

Gilgrease Institute

June 12, 1939

Documents Examined

✓ Not in Houston Papers of John Ross

PK
238

found in " " " " " "

1. Muster of Roll of Capt. John Benge's detachment of Emigrants, Cherokees
2. ^{4026.579} 6/5/1838 letter to a sympathizer - Mrs Baggard from John Ross - Wash. City

- rough draft

"I cannot undertake to speculate upon the future prospects of the Cherokees, as they are at present enveloped in mystery (sic) and obscurity - We must therefore seek repose only by placing our trust in Him, who directs the storm and rides upon the whirlwinds -

The removal of the Cherokees from their native land, right or wrong, appears to be the fixed and unalterable determination of this government, remaining now only for the United States to promulgate the decree, as to the mode and manner by which that removal shall be effected; and and the Cherokees as the weaker and suffering party can but meet their destiny according to the will and pleasure of an all wise providence -

✓ 4026.580

3. 6/9/1838 letter to Maj. Gen Winfield Scott for Grain, Snice + other response to Scott's address of 10 May - Geo. Lavery Lewis Ross, The Fourth Main Command

4 page
Excellent appeal to the magnanimity of Winfield Scott to postpone removal to the fall.

P.S. in page 4

~~Letter~~ "A report has reached us that several hundred of our people now at or near Coff's Landing, are to be sent off in a few days. Pardon us, sir, if we can not conceal our anxiety on their account. We feel for them as friends condemned to death.

Page 1 ~~calls the compact "a fraud"~~

But sir we do not appear before you in this humble address to discuss the merits of that compact. which, even under the most appalling circumstances we dare not in conscience recognize in any character ~~that~~ that of a fraud upon the United States, as well as upon the Cherokees, we approach you Sir in the character of ~~the~~ individuals, of a besieged Nation. We offer no resistance to your troops. We seek not to hide ourselves by flight. We are entirely at your mercy. We are altogether in your hands. But Sir had as our condition is, we can not rejoice that we have fallen into the hands of a commander, who can appreciate our feelings, as lovers of our country and lovers of right. We venerate the virtues of the patriot chieftain, ... who, has braved the terrors of the battlefield, in defence of the very principles ~~to~~ to which we humbly presume to cling.

We respect the humanity which breathes through your orders.

✓ 4026 581 - ~~581~~
6/6/1838

Articles of agreement between Reuben E. Clements & Bryan Nedon A with
Capt John Page ~~discussing~~ ^{→ Creek chief} agent for the Cherokee ~~removal~~

Clements & Bryan + Co - agree to provide rations

16¢ per ration

Corn for teams & India ponies at \$1 / bushel

fooder for work horses ~~at~~ (when it can be reasonably obtained) at
\$2 per 100 lbs.

5) 4026.582 - 6/15/1838 Letter to J.R. Poinsett from John Ross & Edward
Gunter - refers to Poinsett's letter of 13 May ^{Executive is not willing to grant most of terms proposed by the President's}
submission of copy to Congress "in order to insure that measures [might]
be adopted by the two Houses, "to carry into effect the benevolent intentions
of the Government towards the Cherokee Nation."

Post P

W2 would further beg to be informed whether any part of the
recent appropriations made by Congress, is intended by the Executive to
be applied towards an indemnification for the Cherokee Country; And if so,
how much?

26.583 - 6/18/1838

✓ (6) Letter to John Ross & Edward Gunter from J.R. Poinsett (Secy of War)

"No delay in the removal can be granted to the nation without the
consent of the states interested; nor would the President desire that
any delay should be conceded other than such as may be absolutely
necessary to the health and comfort of your people."

^{note} - No part of recent appropriations are considerable applicable for
further indemnification for the Cherokee Country.

