, and they would give us better land: we answered,—“there can be none better for us than what we have.—for us, there can be none so good.”—They threatened, they promised. Some few were bewildered by the promises, and went from us,—and of those who have not died in their new homes, the greater part send us the story of their disappointment and their terrors, and bid us hearken to the spirit of our lost brethren, whose wail is on the night wind which pours its pestilential breath over the prairies of the far, far west.—They come!—The warning voices come upon our ear—they shriek—“Beware!”—But, for all this—with a full knowledge of the worst we have stated—since the new times and the new rulers have controlled the land—the rulers who so press us to sell away our lands—our people are told, sternly—if they yet shrink from following their brothers to their foreign graves, they shall be goaded on every side, until they despair and perish.

We have asked how this pertinacity has happened; for these are our lands, and we see not why we should be punished for keeping ten millions of acres for ourselves, with no reason whatever, intelligible, for the demand, excepting that we have already parted with five and twenty millions, and our white brethren think we are unkind to them because we will not give the rest. Our white neighbors are too few to fill even a small portion of the vast possessions they already own, and yet they cry out for ours, and say, “we want them, because we are so many and we have not room.” We Chero-

kees then shake our heads and are sorry they should be dissatisfied; but then they tell us they will drive us away and we answer—"No. You mean not what you say,—for you are drunk. Behold—Here are the Treaties of the United States—These promise us protection—That promise is a part of the payment you have given us for what you have already received from us and from our fathers.—Brothers! you cannot break that promise."

"We know we ought to keep it," replies the General Government of the United States.—"but we have difficulties of our own. Some of our people want your land, and unless they get it, they will clamor against us."

Brothers! if you do not agree with one another, we red men are very sorry;—but what have we to do in the affair? Can wrong to us, make right among yourselves?

"Cherokees!" we are answered.—"You are only Indians, and we cannot quarrel with our white brethren for you. We know we have made promises to you—"

—Yes! and you are honest. You are christians—

—"We know we are christians. We know we are honest. But you must not expect us to keep our promises to you. You are only Indians."

Friends! such is the condition of our affairs with your country. The State Governments on our borders harrass us. We will not tell you how one of those States, especially has treated us—it would make you angry with one another. The government of the United States knows this and answers, when we show our treaties,—"Remove!—or your treatment will be worse. Remove!—and we will protect you!"

And how, we ask, are we to be sure of your protection, even if we do remove. We have already promises upon promises of your protection, and these, you say, you cannot keep.

Still we are told—"Remove!—Remove!"—Again we strive to reason;—but the eyes of avarice are gloating on our lands, and cannot see our wives nor our children, nor the heart strings which bind us to our sacred homes;—and its coarse voice can utter no sound but that to us most withering one—"Remove!"

Well, then, let us remove; but not till we can be sure of the means of providing a safer shelter for ourselves. For

your sakes, we will quit the spot dearest to our hearts.—but, if we do quit it, we must receive in exchange for our sacrifice, the means of purchasing a home of our own selection, where we may be happy and protect ourselves; for if you deem it inexpedient to protect us, according to your treaties, at one time, how can we be safe from a similar impression of inexpedience at another? Give us the means of peace in places new and strange, but places of our own choice and independent and afar from you—and for the sake of quiet, take the abodes for which all the money in your coffers can never compensate to feeling such as ours!

"We are content" answers the General Government of the United States. "Since you will not take the country in Arkansas which we have offered you in exchange for yours,—we will give you, for your ten millions of acres, and for all the mines therein contained, including those of gold and silver,—and for the abodes of more than seventeen thousand persons—and for the large farms they have under cultivation, and for your numberless ferries and mills and bridges,—and for the removal of your seventeen thousand persons to another country,—and for the purchase of that country,—for all these things we will give you—"

How much?

"Five millions of dollars."

Why, that is only half a dollar an acre for our land alone, and your own least price for the most sterile land is three-fourths of a dollar more than that for every acre.

"Red men, your land is not worth half a cent an acre. Half a dollar an acre is a liberal offer."

To us, our land is worth more than the most you have the power of paying for it. Give us the protection you have sworn in the face of Heaven, to give,—and we would rather have it, poor as you say it is, than a million of your money for each acre.

"Red men, we have made you a most liberal offer. Be grateful. Take this money; for, if you do not, the bordering State will forthwith turn the screw upon you tighter and tighter, till you are ground to powder. And look not for mercy;—for the measures of the present ruler of America will not change with his successor, whom I know, as I do know myself."

