

account. The various individuals who have claims under the contract of the Cherokee Nation with Genl. Scott are pressing for settlement and find themselves extremely inconvenienced by its delay. You will not, therefore, think me importunate in respectfully urging that I may be enabled as soon as possible to answer and relieve them, I have the honor to be, Sir, yr. obt Hble. Servt.

*Jno Ros:*

ALS (FC) and FC, Ross Papers, OkTG; FC, DNA, RG 393, Fort Gibson, Letters Received.

<sup>1</sup> Accounts for Removal Detachment Expenses, May 18, 1840.

### ACCOUNTS FOR REMOVAL DETACHMENT EXPENSES

Washington City 18th May 1840

[General Abstract of Expenses]

For amt of subsistence & forage issued to Cherokee Emigrants, prior to their departure west and for which a requisition was made on Genl (Winfield) Scott, but not yet paid, which is now on file in the office of Indian Affairs, War Dept. also a copy of the abstracts furnished the Supt. of the Emigration by the Contractor

92,781 50

" the following rations of subsistence & forage issued to Cherokee Emigrants from the 11th August to the 5th Decr. 1838 and not included in any other abstract as per abstract herewith, viz:

1200 rations of flour	@	5¢	\$	60.00
1212 " " coffee	@	2¢		24.24
1212 " " sugar	@	2¢		24.24
4939 complete rations provisions	@	16¢		790.24
4939 rations soap				
147¼ lbs.	"	15¢		22.16 ¼
1749 rations forage	@	40¢		699.60
45 " hay	@	12¢		5.40

1,625 88 ½

For amt of expenses for Detachment

no. 1	pr voucher herewith	\$67884.13 ¾
" "	" "	72317.10 ¼
" 3	" "	105923.12 ½
" 4	" "	97529.20

" 5	"	"	"	102226.37 ½
" 6	"	"	"	95359.85
" 7	"	"	"	103759.66 ¾
" 8	"	"	"	111741.45
" 9	"	"	"	84558.45
" 10	"	"	"	112504.80 ½
" 11	"	"	"	106730.61
" 12	"	"	"	182407.84
" 13	"	"	"	20395.87 ¼

1,263,338 48 ¼<sup>2</sup>

\$1,357,745 86 ½

By Cash received of Capt Jno Page,  
U.S. Disbursing agent on sundry  
Requisitions drawn on Majr Genl Scott

776,398 98

Balance due

\$581,346 88 ½

I certify that the foregoing a/ct. amounting to one million three Hundred and fifty seven thousand, seven Hundred and forty five dollars eighty six ½ cts. is accurate and just and that the balance of five hundred & eighty one thousand three hundred and forty six dollars 88 ½ cts. is due as stated.

*Jno Ross*

Dollars Cents

#### DETACHMENT NO. 1

For Compensation to Hair Conrad, Conductor, from 28th August to 30th September 1838 inclusive, making 34 days	@ \$5 pr day	170 "
" Compensation to Daniel Colston, who succeeded Conrad, from the 1st October 1838 to the 17th January 1839, inclusive, making 109 days	@ \$5 pr day	545 "
" do to Asst. Conductor, from 28th August 1838 to 17th January 1839, inclusive, making 143 days	@ \$3 pr day	429 "
" do to Attending Physician from 28 August 1838 to 17th January 1839 inclusive—143 days	@ \$5 per day	\$715
allowance for returning		\$120
" do to Interpreter to attending physician, for same time	@ \$2 50 pr day	357 50
" do to Commissary & Wagon Master for same time	@ \$2 50 ea. pr day	715 "
" do to Asst. Commisy. & Asst. Wagon Master for same time	@ \$2 " " "	572 "

tion to the Cherokees for the lands they relinquished on the Eastern side of the Mississippi; and it is understood that the members of that body see no reason at present to alter that decision.

In the third article of your project you ask that "the said Cherokee nation, party hereto, through and by their acknowledged chiefs and officers shall have the entire control, management and disposition, responsible only to their own nation, of the funds to be paid under this treaty."

The undersigned would very much prefer making this disposition of the funds of the nation, but as the interests of those Cherokees who have lately emigrated are deeply involved in this proposition, the Executive cannot recommend such an alternative without the previous consent of all the parties concerned.

The next article asks "that in addition to the said sum mentioned in the foregoing 2d article, the United States shall forthwith pay, or arrange to be paid, to the Cherokee nation, party hereto, the arrearages of the annuities which were provided for in the treaty of 1819, up to this date, and shall continue such annuities during the two years allowed for said removal."

The undersigned assures the delegation that whatever arrearages of annuities are due to the Cherokee nation under the treaty of 1819 shall be promptly paid up to this date, and a continuance of that annuity for two years longer shall be asked of Congress.

The fifth article requires "that inasmuch as the Cherokees contemplate removing as provided for in said first article as rapidly as their numbers and engagements will permit, the United States stipulate and engage to pay to them as such removal and the necessary preparations therefor progress out of the money mentioned in said second article, such sums as may, from time to time be necessary to defray the expenses incident thereto."

All payments and necessary advances, for the purposes herein set forth, will be liberally provided for in the contract which the commanding general will be authorized to make with the Cherokee agents for the emigration of that portion of the nation east of the Mississippi.

The sixth article asks "that during the period prescribed and allowed by this treaty for said removal, the United States stipulate and contract to protect the persons and property of said Cherokees from all acts of encroachment and violence, and to furnish them, when required, with the necessary escort and protection during such removal until their arrival at their destination beyond the Mississippi."

The necessary escort and protection during the removal of the Cherokees until their arrival at their destination beyond the Mississippi will be furnished, and the United States will protect the persons and property of the said Cherokees from all illegal acts of encroachment

and violence, and will use their best efforts with the states interested to prevent their pressing the execution of their rights in a manner calculated to oppress or inconvenience any individual of the nation.

In the seventh article the request is made "that in addition to the moneys herein before stipulated to be paid by the United States, they further agree to pay to the said Cherokee nation, party hereto, the gross sum of [blank in manuscript] dollars, in full discharge of all claims upon the United States under the stipulations of former treaties, for public or private property, spoiliations, indemnities and other reclamations whether national or individual, and for reimbursement of expenses incurred in and about this arrangement."

Six hundred thousand dollars was set apart for this purpose by a vote of Congress, and to defray the expenses of the removal of the nation to their new homes. But as this sum proves to be inadequate for both objects, the Executive will recommend to Congress to make a further appropriation in order to satisfy them.

The undersigned trusts that the Cherokee delegation will see, in these liberal concessions the earnest desire of the President (Martin Van Buren) to reconcile the nation to the necessity of removing without any other delay than a due regard for their comfort and convenience demands; and in this conviction, confidently relies upon the cordial co-operation of the chiefs and Headmen to effect this desirable object.

On the part of the government, copies of this document, with suitable applications to the states interested, will be immediately transmitted to the several governors thereof; instructions will be sent to the commanding general to act in conformity with its assurances, and a communication be made to Congress, asking the consent of that body to the provisions proposed for the benefit of the Cherokee nation.

The undersigned, in closing this communication, which has been considered with great deliberation and drawn with the utmost regard for the wishes of the delegation, desires it to be distinctly understood, that it contains the most liberal terms the Executive can grant, with a due regard to the rights and interests of all the parties concerned, and therefore presents it as the final determination of the government and the peremptory conclusion of the correspondence with the Cherokee delegation on this subject.

J. R. Poinsett

LS and FC, Ross Papers, O&TG; L&C, DNA, RG 75, M 21, Roll 24, 222-27; FC, DNA, RG 393, Scott Papers, FC, Cong. Serial 330, House Doc. 376, 2-4; FC, *Daily National Intelligencer*, May 24, 1838, p. 3, c. 5-6; FC, *Southern Banner*, June 2, 1838, p. 2, c. 3-5.

<sup>1</sup>Addressed to Ross, Edward Gunter, Richard Taylor, James Brown, Samuel Gunter, Sitawakee, Elijah Hicks, and White Path.

<sup>4</sup>Although the wording and numbering of articles is different, the document, *Notes for a New Treaty*, undated, about May 18, 1838, seems to be the item under discussion. See also the two documents which follow it: *Memo*, undated about May 18, 1838, and "Project for a Treaty," undated about May 18, 1838. All are in Ross Papers, OKTS.

4626.579

## TO MRS. BAYARD

Dear Madam

Washington City June 5th 1838

Knowing as I do that you feel a deep interest in behalf of the Indian's cause; I must Confess that, I have been neglectful in not having ere this written you concerning the Cherokees and I know not how to excuse myself. I doubt not however that you are fully informed of passing events here, and of the many difficulties which the Delegation<sup>1</sup> have experienced in the progress of their mission. The removal of the Cherokees from their native land, right or wrong, appears to be the fixed and unalterable determination of this government; it remains now only for the United States to promulgate the decree, as to the mode and manner by which that removal shall be effected; 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. There is something remarkable in the fact, that it had so happened, I have unexpectedly had the pleasure of meeting with Miss Harriet Livermore, the authoress of the "Harp of Israel"<sup>2</sup> at the Metropolis of the United States at this particular Crisis! And above all to have listened to an excellent Sermon preached by her in the Hall of Congress. I cannot undertake to speculate upon the future prospects of the Cherokees, as they are at present enveloped in mistery and obscurity. We must therefore seek repose only by placing our trust in Him, who directs the Storm and rides upon the whirlwind. I have the satisfaction in telling you that the box of Books placed under my charge by you, from Miss Livermore for the Cherokees, had reached the nation in safety and been distributed to that people according to your request. I take the liberty of sending you by Miss Livermore some documents in reference to Cherokee affairs. Wishing you health and happiness—I am Dear Madam very respectfully yr obr Hble Servi.

ADfr. Ross Papers, OKTG.

<sup>1</sup>Ross, Richard Taylor, James Brown, Samuel Gunter, Edward Gunter, Elijah Hicks, Sitowakee, and White Path.

<sup>2</sup>*The Harp of Israel. or Most the Loud Echo in the Wilds of America* (Philadelphia: J. Bakescrew, 1835).

## TO C. A. HARRIS

Sir

Washington City June 12th 1838

I herewith submit for payment the accounts<sup>1</sup> of Hair Conrad, Jesse Bushyhead, Thos. Woodward and Major Pole Cat for services and expenses as mediators of peace to the Seminoles of Florida—also, their powers of attorney appointing me as their agent in the premises.

It is proper for me distinctly to explain, that although I have here acquiesced in the deductions required by the Department, I, as agent and acting in behalf of the above named persons, do not mean thereby to prejudice the right of claiming from the United States the sum thus deducted from the original accounts in the memorial<sup>2</sup> of the Deputation to Congress bearing date March 21st 1838. I am Sir, yr. obr. Servt.

Jno Ross

ALS, Cherokee Collection, T.

<sup>1</sup>The original accounts are found in Cong. Serial 328, House Doc. 285, 20-24.

<sup>2</sup>Cong. Serial 328, House Doc. 285.

4626.572

## TO JOEL R. POINSETT

Sir

Washington City June 15th 1838

In the last communication with which we were honoured by you, dated May 18th, you assure us that the Executive [Martin Van Buren] is "not unwilling to grant most of the terms proposed by us," in our project of a Treaty therein quoted; being as you add, "equally desirous with ourselves to satisfy the portion of the Nation that still remain east of the Mississippi, and to offer them every inducement to remove peaceably and contentedly."

We have observed that the President on the 21st of May, accordingly submitted to Congress a copy of your Communication [May 18] to us, "in order that measures [might] be adopted" by the two Houses, "to carry into effect the benevolent intentions of the Government towards the Cherokee Nation."<sup>2</sup>

Since then, we learn that a law<sup>3</sup> has been passed by Congress, in reference to these communications.

We would now most respectfully ask how you are authorised by the law in question to meet the propositions which you encouraged us to hope the Executive was "not unwilling to grant."

At the same time, we would beg leave to mention that there are many reasons why the citizens of the Cherokee Nation would desire a change of the Commissioners and Agents now charged with the adjustment of their various claims. We earnestly solicit that persons may be

appointed to whom the people can submit interests of such vital import with entire confidence. The numerous complaints we receive of the *ex parte* showing upon which demands upon our constituents have been allowed and paid, and in which the funds appropriated exclusively for them have in many instances been wasted on imposters falsely assuming to be Cherokees, make it imperative upon us to request your generous attention to this subject.

We 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? With profound respect, We have the honour to be, Sir, yr. most obr. Servts.

*John Ross*  
*Edward Gunter*

ALS (RC), DNA, RG 75, M 234, Roll 82, 430-33; ALS (FC), Ross Papers, OkTG; FC, DNA, RG 393, Scott Papers.

<sup>1</sup>Ross's brackets.

<sup>2</sup>PC, Richardson, comp., *Messages and Papers of the Presidents*, III, 473.

<sup>3</sup>June 12, 1838, PC, *Statutes at Large*, V, 241-42.

TO JOEL R. POINSETT

Sir Washington City June 18th 1838

Please to pay over to John Ross for the Cherokee Nation, the sum of thirty three thousand three hundred and thirty three Dollars and thirty five cents, which amount has been appropriated by Congress<sup>1</sup> according to your estimate and made in compliance with the proposals of the undersigned Delegation in their project for a treaty for arrears of annuities. Also, such other sums as may be allowed by the Govt. on account of the Cherokees. yr. obr Hble Servts.

<i>John Ross</i>	<i>Samuel Gunter (X)<sup>2</sup></i>
<i>Edward Gunter</i>	<i>Elijah Hicks</i>
<i>R Taylor</i>	<i>Sitewakee (X)</i>
<i>James Brown</i>	<i>White Path (X)</i>

Estimate for annuities for five years up to 1840 at \$6666.67 per annum—\$33,333.35

ALS (FC) and ALS, Ross Papers, OkTG.

<sup>1</sup>June 12, 1838, PC, *Statutes at Large*, V, 241-42.

<sup>2</sup>Gunter used the Cherokee symbol for his name.

TO JOEL R. POINSETT

4826.596

Sir Washington City June 20th 1838

We have the honour to submit to you a statement [June 18] of the arrearages of annuities due the Cherokee Nation,<sup>1</sup> and at the same time a estimate of the expenses incurred by the Delegation,<sup>2</sup> at Washington, including the cost of their journey from and to their homes [not found].

At the same time, we would respectfully ask whether these sums will be allowed and whether they are to be deducted from the appropriation of One Hundred Thousand Dollars for contingencies?

We would further desire to be informed whether the Department will consider it expedient to pay over the balance of that appropriation to the Delegation, to be applied under the direction of our Nation for the relief of the Cherokee people, in the manner contemplated by the law? We have the honour to be, Sir, with profound respect, yr. most obr. Servts.

*John Ross*

ALS, DNA, RG 75, M 234, Roll 82, 433-34; ALS (FC) and Dfr. Ross Papers, OkTG.

<sup>1</sup>A note in the margin of the ALS reads: "withdrawn by Mr. Ross." This apparently refers to the phrase "a statement of the arrearages of annuities due the Cherokee Nation," which is set off with slash marks.

<sup>2</sup>Ross, Richard Taylor, James Brown, Samuel Gunter, Edward Gunter, Elijah Hicks, Sitewakee, and White Path.

CHEROKEE ANNUITIES PAID TO ROSS

[Washington] 1838 June 25

Paid to John Ross, by requisition of the Treasury No. 9,992, per order of the Cherokee delegation, viz: John Ross, R. Taylor, Edward Gunter, James Brown, Elijah Hicks, Sit(w)akoe, and White Path, being an account of arrearages of annuities, and such other purposes as are deemed necessary and proper to facilitate the removal of the Cherokees, for which sum the delegation are to be held accountable—arrears of annuities, per act 12th June, 1838

25,000.00

FC, DNA, RG 233, 27th Cong.; FC, Cong. Serial 411, House Report 1098, 69.

## TRAVEL EXPENSES PAID TO ROSS

[Washington] June 26 [1838]

Paid to John Ross, one of a delegation of the Cherokees, consisting of John Ross, Edward Gunter, Richard Taylor, Samuel Gunter, James Brown, Elijah Hicks, Situ[w]akee, and White Path, expenses of the delegation to and returning from Washington, under the provisions of the act of 12th June, 1838, making appropriation for preventing and suppressing Indian hostilities, &c., allowed by Commissioner of Indian Affairs [C. A. Harris] and the Secretary of War [Joel R. Poinsett]

7,000.00

PC, DNA, RG 233, 27th Cong.; PC, Cong. Serial 411, House Report 1099, 69.

## TO JOHN HOWARD PAYNE

My dear Sir Salem No. Ca. July 5th [and 9] 1838

I arrived here in good health and had the satisfaction to find my Daughter [Jane] also well. I send you an extract of a letter [not found] from my brother [Lewis] to a friend in this place, as a specimen of the state of affairs in the Nation—which you can use, *without giving the name of my brother.*

The Moravians, have three missionary gentlemen now among the Cherokees, who will be a close observer and will record the events of the times. I shall see, and get them, (with others), to supply you with such facts from time to time as will be important to be known.

Abingdon Va. July 9th

Having left Salem before closing this letter, I now avail myself of the earliest moment to mail it. The fatigues of stage traveling, and want of rest together with the thrilling news occasionally recd. from passengers we meet with on the road from the West, respecting the unhappy condition of the Cherokees, makes it difficult for me to write you any thing in detail. This I must defer until I shall have reached the Encampment of my Nation. Very Sincerely yr. obr. Servt.

Jno Ross

P.S. Now knowing when this will find you I have enclosed it to Mr. Fuller to be forwarded to you.

ALS, Payne Papers, OkTG.