7) 4026.584 a+b 6/18/1838 Letter to Poinsett from Ross et al

Request to pay \$33,333.35 - recently appropriated by Congress
signed by John Ross, Edward Gunter, R. Taylor, E. Jan Hicks
Samuel ^{H.H.} Gunter, Stewaker (mark) White Path (mark)

9) 6/19/1838
4026.585 - 6 To Winfield Scott 1st unsigned & 2nd signed by
Gen. Lowery, Lewis Ross & 11 other Cherokee

Both acknowledge Scott's answer of this date to the petitions
of 6/9 and 6/11 asking for postponement of removal. — and accept
the conditions set forth by Scott. — & hereby pledge ourselves
to use our best efforts to have them complied with —
Removal suspended until
— Sept 1, 1838

8) 6/19/1838 4026.587

To Cherokee leaders — G. Lowery, J. Foreman, S. W. Hildebrand,
J. Swinthead, S. Ross, Going Snake & other Chiefs and Headmen of the
Cherokee People from Winfield Scott

— Grants delays in removal but under orders from the
President not in the collection of Cherokees for removal
under 3 conditions

7) 6/19/1838 4026.588

To John Ross from John C. Jacobson
requests appointment for 9:00 next morning

10) 6/20/1830 4026.589

To Winfield Scott from Lewis Ross —
appointment of Moses Daniel, George Still and David Sanders
as a committee to report on wants of the Cherokees.

4026.590 - 6/20/38

(1) To Parnett from J. Ross

requesting payment of annuities

(12) 4026.591 6/20/1838

Orders # 48 To Lewis Ross from W.I. Witt chief of staff

reference to orders # 28 - which outlines limits of local command:

Beginning at the mouth of the Cheattee Creek above and along the
Creek to the mouth of the Rattlesnake branch; thence up this branch to
Rattlesnake spring (near Fort Foster;) thence, in a straight line, to a point
on the Hiwassee Two miles below this place, and thence along the left
bank of this river to the mouth of the Cheattee Creek.

All the troops within or near the outside of those limits, will
constitute the command to be called Fort Cass Emigrating Depot,
Head Quarters, Fort Cass.

Note: The senior officer in absence of commander of the western district will
report directly to the major general.

Requests forming a committee see # 10

(13) 4026.592 June 20, 1838

To Geo Lowrey, Lewis Ross & others from Nathaniel

^{Decline of}
Reply to request received yesterday to halt the detachment which
left Ross's landing on June 17. Says detachment at this time have
progressed some eighty or ninety miles on their journey towards their new home,

That from the arrangements I had made for them, they will reach Fort Gibson, Arkansas, by the 12th day of next month, that their detention on the water will not exceed seven days; that the Rivers are now up, the waters fresh, and seats for their transportation are large and comfortable. . . . I have determined to set out on to-morrow, overtake and accompany them in person to their place of destination. —

14) 4026.593 6/20/1838

To Poinsett from J. Ross

request for payment of annuities

✓ 15) 4026.594 6/21/38

To ~~Lawson~~ Ross from Hair Conrad + 11 others at Camp Hetzgel

Asks that Mr. Ross be sent for otherwise "we fear . . . that the removal of the Cherokees in a great measure will fall into the hands of some unprincipled white men in spite of all we can do. From report Genl Smith is already making contracts with white men for wagons, for that purpose. . . .

signed by

Hair Conrad

Old Field

Thos Foreman

Govins Snake

Tiger

Michael Waters

Chu nah gee

Archy Murphy

Daniel Colson

James Conrad

Jesse Bushyhead

Stephen Foreman

✓ 16) 4026.595 6/23/38

To ^{Gen.} Nat l Smith from Lewis Ross + 4 others
Chastising Smith for failing to comply with request to ~~slow~~ removal
"on grounds so slight" - refers to 1040 people who left on June 17,
"who are the objects of our anxiety"

✓ 17) 4026.597 6/27/38

C.A. Harris comm of India affairs from J. Ross
con ^{letter} of admitt verify, death of Catharine Stephens a reserve
in treaties of 1817 + 1819

✓ 18) 38.83 7/15/38

Letter ~~for~~ ^{to} J. H. Payne from John Ross
about removal - letter in J. H. Payne papers - have not seen

✓ 19) 4026.599 7/13/38

Permit signed by Lt. Robert Anderson ^{Headquarters} for Jessy Barrow, a Cherokee
to visit ~~Madoway~~ at Fort Payne + return via Ross's landing

20) 4026.600 7/21/38

Letter to friends and fellow citizens - Camp Agnohee
unsigned possibly J. Ross

21) 4026.602 7/23/38

Letter to Scott from J. Ross?