Friends, this is no fiction. It would seem impossible, but it is no fiction. These very words were spoken to assembled thousands of our people by the Commissioner from your Government, when urging, last July, to this very offer. They made our old men shake their heads and sigh; and the eyes of our young men flashed as we told them to have patience,—although they knew that he who spoke to them in a tone so warlike, was an ambassador of peace,—a reverend clergyman. But they believed us, when we assured them that the Ruler of a nation was sometimes wronged by the zeal of adherents who, without being insincere, may be mistaken.

✓ Friends, we will pause a moment in our story, to make one remark which now comes into our mind. It seems strange to us, to see your people, who visit us as Commissioners, put on looks of compassion and say how sorry they are that we have got ourselves into such difficulties with the white people.—Friends, we do not understand this. We have got ourselves into no difficulties with them. The land they ask from us, to enable them to settle their difficulties among themselves, was given to our fathers by the Almighty. The white people have no more right to it than we have to the countless millions of acres which you already possess, but which it will be ages before you can produce a population either to purchase or inhabit. And the white people do not deny this; but own that it will look very strange, if they, the children and the advocates for political independence, should attempt to take away this land of ours without a Treaty.

But your people and ours seem to have different notions of the meaning of that word "Treaty," especially when used under the circumstances now existing. Your people seek a Treaty with a nation at peace, for the purpose of settling a dispute which they find troublesome. But because this dispute is troublesome to them, we do not see that it should make them talk like conquerors to us, and tell us,—
"Take our terms, our strength will crush you into nothing."
And yet they do this thing.

But how? we hear you ask.—Attend. We will tell you.
—Thus, it is, they do it.

The agents who come among us, treat us most un-

kindly. These agents send evil tales of us to the President of United States. They do more than this. They scatter these tales, under various forms, throughout the public newspapers, and make you, even you, think wrongfully of us, friends. They forcibly seize upon our own newspaper press, and upon the types invented by one of our own people, in order to make those very types of ours tell lies of one Cherokee to another, in his language, and which we have no instrument for answering, excepting that which they have unwarrantably taken from us to turn against ourselves. By stratagems of this nature, a few were led to misunderstand their brothers, and fall off from them. Then they caused our money to be kept back; that we might be starved into their sordid views, and lose our only means of resisting wrongs, in being disabled to fee lawyers, to protect us against that strange system by which it was declared to be the intention of the bordering States to "legislate the Indians off the land!"—and for four years, upon pretences the most absurd, our nation's little annuity was withheld, and we were compelled to live by borrowing. And this device having failed, next, as a crushing blow, they invent a slander against our chiefs and government, and spread it far and wide, and, we have reason to believe, at a large expense to the United States. They say our chiefs do not belong to our nation, because a grant of the land upon which the ancestors of one of them had lived, was made to him, as a free donation, under our treaty, and they would judge him by the conditions of another!—and because some of our people, for awhile left us, and became naturalized in your republic, dislike the transfer, and were welcomed back by their first compatriots, they deny in us that right of every man to change his country, upon which their own constitution can place no interdict, when the United States flings open her arms to citizens from every nation upon earth. Again, they add, that we have no rulers, and even under our own law our government is an usurpation, because the severities of a neighboring State have rendered it necessary for people to modify the form of their elections. And what is still more monstrous,—as one individual chanced to be killed, who had been favorable to a Treaty such as they had sought in vain to dictate, they strive to fix upon our rulers the stigma of death, which they,

of all persons breathing, had the least reason to desire, since that selfsame individual was, at the very moment, earnestly engaged in endeavoring to convince the President of the United States that the Agent who has persecuted them with the bitterest spite, was not entitled to the confidence which give him power.