## TO THE CHEROKEES

1838

Camp Aquohee [Cherokee Nation]

My friends &amp; Fellow Citizens July 21st 1838

From the extraordinary position in which we are placed and the peculiar circumstances under which we have met, it is useless that your patience and time should be wasted by a detailed report of the proceedings of your Delegation who have just returned from their Mission to Washington City. It is therefore unnecessary that I should occupy your attention on this momentous occasion in reading over the voluminous documents containing the correspondence between the Delegation and the Officers of the U.S. Govt. as well as our Memorials to Congress. Suffice to say, that these papers will show that your Delegation have in the discharge of the duties imposed upon them, most scrupulously observed to the best of their full abilities the known wishes and sentiments of the whole Nation, in the support of our common rights and interests. But, when the strong arm of power is raised against the weak and defenseless, the force of argument must fail. Our Nation have been besieged by a powerful Army and you have been captured in peace from your various domestic pursuits. And your wives & children placed in forts under a military guard for the purpose of being immediately transported to the West of the Mississippi—and a portion of them have actually been sent off!! Your leading men feeling for your distress, respectfully appealed to the magnanimity of the gallant and generous Commanding General [Winfield Scott] for a suspension of your removal until autumn, a season more propitious for a healthful and comfortable removal from a salubrious clime to a sickly one. As you all well know, this petition has been favourably received and kindly granted. These things transpired in the absence of your Delegation and whilst they were at Washington City in actual Negotiation and under a hopeful prospect of success, for concluding an arrangement with the United States through the Secy. of War [Joel R. Poinsett], and thereby alleviating our Nation from the embarrassing difficulties with which we have for years past been troubled. But, alas! the Negotiation was unexpectedly and suddenly terminated by the Secy. of War and the subject matter submitted to Congress by the President of the United States [Martin Van Buren] in a manner wholly inexplicable to the Delegation. Congress, has made an appropriation to meet the expenses for transportation, subsistence &c amounting to One Million forty seven thousand and sixty seven Dollars. Also an additional sum of One hundred thousand Dollars for arrearages of Annuities, for blankets clothing for the poor, medical aid &c. The Delegation have been advised by the Secretary of War that Major Genl. Winfield Scott has been instructed to close an arrangement with them for the control and management of our own emigration; thus has the Mission to Washing-

ron terminated; and the Delegation have found you under a Military dress, encamped in the forests along the sylvan brooks where you once gathered your flock of sheep and herds of cattle. Here, homeless and outcasts, we are only for a short space to be permitted to risk a passing view of the houses and farms we once inhabited & cultivated & the places in which we happily worshiped Almighty God. Amid these our afflictions, I rejoice, however, to find that you have so wisely and with Christian firmness maintained your peaceful and respectful relations toward our white brethren, as well as in the discharge of the solemn duties we owe one to the other, among ourselves. It is especially gratifying to me to be informed verbally by the Commanding Genl. who is charged with the painful duty of removing us from the land of our Nativity, that, he has found you faithful and honorable in the fulfilment of every promise or engagement which you have made with him, and that in no instance have you ever told him a lie. This distinguished officer has been pleased further to assure me, that, so far as it may be within his power to grant our request in reference to our comfortable removal, that the interests and wishes of the Nation shall be consulted and adopted. To enable the Delegation therefore to submit such propositions on this subject for the decision of Genl. Scott agreeably to the understanding between them and the Secretary of War it is proper that, an interchange of sentiments should be had between the people assembled in General Council and the Delegation in order that their sentiments may be clearly had upon the same. And, in as much as this business is of the first importance, it should be disposed of without delay; I would therefore respectfully urge you to take up, deliberate and act upon it at once. So, that other indispensable subjects in reference to individual claims and interests may also be provided for.

AD, Ross Papers, OKTG.

<sup>1</sup>Ross, Richard Taylor, James Brown, Samuel Gunter, Edward Gunter, Elijah Hicks, Sitewakee, and White Path.

40.26.105

#### TO WINFIELD SCOTT

Sir Amobe(e) Dst. Aquolie(e) [Cherokee Nation] July 23rd 1838

In respectfully presenting for your consideration the following suggestions in relation to the removal of the Cherokee people to the West, it may be proper very briefly to advert to certain facts which have an important bearing on the subject.

It is known to you Sir, that the undersigned, Delegates of the Cherokee Nation, submitted to the Hon. the Secy. of War [Joel B. Poinsett] the project of a Treaty, on the basis of a removal of the Cherokee Nation from "all the Lands now occupied by them Eastward of the Mississippi." And on terms the most of which the Hon. Secy. ex-

presses himself "not unwilling to grant.["] The present condition of the Cherokee people is such that all dispute as to the time of emigration is set at rest. Being already severed from their homes & their property, their persons being under the absolute control of the Commanding General. And being altogether dependent on the benevolence and humanity of that high officer for the suspension of their transportation to the West at a season and under circumstances in which sickness and death were to be apprehended to an alarming extent, all inducements to prolong their stay in this country are taken away. And however strong their attachment to the homes of their fathers may be: their interests and their wishes now, are to depart as early as may be consistent with their safety. Which will appear from the following extract from their proceedings on the subject.

"Resolved by the National Committee and Council & People of the Cherokee Nation in General Council assembled, that it is the decided sense, and desire, of this General Council, that the whole business of the emigration of our people, shall be undertaken by the Nation, and the Delegation are hereby advised to negotiate the necessary arrangements with the Commanding General for that purpose."<sup>1</sup>

In conformity therefore with the wishes of our people and with the fact that the Delegation has been referred by the Hon. the Secy. of War to conclude the negotiation in relation to Emigration, with the Commanding General, in the Cherokee country.

We beg leave therefore very respectfully to propose: that the Cherokee Nation will undertake the whole business of removing their people to the West of the river Mississippi.

That, the Emigration shall commence, at the time stipulated in a pledge<sup>2</sup> given, to you, by our people as a condition of the suspension of their Transportation, until the sickly season should pass away; unless prevented by some cause which shall appear reasonable to yourself.

That the per capita expense of removal be based on the calculation of one wagon & team & six riding horses being required for fifteen persons.

That the Cherokees shall have the selection of Physicians and such other persons as may be required for the safe and comfortable conducting of the several detachments to the place of destination; their compensation to be paid by the United States. We have the Honor to be, yr. obe. Hble. Servts.

<i>John Ross</i>	<i>Saml Gunter (X)<sup>1</sup></i>
<i>Elijah Hicks</i>	<i>Sitewakee</i>
<i>James Brown</i>	<i>White Path (X)</i>
<i>Edward Gunter</i>	<i>R. Taylor</i>

ALS, DNA, RG 393, Scott Papers; AL (FC), Ross Papers, OKTG; FC, DNA, RG 75, M 234, Roll 115, 665-67; PC, Cong. Serial 249, House Report 288, 4-5; PC, RCIA, 1838, 459-60.

- <sup>1</sup>July 21, 1838, PC, Cong. Serial 329, House Doc. 129, 34.  
<sup>2</sup>George Lowrey et al. to Scott, June 11, 1838, PC, ibid., 31-32.  
<sup>3</sup>Samuel Gunter used the Cherokee characters for his mark.

## TO WINFIELD SCOTT

4026-605

Sir, Amohee Dst July 23rd 1838  
 Agreeably to your request I herewith give you the names of such Cherokees as have been reported to me as being in duress in the State prison of Georgia. To wit—Johnson Pipe, Thomas McDaniel, Old Chicken, Avery Spaniard, Creek Jim, (Mushroom or Spunk), Bark Chicken, Johnson Crow, Log in Water, Sawney Risingfawn, Oocheskolish, Wahyah or Wolf. It is believed however there are others whose names cannot, at present, be ascertained. Should this be the case, I trust that a general request from you will be sufficient to induce the Executive of the border states to release such Cherokees as may be found in confinement within their respective jurisdictional limits, in order that they may emigrate with their friends to the West. I have the honor, to be, Sir, yr. obt. Hble. Servt.

Jno Ross

ALS, DNA, RG 393, Scott Papers.

## TO WINFIELD SCOTT

4026-607-4-9

Sir, Cherokee Agency, East, July 27th 1838  
 Your letter addressed to the undersigned on the 25th inst. has been considered by the Council and people assembled. The accompanying Resolution<sup>1</sup> confers the authority upon the late delegation to Washington City to close with you the necessary arrangements for the entire removal & subsistence of the Cherokees. We are now prepared to discharge the duties, devolving upon us in relation to this matter.

To the conditions mentioned in your letter upon which you are willing to place the whole business of managing the emigration in our hands we are not disposed to object, but are ready & willing to accede to them with, however, this further understanding that we may be allowed the two entire months of September & October to get all our people in motion for the West and that we shall not be required, positively to send off a detachment "at intervals not exceeding three days." In the commencement the weather will be very warm and before the arrival West of the last parties the winter will have commenced its vigour, and we would prefer some discretion as to the time and ar-

angement in despatching detachments, especially as the time for the moving of the last will be fixed. We have the honor to be, Sir, most respectfully yr. obt. Servts.

Jno Ross  
 Edward Gunter  
 James Brown

Elijah Hicks  
 Saml. Gunter

LS, DNA, RG 393, Scott Papers; LS and PC, Ross Papers, OkTG; PC, DNA, RG 75, M 234, Roll 115, 673-74; PC, Cong. Serial 429, House Report 288, 6-7; PC, RCIA, 1838, 461; Tr, DNA, RG 75, M 234, Roll 115, 705-06.

<sup>1</sup>July 26, 1838, PC, Cong. Serial 429, House Report 288, 7-8.

## TO WINFIELD SCOTT

4026-610

Sir, Cherokee Agency July 28th 1838  
 Complaints have been made that there are certain persons styling themselves "Agents for collecting and selling Cherokee property," who have in many instances conducted themselves with great irregularity and injustice in their business—thereby, the Cherokees have suffered serious injury and losses. It is stated that some of these "Agents" are now on the lines of the Encampments with the avowed purpose to gather up and sell off Cherokee ponies &c! This, it is to be hoped, will not be permitted by the Commandg officer to be done, and that this agency may now be discontinued; the Cherokees can dispose of their own surplus property within their reach themselves, during the period for their continuance in the several Encampments. Very respectfully I am Sir yr. obt Hble Servt.

Jno Ross

ALS, DNA, RG 393, Scott Papers; ADft, Ross Papers, OkTG; PC, DNA, RG 75, M 234, Roll 115, 683.

## TO WINFIELD SCOTT

Sir, Cherokee Agency, East, July 31st 1838  
 You have herewith the estimate<sup>1</sup> of the expenses of each detachment of (one thousand) Cherokees, to be removed, by land, as estimated for by this Committee, and which is respectfully submitted for your consideration and approval.

It is desirable that immediate arrangements be entered upon for the purchase of waggons &c, and the organization of detachments; as well as the timely establishment of depots for subsistence on the whole route. Your approval of the estimate being known and a basis estab-

lished to regulate expenditures, the immediate amount required will be specified. With much respect we have the honor to be yr. obt. Servts.

*John Ross*                      *James Brown*  
*Edward Gunter*              *Elijah Hicks*

LS, DNA, RG 393, Scott Papers; ADfr, Ross Papers, OkTG; FC, DNA, RG 75, M 234, Roll 115, 761-62; PC, Cong. Serial 429, House Report 218, 9; PC, RCIA, 1838, 465; Tr. DNA, RG 75, M 234, Roll 115, 711.

<sup>1</sup>PC, Cong. Serial 429, House Report 238, 9-10. Ross estimated the cost of removing one party of one thousand persons over eight hundred miles in eighty days to be \$65,880.

4026 615  
TO WINFIELD SCOTT<sup>1</sup>

Sir                      Cherokee Agency East August 2nd 1838  
We have had your reply of yesterdays date to our estimate<sup>2</sup> under consideration. The estimate we believe reasonable, having the comfortable removal of our people solely in view and endeavoring to be governed as far as that object will allow by the rates of expenditures fixed by the officers of Govt. After the necessary bedding, cooking utensils & other indispensable articles of 20 persons (say 4 or 5 families) are placed in a waggon with subsistence for at least two days, the weight already will be enough to exclude, in our opinion, more than a very few persons being hauled. The great distance to be traveled liability to sickness on the way of grown persons, and the desire of performing the trip in as short a time as possible induce us still to think our estimate of that item not extravagant.

In relation to the rations at 16 cts. the estimate is fixed at a rate which the Govt. agents had already made some arrangements to have them supplied. The addition however of sugar & coffee has been made under this estimate which we trust will be considered reasonable enough.

In our estimate we omitted an item, which we deem indispensable, but propose now the addition of soap. The quantity and cost of delivery at the rate of 3 lbs. to every 100 rations, at 15 cts. per lb.

Whatever may be necessary in the emigration of our people, to their comfort on the way and as conducive to their health we desire to be afforded them, at the same time it is our anxious wish in the management of this business to be free at all time from the imputation of extravagance. With high respect we have the honor to be yr. obt. Servts.

*John Ross*                      *James Brown*  
*R. Taylor*                      *White Path*  
*E. Hicks*                      *Sitawakee*  
*Edward Gunter*

ALS (FC) and PC, Ross Papers, OkTG; LS, DNA, RG 393, Scott Papers; FC, DNA, RG 75, M 234, Roll 115, 767-68; Tr. DNA, RG 75, M 234, Roll 115, 233; PC, Cong. Serial 429, House Report 280, 11; PC, RCIA, 1838, 465.

<sup>1</sup>Samuel Gunter's name no longer appears as a part of this committee. Apparently he died about this time.

<sup>2</sup>See Ross et al. to Scott, July 31, 1838.

4026 618  
TO WINFIELD SCOTT

Sir                      Cherokee Agency East August 4th 1838  
The enclosed paper<sup>1</sup> will show that the special duty of making requisitions for funds to be applied to the emigration of the Cherokees has been imposed upon me. And the estimate for the expenses of removal settled. I have now to request that you cause the sum of [blank in manuscript] dollars to be paid over to me upon this my requisition for that amount to be applied to the immediate arrangements preparatory to a removal of a portion of our people. This being the whole amount of funds now in readiness as I learn from Capt. [John] Page intended for this service.

I hope it will scarce be thought necessary on my part to request that the entire amt. of funds which may be required in this emigration at the rated estimate for expenses & the whole number of Cherokees to be removed not less, it is believed, than fifteen thousand may be immediately provided that no delay or derangement may arise from the want of means to comply with our agreement. I have the honor to be, Sir yr. obt. Servt.

*John Ross*

ALS (FC), Ross Papers, OkTG.

<sup>1</sup>Resolution of the Removal Committee, August 1, 1838, PC, Cong. Serial 365, House Doc. 129, 36.

REMOVAL AND SUBSISTENCE MONIES PAID TO ROSS

(Cherokee Agency) August 4 [1838]

Paid to John Ross, principal chief and agent of the Cherokee nation, by Capt. John Page, disbursing agent, on account of removal and subsistence

130,000.00

FC, DNA, RG 253, 27th Cong.; PC, Cong. Serial 411, House Report 1098, 69

## TO WINFIELD SCOTT

Cherokee Agency August 4th 1838

Estimate for Blankets and such other clothing as contemplated by Congress for the poorer class of the Cherokees &c attending emigration.

Estimate for the unexpended Balance intended to be "expended in provision & clothing for the poorer class of the Nation"	\$6,000
For certain objects specified in the 3rd Section of a late act of Congress touching the removal of the Cherokees	10,000
	<u>\$16,000</u>

Sir

In your communication of the 28th Ulro, you informed us that the above sums were subject to your order, and that you were willing to place the same, for the purposes intended, at our disposition. You will therefore please to cause the sum of sixteen thousand Dollars to be paid over to me upon this my requisition, I have the honor to be Sir, yr. obt. St.

John Ross

ADfrS, Ross Papers, OkTG.

June 12, 1838, PC. U.S. *Statutes at Large*, V. 242.

## TO A PHYSICIAN

Cherokee Agency August 7th 1838

The removal of the Cherokee Nation has been turned over the Cherokee authorities by Major Genl. [Winfield] Scott, consequently the control and management of the same.

Arrangements have been made between Major Genl. Scott on the part of the U S and the constituted authorities of this Nation, for the removal of the Cherokees—by which the entire control and management of this business will be conducted under the superintendency of the Nation. The emigration is to commence on or before the 1st of next month, and to be completed as speedily as practicable. Esqr. [John] McGhee had intimated to me the possibility of your willingness to afford your Medical Services to the Cherokees on this Emigration—and I have only to add should this be the case that it would give me pleasure to confer the appointment on one so worthy the confidence of the Cherokees as yourself. May I not therefore be permitted to request you to signify to me without delay, your inclination on this subject.

There is much sickness in the camps, and a speedy change in the Medical Department is much desired and must be made. I am Dr. Sir, very respectfully yr. obt. Servt.

ADfr, Ross Papers, OkTG.

## TO WINFIELD SCOTT

Cherokee Agency August 9th 1838

The clerks of the Nation who are engaged in preparing and registering the claims of the individual Cherokees for adjudication and settlement with the Agents of the U. States, will soon have completed the duties assigned them; consequently, Mr. George Lowrey the Asst. Principal Chief has deemed it his duty in behalf of the Wills Town Detachment at Fort Payne [Alabama] through me to enquire; whether, upon the adjudication of the claims of the persons forming that Detachment, a disbursing officer can or will be sent down to that Post to pay them off? And if not, what other arrangements will be made for the convenience of these claimants to receive their dues from the U.S. previous to their departure for the West? I have the honor to be, Sir, yr. obt. Hble. Servt.

John Ross

ALS, DNA, RG 393, Scott Papers; ALS (FC), Ross Papers, OkTG.

ARTICLES OF AGREEMENT BETWEEN  
ROSS ET AL. AND LEWIS ROSS

[Cherokee Agency, August 10, 1838]

Articles of Agreement entered into this tenth day of August, one thousand eight hundred and thirty eight, between John Ross Principal Chief and Superintendent of removal and Subsistence, and Edward Gunter, Richard Taylor, James Brown, Elijah Hicks, Situwakee, & White Path, on behalf of the Cherokee Nation East of the river Mississippi, of the first part, and Lewis Ross of said Nation of the second part. Witnesseth—

That the aforesaid John Ross, Edward Gunter, Richard Taylor, James Brown, Elijah Hicks, Situwakee & White Path, do by these presents covenant, and agree with the said Lewis Ross as herein after specified. That is to say, the said Lewis Ross will furnish supplies to the emigrating Cherokees on their journey to the West to be delivered at such points as may be required at the rate of Sixteen cents pr Ration, which shall consist of the following items, viz. one pound of Fresh Beef

or Pork, or three quarters of a pound of Salt Pork or Bacon, three half pints of corn meal, or one pound of wheat Flour (and if at any point on the route it should be impracticable to procure either Flour or Meal, the said Lewis Ross is permitted to furnish in lieu of the Ration of Flour or Meal Three half pints of Corn) also four pounds of Coffee, eight pounds of brown sugar and four quarts of Salt to every hundred Rations, all which items shall be of good and merchantable quality. Also the said Lewis Ross engages to furnish forage for the teams and horses employed in said Emigration, at the rate of Forty cents per day for each horse, ox, or mule, the Ration to consist of one peck of corn, or twelve quarts of Oats, and eight pounds of hay or fodder, and the said Lewis Ross further engages to supply three pounds of good hand soap for every hundred rations at the rate of fifteen cents per pound. And the said John Ross, Edward Gunter, Richard Taylor, James Brown, Elijah Hicks, Sinuwalloe, and White Path, for and in consideration of the faithful of the foregoing engagements on the part of the said Lewis Ross, do hereby covenant, and agree to make payments to him from time, to time, on account, provided the means for so doing be furnished by the United States. And finally to make faithful payment of the balance of the whole account agreeably to the receipts of the authorized agents of the nation accompanying the several Detachments.

In Testimony whereof the parties aforesaid have hereunto set their hands and affixed their seals, at the Cherokee Agency East, on the day and date above written. Signed Sealed and acknowledged in presence of

<i>Thomas C. Hindman</i>	<i>John Ross</i>	<i>Elijah Hicks</i>
<i>George W. Marrell</i>	<i>Edward Gunter</i>	<i>R Taylor</i>
<i>Evan Jones</i>	<i>James Brown</i>	<i>White Path (X)</i>
		<i>Lewis Ross</i>

It is also understood and agreed by the parties to the foregoing Agreement that the Creek Indians who are not now within the Cherokee Nation East and who are to be removed with the Cherokees, are included under this contract. Witness our hand and seals this tenth day of August 1838.<sup>1</sup>

*John Ross*  
*Lewis Ross*

DS, Ross Papers, OkTG; FC, DNA, RG 75, M 574, Roll 4 (file 31), 58-59; FC, OkMM.

<sup>1</sup> A further agreement attached to the above gives bond for Lewis Ross and John McGiven for \$100,000. DS, Ross Papers, OkTG.