A Complete Historical, Chronological, and Geographical
American Atlas . . . To the year 1822
Philadelphia
A.C. Carey and J. Lea, Chestnut St.

1822 Atlas

Kentucky

no direct route from Nashville to Hopkinsville

Ky Route

Clarksville - Hopkinsville then NW to Princeton, Centerville
Salem crossing Ohio at Galconda

Tennessee

Calhoun - Hiwassee Garrison, Madison, McMinnville, Murfreesboro,
Jefferson, Nashville, possibly N to Springfield, W to Clarksville
North to Hopkinsville (alt - N to Springfield N to Russellville W to
Hopkinsville)

Ala. map 1822 shows three Chev. settlements - Turkeytown, Willstown,
Crow town Cossada + village - Creek path?

Illinois

possible route - Galconde, Vienna, Jonesburg, Cape Girardeau -
no connecting road between any

Mo

no roads shown

A New General Atlas
Containing sixty maps
Published by Anthony Finley

1829 Atlas

~~1829~~ Ky TN Shows a road connecting Hopkinsville with
the road between Russellville and Nashville

Ky counties - Todd, Christian, Caldwell, Livingston

Ill

shows road connecting Galconda, Big Bay settlement, Vienna,
Elvira (a more direct route would be Vienna,
Jonesborough, Hamburg, Cape C

Mo - no roads, also show "Great Swamp" southwest of
Cape Girardeau

Ark - no map

21) cont

requests release of ¹² ^{by name} Cherokees from Ga State Prison
so they may emigrate west.

Johnson Pipe, Thomas McDaniel, Old Chicken Avery Spaniard
Creek Jim, Mushroom, Bark Chicken, Johnson Crow, Dog in the Water,
Sawney Kisingfawn, Oocheskolah, Wahyaha Wolf

✓ 22) 4026.603 7/25/38

To Cher. Com from W. Scott

(copied)

26. 612

Resolution #9

Whereas the title of the Cherokee people to their lands, is the most ancient, pure and absolute, known to man: its date, is beyond the reach of human record: its validity, confirmed and illustrated by possession and enjoyment, antecedent to all pretense of claim, by any other portion of the human race:

And whereas, the free consent of the Cherokee People, is indispensable to a valid transfer, of the Cherokee title; and whereas the said Cherokee People, have, neither by themselves nor their representatives given such consent; it follows, that the original title and ownership of said lands, still rest in the Cherokee Nation, unimpaired and absolute.

Resolved therefore, by the National Committee and Council and People of the Cherokee Nation, in General Council assembled: that the whole Cherokee Territory, as described in the 1st Article of the Treaty of 1819, between the U. States & the Cherokee Nation and also, in the Constitution of the Cherokee Nation still remain the rightful and undoubted property of the said Cherokee Nation.

And that all damages and losses direct or incidental, resulting from the enforcement of the alleged stipulations, of the pretended Treaty of New Echota, are, in justice and equity, chargeable to the account of the U. States.

And whereas the Cherokee People have existed as a distinct National Community, in the possession and exercise of the appropriate and essential attributes of sovereignty, for a period extending into antiquity, beyond the dates and records and memory of man.

And whereas, these attributes, with the rights and franchises which they involve, have never, been relinquished by the Cherokee People, but are now in full force and virtue.

And whereas the Natural, Political and moral relations, subsisting among the citizens, of the Cherokee Nation, towards each other and towards the body politic; cannot, in reason and justice, be dissolved by the expulsion of the Nation from its own territory, by the power of the U. States Government.