Thus stood our affairs, when the Regular Council of the Nation, now closing its session, met here upon the council ground three weeks ago. The Commissioners of the United States was upon the spot; and on one side, a militia guard from the General Government, and on another, just upon the dividing line from Tennessee, the Georgia Guard, our licensed persecutors. We, poor Indians, had no guard,—no weapons of defense, but our good cause. Reports are spread among us that our rulers are to be seized by military force. The United States Commissioners write to our head men denying their authority in a manner so offensive, that they will give no answer, but refer the letter to the people, whose indignation renders it necessary, after the reading of this attack, to withdraw a further communication from the same source which was attempted to be brought before them. Our people forthwith pass resolutions, confirming our rulers in their power,—fully approving all their measures,—openly and solemnly protesting against the sale of our country upon the terms offered,—and appointing a delegation, with full powers, either here or elsewhere, to treat with the United States upon such terms as should promise their country present peace and future prosperity. So convincing was the manifestation of public feeling which led to this occasion, that the few of our citizens of whom we have spoken before, as having been for a time lured away from us to uphold the terms suggested by the government of the United States,—awoke forthwith to a sense of the more proper course, and appeared upon this occasion with the rest—presenting at the sternest and most hopeless crisis of our fortunes, a front unbroken by party—the beautiful spectacle of every interest of a struggling nation when the storm beat most severely and the temptations to continued division were rendered most seductive,—blending in a band of patriotic brothers, for the nation's good.

Under these more encouraging circumstances, the Com-

missioner smiled upon us, and resumed negotiations. But every new proposition only proved to be that, which, in another shape had been rejected; and our Delegation resolved to depart for Washington. Then, on the instant, the aspect of the Commissioner changes. He who came to us as an ambassador, again speaks to us as a conqueror. He threatens, again, to break our Chiefs,—cast down our government—and effect his unpalatable purpose of purchasing our country at his own price, in despite of the people;—and uses language of resentment at their objections to his ungraciousness, neither in spirit nor in form to have been expected from the minister, either of a God of mercy, or a President of Patriots—in both of which capacities, however unusual the union, he appears, among us. In the mean time, we are told that measures to harrass our people still more severely are in progress; that the Government of the United States has given the State governments bordering around us reason to believe that it will not interpose to avert any course they may pursue, nor discourage the severities which are made a pretext for driving us into a sale of our country, or to despair and ruin if we are not willing to relinquish to the stranger the soil which is identified with the ashes of our ancestors. These things we are told, but there are others, not less disheartening, which we know. The fountains of public information are poisoned against us by the agents of the United States. The Commissioners themselves acknowledge the practice against us of a systematic scheme for making our measures and our principal men, hated,—that our fall, if not unquestioned, may be unpitied. Thus, on one side, our wives and children may be driven out shelterless amid the cold and tempest of the approaching winter; our fathers and ourselves immured in chains, upon frivolous charges, or upon none:—and on the other, interested calumnies may make our remonstrances unheeded, and our story doubted, and our very names prejudice to unmerited contempt and detestation. Such are the disasters surrounding us at this very moment, as we are on our way for a last effort to invoke fairness from the constituted authorities of the United States.

People of the Republic, we appeal to you. We thus tell our story, because of the unprecedented course which has been adopted, of bringing the press against us in aid of the subtle-

ties of distorted law and legislation and the inflictions of the scourge and of the scaffold. We have no power left now but the power which truth may give us over minds. The sons of the wild wood invoke this mighty mover to stay the uplifted fury of the sons of civilization. People of the Republic, you are not ungentle. You weep when the story of oppression is brought before you in fiction; and when distant nations are wronged, you lend them succour,—when they are annihilated, you call their forlorn exiles to take shelter beneath your wing. Turn not then from as heavy a case of wrong in the heart of your own country as any in your books of history or romance;—a desolation more thorough than that of Greece,—more despotic than that of Poland,—for there war was the pretext and we are to be scattered in the midst of peace.

Friends, we come not to you with reproaches. We only bring you tears. But they are the tears of men. We know that if our cause were better understood, you would be our advocates. The weapons we invoke are truth and honesty—give us the benefit of these, and pity and protection must ensue. The favor that we ask from you, is justice to yourselves. We implore from you no new promise. We only supplicate you to keep the promises you have already registered upon the solemn faith of treaties. Fulfil these and you shall have our blessings. We ask no higher boon from you than to execute what you have sworn. But if you cannot, let us not be sacrificed to a huckstering spirit. Let us not be cheapened into ruin and told that our treatment has been liberal and,—if we murmur we must die.