4026.1178

TO WINFIELD SCOTT

Sir

Cherokee Agency 15th August 1838

Amid my constant engagements attending the Cherokee emigration, I have presented to me, almost hourly, claims for improvements, altogether omitted, or erroneously valued by the valuing Agents of the United States, and also claims for spoliations. I am asked to act upon these, and to have them adjusted. Of the duties of my official station in reference to the Cherokees themselves I am duly informed, but of those imposed on me by the authorities of the United States under existing circumstances I am not. Since we have been collected, for emigration, under your direction, the Cherokees consider you the legitimate representative of the authority of the United States, so far as our present position to that government is concerned, and the agent with whom we have to do, in the adjustment of our affairs.

The Cherokees doubt not they have your generous sympathies in their unfortunate condition, and the past has assured them, so far as you have the power their claims will be speedily settled, and they permitted to depart satisfied to the home assigned them. We stand pledged to you and, through you, to the government of the United States, peaceably to leave, at an early day, the land of our fathers, and that pledge shall be faithfully redeemed.

We are under the immediate control and direction of the military power of the United States, and with due respect to you, and for that power I now address you, and ask that you will give such a direction to the papers [not found] here transmitted as will insure an early adjustment. I am, Sir, with high respect, yr. obt. Servt.

*John Ross*

ALS, DNA, RG 393, Scott Papers; FC, Ross Papers, OkTG.

FROM WINFIELD SCOTT<sup>1</sup>

Headquarters, Eastern Division, Cherokee Agency,  
Aug. 22, 1838

Gentlemen:

I have received a formal protest<sup>2</sup> signed by the Cherokee Committee now in session under the treaty of New Echota, in behalf of themselves & their whole nation against the contract entered into by you with Mr. Lewis Ross for the supply of rations of subsistence to emigrants & their horses, on the routes to your new country west of the Mississippi.

The protest contains several allegations into which it seems proper to inquire. Among others are the following:

1. That the contract, under which, perhaps \$400,000 of the money of the Cherokees may be expended, was entered into without public notice, & consequently without any competition whatever;

2. That the rations, established by the contract, for persons & horses, are to be paid for at rates which will enable the contractor, with ordinary care & ability, & acting in perfect good faith, to make the enormous profit of more than \$180,000;

3. That there are now, at this place, a company of highly respectable citizens who are ready & desirous to contract to supply on the routes, the same established rations for persons & horses; to begin the issues within six days after the date of the agreement, & to continue them, on demand, at rates which would save to the nation, on 12,500 emigrants, with their 6,250 horses, at least \$100,000 of the sum likely to be made by Mr. Lewis Ross under the contract conferred upon him; &

4. That the *per capita*, under the treaty, of every Cherokee who has emigrated to the west, since 1833, or who is now to be emigrated, will be sensibly affected by the loss of that \$100,000.

Such is the substance of the principal allegations contained in the protest.

In respect to the first, it is not known that any publicity was given by the delegation to their wish to make a contract of the nature in question, & hence the presumption that it was given without bidders or competition.

The calculations on which the second & third objections are founded, as exhibited to me, seem more than plausible.

The fourth allegation of the protest makes a strong appeal to me as the actual representative of the U. States and the absent Cherokees, under the treaty of New Echota.

If that part of your people who were directly represented in the recent council that conferred upon you authority to make arrangements with me for carrying on their emigration were alone interested in the monies provided by the treaty of New Echota, & a recent act of Congress in furtherance of that treaty, the surplus of which monies, after many deductions, is to be distributed *per capita*, it would be sufficient for the U. States that you had been duly delegated to contract for the supplies in question, & there would be no pretence for inquiring whether the terms of such agreement were wise or unwise; economical or extravagant. The money & its application would be considerations belonging exclusively to yourselves & your constituents. But, as has been intimated, there are numerous other families, on this & the western side of the Mississippi, directly interested in the economical expenditure of those monies, & which families were not represented in that council, but whose interests are protected by the treaty, viz: the Cherokees who have emigrated since 1833, & such of the treaty party as remain to be emigrated. The amount of *per capita* money, finally to be paid to each individual of those families ought not, therefore, to be diminished by any waste which the U. States can prevent.

The contract with Mr. Lewis Ross, was entered into without any

knowledge on my part: I was, in fact, ignorant of the intention of the delegates to obtain subsistence for the emigrants on the road in that form, until some time after the contract had been actually signed. Until then, I had been led to suppose their intention was to purchase on the road the subsistence that each party of emigrants might require, & only as required; for, when the second time I gave information that I had caused advertisements to be inserted in many newspapers, inviting sealed proposals for furnishing all the rations which would be required on the routes of emigration, the benefits of which proposals were freely offered to the delegation, they silently declined, or at least showed no wish to profit by the offer; whereupon, in their presence, I gave directions to cause those advertisements to be discontinued. This occurred some time before the date of the contract with Mr. L. Ross, which, when seen, after another interval of many days, was neither approved nor disapproved by me.

Perhaps it may be thought that I have, by the terms of the arrangement, entered into with the delegation, deprived the U. States of the right to adopt or to inquire into the objections which have been brought to my notice by the protest. Such position cannot be maintained.

The basis, or condition of that arrangement, accepted by the delegation & not since modified in any material particular, are laid down in my reply to the delegation, dated the 25th ultimo. After stating those conditions, I distinctly said: "the foregoing conditions being agreed to, the U. States, thro' me, are willing to stipulate to pay over to the Cherokee functionaries, from time to time, such portion of the monies appropriated for the emigration, as may seem reasonable to prepare & carry it out." And when the conditions had been accepted, I, three days later, repeated: "The monies which, from time to time, may be deemed necessary to prepare for & carry on the emigration, you will please make estimates for, addressed to me, specifying the immediate objects, & if the estimates shall appear reasonable, they shall be promptly complied with."

Now, if the contract in question be liable to the objections stated, it may not appear to me "reasonable" to make advances of payments to carry it into effect.

I am aware that the delegation discussed with me a general estimate for the emigration of every thousand Cherokees, in which were found the items of sixteen cents a day for the subsistence of each person, & forty cents a day for the subsistence of each horse. The estimate, tho' deemed extravagant, was finally approved by me, & defended (until I saw the contract signed with Mr. L. Ross) on the grounds that it was but a rough estimate, & that if the cost, on actual experience, of the several items should be found to be less, the difference in the hands of the U. States or those of the delegation, would not be lost, but go to the benefit of the Cherokee nation. This was the idea held out by one

or more of the delegation & adopted by me; for I could not possibly imagine that individuals of tried integrity & intelligence, acting for & on account of their constituents, could fail to execute their high trust with care & judgment; nor can I yet believe that they have thrown away \$180,000 of their nation's money. Nevertheless I have deemed it due to the delegation & all concerned, to give the former an opportunity to reply to the foregoing allegations.

Trusting that any accidental error that has been committed, in making the contract, may be speedily corrected, or that it may be satisfactorily shown that there has been no serious improvidence, I remain, gentlemen, yours respectfully

Winfield Scott

ALS, Division of Manuscripts, OkU; FC, DNA, RG 75, M 734, Roll 115, 897-903; FC, DNA, RG 233, 27th Cong.; PC, Cong. Serial 411, House Report 1098, 36-38.

<sup>1</sup>Addressed to Ross, Elijah Hicks, James Brown, Edward Gunter, Siruwakee, White Path, and Richard Taylor.

<sup>2</sup>John A. Bell et al. to Scott, August 20, 1838, PC, Cong. Serial 411, House Report 1098, 31-36.

4026 626p

TO JOHN PAGE

Sir, Cherokee Agency August 24th 1838  
Myself and family being a part of the Cherokees to be removed West under the late operations of the U.S. military—would be entitled to receive provisions from the U States and not having heretofore applied, now request to be supplied. My family consists of thirty one persons and eighteen horses & oxen—being in the vicinity of Camp Russ, you will please to advise me to whom I shall apply for rations. Yrs. respectfully

AL, Ross Papers, OkTG

4026 431

TO WINFIELD SCOTT

Sir, Cherokee Agency August 25th 1838  
We have had the honor to receive your communication of the 22ed Inst. and are constrained to acknowledge that it has produced in our minds the most painful feelings. The repeated instances of magnanimity and humanity which has characterized your intercourse with our people, in the course of the painful military operations under your direction, has not only gained the confidence of the Delegation, and the leading persons of our Nation, but that of our people generally, and we have felt great satisfaction, in the hope that our people, had so con-

ducted themselves, as to secure to them, the benefits of your friendship.

Any occurrence, therefore, which might, in the slightest degree, impair your confidence, in us or in our people, cannot be viewed, by us otherwise than as a serious affliction. And more especially so, at this important juncture, when all our energies are directed to the carrying out, with good faith and promptitude, the arrangements for the speedy removal of the Nation to the West.

We have considered the points to which you have called our attention, and beg leave very respectfully to present to you the following brief reply.

The persons who signed the *protest*,<sup>1</sup> presented to you, as on "behalf of themselves and their whole Nation," are not recognized by our people. They do, in no respect, represent their views, nor consult their interests, and their protest can only be considered as the utterance of the dissatisfaction of disappointed men.

In answer to your enquiry respecting the contract entered into by us, we respectfully reply, that no special public notice was given, because we know of no advantage to be secured to the Cherokees, by such a course. They had no wish to invite the competition of white contractors, not responsible to themselves, nor answerable to their laws. To be removed under such contracts, was utterly abhorrent to their feelings. It was not our understanding, that we were restricted to any particular mode of furnishing supplies for the road. We gave the matter, our most serious consideration and adopted the mode which to us appeared best calculated to secure a comfortable certain and seasonable supply.

In a movement of such vast importance, as the emigration of our whole population; comprising all the conditions of human life; the sick, and the infirm, from helpless infancy to decreped age, there are considerations more weighty, and of more importance to us, than the saving of a few dollars, by means of the competition of speculators. The lives and health and comfort of our people, are, with us points of paramount consideration and to secure these objects, the supply of subsistence must be seasonable, ample, and of good quality.

In the peculiar condition in which the Cherokees are placed: their families in camps: the whole Nation under solemn pledge to commence their journey to the West at so early a day, as to allow of no delay in their preparations: some extenuation of our error might be pleaded even if the prices were somewhat too high. But we do not feel ourselves obnoxious to such a charge. The prices are reasonable. They will be allowed to be so, by officers of judgement and experience; whose extensive knowledge of business and familiarity with Indian Emigration, entitles their opinions to respectful attention. We are not ignorant of the plausible aspect which may be given to estimates, made for very large amounts, by a little manoeuvring in the exhibition of data for the purpose of effect.

It is quite evident that the data furnished by the extremes of high

and low prices would lead to very different and very erroneous results. Our estimate submitted to you on the 31st ult. and which was adopted was based on the most correct and the most extensive data we could obtain.

We are altogether ignorant of the basis, on which the calculation was made, which exhibited a profit of \$180,000 but all the authentic information within our reach indicates a very different result, and one which gives us no cause, under our high responsibility to repent of the contract we have made. If the contract could have been made on better terms, with equal satisfaction to the Cherokees, with the same certainty and under the same responsibility, we would gladly have done so; but no such opportunity was presented. And Sir, we would with submission venture to assert, that most of those with whom the dissenters have originated, are disappointed whitesmen, who use certain disaffected Cherokees to echo their complaints. Men, whose object is not to save money, for the Cherokees, nor for the United States, but to embarrass our arrangements, to retard emigration, and to afford further opportunity for speculation on the poor Indian.

It seems strange, that these economical projectors should have maintained a dead silence, about these great savings until the business of emigration was turned over to the Cherokees and they themselves had failed to obtain a participation in the agency of the removal.

Last week, we are informed, a communication, appeared in one of the Athens [Tennessee] papers, over the signature of Nat. Smith, on economy in Cherokee emigration. About the same time, Mr. Lewis Ross informed us that a company of Gentlemen had made, to him, various verbal propositions for a participation in the contract, which he declined for reasons which we approved. On the 18th inst. they addressed him a note<sup>7</sup> on the same subject, to which he replied,<sup>8</sup> and informed us thereof, copies of which we herewith transmit to you. After this, we heard for the first time, of an intemperate protest, and threat, that the contract, we had made, should be defeated.

What influence, the refusal of Mr. Lewis Ross, to sell the use of his name, has had, in producing the complaints and protest in question, we will not pretend to judge.

With regard to the rights of any persons, not represented by us, being affected by the operation of our arrangement with you, for the removal of our people; we beg leave very respectfully to remind you of the fact, that in that arrangement the only points brought under discussion, were the removal of the Cherokees, and the means for carrying it into effect. That the rights of any persons, besides those who were the subjects of the arrangements, were at all involved, in it, we were not aware; nor can we yet perceive, the right of any person to interfere in the matter, except yourself as the representative of the United States, on the one part, and the Cherokees, who are the subjects of the arrangement on the other; and who are using every effort, faithfully

and seasonably to carry out the stipulations into which they have entered.

In conclusion, Sir, we avail ourselves of this occasion to say, that our preparatory arrangements for removal, are in an encouraging state of forwardness. The officers of the first detachment have reported readiness to commence their march, and from other detachments will be in readiness in a few days.

We beg leave to assure you of our full determination to spare no effort, on our part to carry out, with promptitude, the stipulations of our arrangements, and we have all confidence, that in this, we shall be sustained by your countenance and cooperation. We have the honor to be Sir with high respect, your most obed. Servts.

<i>John Ross</i>	<i>E. Hicks</i>
<i>R. Taylor</i>	<i>White Path (X)</i>
<i>James Brown</i>	

ALS, DNA, RG 393, Scott Papers; ADfCS, Ross Papers, OkHi; FC, DNA, RG 75, M 234, Roll 115, 905-11; FC and PhC (FC), Ross Papers, OkYG.

<sup>7</sup>John A. Bell et al. to Scott, August 20, 1838, PC, Cong. Serial 411, House Reports 1098, 31-36.

<sup>8</sup>N. A. Bryan et al. to Lewis Ross and John McGhee, August 18, 1838, FC, DNA, RG 75, M 234, Roll 115, 913.

<sup>9</sup>Lewis Ross to Bryan et al., August 18, 1838, FC, *ibid.*, 915.

4026.635  
Sir

TO WINFIELD SCOTT

Cherokee Agency Aug. 30th 1838

On the 24th Inst. I had the honor to receive through your aid de camp Colo. H. B. Shaw, a communication in reference to the claims of the Cherokees presented to you.

In that communication you were pleased to direct, or "advise, that the claimants should go in person to the Commissioners." That course has been taken, by many of our people in pursuance of your advice, and some difficulties having arisen, I deem it my duty respectfully to present them to you.

In the extract of a letter from the Commissioners, with which I am favored, in your communication, it is said, that "All these improvements have been, long since, valued by the Agents of the Government, and placed on the register of payments." But on application made by the Cherokees of the first detachment, just on the eve of starting to the West, it was discovered that many of their improvements have not been so valued. The Cherokees presented a statement of their claims accompanied by ample proof of their correctness, but the Commissioners rejected them and said they will send Agents to value the places.

It will readily be perceived, that embarrassment and confusion and

loss, must result from such a course. The Cherokee owners of the improvements being already organized for emigration and just on the eve of starting, with their Detachments, would not feel satisfied that after their departure, agents should go out alone, without any person to point out the property to be valued. Nor would they feel satisfied, even were there a prospect that the property could be correctly ascertained; that the amount of valuation, should, in accordance with the system heretofore pursued by those Gentlemen, be placed on the registers of payment and left open to the depredations of *ex parte* claims often fictitious against the real owner<sup>1</sup> of the same name: and as was the case affording no security whatever, that the owner would ever receive payment for his property such having been the fact in the cases of several applicants for payment. And if, for the information of the valuing agents, the Cherokees were now, allowed to go to every part of the country to point out their property, the progress of emigration would be retarded and derangements in the Detachments would in all probability ensue. I beg leave, with submission, to call your attention to the manner in which payments have been made to those who have made application to the commissioners. One half only of the amount has been paid and that, in funds, which will be uncurrent as soon as they pass the limits of Tennessee.

I wish also, very respectfully to say, that the Cherokee people have claims against the U. States for spoliations of various kinds, the presentation of which, for adjudication, has been prevented, by the pressure of their preparatory arrangements for removal.

And with regard to the observation in the Commissioners letter, in reference to the valuations made by their Agents, "that those, thus made, are far more liberal, than Mr. Ross and his associates have made them," I have only to observe, that we have made no assessments at all, but merely described the property, so that the principles of appraisal, recognized by the Govt. might be applied to them.<sup>2</sup>

AL, DNA, RG 393, Scott Papers, FC, Ross Papers, OkTG.

<sup>1</sup> The FC ends here with somewhat different wording for another line.

<sup>2</sup> The AL ends here. The closing and signature have apparently been cut off.

#### FROM WINFIELD SCOTT<sup>1</sup>

Headquarters, Eastern Division, Cherokee Agency, August 31, 1838: He has been ordered by Joel R. Poinsett to tell Ross that "the whole cost [of removal] . . . will be charged against & deducted from, the monies stipulated for in the treaty [1835], & the additional sums . . ." approved June 12, 1838.

FC, DNA, RG 75, M 234, Roll 115, 818-19.

<sup>1</sup> Addressed to Ross, Richard Taylor, Edward Gunter, James Brown, Elijah Hicks, Situwakee, and White Path.

#### FROM CHARLES E. ISAACS, J. POWELL, JOHN M. WILKINSON, AND W. I. I. MORROW

Cherokee Agency, September 1, 1838: These physicians for the emigrating detachments make some recommendations to Ross in regard to the health of traveling Cherokees. They suggest that since earlier emigration parties of four to five hundred, traveling by water, fatigued their physicians, Ross's parties of nearly one thousand should require at least two physicians per detachment. This would "ensure the performance of their [the physicians'] duties should one be taken sick for a time, the other can supply his place while at the same time, it would greatly conduce to the comfort and health of the Cherokees and to the preservation of many lives."

ALS, Ross Papers, OkTG.

#### FROM JESSEE BUSHYHEAD AND ROMAN NOSE

Sir. Third Detachment Sept. 1st 1838  
We beg leave respectfully to report that the Detachment will be in readiness to receive Wagons on Monday next [September 3]. Your obed. Servts.

*Jesse Bushyhead  
Roman Nose (X)*

ALS, Ross Papers, OkHi.

9626.642

#### TO WINFIELD SCOTT

Cherokee Agency East 6th Sept. 1838  
Requisition for Funds necessary for the removal & subsistence of six Detachments of Cherokee Emigrants of one thousand persons each viz.

For transportation subsistence &c as per Estimate submitted to Major Genl. Scott and approved by him @ \$1,5880 each for 80 days	\$395280.00
For additional Estimate for soap for same number of Detachments for same time. Submitted and approved @ \$360 each	2160.00
	<u>\$397440.00</u>

From which deduct this sum recd. as pr  
 Requisition on Genl. Scott dated 4th August  
 1838 130000.00  
 Balance required \$267440.00

*Jno Ross*

Sir,

From the forward state of preparation for emigration It has become indispensibly necessary to draw upon you for more funds to meet the necessary expenses attending the removal. You will therefore please to order this my requisition for Two hundred and sixty seven thousand four hundred and forty dollars to be paid to me (it being the balance agreeably to the estimate submitted by the Delegation and approved by you, [D] after deducting the sum of One hundred and thirty thousand dollars, heretofore received on my requisition of the 4th Ultio.