Resolved therefore, by the National Committee & Council and People of the Cherokee Nation, in general council assembled, that the inherent Sovereignty of the Cherokee Nation, together with the Constitution laws and usages of the same, are, and, by the authority aforesaid, are hereby declared to be, in full force & virtue and shall continue so to be in perpetuity; subject to such modifications as the general welfare may render expedient.

Resolved further that the Cherokee People in consenting to ~~do~~ an investigation of their individual claims and receiving payment upon these and for their improvements, do not intend that it shall be so construed as yielding, or giving their sanction or approval to the pretended treaty of 1835, nor as compromising in any manner ~~or~~ their just claims against the U. States, hereafter, for a full and satisfactory indemnification for their country and for all individual losses and injuries.

Be it further resolved that the Principal Chief be and he is hereby authorized to select and appoint such persons as

he may deem necessary and suitable for the purpose
of collecting and registering all individual claims against
the U. States, with the proofs, and to report to him
their proceedings as they progress.

Aquonee Camps Aug 1, 1838

Richard Taylor, Presd N. Committee

Stephen Foreman clk N. Committee

John Snake Speaker of the Comi.

Capt. Broom

Too namee

Katetah

Ooyahkee

Richd Foreman

William

Hamestie

Beaver carrier

Samuel Christy

Katoyesken

John tsuklee yaskee

Samuel Foreman

✓ 4026.734 4/29/39

To J. Ross from M. Arbuckle

inquiry about reported attack by Indians

✓ 4026.735 4/30/39

To J. Ross from J. Harrison

Re provision of supplies to Cherokees

Hildebrand, Moneytaker, ^{George} Hick, J. D. Wofford

~~John Ross papers~~

~~p 640-724~~

✓ 4026.614 8/6/38

letter to J. Ross from W^m Wint

introducing Mr. Putnam - liberal contributor to the
Knoxville Republican until its demise from opposition to the Jackson
Party. - ~~wants~~ seeks employment during emigration.

4026.615

see p 654 Ross Papers

↗
↘
4026.616 8/2/38

To: J. Ross R. Taylor, E. Hicks, E. Gunter, J. Brown, White Patch
sitewakee from W. Scott

approves estimate submitted 7/3/38 with slight addition
for soap. \$ 6588!! + plus soap

4026.1177 hand copied - attached

4026.719 2/10/39 Springfield Mo
Rec'd of J Ross by W.A. Lenoir \$36.12
for 96 1/2 yds striped cotton at .25@ \$24.12
30 pa yarn socks at .40@ 12.00
Dempthor Brothers

4026.726 4/13/39
To J Ross from A yell Fayetteville
protesting acts of violence by ~~cherokees~~

4026.727 4/16/39
To J Ross from T. Foreman et al
protesting scarcities of rations

4026.730 4/25/39 Camp Illinois
To Gen. Arbuckle from MCM Hammond et com
concerning possible attacks by mtn Indians - revenge for Tsali

4026.731 4/26/39
To J Ross from Capt Wm Armstrong
asking if reports about Mtn Cherokees are true

4026.732 4/26/39
To J Ross from Matthew Arbuckle
askin, same as above

4026.623

August the 15th 1838

Cherokee Agency
East

The Hon John Ross &
George Lowmy head chiefs
of the Cherokees
gentlemen,

hearing from Mr. M. Daniel & Mr. George still that they yet
lack a Waggon Master to go with their detachment of Cherokees and on
consulting them both they express themselves willing for me to be
appointed and go with them as such. Should it please you
to appoint me. I will make it my delight to render satisfaction
and fill it usefully. Should I go with still I shall find it
in my power to be of much use to him in many respects which
I shall cheerfully do if permitted. I desire go with with the
bulk of the Cherokees, and am ready to serve in any way for their
benefit and comfort on the route and if appointed will try to
discharge my duty so that you shall have no cause to feel
ashamed of my appointment.