Little children, look up into your mother's eyes and tell them that there are hundreds and hundreds of little children here, whose ancestors indulged as high hopes for the future glories of their offspring, as the proudest of them cherished when they think of you.—Mothers imagine how you would feel, if you could glance into futurity and see the multitudes of your offspring's offspring, dwindled before the invader, and the poor remnant scorned and crushed;—and then turn to your husbands and say to them—"May not the wrong we do to this people be visited hereafter upon those we hold so dear?"—Then, husbands, rise up like fathers and like men—Exclaim, "This is the Patriot's cause. We boast of our land

as the land of the enlightened and the free—the refuge of the persecuted,—and the last hope of the world's moral excellence—Do not turn this boast into a bitter satire by deeds unsurpassed in the sanguinary chronicles of those dark ages gone by, to which you refer your children, bidding them bless God that it is their fate to live under times and rulers so much more enlightened,—and above all, in an age so purely christian." Fathers, we know we have your sympathy.—We hear you still speaking to your brethren in our behalf. We hear you say to them,—“What do these Indians ask? They would not be confounded with other tribes, because they have made greater advances in civilization and they dread the influence around them of such habits as those from which they are just emerging, because they know the human mind is ever in motion,—that if it does not go forward, it goes back,—and they would qualify themselves hereafter to improve their brethren, not place themselves where even their own power and ambition to improve may be paralyzed by the influences of envy, idleness, ignorance and prejudice. They ask not your money, for no money you can give them will be so precious as the accomplishment of your promises to protect them from yourselves in their own domain, their sacred inheritance from the Almighty. Do this, and they will even resign at part of it, and provided you will let them live together, they will come under your laws and send their own representatives to your State assemblies, from such counties as they may constitute. But if you cannot do this, they,—in order to give their white brethren peace with one another, will give up their so dearly cherished homes; but ask not to cajole them out of their birth-right with a “mess of pottage.” even though, like Esau, they seem “on the point to die;” for they have heard of Esau's fate and will take warning from it; and if they do sell their native land for money, it must be for enough to secure them another in exchange, where they may be permanently free, and untrammelled by the petty persecutions of political auxiliaries, whose clamours for recompense are silenced by border vice royalties, where they may enrich themselves without being questioned and inflict injuries without dread of retribution.

Friends, this is our case. We have told you all we ask. Is what we ask, unreasonable? No.—You own it is not, and you

will unite with us in imploring that some one of these, our proper expectations, may be granted. You will especially unite with us in endeavoring to prevent the execution of the monstrous threats from the President's subalterns, that our petitions to the supreme executive of your land shall not be listened to, unless presented through themselves, whom we have too little cause to trust. Guardians of the public press! Show that you can be independent,—and lift your corruption—startling shields between us and the strong arm of power, now upraised for our annihilation, while its wielders profess friendship. Exert your might, and let the truth prevail. You will find every effort you make for a cause like ours, hereafter registered in your favor as a virtue. Upholders of the Public Law! Interpret the statutes of your sainted forefathers fairly and we have nothing to apprehend. Use your eloquence to save your persecuted people when they come before you: your power over thought may achieve miracles, and, oh! how sweet to you, at some hour when you least expect and most may need it,—will be your recompense in a consciousness that you have sheltered the weak from the hard heart of the strong. And last of all, to you Ambassadors of the Living God, we appeal.—Your aid may be omnipotent. Cast yourselves before the altar and speak for us in your prayers. Supplicate that your republic may not dash aside its only remaining opportunity of atoning for all that has been suffered by the unfriended Indian.—Supplicate, that, since we are willing to give up so much to make your people friends, one with another, we may not, on that pretext, be sacrificed. Supplicate that wrong minds may be enlightened.—wrong hearts made gentle,—wrong judgments be set right. A nation asks you to join with it in imploring the Universal God—a nation, to whom that God has been but newly revealed, but who now looks to Him as their Hope in desolation.—some of you have said we were of the wanderers of that peculiar people whence true religion sprang. If it be so, imagine how glorious the effort to secure those wanderers a home,—and such a home as may realize the bright predictions which still exist unclaimed, for the lost race of Israel. Who knows but your prayers may be the instruments to accelerate the fulfilment of that prophecy, and should they prove so, how can we offer you a return more exciting? But we need not name

rewards. It is enough to ask your prayers. They will be given with sincerity.—May they be followed by the Saviour's blessings!

Our talk is nearly over.

Friends! While we have spoken, the autumn has deepened and the glory has departed from the forest trees, and even now the withered and the many colored leaves are burning on the hills, and Winter approaches and they will be seen no more. But that Winter will be followed by a Spring, and the fires will have made the earth more fertile, and in the Spring new leaves will come and the forest trees will smile again, and again will the world look beautiful. Friends, the leafless season of our fate is come upon us. If you forget us, the fires which have consumed the fallen leaves, will kill the trees too, and to our Winter there will succeed no Spring!

Our talk is over.