I have thought it expedient to make the Requisition for funds necessary to meet the expenses of six Derachments believing that number to be now almost in readiness to commence their journey west. Very respectfully, your obt Servt

*Jno Ross*

LS (FC), Cherokee Nation Papers, OkU; LS (FC), Ross Papers, OkTG.

TO WINFIELD SCOTT

4026.647

Cherokee Agency East 12th September 1838

Requisition for funds necessary for the removal and subsistence of four Detachments of Cherokee Emigrants of one thousand persons each  
 vis.

For transportation, subsistence &c as per estimate submitted to Major Genl. Scott and approved by him @ \$65,880 each for 80 days	\$263,520
" additional estimate for soap for same number of Detachments, for same time submitted and approved @ \$360 each	1440
From which deduct this amt. received as pr. my requisition on Genl Scott dated 4th Augt. 1838	130000
	\$134960

*Jno Ross*

Sir

From the forward state of preparation for emigration, it has become indispensibly necessary to draw upon you for more funds to meet the necessary expenses attending the removal.

You will therefore please to order this my requisition for one hundred and thirty four thousand nine Hundred and Sixty dollars to be paid to me, (it being the balance agreeably to the estimate submitted by the delegation, and approved by you, [D] after deducting the sum of One Hundred & thirty thousand dollars, heretofore received on my requisition of the 4th ulto.

In compliance with your request I have limited this requisition for the amount which will be required to meet the Expenses of four Detachments, instead of six; trusting that you will cause funds to be in readiness to meet my requisitions as fast as other detachments (which are in a state forwardness) shall be prepared for their journey West. Very respectfully yr obt Servt.

*Jno Ross*

(Endorsed:)] "Head Qrs Eastern Division Cherokee Agency Sept 12 1838 Capt. [John] Page will turn over the amount of the foregoing requisition (which is approved) viz. One Hundred & thirty four thousand, nine Hundred & Sixty dollars, & take the proper receipt for the same.

*Winfield Scott*

ALS and E (Tr), Ross Papers, OkTG.

TO JOHN PAGE

Sir

Cherokee Agency September 14th 1838

For the remaining balance of thirty Eight thousand nine Hundred & Sixty Dollars to meet my last requisition, you will please issue to me checks on New York of the following amounts, to wit.

5 checks of \$ 1000 each	\$ 5000
5 do " 2000 "	10000
1 " " 10000 "	10000
2 " " 5000 "	10000
1 " " 3960 "	3960
	\$38960

The immediate use of these funds are required and your compliance with this request will much facilitate Emigration and oblige yr. obt. Servt.

*Jno Ross*

ALS (FC), Cherokee Nation Papers, OkU.

## REMOVAL AND SUBSISTENCE MONIES PAID TO ROSS

{Cherokee Agency}

Sept. 17 [1838]

Paid to John Ross, principal chief and agent of the Cherokee nation,  
by Capt. John Page, disbursing agent, on account of removal and  
subsistence

134,960.00

FC, DNA, RG 233, 27th Cong.; PC, Cong. Serial 411, House Report 1098, 69.

4026-649

## FROM SITUWAKEE AND PETER

Sir Fourth Detachment Savannah Branch Sept. 18 1838

We are sorry to trouble you with the idle reports, put into circulation; but we find they are producing more mischief than we were aware, and thus retarding the business preparatory to removal, which we hope will excuse our telling, so often, the same thing.

The bearer, will bring his brother, with him, who leans strongly to Lolo's plan. He wishes him to hear from you the correct course to pursue.

Ridge,<sup>1</sup> the bearer was at the old camps to-day to bring away the sick who remained. He was told by his son, that Lolo said you were there on Sunday [September 16], and directed them not to remove to the Camps of the Detachments, but to remain where they are &c. let the others go on, as they are so anxious to go.

We understand that [William] Boling has been persuading some, that they can get more money by coming to him, at the agency, and he is going to send after them. We hope a few words from you will remove the delusion from those who accompany Ridge. He will tell you what he heard himself. Signed by order of a meeting of the heads of Companies of the fourth Detachment.

Situagi  
Peter

L. Ross Papers, OkTG.

<sup>1</sup>This is certainly not Major or John Ridge.

4026-650

## TO SITUWAKEE AND PETER

Sir Cherokee Agency Sept. 18th 1838

I have received your note of this date and conversed with the bearer on the subject matter of its contents.

I did not see Lollo on Sunday [September 16], nor did I advise any person not to go into camps—but on the contrary I called on my old

friend Hog and earnestly endeavored to impress on his mind the necessity of all going into camps and keeping with their respective Detachments in order that the sick may be well provided for with food and medical aid, and their horses well foraged &c. I further remarked to him that when the Detachments shall take up the line of march for the West, that the sick, the crippled and aged such as cannot proceed by land will be provided for with suitable attendants at some healthful place to be designated by me for that purpose—and as the sick may recover & be able to travel they can fall into some other detachments as they go off or if still unable to travel they shall in the end be moved by water. I have authorized all with whom I have conversed to contradict publicly the false reports which are said to have been circulating thro Lollo's advice. I have further requested that Lollo should put a stop to them. The US Commissioners profess to be administering impartial justice to all in their official acts—and we are fully persuaded that Genl. [Winfield] Scott will not for a moment countenance any other principle to be practiced towards the Cherokees. Therefore I say [William] Bolings talk must be based upon falsehood & mischief. The people should not listen to anything coming from him nor be influenced by his pernicious advice. The people should be guarded against such men and discard them from their presence—and should Boling persevere in his past conduct and will not cease emitting through his "forked Tongue" & his polluted lips such mischievous talks, that are evidently fabricated for the purpose of exciting dissatisfaction among the people in their camps and thereby retard Emigration he must be taken hold of and delivered over to Major Genl. Scott to be dealt with according to Military authority. Order and good conduct must be maintained among ourselves in camps, and our regulations enforced for that purpose against all who are subject to our laws and shall wontonly violate them. Very respectfully yr Obedt Sr.

ADft, Ross Papers, OkTG.

## TO W. I. MORROW

Sir Cherokee Agency East Sept 21st 1838

You are hereby informed that you have been appointed Attending Physician to the detachment of Emigrating Cherokees under the Charge of Capt. Richard Taylor.

Your pay will be five dollars per day up to the time of the arrival of the detachment at the place of destination in the West; with an additional allowance of One Hundred and twenty dollars for returning.

You will please to make out your requisition for medicines and hospital stores and I will give you an order on Doct. Martin Asst. Surgeon U.S. Army for the same.

You will then proceed upon the duties of your appointment in the detachment to which you have been assigned. I am Sir, very respectfully, yr. obt. Servt.

*John Ross*

ALS, Cherokee Collection, OkHi; PlsC, Cherokee Collection, OkTahU.

4026.453 FROM ELIJAH HICKS

Dear Sir Gunstocker Spring Sept. 23rd 1838

As I have made arrangements to send a part of the detachment on tomorrow, and on tuesday [September 25] the remainder, there will be some funds wanting, to pay some expenses incurred here that was unavoidable. No provision being made for it as yet, and no person designated to pay these expenses I have sent the bearer for some funds for this object, as we cannot well get off without paying arrearages. The amount I think cannot exceed \$40.00. You can either send it or come yourself on tomorrow. The accounts consists of some smiths work on waggons and shoeing one barrel of Tar and Copper.

Will you please to inform me when the other detachments will be on to this place, the gentleman who furnishes beef at this place wishes information on the subject in order to be prepared for them. Very Respectfully &c

*Elijah Hicks*

P.S. When you come I will furnish you with another list of persons who are in want of clothing &c which I think could be furnished in Nashville if you have any funds on hand for that object.

ALS, Ross Papers, OkTG.

4026.655 FROM STEPHEN FOREMAN

Sir, Candy's Creek [Cherokee Nation], Sept. 26 1838

I have learned from several sources that there was a possibility of Mr. Blunt's being removed from this to H. Conrad's Detachment. I write to you, to request that it may not be done, for reasons which I think it useless to mention. It is enough to say that I recommended him, knowing his qualifications and therefore I do not feel willing to let him go. And I am satisfied, from the conversation I have had with Mr. Blunt, that it is not his wish to leave this Detachment. If it is very necessary for some person to take H. Conrad's place, I would recommend that Old Field take it. I think he would do pretty well there, as

he is pretty well known by most, if not all of that Detachment. His removal from this Detachment I am confident would not be felt. Samuel Foreman who was appointed for the first Detachment is very willing to come into this, as an exchange. And I think he is even anxious for such a change, because he can not start with the first Detachment on account of the situation of his family. I am yours in great haste.

*Stephen Foreman*

ALS, Ross Papers, OkTG.

4026.659 FROM JOHN BENGE, GEORGE C. LOWRY,  
AND GEORGE LOWREY

Sir Wills Valley [Cherokee Nation] Sept. 29th 1838

We find on examination of the conditions of the detachment of Cherokees collected at this place for Emigration that many of them, say at least Two thirds are in a destitute condition and in want of shoes Clothing and Blankets. We were informed on the 28th Inst. by the Commanding officer at Fort Payne [Alabama], that this Detachment must move by the first day of October and that the Issuing Agent would be instructed not to issue Rations after that time unless some extraordinary circumstance should justify their continuing here after that time; in consequence of this information we have this day started fifteen waggons with Three Hundred and five Persons and we will probably start Twenty more tomorrow and shall continue our best exertions until the whole detachment is underway. We would suggest the propriety and urge the necessity of your forwarding shoes Blankets and such other Clothing as is provided for other parties of emigrating Cherokees to meet us on the road near Huntsville [Alabama] or furnish us the necessary funds to purchase them at that place. The Detachment consists of One Thousand and Ninety Persons and three families yet to come in. We have only Eighty three Tents. You will see the necessity of providing an additional supply as many families are compelled to start without a Tent. Mr. Colborn the Contractor has offered to procure the Necessary supply of Tents at Huntsville if you will Instruct him to do so they can be made by the same person who made those we have already received and they can probably be in readiness by the time the Detachment will reach that point. We wish you to forward us such written instructions as we are to be governed by in the discharge of the duties assigned us, the waggon masters also wishes written instruction he also requests that he may have the privilege of Sixty waggons for this Detachment as there is not the requisite number of Saddle Horses. We would also request that funds should be speedily forwarded for the

use of this detachment. All of which we respectfully submit for your consideration and request as speedy an answer as the urgency of the case requires. We remain yrs Respectfully

*John Benge (X)  
George C. Lowry  
George Lowrey*

ALS, Ross Papers, OkTG.

FROM J. D. WOFFORD

Sir Taquach Camps, Mouse Creek, Sept 1838

In a letter [not found] Directed to yourself dated 27th was handed to Mr. Thorp which was a requisition for the following articles which was filled in part viz

30 Tents (if we need more than this we will call for them before we leave here)

forage for ponies

1 drawing Knife

1 Carpenters Hand Axe or Hatchet

2 Chissels 1 & 1½ In

2 Augurs 1¼ & ¾ In

for the use of the Commissary

2 Meat axes & 2 Butcher Knives

½ ¼ Bushel Measures

1 pr Steel yard

1 mattock & 1 Spade & 1 grnd Stone

Medicine for Horses

1 oz. Calomel

2 Phials British oil

¼ of Alum

½ of salt Petre

I hope to be able to send you a list of all that is here soon, perhaps To-morrow. I remain Sir with due respect your obe Servr.

*J. D. Wofford*

N B I think there is at this encampment between 3 & 4 hundred.

*J. D. W.*

Tents are badly needed we cannot remove many of the sick people for want of them.

PhC (ALS), Hargrett Collection, OkU.

4026.666 FROM RICHARD TAYLOR ET AL.<sup>1</sup>

Dear Sir Cherokee Agency East October 1st 1838

We the undersigned Conductors and assistants in Cherokee Emigration regret that it becomes our painful duty to apprise you of the course pursued by the [John A.] Bell party of this place—and also to request of you suitable means of prevention. They have been and still are sending Emissaries into our camps for the purpose of retarding the Emigration and if possible to produce division in our ranks. They tell the people if they will go with them they will give them land—that they will get all of their money here and that they will get the Sixty five Dollars per capita—that if they go with you that you have no land to give them—that they will only get one half of their money here & that they will lose the whole of their Sixty five Dollars, which is to result to your entire benefit & that you will make a large portion at their expense with many other unfounded, wilful and malicious representations well calculated to produce dissatisfaction & perhaps division among our people who are enrolled & in a great state of forwardness for Emigration. Unless some speedy & efficient measure should be adopted we fear the result. We therefore call upon you to prescribe the remedy, if in your power, if not, we call upon Genl [Winfield] Scott through you to furnish some suitable remedy to prevent the wicked & mischievous interference on part of the Bell party to produce discord & division in our camps. We submit the above to your consideration & determination. Yours with due respect.

ALS, Ross Papers, OkTG; FC, DNA, RG 393, Scott Papers.

<sup>1</sup>Signed by R. Taylor, James Brown, Thomas For[er]man, Jefferson [Niney?], George Still, Peter Helderbrand [Hildebrand], David Sanders, James Pritchey, Wm. Proctor, Big Mush, Grass Hopper (X), and Situwakee (X).

4026.668 TO WINFIELD SCOTT

Cherokee Agency East Oct 2ed 1838

Requisition for funds necessary for removal and subsistence of four detachments of Cherokee Emigrants of one thousand persons each viz for transportation, subsistence &c as per Estimate submitted to and approved by Major Genl. Scott = \$65,880 each for 80 days \$263,520 additional Estimate for soap for same number of detachments and approved as above = \$360 each

1,440

\$264960

Sir

The several detachments of Emigrating Cherokees under the charge of Messrs. Hair Conrad, Elijah Hicks, John Benge, Jesse Bushyhead, Sitewakee [Situwakee] James D. Wofford, Stephen Foreman, & Moses Daniel having signified their readiness for the road and will take up the line of march as soon as their business at the office of the U.S. Commrs. shall be closed. In consequence of continued bad state of Mr. Conrad's health, Capt. David Colston has been appointed in his stead and will without delay conduct the detachment on. Mr. E. Hicks has taken the lead in the Emigration and has moved on with his party. From the great anxiety manifested by the people in the several detachments (notwithstanding the many embarrassments arising from sickness & intermeddling influences) I am fully persuaded we shall be able to have the entire Emigration in motion, as soon as every reasonable consideration will permit. To carry out our engagement in these respects I have deemed it necessary to make this my requisition for Two hundred and Sixty four thousand, nine hundred & Sixty dollars to meet the expenses of four detachments and which amount you please, order to be paid to me. I have the honor to be, Sir, very respectfully yr. obt. Hble. Servt.

*John Ross*

ALS and Adft, Ross Papers, O&TG.

#### FROM WINFIELD SCOTT

Head Quarters, Eastern Division Cherokee Agency,  
October 3, 1838

Sir:

I have received your note [not found] of yesterday requiring funds for a fifth & a sixth detachment of Cherokees to be emigrated under the arrangement [July 25, 27, and 31, 1838] entered into with me, by the Delegation<sup>1</sup> of which you are the chief.

You inform me, that, besides the two detachments which were halted, some time ago, by the drought, beyond the Tennessee river, & the one which is known to be in route for the west, from Fort Payne, Alabama, there are five others (under Messrs. [Jesse] Bushyhead, Situwakee [Situwakee], [J. D.] Wofford, [Stephen] Foreman & [Moses] Daniel) which have already "signified their readiness for the road, & will take up the line of march so soon as their business at the office of the U.S. Commissioners, shall be closed."

Nearly a week ago it was informally communicated to me that the claims of Mr Bushyhead's detachment had been adjudicated, & the certificates issued. These, of course, have been, or will be paid, on presentation to Capt. [Isaac P.] Simonton, the proper disbursing agent. It is, therefore, not seen why this party is not in motion, as it is known that Mr Bushyhead is anxious to march.

But in respect to the two detachments halted by the drought, beyond the Tennessee, & which on information deemed satisfactory, I yesterday reported to the War Department to be again in march, I have two observations to make:

1. I am not a little apprehensive to day, that that report was premature; 2. I find today, on inspecting the rolls, made by officers sent down a *second* time (26th ultimo) to muster those parties, that one of them presented 859 individuals only, & the other is, but 559—instead of 1,000 each as had been agreed upon.

And here I must distinctly say that the detachments which move by land, must *average* not less than 1,000 emigrants, or the estimate agreed upon, under the arrangement, may be very sensibly augmented by the pay of extra conductors, physicians & petty officers.

By the arrangement, it was stipulated, that the movement should actively commence on the first ultimo, & be followed up without delay, so as to be completed by the 20th instant. I am aware that the drought made it impossible to march until within a few days. Time, however, was thus gained for the fullest preparation, & therefore, immediately on the fall of sufficient rain, which we had at the end of the last month, four thousand emigrants ought to have taken the road with alacrity. The whole sum of money to pay all expenses of the movement, to the Cherokee country, in the west, had been some time before advanced for that number.

Whence then, any deficiency in, or delay on the part of either of the first four detachments? I have the fullest confidence in your good faith & that of your colleagues; & I am unwilling to suppose that either of you have been deficient in foresight or zeal. Can it be that the defect lies in the want of sufficient moral influence & official authority to enforce the execution of orders & arrangements? If so, I ought to have been advised of the fact, that I might have applied a supplemental remedy in time.

But I will hope for the best, that the movement is going on, or will immediately proceed, in the manner desired by us all, & as soon as satisfied on the points presented above, I shall, with pleasure, sanction the requisition before me. I remain, with much respect & esteem, yr truly

*Winfield Scott*

FC, DNA, RG 393, Scott Papers.

<sup>1</sup>Ross, Richard Taylor, James Brown, Edward Gunter, Elijah Hicks, Situwakee, and White Path.

## CIRCULAR TO CHEROKEE DETACHMENTS

Cherokee Agency East October 4 1838

Major Genl. [Winfield] Scott has shown me the foregoing,<sup>1</sup> and I unite with him in the confidence he expresses in the Conductors and Sub-officers of detachments and feel assured myself that the conduct of all our people, on the road, will fully justify his hopes and expectations.

Jno Ross

ADS, Ross Papers, OkHi.

<sup>1</sup>Scott to Elijah Hicks, undated, Tr, Ross Papers, OkHi. This is a part of the circular and relates that Scott had intended that no soldiers would accompany the emigrating parties.

## 4036. 675 TO WINFIELD SCOTT

(Cherokee Agency East) October 4th 1838

The Circulars<sup>1</sup> of Major Genl. Scott are herewith returned with Mr. John Ross' note thereto annexed.

Mr. Ross informs Genl. Scott that he will dispatch a messenger on tomorrow Morning to Capt [John] Benge's detachment on the route to the West. And will be happy to convey any Commands from the general to that detachment. Very respectfully &c

Jno Ross

ALS, DNA, RG 393, Scott Papers; ADfs, Ross Papers, O&amp;TG.

<sup>1</sup>Perhaps that mentioned with Ross's Circular to Cherokee Detachments, October 4, 1838.