Your very obt. Servt & c
H. Howard Sutton

Hon. John Ross
Prinl Chief &

George Lowmy
Second Prinl Chief
of the Cherokees

4026.710

List of Names receiving payment in Peter H. Idebrand detachment
long list

4026.711

Same as above for P. Colston

4026.713 1/16/39

Bot of gear & Colbrook St Louis \$459.30 - shoes
& supplies (actually 473.50 with 3% discount <14.20>
J. Ross + Lenoir

4026.714 1/16/39

Receipt for 725.09 blankets etc.
W.A. Lenoir for J. Ross

4026.715 1839

list of heads of detachments & amount due each
total \$1025.50

4026.717 1/21/39

- photograph this one

Receipt for freight & storage down Miss R from
St Louis to Neilma landing - 18 Boxes of merchandise 5 bales
net weight 3977 lbs

freight \$29.81

Steam boat ~~Hondalia~~

Rec'd 1/23/39 payment

ccan

V 4026.624 8/16/38

The United States

To Richard Wilkerson Chickamunga Dist SA

1 house 20 feet square Round logs Cabin Roof puncheon floor
Lg Linn one half with Boards 1 door + sheter

1 other house 20 feet square Cabin Roof Round logs 1 door
+ sheter Loft half laid with Boards 1 Smoke house 12 by

15 feet Cabin Roof 1 door + sheter

1 Corn crib 10 by fifteen feet puncheon floor

1 horse lot one half acre good fence

2 small fields including 3 acres

15 small peach trees

1 aple tree

1 Large field 50 acres good fence upland

1 other field 15 acres good fence up land

Another farm

1 house 25 feet square Round logs puncheon floor
Cabin Roof 1 door + sheter — 1 house 12 by 15 feet

Long puncheon floor cabin Roof — 1 door + sheter —

1 Kitchen 8 by 10 feet Cabin Roof 1 door + sheter

1 crib 10 by 15 feet Cabin Roof

1 other crib 6 by 8 feet Cabin Roof

30 apple trees 10 small trees

20 Peach trees

On reverse side is:

Personally appear before me De que Estey + Black for and

4026.702 must copy later
Account of Expenses for Detachment #1 ^{36 days} Con road 8/28 - 9/30
Col. 10/1 - 1/17/39 - 109 days \$5/day
36 wagons + teams
729 persons
360 horses

4026.703 11 March 1838 must copy
Coletaste to White Path

4026.704
list of families to be inspected earlier

4026.705 undated - rations + provisions

4026.706 " " "

4026.707 - ~~John~~ Benze Muster Roll

4026.708.2 Extremely important
Ledger book with name of everyone who received any money for
helping with removal - many loose receipts

4026.709
and Valley R., N.C. Checks not receiving money from Commissioner

Solemnly affirmed before me that the foregoing are just and true against the United States to the best of their knowledge & belief

affirmed before me
August 16th 1838

Jesse Bushyhead
Agent for collecting claims

his
De que & Eskey
mark

his
Black & Fox
mark

✓ 4026.627 24 Aug 1838

claim of James Crittenton - Hightower Georgia

taken by Stephen Foreman

witnessed by Boiled Corn
Archie Jann

✓ 4026.628 8/22/38

spoliation claim of Too nie ye of Long Savannah
with prices (copy later)

✓ 4026.629) 8/24/38

HB Shaw U.S.A to John Ross - reflecting spoliation claims
copy later

✓ 4026.681 10/10/38 Candy's Creek *very imp copy later
To John Ross from Robert H. Hodson, KID
method adapted by whites for cheating and debasing
Cherokee in the camp

✓ 4026.682 10/11/38 copy later
To J Ross from I Powell request to accompany J. Brodyhead
detachments