## TO WINFIELD SCOTT

Cherokee Agency East October 6th 1838

Sir  
I had the honor to receive your communication of the 3rd inst. on the subject of my requisition of the 2nd and the state of the emigration generally. In reply, I beg leave to say, that although those detachments, only, which are in the greatest state of forwardness, are formally announced in my estimates and requisition; it ought to be borne in mind that, our efforts are directed, to carrying on the emigration with so much dispatch that, simultaneous preparations must be going on for the whole number of detachments by land, and even for the final clearing out of the sick, the infirm, the aged &c by water, who are unable to bear the fatigues of the journey by land. And that these preparations, may be made, with the least possibly delay, I deemed it indispensable to have the necessary funds in readiness.

With regard to the number in some of the detachments, I would

respectfully observe that the number one thousand, was understood by the Cherokees to be merely a common measure, assumed as the basis of the pecuniary calculations; and not as a precise, stipulated number which must absolutely be filled by each detachment; yet, their intention was, that each detachment should approximate that number as nearly as might be convenient. And it was expected that some would exceed and some come short of it.

In regard to Capt. [Hair] Conrad's detachment, I am sorry to say that it has been greatly diminished by causes beyond human control. That detachment was not, at first, expected to be large, and the amount of sickness with which it has been visited has greatly reduced its numbers, and even deprived it of the original conductor. I am happy to find, however, that a considerable number who have recovered are now on their way to join their friends in that detachment.

Mr. [George] Hick's detachment was expected to number one thousand or more, but the same afflictive causes have operated extensively among them also, and a considerable number were unavoidably left behind. In addition to this it may not be improper to say that Mr. Hicks and some of the other conductors have had to contend with extraneous, counteracting influences which were used to frustrate their arrangements in particular, and to embarrass and retard the progress of the general arrangements, between yourself and the authorities of the Nation. And here, Sir, permit me to say, that having secured your confidence in our good faith and integrity, on which we place the highest estimate; we should be extremely sorry that you should find the authority or the moral influence of the Nation inadequate to the prompt and faithful, discharge of its duties. I trust there does exist, in the Nation, a sufficient amount of energy, moral and official, for the performance of all its engagements. And here it may be proper to call your attention to the fact that certain individual Cherokees namely [John A.] Bell, [William] Boling & their associates under the assumed protection of the United States prompted and sustained, as I am assured, by individuals in official stations, of whose conduct I have more than once verbally complained; have been practising a course of interference, tending to retard the progress and disturb the arrangements of the detachments preparing for the road. We have refrained from exercising, the National Authority over those persons, from the feeling of uncertainty, whether, they were to be considered under the jurisdiction of the United States or that of the Cherokee Nation. If they are under the control of the Nation it would be desirable to have the fact known; but if they are under the control of the U. States we would respectfully call upon you to apply the corrective. In this connexion, it may not be out of place to add, that the continuing to issue rations, by the Govt. Agents at places from which the detachments have removed or after the regular organization of the detachments preparatory to their journey; as

well as issuing, at the Agency, to little secluded parties, some of them many miles distant; is calculated to produce delay, in their being embodied with the detachments to which they properly belong, and more especially so, when this practice is connected with a systematic propagation of falsehoods and misrepresentations by the individuals alluded to and their emissaries.

The counteracting of these malign influences by prudent and gentle means, has, it is true, occasioned a little undesirable delay; but I have the pleasure to say, that our movements are now in a state of activity, which I trust will preclude all cause of complaint, with the assurance that our best efforts will be exerted to carry out our arrangements, with all reasonable dispatch. I remain with high respect, Sir, your obt. Servt.

*John Ross*

P.S. The enclosed is a copy of a letter which I recd. a few days since from several of the conductors & other persons engaged in the Emigration.

*J. R.*

ALS (RC), DNA, RG 393, Scott Papers; ALS (FC), Ross Papers, OkTahU.

<sup>1</sup>Richard Taylor et al. to Ross, October 1, 1838.

#### FROM LEWIS ROSS

Cherokee Agency East Oct. 6 1838

Requisition for funds to meet the Expenses of subsistence and forage for four detachments of Cherokee Emigrants with the Teams & other horses, attached to each. Agreeably to the Estimate submitted by the authorities of the Cherokee Nation to Genl. W. Scott and approved by him, and also agreeably to the contract entered into by the Cherokee Nation with me viz

Say, for subsistence of 4 detachments of 1000 persons for 80 days is 80000 Rations Each @ 16 cts	\$12,800.	\$51200.00
Forage of 500 horses to each detachment for 80 days is 40000 rations to each @ 40 cts	\$16000	64000.00
For 80000 Rations Soap to each detachment for same time making 2400 lbs Ea 9600 lbs	1440.00	
		\$116640.00
From which deduct this sum heretofore received	32000.00	
		\$84640.00

Sir

In consequence of the Cherokee Emigrants having been compelled to remain here, so much longer than was anticipated I have necessarily been compelled to expend not only the amount advanced but considerably more, for supplies of subsistence & forage and three detachments having left some time and a larger majority of the fourth already started. It becomes indispensibly necessary that I should request that you turn over to me the balance of eighty four thousand six hundred & forty dollars, now in your hands, for the purpose of defraying the expenses of subsistence of said detachments agreeably to the above requisition. Respectfully yr. obt. Servt.

*Lewis Ross*

ALS, Ross Papers, OkTahU.

#### TO WINFIELD SCOTT

Cherokee Agency East October 15th 1838

4026, 687  
Estimate for funds to meet the objects specified in the 3rd Section of a late Act<sup>1</sup> of Congress touching the removal of the Cherokees viz

\$19,000

Sir

In your communication of the 28th of July you informed us that fifty thousand dollars of the above appropriation [of \$100,000] had been made subject to your order, and that you were willing to place the same, for the purposes intended, at our disposition.

The sum of Ten thousand dollars then in the hands of Capt. [John] Page of this fund was drawn for and paid on my requisition of the 4th August. This Amount together with an unexpended balance for "clothing &c" turned over at the same time, have been expended for blankets shoes &c and distributed among the poorer class of Emigrants in the several detachments; understanding that there is nineteen thousand dollars now in the hands of Capt. Page I deem it expedient to submit this my requisition for the same trusting that you will order that sum to be paid over to me. I beg leave further to suggest that you will direct the remaining balance to be paid over without delay, in order that the indigent portion of the Emigrants may be supplied with clothing on the route before cold weather sets in.

Indeed from the destitute condition of a large portion of the Cherokees, I am fully persuaded that the objects of Congress in making this appropriation would be more fully met disbursing the whole amount at once for Blankets &c to supply the wants of the poor on the route, than reserving the application of the fund until their arrival in the West. I have the honor to be, Sir, yr obt Hble. Servt.

*John Ross*

[Endorsed:] "Head Quarters E. Division Cherokee Agency Oct. 15th 1838. The foregoing requisition is approved. Capt Page, principal disbursing Agent, will turn over the amount specified (nineteen thousand dollars) & take the proper receipt therefor.

*Winfield Scott*"

ALS (FC) and E, Ross Papers, OkTG.

June 12, 1838, PC, U.S., *Statutes at Large*, V, 241-42.

#### REMOVAL AND SUBSISTENCE MONIES PAID TO ROSS

[Cherokee Agency]

Oct. 16 [1838]

Paid to John Ross, principal chief and agent of the Cherokee nation, by Capt. John Page, disbursing agent, on account of removal and subsistence

264,960.00

RC, DNA, RG 233, 27th Cong.; PC, Cong. Serial 411, House Report 1098, 69.

#### FROM J. POWELL

Blythes Ferry [Tennessee] Oct 16th 1838

I embrace the opportunity to say to you that we arrived at this place early in the day on yesterday, & up to this time, 10 O'clock A M, we have only succeeded in getting some twenty waggons across the [Tennessee] River. In fact I am constrained to the conclusion that the proprietors of the Ferry, influenced by the surrounding citizens (for lucrative purposes) are determined to retard all exertions on the part of the conductors to proceed with their detachments. Hence I would respectfully suggest the propriety, if practicable to [farm?] the use of the Ferry until your people have all crossed. Judging by the past, I believe that it will consume a part of tomorrow in getting all our detachment upon the opposite bank.

Mr. [James G.?] Williams returns to the agency believing that you will be able to give him a situation in Judge [James] Brown's Detachment—if you can accommodate him it will if possible increase the obligations I already owe you.

You shall hear from us touching things in general so soon as we reach Seguachy [Sequatchie] Vally [Tennessee]. With profound regard your friend & very obt svt.

*J. Powell*

ALS, Cherokee Collection, T.

4024.688

#### FROM JESSE BUSHYHEAD

Sir Sequachy [Sequatchie] Valley [Tennessee] Oct 21st 1838

I am under the necessity of troubling you with a communication asking further and more explicit instructions as to the points and manner that the contractors are bound to forage our Detachment. From the extract furnished me saying that the contractor "*agrees to furnish forage, & subsistence at such points on the road as may be required*" I take it for granted that each place of encampment is the point at which such requirement should be made. And especially so, until we shall have made our way across the mountains—or the result will be that the detachment stop, and a portion of the waggons employed, first in hawling forage to the place designated, and then returning for the people and loading assigned each. We have a large number of sick, and very many extremely aged, and infirm persons in our detachment, that must of necessity be conveyed in the waggons. Our detachment now consists of about 968 or 70 Cherokees. There is forty nine waggons—so that you will see the impracticability of hawling forage from place to place to serve the convenience of the contractors. Aside from the subsistence rations, it will require twelve waggons to haul the three days forage rations between this and McMinnville [Tennessee].

It is also proper to state that we have been required to draw rations of sugar, coffee, salt and soap, at Blythes ferry to supply the detachment to Readyville [Tennessee] or Nashville which amounts to some six barrels sugar 4 of coffee &c. The fact is the detachment cannot progress under such circumstances. We have now to double many of the teams in ascending the mountains. There is about one hundred and fifty loose horses aside from the teams & oxen. It does seem to me that if the conductors are authorized to require of the contractors that forage should be delivered at any point between the Agency East—and Fort Gibson [Indian Territory] that on Waldens Ridge & Cumberland Mountain should be the place.

You will perceive that a difficulty has occurred between the Agent of the contractors and myself upon this subject. And I now submit the final adjustment of the matter to yourself.

I would also ask your advice as to purchasing a waggon and team for the exclusive purpose of conveying the very old and infirm of the detachment.

I think your letter will perhaps make all things right with our friend Hog. Very Respectfully

*Jesse Bushyhead*  
by *J. Powell*

ALS, Ross Papers, OkTG.

4626 (w) 475)

## FROM ELIJAH HICKS

Dear Sir                      Port Royal near Kentucky line Oct. 24th 1838  
 We have progressed to this point on our journey west and shall proceed on in the morning. If we have fair weather I shall prosecute our journey so as to cross the Ohio [River] about the 1st or 2d day of next month. The detachment or the people are very loth to go on, and unusually slow in preparing for starting each morning. I am not surprised at this because they are moving not from choice to an unknown region not desired by them, I am disposed to make full allowance for their unhappy movement.

The time will not allow me to give you a particular account of all our operations, but merely to inform you, that with prudence, and perseverance we shall be able to reach our destination just as soon as the weather will permit, or soon as any other party of the same number & circumstance can perform it.

I am almost without officers, but shall call on my detachment to fill vacancies which have occurred. My first waggon master died at Woodberry Cannon County Ten, in consequence of which Mr. Hood will perform the duties of Mr. Perry. White Parb has been in the last stages of sickness for many days and has to be halled & is helpless who cannot last but a few days. Necowse has given himself up to the bane of death and I have all together lost his services. Our police has to drive him along the road, sometimes fettered. None of our people have taken sick since we crossed Tennessee, and I have no doubt but they will be healthy thro out.

Permit me to suggest to you for the interests of our nation some early provision should be made for the safe keeping of our stock wagons & other property belonging to the nation immediately on our reaching the country west. Corn no doubt will be exceedingly high in the Cherokee Country, and the property will have to be wintered at the cheapest & most convenient places. An agent ought to be appointed who is known to be trust worthy to provide means for the safe keeping of this property until measures are adopted for its disposition.

I think I can hazard nothing in assuring you that we shall be able to execute our arrangement with govt. for our removal, and if I have any thing of luck we shall reach our destination early in December.

Tell Lewis [Ross] that we are looking for him as he expected to be on the road on the affairs of his Contracts. Our people have not complained yet of the provisions recd.—tho I do not like the prospects from Hopkinsville [Kentucky] to the Misai, [River] in the way of meat. I am informed that Mr Gordon has contracted along that rout for furnishing, beef alone, at the depots and no Bacon or pork, when the latter can be as easily furnished.

Pardon the defect of language in this hasty scroll, and to tell our friends that we are on the journey west, arising from the acts of wicked men & from our unfortunate fate. Very respectfully &c.

Elijah Hicks

ALS, Ross Papers, OeTG.

4626, 67) FROM JESSE BUSHYHEAD AND J. POWELL.

Dear Sir                      McMinnville Tennessee Oct 26th 1838

We address [you] the present communication at the instance and solicitations of the Detachment of Emigrating Cherokees assigned to our charge, upon their journey to Arkansas.

It is obvious to all acquainted with the relations we sustain at present, both to the Genl. Government and the constituted authorities of the Cherokees as a Nation; that in order to comply with the arrangement [July 25, 27 and 31, 1838] entered into between yourself and Majr. Genl. [Winfield] Scott for the U.S. Army touching the removal of the Cherokees, that this detachment (as is doubtless the case with all the others) have been compelled, not only to abandon the land of their nativity, but to leave the Cherokee Agency East without having their improvement claims properly adjudicated. And scarcely any have had their spoliation accounts examined or acted upon. These considerations as a matter of course induce the Cherokees to feel that they are removing under very unfavorable, as well as embarrassed circumstances. They insist that they have no guarantee for getting their just dues from the genl. Govt., when in their absence the corrupt and designing man can make out fraudulent demands against them, and by testimony alike base, so establish them before the Commissioners, as to deprive them of their money. This in many instances has been the case, and in some the last dollar appropriated for the liquidation of such demands, notwithstanding the nominal arrangement to pay but one half the amount due each Cherokee until they arrive in the Nation west.

They not only protest, but humbly beg that no further action of the commissioners shall be had upon any of their claims in the country East, and more especially that they shall not be permitted to receive accounts or any other species of claim against the Cherokees for the purpose of acting Exparte upon them. That the Books and further transaction of all business connected with the adjustment of their affairs, be immediately closed at the Cherokee Agency East—and that Books, money, and all other documents pertaining to the same be forthwith transmitted to the country assigned them west.

We are further requested by the people of this detachment to say to you, that in faithful compliance with your assurances to Genl Scott, they are determined unanimously to progress on their journey west

with all possible expedition. And they entertain a strong hope, by good morals and friendly deportment throughout their long journey, not only to obtain the good report, but to elicit the kindest feelings of their white Brethern.

Our Detachment met in [form] of council and the foregoing embraces the substance of their wishes. With profound regard we are your very obt. svts

*Jesse Bushyhead  
J. Powell*

ALS, Ross Papers, OkTG.

4026 673

FROM EVAN JONES

Camp of the 4th Detachment

McMinnville (Tennessee) Oct 27, 1838

Dear Sir

The night after I left you I staid at Mr. [James D.] Woffords Camp & next night reached Sequachie [Sequatchie] Valley [Tennessee]. Thursday [October 25] morning overtook the Detachment on the Cumberland Mountain moving with all convenient speed. We encamped at Meadows that night and on yesterday travelled sixteen miles to this place. As the team and people were somewhat fatigued with passing so rapidly over the bad roads we concluded it best to rest here today and tomorrow. Monday [October 29] we purpose going twelve miles beyond McMinnville, thirteen from this place.

Mr. [Jesse] Bushyheads Detachment was detained by their oxen being poisoned from eating Ivy and we passed them yesterday. They purpose starting on Monday and keeping a day behind us on the road. He has had a distressing time with the dis tents. Old Hog is a dead weight on his hands.

We paid Forty Dollars at the Waldens Ridge gate, and the man agreed to let the other Detachments pass at half price viz 37½ for four wheeled Carriages & 6½ for a horse. On the the Cumberland mountain they fleeced us: 75 Cents a wagon & 12½ Cents a horse without the least abatement or thanks. We will avoid several gates on the road to Nashville. In haste Your Obed. Servt.

*Evan Jones*

P.S. I shall be glad to hear from you at Nashville to know about the Tents and blankets, if we are to receive the latter at that place. Mr. [William S.] Coodey has written to Mr. Bushyhead today that Blankets shoes &c are ready for them there. If our supply is to be received there we shall need to know immediately. Several of our straglers are coming up.

ALS, Ross Papers, OkTG.

TO WINFIELD SCOTT

4026 674

Sir

Cherokee Agency East November 4th 1838

With much regret, I have this moment been informed by Major [Robert] Anderson, your Aid-de-Camp, that the reported tragical act, has proved too true, in the death of two of your Soldiers at the hands of certain individual Cherokee Captives, under the charge of Lieut. Smith. This melancholy affair, as I am informed, took place at some point on the road from Valley river to this post. As to the particulars which gave rise to it, I am wholly uninformed. But be they what they may, the act can only be viewed as one of those unfortunate individual occurrences which too often takes place among men of every nation, and for which the perpetrators above can be held responsible to the laws of the land and to their God. I am sure, you will believe me, Sir, when I tell you that I sincerely hope the offenders may speedily receive their award at the bar of Justice—and that no effort shall be waoting on my part to carry on the orderly and peaceable Emigration which have commenced and is on the eve of being completed. I have the honor to be, Sir, very respectfully yr. obt. Hble. Servt.

*Jm Ross*

ALS, DNA, RG 595, Scott Papers, ADitS, Ross Papers, OkTG.

4026 675

FROM GEORGE HICKS

Moose Creek Nov. 4th 1838

Dear Sir

We are now about to take our final leave and kind farewell to our native land the country that the Great Spirit gave our Fathers, we are on the eve of leaving that Country that gave us birth. It is the land of our [page torn] and it is with [sorrow?] that we are forced by the authority of the white man to quit the scenes of our childhood, but stern necessity says we must go, and we bid a final farewell to it and all we hold dear East of the Father of Waters, the majestic Mississippi, from the little [word not clear] we have made in a start to moove, we know that it is a laborious undertaking, but with firm resolutions we think we will be able to accomplish it, if the white citizens will permit us, but since we have been on our march many of us have been stoped and our horses taken from our Teams for the payment of unjust & just Demands, yer the Government says we must go, and its citizens says you must pay me, and if the Debtor has not the means, the property of his next friend is levied on and yet the Government has not given us our spoliations as promised. Our property has been stolen and Robed from us by white men and no means given us to pay our Debts, when application is made to, as we think the proper authority, the agents of government, and the commanding officers of the military the one says we have no jurisdiction over any thing, only such as happens in their own

sight or in the mile square about the Agency, and the other says our lands are tied since the 23rd May 1838. They can give us no assistance, yet they have the power to force us off. If any delay is made farther than what they may think necessary.

They may not think it necessary to delay any time to try to recover our property robbed of us in open Day light and in open view of Hundreds. And why are they so bold. They know that we are in a defenceless situation, dependent on the Government for protection who they know have denied us that protection and have made their Brags that General [Winfield] Scott would not [intervene?] in our behalf. Therefore we will have to leave our property in the hands of whosoever may have the conscience to rob us of it. And those appear to be plenty since protection have been denied. Debts that we honestly owe are willing to pay provided we were able which we would have been, provided the Commissioners had given us our Just Dues Valuations Spoiliations &c. But there has been but few, comparatively speaking, that has Drawn anything at all. Nothing more at present. The health of the people is as good as could be expected and we are getting on very well considering every circumstance. I have the honor to be your very humble servant

*George Hicks*

ALS, Ross Papers, OKTG.

#### TO WINFIELD SCOTT<sup>1</sup>

Cherokee Agency East Nov 7th 1838

Requisition for funds necessary to meet the expenses of Twelve Thousand Six Hundred & eight Emigrating Cherokees, for transportation subsistence &c as agreed upon between the Cherokee Nation and Major Genl. W. Scott at the rate of \$66240 pr 1000 persons—

\$841,248

Deduct for this sum recd of Capt. [John] Page on my requisitions

529,920

311,328

Sir

The annexed estimate of Twelve Thousand Six Hundred & eight Cherokees under the charge of the several conductors therein named being now all on the line of March for the West it has become indispensibly necessary to make this requisition for the amount stipulated in our agreement [July 25, 27, and 31] for carrying out the Emigration. You will therefore please to order the sum of three Hundred and eleven thousand three Hundred and twenty eight Dollars to be paid to me, it being the balance due on the Estimate herewith presented. I am Sir, very respectfully yr. obt. Hble. Servt.

*John Ross*

Estimate of Twelve detachments of Emigrating Cherokees now on the line of march for the Country West of the river Mississippi under the charge of the following Conductors, as appears from the Rolls and Provision returns—viz.

Elijah Hicks	858	Moses Daniel	1056
Daniel Colston	710	James D. Wofford	1269
John Benge	1103	James Brown	840
Jesse Bushyhead	926	Richard Taylor	925
Situwakee	1320	George Hicks	1034
Old Fields	954	Peter Hildebrand	1613
		total	12608 persons

ALS, Private Collection; PbC (ALS), Small Collections, T, PhC (ALS), Hargett Collection, OkU.

<sup>1</sup>The following may have been attached to Ross's letter at some point. It is not a part of any copies noted above. The item below is in Ross's hand on both copies: PC, Division of Manuscripts, OkU; PG, Private Collection.

Head Qrs Eastern Division Athens Ten. Nov 9th 1838

The requisition on the opposite page [the calculations being found correct by Capt. [John] Page] is approved. Capt. Page disbursing Agent &c, will if the calculations be found correct, turn over to Mr. Ross the sum of Two Hundred, forty seven thousand, Seventy one dollars & four cents, & take the proper receipt therefor.

*Winfield Scott*

Head Qrs Eastern Division Athens Ten. Nov 9th 1838

#### Memorandum

This last requisition for funds to defray the expenses of Twelve land detachments of Emigrants, takes the numbers so emigrated, from that several muster rolls in the possession of Capt. Page, disbursing agent &c which muster rolls make the whole numbers emigrated, by land, under the arrangement entered into with me, 11,721 souls. But the Cherokee authorities, a party to that agreement, allege, that after several of the muster rolls were closed, many additional families and individuals joined the detachments in march increasing the twelve detachments emigrated, by land, to the aggregate of 12608 emigrants—making a difference of 887 souls. Should this be found to be correct when the said land detachments shall be finally mustered, on arriving in the Cherokee Country West, an additional requisition may be made by the Cherokee authorities for the excess of individuals, whatever the number, over and above the number of 11,721, who have been in this country mustered in the twelve detachments which are now on the road.

Capt. Page will send a copy of this Memorandum to the mustering

officer on the Arkansaw and desire his particular attention to the subject, so that a final settlement, on account of the twelve land detachments of Emigrants may be made according to the principles of justice.

*Winfield Scott*

### ABSTRACT OF JOHN PAGE

[Cherokee Agency?, undated, about November 7, 1838]

No.	Number of Roll Completed	[deserters]
1	E Hicks	809 50
2	David Colston	710
3	John Benge	1079
4	Jesse Busheyhead [Bushyhead]	864
5	Situwaka [Situwakee]	1205
6	Old Fields	841
7	Moses Daniel	1051
8	James D. Wofford	1120 10
10	James Brown	745
11	Richard Taylor	897
12	George Hicks	1051
13	Peter Helderbrand [Peter Hildebrand]	1449
		11,781 60
	Deducted for deserters	60
		11,721
	Amount Paid Ross \$529,920	
9	[John A.] Bells under the direction of Leat [Edward] Dent	660
	Amount of Cherokee poor fund paid Ross	\$53,130

*John Page*

[Endorsed:] "Abstract of Muster Rolls of Emigrating Cherokees. Money paid to John Ross Amount of poor fund—Water Party."

DS, DNA, RG 393, Scott Papers.

### TO WINFIELD SCOTT

Athens, Ten. Nov 9th 1838

Requisition for funds to meet the issues of Provisions, soap, and forage made by Lewis Ross under his Contract with the Cherokee Nation, to the several detachments of Emigrating Cherokees during the time

they were delayed and stopped by the drought and other unavoidable causes, up to the time said parties took up the line of march for the west, as pr. abstract viz.

For 272145 Complete rations of provisions @ 16 cents		\$43,543.20
pr ration		
" 8164 1/16 lbs Soap " " " @ 15 cts		1224.70
" 120034 rations of forage " " " @ 40 c		48013.60
		\$92781.50

4026 656  
Sir

The estimate for subsistence of persons and animals heretofore made was for the time only which it was supposed each party would be traveling to the country West, say 80 days, consequently the unavoidable detention by the drought and other causes at the point of starting, as you are aware have necessarily produced an additional expense which I have not been as yet furnished with funds to meet. This expense for provisions, soap & forage amounts to Ninety two thousand Seven Hundred and eighty one Dollars and fifty cents as appear from the vouchers [not found] of issues submitted to me by Lewis Ross the contractor. In order therefore to be prepared to meet this demand in good faith I am compelled to make this requisition on you that you may be pleased to give it such direction as to cause the aforesaid sum of Ninety two thousand seven Hundred and eighty one dollars & fifty cents to be paid as soon as possible at Nashville or at Fort Smith [Arkansas]. I am Sir very respectfully yr obe Hble Servr.

*Jno Ross*

AD&S and FC, Ross Papers, OkTG.

4026 657

### TO WINFIELD SCOTT

Sir Cherokee Agency East Novr. 12th 1838

I have the honor to state that I reached Blythe's ferry on Saturday evening [November 10] last, and found the great body of Mr. [Peter] Hildebrand's detachment of Emigrating Cherokees quietly encamped on the South bank of the Tennessee river, and a portion with about twelve waggons, who had crossed, on the north bank. On yesterday morning at dawn of day the Emigrants were in readiness and commenced crossing the river—four boats were put in requisition and continued running until dusk, two of them were manned by Cherokees themselves. At the close of the day about sixty one waggons of the detachment with the people were safely lodged across the river. The business of crossing was again resumed early this morning, and before 12 O'clock eighteen waggons, carriages &c with all the people were over.

In the performance of this duty it is admitted by all who were present, and I assure you there were not few, including travellers, that nothing but good management, perseverance and energy could have accomplished it so satisfactorily and that no one deserved more credit for personal attention & labour in the task than Mr. Hildebrand the conductor, himself.

It is a source of much satisfaction to me to have it in my power to state, and I know it will be no less so to you to hear, that from the best intelligence which I could obtain, the reports which reached you of desertions &c from Geo. Hicks' & Hildebrands detachment are not true. Mr. Hildebrand informs me that so far from his detachment being lessened by desertions that it has considerably increased by others joining it. That previous to taking up the line of march it is true, that there were some who had left for the purpose of going with their friends in other detachments—and since the detachment has been on the road a family had delayed at one of the encampments from sickness, but had again come up. Mr. Theodore Johnson who was dispatched by Lewis Ross on business to Col. Colburn, the contractors agent for supplying Capt. [John] Benges detachment on the route, has just returned, and who states that he overtook this detachment near Reynoldsburg [Tennessee] and continued with it to that town and then left the Emigrants crossing the Tennessee river on the 3rd inst—that all things were going on well, excepting sickness, which have prevailed to a greater extent in that detachment on the road than others.

On his return, Mr Johnson states that he came by way of Nashville and met with Messrs. [Evan] Jones & [Jesse] Bushyhead at that place; Sicowaltee's detachment had reached six miles & Bushyhead's three miles beyond the town. The conductors were supplying the poor with clothing &c and would proceed without useless delay—that he met Capt. Old Fields' detachment west of Old Jefferson and with [Moses] Daniels' four miles in the rear—also with Major [James] Brown's 8 miles west of Woodberry [Tennessee] and [J. D.] Woffords at Collins River, 6 miles of McMinnville [Tennessee] and Geo. Hicks on Waldens ridge within four miles of Sequatchee [Sequatchie] valley—that these several detachments were all moving on in good order and the people seemed cheerful—that since Chuhoolohuskee had left Bushyhead there has been no difficulty and all have gone on well in that detachment.

There were some sick persons with their friends of Woffords' party left near Blythes ferry, two of them have died and the others recovered, they will now proceed in Mr Hildebrands' detachment—the number is stated to be eighty five. I have not been enabled as yet to receive any satisfactory account of Lawlaw [Lolo?] who is said to have deserted Woffords' detachment with about twenty five persons. This man is the individual who was known to have tampered with and was under the

influence of Colo. Hunter and who had expressed a wish to remove by water under the charge of Colo. Hunter but finally had promised to go on by land.

Permit to assure you that I have the fullest confidence in our ability to carry out engagements with you in good faith for the removal of the Nation. I take the liberty to send you the enclosed certificates [not found] which are believed to be entitled to credit. I have the honor to be Sir yr obt Hble St.<sup>1</sup>

AL, DNA, RG 393, Starr Papers; ADft, Ross Papers, OkTG; ADft (partial), Private Collection.

<sup>1</sup>The private-collection draft appears to be the final pages of the OkTG draft.

#### REMOVAL AND SUBSISTENCE MONIES PAID TO ROSS

[Cherokee Agency]

Nov. 13 [1838]

Paid to John Ross, principal chief and agent of the Cherokee nation, by Capt. John Page, disbursing agent, on account of removal and subsistence.

246,479.04

FC, DNA, RG 233, 27th Cong.; PC, Cong. Serial 411, House Report 1090, 60.

4026 6/38 FROM THOMAS N. CLARK, JR.

Dear Sir

Nashville [Tennessee] Novr. 15th 1838

I have succeeded after so long a time in getting for you a carriage & two pretty good horses at \$625. I think they are worth the money & hope they will suit you well. I have also bought for you one of two horse power that has been used as a Baggage Hack, which I think will also answer you for the purpose wished, tho it is not the kind you directed me to purchase. The stage waggon & carryall cannot be bought in this market & I really feel hurt that a more speedy purchase could not have been made as you are so anxious to get off from that place of *now & nichmadon*. The Carriage & pair of Horses bought for Baggage &c cost \$300 in U. States money & is certainly not high at that price. I am in hopes it will answer & the Carryall you can get at the Agency or Athens [Tennessee] on much better terms than here. I will send them on by Two Negro Boys. One of them I have known for many years & can say to you that he is a first rate driver & careful hand wih horses. He used to belong to James Trimble, but has bought himself & is now a free man. The other Boy comes recommended by him. Alexander is

the name of the Boy I entrust the Carriages & horses to & feel assured he will please you. I have agreed to give him \$2 per day. The other Boy will not get so much. The price not yet fixed on as to him. I will place in the hands of Alexander \$40 for expences &c which will be more than necessary for expenses if no accident occurs & for which he will be able to render you an account when he lands. You had better retain Alec if not both of them until you get to this place as they will drive your family more safely than any new Drivers. The Carriages will leave in the morning. One word to you before you set out. If it should rain much I would advise you to put your family on a comfortable Boat & let them go by water for you may rest assured that if you send them by land they will have a rugged time of it for the Detachments will put the roads in shocking order. I wrote to you last night by Majt. [Charles J.?) Nourse. I hope he will deliver the letter in safety. The rain is now falling in quantities & I feel for the people on the travel. [Stephen] Foreman [Moses] Daniel & [James] Brown are now supplied & the balance shall be as they come up. Brown is still at Mill Creek 4 miles East of here, but will leave in the morning. They have been entirely too much crowded at this place & I am sorry to say that even the Conductors, who should be vigilant & guarded to the interests of the people are too easily enticed to stop & receive attentions from those *entours* of Indian money. The House of Martin & Stevenson who have the furnishing of supplies have been operating through the Conductors to get the money from the Indians. They have been trying to catch me in every way possible to get some of the John Ross money but they are mistaken in the man & when I find too much seeming friendship I am over suspicious. I am happy to say that [Evan] Jones & [Jesse] Bushyhead supplied themselves here & of course supercedes the necessity of our going farther to supply them. I have had a rugged time of it since I landed here & expect to have until I get thro' with the supplies. I cannot get more than 3 pr ct on U. States money & difficult to do that, and to this, the merchants are disposed to put it to us as deep as possible—but I will give them all a hunt. And if they bear me they will have to be up and a doing. I could say much but will close till I see you which I hope will be soon. Our friend Colo. [Thomas C.] Hindman reached here last night in safety. James & Sister Trimble enquired particularly after you & say they will expect to see you & your Brother when you get to this place. My Respects to your Brother & all his family and for yourself & yours be assured of my best wishes for time & eternity. Yours &c

Thos N. Clark jr

P.S. I will go out in the morning to Daniels Camp 6 miles West of this place & try to get them off. I understand since I commenced writing that they are still in camp. [W. A.] Lenoir will go out to Judge

Browns Camp & try to aid in distribution & hurry in that camp. It will be about 2 days before [James D.] Wofford comes up & we will have tomorrow to help these Detachments. I wish I could have your influence for a few days in order that I might move these people—farewell.  
T. N. Clark jr.

[Endorsed:] "I give the Driver \$40, 68 ¼ for expenses."

ALS, Ross Papers, OkTG.

426 (49)

FROM THOMAS N. CLARK, JR.

My dear Sir

Nashville [Tennessee] Decr 17th 1838.

I was much gratified and considerably relieved last night at the sight of your Brother Lewis [Ross] & the receipt of your favors [not found] of the 5 & 7th Inst. which I assure you came in due season & afforded much relief. Lewis & myself had been drooping for several days & had come to the conclusion to retrace our tracks back to the agency to see what had become of you. But we are now relieved in a great measure & will take up the line of march in the morning with your Brother for the distant West. We will try if possible to carry out your wishes both to the letter & Spirit, yet I fear your presence will be almost indispensable to any successful operation on the road. The agents for supplying have been under the impression of some weeks past that it would be impossible for the last Detachments to pass thro' Missouri this winter for 2 reasons—1st The severity of the winter & 2dly the scarcity of supplies. I do not know what effect this may have upon the people, or whether they have heard any thing said on the subject, but should they become dissatisfied & [page torn] they ought not to go farther than the Ohio or Mississippi [Rivers] it would require your influence to arouse them to a sense of duty & the importance of a struggle to get on. It is not right to anticipate evil & I will desire—but think if you can leave your family with any degree of safety you had best do so, at some convenient point, and join us at the crossing of the Mississippi River. The money you gave us when leaving the Agency was sufficient to meet the calls of the respective Detachments & those made by the Detachments that were in advance of us but I fear the Conductors were not sufficiently acquainted with the Condition & wants of the people. I have recd. from your Brother \$9,600 which I will try to use to the best of my judgment for the welfare of the people & for your safety. I think if any of the Detachments should halt on the River it will be advisable for me to go to St. Louis [Missouri] & make some farther purchases or if I can get there in time, even should they go on, to get a few more articles for them I will do so. If it should be necessary Lewis or myself will try to find you, in

the meantime be assured we will try to do our best for you. But I say in conclusion if you can, do try & meet us at the Mississippi it may be important. Remember me to your family & to my acquaintances & for yourself be assured of my best wishes for your present & future welfare. Your friend & c

*Tho. N. Clark jr.*

ALS, Ross Papers, OKTG.

4026.701 FROM THOMAS N. CLARK, JR.

My Dear Sir Mouth of the Ohio [River] Illinois Decr 28, 1838

[W. A.] Lenoir & myself have tried to execute your wishes as far as the Mississippi River & as we could not cross that mighty water, on account of the Ice, we concluded to accompany your Brother Lewis [Ross] to this, who has come to get supplies of Sugar, Coffee & Salt for the people, hoping thereby to meet you here & prevail on you to go with us to the crossing of the Mississippi to dispell the gloom & settle the doubts attendant upon the Emigration. There is now between the two Rivers [Moses] Daniel, [James] Brown, [James D.] Wofford, [Richard] Taylor, [Elijah or George] Hicks & [Peter] Hildebrand and the Ice in the Mississippi says to the foremost stand still, and each Detachment to the other hold on. Yet notwithstanding these difficulties the people are much more quiet & in fact in much better Spirits than we have any right to expect. But in this Dilemma every eye is upon you. You are the master workman & it is your peculiar province to come, see and determine, which I hope you will do without delay. We all feel at a loss, not knowing really what would be best, and are hauling & wavering and almost afraid to move. Your Brother Lewis has written [not found] to you from this place & given his views of matters which makes it unnecessary for me to dwell or to say more & as I have written [not found] you to night at Paduca[h] [Kentucky] for fear of delay in the Tennessee. I will conclude by saying I hope to see you soon at Jonesboro [Illinois] or its vicinity where we can talk face to face on these matters. I would wait for you at this place, but am apprehensive you may quit the River at Paduca on the recd of my letter [December 17] from Nashville [Tennessee]. Please receive my best wishes for present & future. Your friend

*T N Clark jr*

ALS, Ross Papers, OKTG.

4026.712

FROM THOMAS N. CLARK, JR.

My Dear Sir

Jonesboro Illinois July 10, 1839

Your Brother Lewis [Ross] & Mr [W. A.] Lenoir set out this morning for St. Louis [Missouri]. Your Brother for the purpose of raising money for subsistence & Mr. Lenoir for the purpose of making some additional purchases of Blankets, Shoes, socks, &c &c. I have waited until I am almost thread bare in patience & yet am undetermined what will be best for you. I never felt as anxious to see any person in my life as I do now to see you. I feel that we have been unprofitable servants and entirely on the ground of our ignorance of duty or rather what would be best for your interest and the best welfare of the nation &c. I will go on to the [Mississippi?] river & see what speed they are making in crossing & try and ascertain what the several Detachments require by the time Lenoir gets back from St. Louis. If you should come here soon after I leave send a messenger for me or any other course you may think expedient that do [ye?]. If you should not get here by the time Lenoir gets back we have determined to press onward to the place of destination as rapidly as possible. Write me at the [Mississippi?] River as soon as you come up & you shall see me soon. Your friend &c

*Tho. N. Clark jr*

ALS, Ross Papers, OKTG.

4026.716

TO THOMAS N. CLARK, JR.