✓ 4026.683 10/12/38
spoliation claim of Stamp - Hightower Dist

✓ 4026:692. 10 / 138
Article from Republican Banner
Passed the senate 20 to 2
Ocoa District land sale

| | |
|-----------|-----------|
| 1st 4 mos | \$10 acre |
| next 2 | \$5 |
| next 2 | \$1 |
| next 2 | 50¢ |
| | 25 |
| | 12 1/2 |
| last 2 | 1¢ |

✓ 4026.630 8/25/38 copy later
Winfield Scott to Ross in Removal
Hopes it will begin soon

✓ 4026.632 8/28/38
claim of John Owanah

✓ 4026.633 8/29/38 (copy later)
To C. J. Ross from J. Mason
Discusses goods which could be bought in northern cities
& shipped to various points along route

✓ 4026.634 (copy later)
claim Tanase Tanquitta
good)

✓ 4026.636 8/30/38
claim of Ernesting Wolf - Cornsassa, Amokee Dist
- Hildebrand detachment
- James M. Kenny Agent for Collecting
Witness: Old docent
@ ualkee

✓ 4026.637 8/31/38
John Wainer Taguach Dist, N.C.
James McKenny Witness George Johnston

✓ 4026.673 Spoliation claim of J^m Brown Cherokee Dist 10/5/1838

✓ 4026.674 10/4/38

To J. Ross rec for apppt of Physician - Dr Caldwell

✓ 4026.677. Spoliation claim of Chumicky of Coosawattee Dist 10/3/38

.678 Spoliation claims

✓ 4026.678 10/8/38 ^{Capt} - Robert Anderson

Order #84 require Indians to have pass to come to agency or village

because of dram shop

.683 Spoliation claim

.684

"

"

^{test by witness - Th. Miller}
Tahyana Coosawattee Dist

.685

"

"

.686

"

"

Tolatanamee - Coosawattee

✓ 4026.680 8 Oct 38

Adam C. Peck to J. Ross

declining offer of position with one of parties

4026.639 9/20/38

claim of Moses Downing, - Hickory Log Dist

✓ 4026.640 9/5/38

To J. Ross from ^{Thomas W. Wilson} commissioner office ^{gas diddle} (copy later)
admitting that claims are being presented that were omitted by
valuing agents

✓ 4026.643 sept. 38 - Jan 31 (copy later)

claim of Thomas Woodward - Oostanalle River

rent from 15 individuals

Gibson 1840

✓ 4026.644 10 sept 38 (copy later)

To John Ross - affidavit of Dennis Cunningham agent appointed by Gen Natl Smith.
^{only valued property}
reports theft of mare & colt from Chen widow Lee ta - Chen Co. Ala.
by white names Benja & Pollard - Lee ta at camp near Ft. Payne

✓ 4026.645 9/11/38 copy later

To John Ross from Clinton Armstrong re: sale of oxen in removal

✓ 4026.646 9/12/38 (copy later)

To J Ross from Thomas McKenney, Phila
on payment to Chen Chen "in such sound currency"

✓ 4026.648 9/14/1838

copy later
letter from Tarapin to Judge in Tenn re: claim

- ✓ 4026.651 9/9/38
 letter from Maddy Hall to John Ross from Ginter's
 landing, wanting job as physician on removal
- ✓ 4026.654 9/26/38
 Cassville Ga
 V. M. Miller to John Ross
 asked to be appointed physician for removal
- ✓ 4026.655 - 8, ⁽⁶⁶⁰⁾ - spoilation claims - copy later
 .662, .665, .664, .665 - fence maker - net worth \$200
- ✓ 4026.661 9/1/38 Aquohee Camps
 Chickin and Smokey of Earth, N.C. say that Charles J. Haywood
 had a white mare stolen 10 days ago by whites
- ✓ 4026.667 10/1/38
 suit against J. Kittybaugh for return of negroes
- ✓ 4026.670 10/1/38 - copy later
 Ross to Scott - rough draft of requisition request
- ✓ 4026.671 10/3/38 copy later (imp 1)
 to J. Ross from J. W. Shults - Blythe's ferry
 seven more teams than needed - 4 kees sent back
 from Camp Ross.