Sir

Smith's ferry on the Mississippi July 22ed 1839

You are requested and hereby authorized to exercise a general Superintendency over the detachment of Emigrants under the charge of Chuwalooke. In the discharge of this duty you will see and enforce a faithful performance of duty on the part of all the officers sub-officers and others in the employment of the service, and to discharge those who will deserve it & to appoint other suitable persons in their stead. A system for the movement on the line of march and encampment of the party will add much to facilitate good order as well as expedite the Emigration on the road. As to the manner of forming and of the mode for enforcing the same you will of course enlist the views and cooperation of the Conductor. You will disburse the necessary contingent expenses of the detachment and receive from the persons having unexpended Balance of Money in their hands. Also obtain from them a report of their disbursements with the vouchers.

It is not necessary nor expedient to present for your observance instructions in detail. You will therefore exercise a discretionary Superintendency and authority over the whole business agreeably to the dictates of your own good judgement, keeping in view the comfort &

health of the people as well as the interest of the nation. Mr. James Bigby will act as your interpreter in your official intercourse with Chuwalooke & other leading men of the detachment. Mr. [W. A. Lenoir] will remain subject to instructions. Wishing you a safe and expeditious journey to the place of destination. I am Sir very respectfully yr obt Sr.

ADfr, Ross Papers, OKTG.

4026.720

FROM THOMAS N. CLARK, JR.

My Dear Sir

Camp at Thompsons March 3rd 1839

Mr. Thorp will set out in a few minutes on the search of you for the purpose of getting your views & wishes with regard to the disposition of the property in this Detachment. I find things in a miserable condition here both in regard to the people & horses & much fear that both will suffer unless some speedy arrangements are made. I have been compelled to turn over the people to the Government Agents from necessity. The public horses I am determined to hold up if possible for a few days until I hear from or see you altho at high prices. I will sell the property whenever I have fair offers hoping it will meet your approbation. Many are anxious for Settlement & I have not half the means to begin with & must hold them at bay until I hear from you. Mr. Thorp will give you all the minutia in detail & it will not require so much from me. The fire is now crowded with the people & my fingers are too numb to write & must conclude by saying that you have my feeling of sympathy for your recent afflictions<sup>1</sup> with which I have been no stranger, & a continuation of my best wishes for your future prosperity. Your friend

*Thos. N. Clark jr*

ALS, Ross Papers, OKTG.

<sup>1</sup> Perhaps he refers to the death, February 1, 1839, of Ross's wife, Elizabeth.

TO THOMAS N. CLARK, JR.

Very dear Sir

At Mr. Joseph Coodey's House March 6th 1839

I Received your note [March 3] by Mr. Thorp at this place on last evening. The course which you have taken in regard to the people as well as the public property is judicious and satisfactory.

I parted with Mr. E. Jones & Doct. [W. P.] Rowles on the Illinois [River] on yesterday who goes up to that vicinity. By those Gentlemen I sent a verbal message to you in reference to the subject matter of your letter. I have been much perplexed in coming to any satisfactory conclusion what to advise or ought to be done in advance for the best,

therefore I was willing to submit the question to your own judgement after conferring with Mr. Jones. It is certain from the scarcity and high price of corn that it will be impossible to keep the teams for any length of time in that quarter, as it may not be convenient to obtain nor keep too many agents employed in taking Charge of this property. I suggested to Mr. Jones the propriety of concentrating the waggons & [geets?] at some suitable point and there to be sold as favorable opportunities may be presented, also that the Horses Mules and oxen may be Collected in the same way and provided for temporarily until you can come down and we shall determine finally what disposition to make of them. The expenses attending this property must be met by funds arising from its sales—for the funds in my possession have been appropriated & are exclusively applicable for other objects. Since the detachments have been turned over to the agents of the Govt Doct Rowles has been requested to take a Schedule of & to receive from the several physicians the medicines and Surgical instruments in their possession, and Mr. Jones to aid and assist you in making out Pay Rolls and a Schedule of the public property on hand and then to come with the same as early as practicable to Capt. [John] Drew's or Mrs. Coodeys at the Bayou Manard (or Menard) where I shall probably locate myself to settle up the business of the Emigration. I dispatched Mr. [W. A.] Lenoir yesterday to [Moses] Daniel & [James] Browns detachment for the same purpose. On the return of Mr. Thorp, it is [possible?] that you will have seen Mr. Jones and determined on some temporary arrangement for the keeping of the public property. You will therefore please to instruct Mr. Thorp accordingly and leave him there to carry the same into effect until further orders. It is my desire by all means that you should come down as soon as practicable and before I commence the disbursements of the Expenses of the Emigration.

Good and responsible Cherokees & others connected with the nation who may wish to purchase any of the public property on credit they may by giving ample bond & security be accommodated. Let it be understood throughout the adjacent Country that the property will not be sacrificed by public sales, and that it will be well for those wishing to purchase to apply immediately & that they will get reasonable bargains, or other wise that the teams of horses & mules will be sent off to other markets soon. In great Haste I am D Sir, yr. friend &c.

ADfr, Ross Papers, OKTG.

4026.721

FROM ELIJAH HICKS

Dear Sir

Illinois [Cherokee Nation] March 6th 1839

It is probable that from the conversation had with you when here that you will fix on some cite near the garrison to transact the business

4026.122 - J Ross's reply 3/6/39

arising out of the emigration of our Nation to this country. To such location I am not disposed to make any suggestions, excepting to so much of the business with the Detachment conducted by me, I think it would be interesting to the individuals concerned to have their claims and other matters liquidated at this place. It is true that the distance from this place to where you may locate is insignificant, but in every point of view this place would be most convenient and preferable to them. I have a stock of meal & flour (public) of some 50 or 60 bushels which was provided with a view to meet this business, and subsistence is here, and I will have to dispose of it if you locate at the garrison. The business with the individual claimants of my Detachment I think and I am sure can be liquidated in one day, and it would be pleasing to me if you can consent to attend here next monday [March 11] morning and pay the claims. I would give the parties time by notice so that they would be sure to attend here. You can come on to the place sunday evening and commence monday if you conclude that it is expedient to do so.

I have forgot what you said to me about the public teams here, please to advise me.

Mrs. [Margaret Ross] Hicks is in a very dangerous condition. Very respectfully &c.

*Elijah Hicks*

ALS, Ross Papers, OkTG.

4026.723 FROM ELIJAH HICKS

Illinois meeting ground [Cherokee Nation]  
March 11th 1839

Dear Sir

I have sent Mr. Hood with the pay roll & Return of property Roll to be delivered to you as I could not leave on account of family indisposition. The Pay Roll is as Complete as I can make it and I think it will be found nearly correct in all the calculations of the claims. You will perceive that but a small amount or inconsiderable claims stands now against us arising out of my detachment excepting that of the Cherokee officers they are unpaid and some of the owners of waggons in the service—which are few. The Return of the property Roll I am not entirely content because the horses as set down on hand or most of them are in the possession of Jacob West for keeping, and I have to presume them on hand until otherwise informed.

I have to state in regard to Mr. Hoods services that he has acted waggon master from the 6th Octo. to the 13th Nov. without an assistant and submit the question of extra pay for your consideration.

I have not carried out the amount of some of the claims, because I

had not the estimates by me and had to depend upon memory with those I have fixed, therefore you will please to fill the blanks. The extra pay of some of the officers was also unknown to me and preferred for you to fill the blanks, the time of service being give in all cases with the officers.

[In] relation to some teamsters who were in a state of mutiny at the Mississippi [River] you will please to withhold compensation until I am present. They are the following George Bell Wm. Blair, Isaac Erwin Milton Tucker Jeremiah Silridge, all of which is respectfully submitted by your most obt. Servt.

*Elijah Hicks*

I [wish?] Doct. Browns case to stand until I am present.

*E. H.*

ALS, Ross Papers, OkTG.

4026.724 FROM GEORGE HICKS AND COLLINS McDONALD

Dear Sir Bear[r]ie's Prairie [Cherokee Nation] 15th March 1839

We would respectfully inform you that we arrived here on yesterday the 14th Inst & that we are here and do not know what disposition to make of the publick Teams & of the publick property in our charge. We have no funds to pay for the subsistence of the teams & the waggons & we wish some immediate instructions on the subject.

The Agent [Montfort Stokes] of the Government will be here to day we will be mustered out of service and Turned over to government & we are informed that they have some shelled corn & some very poor beef for our Subsistence which is unfit for use—& from the promises made to us in the Nation East we did not Expect such Treatment. Very Respectfully your most obt Servts

*George Hicks  
Collins McDonald*

P.S. The people are in as good Health as could reasonably be Expected.

ALS, Ross Papers, OkTG.

4026.725 TO MONTFORT STOKES

Sir J Coodeys Illinnis, Cherokee Nation 5th April 1839

The whole of the Cherokee nation having completed their removal to this section of country under the late arrangement made with Majr. Genl. [Winfield] Scott of the U.S. Army on part of the United States

Government. It was confidently expected by them that ample arrangements for their subsistence would have been made in time to meet their wants on their arrival west—but we find a contract existing between the Government and individuals and depots established on the [Cherokee-Arkansas] line at inconvenient points for the Emigrants, who have, and are about settling themselves at places too remote from these depots to be able to get their Rations, without great inconvenience. The detachment that came by water recd shortly after their arrival fifteen days rations of Beef & forty five of corn, and an assurance made that a depot should be established at or near the Illinois camp meeting ground but I am sorry to say the fifteen days have expired the Emigrants out of provisions and no arrangements are made to supply them—therefore I deem it my duty from the calls of the Emgrs to request that you as the agent of the United States (to whom we should apply) will cause Provisions to be immediately furnished to this portion of the Emigrants at some convenient place in this neighborhood of Illinois camping grounds—as many of them are in that quarter are in a suffering condition for want of it. And I would further request that the meat Ration be of Bacon, Fresh Beef, that poor at this season of the year is unhealthy and unfit for use—and I cannot suffer myself to believe the Government of the United States will require the Cherokees to be subsisted on provisions of such description when the facts are made known through proper officers. Very Respectfully your obt Servt  
*John Ross*

PC, Ross Papers, OKTG.

#### TO MATTHEW ARBUCKLE

Sir  
 Illinois [Cherokee Nation] Apl 11th 1839  
 I have the honor to acknowledge the receipt of your communication of this date by your Express, and I assure you Sir, that it is with much regret I learn from its contents, the alledged outrage complained of. No report of the case having reached my ear previous to the reception of your letter. Since then, I have just seen a gentleman of character from the vicinity of Beatties [Beattie's] Prairie and of whom I have enquired respecting the subject matter of complaint, and have been informed, that at a horse race across the line [i.e. in Arkansas], near Beatties Prairie, some of the Cherokees were present with many of the whites, where some interruption took place between drunken persons of both sides, and that probably an Indian had thrown a knife at a whiteman named Wallace and which cut the whiteman's garment—but nothing so serious as inflicting a wound on his person, much less than endangering his life, had occurred. I am happy to learn that thro'

the same source that no useless excitement seemed to have prevailed in that vicinity in consequence of this drunken act. I will notwithstanding take steps to ascertain the facts in reference to this unpleasant affair—and I beg leave to assure you that every thing in my power to promote good understanding and the kindred feeling which has so long subsisted between the Cherokee people and the citizens of the United States, shall ever be cherished and cultivated to the utmost of my influence. And for any acts of violence or outrage upon the persons and property of the citizens of the border states, I have full confidence that the Cherokees will ever be found ready to have justice done to the injured, according to the provisions of their acknowledged Treaties with the U. States Govt. I have the honor, to be, Sir, with great respect your obt. Servt.

*John Ross*

ALS, DNA, RG 393, 2nd and 7th Departments, Letters Received.

#### FROM RICHARD FOREMAN ET AL.

Hon. Sir  
 Near Beatties [Beattie's] Prairie, 19th April 1839  
 We the undersigned having noticed the allowance made of rations to our people for their support, It is now evident that it is not enough for the time given. We have also noticed money given to some who are too inconsiderate to lay it out for provisions only, but have bot clothing in part and other things unnecessary for their comfort. The allowance actually fall short. Many instances of this we can produce within our settlement.

We therefore apprize you of these facts, that it may (if it meet your approbation) be taken into consideration, if not it is certain many of our people must suffer for want.

We believe measures ought to be taken to remedy this if possible. Would the Genl. Govt. hand over the funds into the hands of the Nation, that sufferers may be relieved by agents of our own people out of the funds aforesaid.

But if not, might not agents of the Cherokee people be appointed to superintend and to act for their people in behalf of the Nation. Otherwise we believe many must suffer. From such motives we are induced to lay before you these suggestions. We are Sir very respectfully your most obt. Servants Richard Foreman and one hundred five other Cherokees.

PC, DNA, RG 393, Fort Gibson, Letters Received; PC, RG 75, M 234, Roll 83, 18-20; PC, Cong. Serial 425, House Doc. 219, 134-35; PC, Cong. Serial 428, House Report 271, 149-50.

4026 727

TO MATTHEW ARBUCKLE

Sir  
 Illinois (Cherokee Nation) Apl 23rd 1839  
 From the many complaints which are daily made to me by Cherokees who have been recently removed into this country, of their sufferings, from the want of being properly subsisted with provisions, I am constrained to address you this hasty letter. It is reported that, apart from the scantiness of the ration allowed under the contract made on the part of the United States Government with [James] Glasgow & [James] Harrison, many inconveniences have been experienced by the Cherokee people, from the irregularity of proceedings on the part of those employed for carrying out the contract.

It has also been stated that the contractors were only required to furnish "one pound of fresh beef, three half pints of corn & four qrs. of salt to every 100 lbs. of beef—or, if they (the contractors) choose they might furnish in lieu of the beef, 3/4 lb. salt pork or bacon provided the Indians will receive it." The beef being poor & not considered wholesome this season of the year, the Cherokees have generally objected to and refused receiving it and have insisted on being furnished with Salt Pork or Bacon in lieu of the beef, but it seems that the contractors do not choose and have refused to comply with the demand; saying that they were only bound to furnish Beef rations. Yet they would commute the ration by paying in money one dollar pr. month for the same. Thus the Cherokees are placed in a situation by compulsion to accept of either the beef or the money offered or to go unsupplied altogether. Here I must beg leave to remark, that previous to the removal of the Cherokees from the East to the West, the subject of providing subsistence for them after their arrival in this country was fully discussed with Major Genl. [Winfield] Scott who communicated with the War Deprnt. in reference to it. And we were afterwards informed by that distinguished officer that the Hon. Secry. of War [Joel R. Poinsett] had decided that the Cherokees should at least for a time be subsisted with provisions in kind, until they could provide for themselves, and then such an arrangement as would be most satisfactory to them should be made with them through Capt. Collins. Now Sir, it is evident from the exorbitant prices of meat and bread stuffs in this country that the Cherokees who have thus been forced to receive commutation in money from the contractors at the rate stated will soon be found in a starving condition—instead of being provided with subsistence as was anticipated and promised them. If the articles of agreement entered into with the contractors are to be construed so as to leave it wholly optional with them whether to furnish Salt Pork or Bacon in lieu of Beef, then it is obvious that there were no practical advantage for the interest of the Cherokees to have inserted any clause in that instrument in regard to Salt Pork or Bacon—for its effect has only been and will continue to be to mislead

the mind of the people. And how it can be reconciled with the obligations imposed by the contract for the contractors to adopt the mode of commutating the subsistence rations they have engaged to furnish the Cherokees with and that too by a rate fixed by themselves, is a mystery which the Cherokees cannot understand—for it is not pretended that such a right or discretion has ever been given to them by the contract with the agents or the U.S. Govt. for subsisting the Cherokees. Nor can the sacred principle of justice sanction such a course under existing circumstances. Confiding however in the fair intentions of the Government towards them on this subject, the Cherokees still believe that the Hon. Secry. of War will when deemed expedient commute their rations at a rate at least equal to any sum fully ample to purchase provisions with for their comfortable subsistence—and that no sum less will be offered than what others would engage to supply the same for. I beg leave herewith to lay before you copies of sundry letters' which I have just received from several leading men on behalf of the Cherokees on this very unpleasant subject. And in conclusion will further remark, that the health and existence of the whole Cherokee people who have recently been removed to this distant country demands a speedy remedy for the inconveniences and evils complained of, & unless a change of the quantity and the kind of rations as well as of the mode of issuing the same, be made from that which has heretofore been granted and observed, the Cherokees must inevitably suffer. Therefore to avoid hunger & starvation they are reduced to the necessity of calling upon you and other officers as the proper representatives of the U.S. Govt. in this matter, to take immediate steps as will ensure the immediate subsistence of the Cherokees who have recently been removed here, with ample and wholesome provisions, until such other arrangements, as may be most satisfactory to them, can be made for subsisting themselves &c. When every thing in reference to the late removal of the Cherokee nation from the East to the West is considered, and seen that it has been consummated through the military authority of the U.S. Govt. I trust you will pardon me for addressing this communication to you, especially when you are assured that the Cherokee people have been taught to expect that justice and protection would be extended to them through the Commanding General in this Hemisphere.

Permit me to introduce to your friendly acquaintance Mr. Richard Taylor, one of the conductors of the late emigration—and for many years past high in the councils and confidence of the Cherokee nation. I have the honor to be, Sir, very respectfully yr obt Hble Servt.

John Ross

FC (ALS), DNA, BG 233, 26th Cong.; AD85, Ross Papers, OKTG; FC, Southard Papers, NJP; FC, DNA, BG 75, M 234, Roll 83, 23-26; PC, Cong. Serial 425, House Doc. 219, 136-37; PC, Cong. Serial 428, House Report 271, 151-52.

<sup>1</sup>Probably Thomas Foreman et al. to Ross, April 16, 1839; Richard Foreman et al. to Ross, April 19, 1839; and George Srill et al. to Ross, April 19, 1839. All at DNA, RG 393, Fort Gibson, Letters Received.

4126 733  
TO W. P. ROWLES

Dear Sir near Park Hill, Illinois [Cherokee Nation] Apl. 27th 1839

Your letter [not found] of the 8th inst. from Cincinnati [Cincinnati, Ohio] came to hand on yesterday. I am glad to hear that you get on fair & easy, but regret to learn that there are not any person either capable or inclined to "go a head" and consequently your movements have been slow. Your speedy return with the boat & Cargo is of the first consequence to our present necessities and interest. I hope therefore every exertion consistent with your success will be used to reach Fort Gibson [Cherokee Nation] as soon as practicable. Not knowing the extent of your purchases nor means for extending them beyond the instructions given, I am at a loss how to answer your questions. The object in view, however, was to get a full freight if practicable, by special purchases and by shipments for others up the Arkansas [River]. Corn would be as good an Article as can be brought to meet the wants of the people, provided the expense of cost and time would not be too great. There being some uncertainty as to your receiving this letter before your passage up the Arkansas, I decline writing on other subjects touching local matters since your embarcation. I am as usual overwhelmed with business appertaining to the Emigration, and am seated in the vicinity of *Park Hill*. I will conclude by informing you that a most base and false report<sup>1</sup> has been made to Genl. [Matthew] Arbuckle from the military Encampment on Illinois [River] stating that a Hostile attack upon that Post by the Mountaineers of No. Ca. with Situwakee at their head would be made on yesterday's night, and calling on Genl. Arbuckle for reinforcement of troops. Two Hundred Dragoons were consequently forthwith dispatched yesterday to the imagined Battlefield!! Situwakee, the dreaded chieftain, in the mean time was quietly engaged on business with me here, together with the other conductors of the several detachments, concerning the Emigration. I exceedingly regret to say that a strange disposition seems to prevail on the border, on the part of some of the citizens of the states for raising an unnecessary excitement prejudicial to the Cherokees. I trust however that good order and wisdom will in the end prevail over the wiles of perfidy and wickedness. I am dr Sir yrs. very respectfully  
Jno Ross

P S. Hold fast to the little Cherokee boy whom you have been so fortunate to rescue from captivity, until he shall be restored to his friends & relatives.

ALS, Ross Papers, OkTG.

<sup>1</sup>M. C. M. Hammond to Arbuckle, April 25, 1839, PC, Cong. Serial 365, House Doc. 129, 39-40.

TO WILLIAM ARMSTRONG

Sir Illinois [Cherokee Nation] April 28th [and May 4] 1839

When I had the honor of a personal interview with you on the 26th Inst. at Headquarters, on the subject of your communication of that date relative to Lt [M. C. M.] Hammond's report<sup>1</sup> of the 25th, to Genl. [Matthew] Arbuckle I informed you & the Genl. that although I was fully satisfied in my own mind of the incorrectness and absurdity of the tale, yet I had deemed it due to propriety and justice to dispatch Capt. Old Fields forthwith to Camp Illinois and its vicinity for the purpose of ascertaining as far as practicable the facts upon which it was based. I have now the satisfaction of informing you that Capt. Old Fields returned on last evening and has brot. me a letter [not found] from the Revd. Evan Jones, who being at Mr. Jesse Bushyheads house, had been requested by me to accompany Capt. Old Fields to Camp Illinois, to see the officer, in command of that post, concerning the report. Mr. Jones states that Capt. Old Fields & himself reached Camp Illinois in the night of the 26th and on inquiry of Lt. Hammond Comdg. was informed that an individual (whose name he, the Lt. thought it best to withhold for the present) had reported that he met Situwakee somewhere in the vicinity; that Situwakee advised him to withdraw from the Fort, and to try by some means, to get the commanding officer to withdraw also, for, that an attack on the camp was to be made on the night of the 26th. The reporter said that Situwakee spoke but very little English, and it was with great difficulty, that he made the foregoing communication. Mr. Jones adds in contradiction to this report, ["I] stated that on Wednesday [April 24] I found Situwakee at your house & staid there with him that night and left him there on thursday evening, which rendered it certain that the report was a mistake or a corrupt fabrication." And that the Lt. said he learned thro the same informant that certain individuals, whose names he thot. it best not to publish at present, were forming a hostile band, and that they were getting their names subscribed to a paper containing a declaration of their designs and binding them to faithfulness. The Lt. further remarked that much hostile feeling was doubtless excited by the insufficiency in quantity & quality of the rations issued to them at the depots. Also "that it was understood the mountain Indians had determined on the road to this country, to revenge on the soldiers the death of their friends and relations who were shot in North Caro-

lina. Moreover, he had heard by some means, that a hostile council was now in session."

Capt. Old Fields assures me that he found the Cherokees all quiet and ignorant of the evil report in question, and that he believes the report to be a base fabrication gotten up by some evil disposed person for effect.

Under all the circumstances of the case, I believe it to be due to truth and justice and the welfare of the Cherokees, that this matter should be fully investigated to prevent, as far as practicable evil disposed persons from producing mischief. And I trust you will cause it to be done, as it is painful to the feelings of every honest and peaceable man of any community to labour under wrong suspicions of perfidy and wickedness. I have the honor to be Sir, very respectfully yr. obt. humbl. Servt.

*Jno Ross*

May 4, 1839

P.S. Before I had an opportunity to forward the foregoing, Captain [George A.] McCall brought from Genl. Arbuckle, the copy of a report<sup>2</sup> made to Captain [E.] Trenor by a John Mosely. In consequence of which a committee was appointed to proceed with Captain McCall to Camp Illinois to investigate the several reports.

The report<sup>3</sup> of that committee has just been received, and I enclose a copy of this conveyance to Genl. Arbuckle, with a request that Mosely & the other informants be forthwith brought before him & yourself for examination.

I also beg leave to call your attention to that report and to urge the importance of a speedy compliance with that request, as the means of allaying unnecessary excitement. I have the honor to be, Sir very respectfully, your obt. Servt.

*Jno Ross*

FC (ALS), DNA, RG 233, 26th Cong.; FC (LS), Sourhard Papers, NjP; FC, Ross Papers, OkTG; PC, Cong. Serial 365, House Doc. 129, 44-46.

<sup>1</sup> PC, Cong. Serial 365, House Doc. 129, 39-40.

<sup>2</sup> Undated (about April 29, 1839), PC, *ibid.*, pp. 46-47.

<sup>3</sup> Walter S. Adair and Stephen Foreman to Ross, May 4, 1839, PC, *ibid.*, pp. 43-44.

#### TO MATTHEW ARBUCKLE

Sir  
Park Hill [Cherokee Nation] May 4th 1839  
I had the honor to receive your favor of April 29th by Capt. [George A.] McCall communicating a report of hostile movements on the part of certain Cherokees, made to Capt. [E.] Trenor by an "Indian countryman."

It would have given me great pleasure, to accompany Capt. McCall to the camp agreeably to your wish; but the pleasure of indispensable business, connected with the Emigration rendered it impracticable. Two citizens, however, of standing and intelligence, were appointed to that service.

From the result of their inquiries, it appears that the evidence on which the reports are based, is still involved in an unpleasant obscurity. Since the report of the 25th of April, from the officer commanding at Camp Illinois, the ground of alarm has been changed. The attack from Situagi [Situwakee] and the Mountain Indians, apprehended "*from information which cannot be questioned*," is not noticed or only mentioned incidentally; but other reports are assigned as good cause to apprehend an attack from another quarter.

The state in which the matter now stands, is quite an embarrassing one. The names of individuals are privately handed about, as projectors of hostility, and, their reputation injured, without the opportunity to defend themselves; while, their accusers are, by an injunction of secrecy, to some extent imposed on the investigators, screened from responsibility; and the U. States service under your command, and the Cherokee people, are, both exposed to serious injury, from the covert practices of wicked and designing men.

On the whole, I cannot, but think it due to the Cherokees, that a full and impartial investigation should be had. I have the honor, therefore, to request, that you will cause John Mosely, and the other informants, to be forthwith brought before yourself, as the Commanding General, and the superintendent of Indian affairs, for examination. Most of the persons accused have long been residents in this country, but steps will be taken to have them summoned to appear, at such time as the investigation may take place. I have the honor to be Sir, most respectfully your obt. Servt.

*Jno Ross*

P.S. I have herewith Enclosed you a copy of the report<sup>1</sup> made by the Cherokee Deputation who accompanied Capt. McCall to Camp Illinois.

LS, DNA, RG 393, 2nd and 7th Departments, Letters Received; FC, Sourhard Papers, NjP; FC, Ross Papers, OkTG; FC, DNA, RG 233, 26th Cong.; PC, Cong. Serial 365, House Doc. 129, 44.

<sup>1</sup> Walter S. Adair and Stephen Foreman to Ross, May 4, 1839, PC, Cong. Serial 365, House Doc. 129, 143-44.

#### TO MATTHEW ARBUCKLE

Sir  
Illinois Cherokee Nation May 14th, 1839  
Since my return from Fort Gibson on yesterday, I received a letter [May 13] from Mr. John R. Nicholson, and deem it my duty to send

you a Copy of the same—and would most respectfully call your attention to the information therein communicated.

If the report be true that an armed force has been raised in Benton County [Arkansas] for the purpose as stated, the course is evidently unlawful and unwarrantable and the peaceable inhabitants of this Nation can only call upon your military authority for protection. And I trust you will take proper steps to prevent all unlawful acts of violence from being perpetuated upon the property & persons of the Cherokees within the limits of the Nation, by Citizens of the U. States. On the other hand I will take it upon myself to reassure you that the Cherokee people desire nothing but peace & good neighbourhood with their border white brethren, and that so far as I am concerned every exertion shall be used to cultivate and maintain that good understanding & friendly relations which it is the interest of all to preserve.

Unfortunately, evil disposed persons are too apt to fabricate false reports from sinister motives; but, the considerate and well disposed people on both sides, should ever be ready to investigate such reports, in order that falsehoods may be detected and useless excitement kept down.

I have been requested by Mr. Nicholson to inform you that he will appear before you on Monday next the 20th inst for the purpose of enabling you on that day to investigate & the charges made against himself as one of the leaders of a hostile band &c as communicated thro' the reports which have been made to you.

And as John Moseley (or Mosely) has been represented to me to be as a whiteman, I have to request that you will cause him to be brought before you at the same time, (the 20th) to the end that the investigation may be made in the presence of both parties. I will give due notice to John Smith and David Webber to appear also. I have the honor to be, Sir, very respectfully yr. obr. Hble. Servt.

*John Ross*

ALS, DNA, RG 393, Fort Gibson, Letters Received.

#### TO CHARLES J. NOURSE

Dr. Sir Park Hill Cherokee Nation West May 31st 1839

I have this moment received your letter [not found] of the 1st inst. as to the other one which you say, had been written to me some time since, it has never come to hand.

Concerning the money you paid me in exchange at the Cherokee Agency East, I have the honor to reply that I have discovered no such error as intimated, "possibly," might have been made.

I thank you for the confidential hints given in reference to the prob-

able delay of the payment of the residue of the money to the Cherokees—and when paid of the kind of funds which may be imposed on them. The delay already experienced in not receiving funds to satisfy dual claims and the balances due for the expenses of the late Emigration has not only been unaccountably strange but of serious injury to the Nation. And for any further delay on the part of the Govt. to furnish the necessary funds due to the Cherokees, I should most exceedingly regret the circumstance. As I am wholly uninformed of any causes to justify so great and serious a disappointment to the reasonable expectations of the Cherokee people—as to the description of funds which would be acceptable, (the legal tender, gold & silver aside) none would be more preferable than U.S. Bank notes & Treasury notes—but bills of Banks in Arkansas and other Western & Southern States need not be offered at all to the Nation.

Please to accept my thanks for the generous proffer made to serve me & my friends in any way in Washington. I am Dr. Sir, very respectfully yr. ob. Servt.

ADfr, Ross Papers, OKTG.

#### TO LEWIS ROSS<sup>1</sup>

Dear Brother Illinois [Cherokee Nation] June 1st 1839

I have reflected more fully on the business of the late emigration.<sup>2</sup>

Since your return home from your late visit here, I have concluded that it would be as convenient on all sides to have your receipts and abstracts brought here for examination without further delay in order that the settlement might be made, so soon as the Committee, under whose authority I am acting, shall be in readiness to leave the Council to meet for that purpose. I have therefore deemed it proper to dispatch Mr. [W. A.] Lenoir with these lines forthwith to you. And if you will bring the papers here, I will put them on examination at once, preparatory for a settlement. This can be done without interfering with our necessary attendance on the Council. I expect to leave home on Tuesday [June 4] morning next for the Council Ground and I hope it may be convenient for you to meet me there on that day—or, as soon thereafter as possible. Please to urge Mr. [John] Rogers or his agent to send about twenty bushels of salt immediately to the Council Ground for the use of the public. I am D. Brother yrs. affly.

ADfr, Ross Papers, OKTG.

<sup>1</sup>This letter has no address notation but was surely intended for Lewis Ross.

<sup>2</sup>This line may have been canceled in a final draft.

## ADDRESS TO A GENERAL COUNCIL OF THE CHEROKEES

Friends [Takatoka, Cherokee Nation] June 10th 1839  
 Thro. the mysterious dispensations of providence we have been permitted to meet in General Council on the border of the great plains of the West. Altho, many of us have for a series of years past been separated, yet, we have not and cannot lose sight of the fact, that we are all of the household of the Cherokee family and of one blood. We have already met, shook hands and conversed together. In recognising and embracing each other as Countrymen, friends and relations, Let us kindle our social fire and take measures for cementing our reunion as a nation, by establishing the basis for a government suited to the condition and wants of the whole people; whereby, wholesome laws may be enacted and administered for the security and protection of property, life and other sacred rights, of the community. Our meeting on this occasion is full of interest and is of peculiar importance to the welfare of our people. I trust therefore that harmony and good understanding will continue to prevail and that the questions which may come up for consideration will be maturely weighed previous to a final decision.

Friends—On the 8th of Decr. 1836 I had the satisfaction, with other delegates<sup>1</sup> who were associated with me, of meeting our Western brethren in Council, held at Tollunusky [Tahlonneskee], and submitting before them the proceedings<sup>2</sup> of the Cherokee Nation East, in general council held at Red Clay on the 28th of September 1836, and of receiving the unanimous approval of the Council of the Western Cherokees to the same. And also of being associated with a Delegation<sup>3</sup> appointed by them for the purpose of cooperating and uniting with us in a joint effort to negotiate a treaty with the U. States for the best interests of the whole Cherokee people. The joint proceedings of these delegations and the result of the Mission, have been fully made known to you. Since that period the Eastern Cherokees have done no act to compromise or detract from any of the sentiments expressed in relation to those Matters. But after the seizure and captivity of the whole Cherokee people East by the Military power of the U. S. Govt. a set of resolutions was adopted in Genl. Council expressive of their sentiments and reaffirming all their previous acts in relation to the rights and interests of the Nation—from these facts it will be clearly seen that the great body of the people who have recently been removed into this Country, emigrated in their National Character, with all the attributes, from time immemorial, which belonged to them as a distinct Community and of which they have never surrendered. And, altho, being compelled by the strong arm of power to come here, yet in doing so, they have not trespassed or infringed upon any of the rights and privileges of those who were here previous to themselves—because it is evident, from the facts of the case that the rights and privileges of the people are equal. Notwithstanding the late emigrants removed in their

National Capacity and constitute a large majority, yet, there is no intention nor desire on the part of their representatives to propose or require any thing, but what may be strictly equitable & just and satisfactory to the people. Being persuaded that these feelings will be fully reciprocated, I trust that the subject-matter of this Council will be referred to the respective representatives of the Eastern and Western people—and that, in their joint deliberations, we may speedily come to some satisfactory conclusion for the permanent reunion and welfare of our Nation. Without referring in detail to our acknowledged Treaties and other documentary facts to show, I will conclude by remarking that there are great interests of a public and private character yet to be adjusted with the Govt. of the U. States and which can only be secured by a just and amicable course on the part of our Nation. The injuries and losses sustained by the Nation from the whites in violation of treaty stipulations, holds a strong claim on the justice of the people and Govt. of the U. States which it is to be hoped will in the end be remunerated. The tenure of the soil on which we now stand and the relations which shall hereafter exist between our Nation and the United States are questions of the first magnitude, and necessary to be understood and clearly defined by a General Compact, for the security and protection of the permanent welfare and happiness of our Nation. Let us never forget this self evident truth—that a House divided against itself cannot stand—or "united we stand and divided we fall."

John Ross

PC (ALS), Southard Papers, NHP, PC, DNA, RG 233, 26th Cong.; PC, DNA, RG 393, Fort Gibson, Letters Received; PC, DNA, RG 393, 2nd and 7th Military Departments, Letters Received; PC, Cong. Serial 365, House Doc. 429, 46-49.

<sup>1</sup>Ross, Richard Taylor, Samuel Gunter, George Sanders, Walter S. Adair, John Beige, Stephen Foreman, and James Brown. Foreman and Adair were appointed; they may have been in the Western Cherokee country, but they did not go on to Washington.

<sup>2</sup>PC, Cong. Serial 325, House Doc. 99, 10-11.

<sup>3</sup>John Looney, Aaron Price, William Dutch, and William S. Coodey.

## TO JOHN BROWN, JOHN LOONEY, AND JOHN ROGERS

Gentlemen Council Ground [Cherokee Nation] June 13th 1839  
 From the note [June 11] which you sent us, it appears that you have been requested to ask us, to state in writing what *we really wish and desire*.

We take pleasure to state distinctly, that *we desire* to see the Eastern and Western Cherokees become reunited, and again live as one people. And our sincere wish is, that this desirable and important object may

be harmoniously accomplished to the satisfaction and permanent welfare of the whole Cherokee People.

The representatives of the Eastern Cherokees have this day had this important subject under consideration and have adopted a set of resolutions<sup>1</sup> in reference to it, based upon the strictest rules of equity and justice which we take pleasure in laying before you, with the hope that it may also be adopted by the representatives of the Western Cherokees. We are Gentlemen yr obt. Servts.

*John Ross  
George Lowrey*

ALS, Ross Papers, OkTG; FC, Southard Papers, NJP; FC, DNA, RG 233, 26th Cong.; FC, DNA, RG 393, Fort Gibson, Letters Received; FC, DNA, RG 393, 2nd and 7th Departments, Letters Received; PC, Cong. Serial 365, House Doc. 129, 49-50.

<sup>1</sup>June 13, 1839, PC, Cong. Serial 365, House Doc. 129, 50-51.

JOHN BROWN, JOHN LOONEY, AND JOHN ROGERS,  
TO ROSS AND GEORGE LOWREY

Takattokah (Takatoka, Cherokee nation),  
June 14th 1839  
Gentlemen

The National Council has taken up your propositions of June 13, 1839, and given them due consideration. You state that your wishes are to unite the people. As to that matter, it is believed by the National Council that the two people have already been united. Our chiefs have met their brother emigrants, and made them welcome in the country; they are thereby made partakers of all the existing laws in the country, enjoy all its benefits; and are, in every respect, the same as ourselves. Since our chiefs have made them welcome, they have come to the chiefs and taken them by the hand, and expressed great satisfaction with the manner in which they have been received. This is sufficient to justify the belief that the people are, in general, very well satisfied. Consequently, the National Council cannot justify the course of keeping up the uniting question, merely to protract a debate, when the uniting of the people has already been fully and satisfactorily accomplished.

As it respects your wishes for your original laws, created beyond the Mississippi, to be brought here, brought to life, and to have full force in this nation, it is believed by the National Council that such an admission is, and would be, entirely repugnant to the government and laws of the Cherokee Nation, which would thereby create great dissatisfaction among the people.

To admit two distinct laws or governments in the same country, and

for the government of the same people, is something never known to be admitted in any country, or even asked for by any people.

*A. M. Vann  
William Thornton*

Messes. Ross and Lowrey will please receive this as an answer to their propositions. Respectfully yours,

*John Brown  
John Looney  
John Rogers*

FC, Ross Papers, OkHi; FC, Southard Papers, NJP; FC, DNA, RG 233, 26th Cong.; FC, DNA, RG 393, Fort Gibson, Letters Received; PC, Cong. Serial 365, House Doc. 129, 51-52.

TO THE COMMITTEE AND COUNCIL  
OF THE EASTERN CHEROKEES<sup>1</sup>

Council Ground (Cherokee Nation)  
June 15th 1839  
Gentlemen

Your proceedings<sup>1</sup> of the 13th inst have been submitted before our western brethren as will be seen from the accompanying copy of a letter [June 13] which we addressed to them—and the result of their deliberation on the subject will be found in the copy of a letter received from them bearing date the 14th herewith annexed.

You will no doubt feel the same regret and Surprise which we do, in relation to the Singular views entertained and expressed by the Signers of this letter.

We deem it our duty to lay before you at this time the joint resolutions<sup>1</sup> which were adopted by you and approved by the people east of the Mississippi on the 21st July & 1st August, 1838. And you who are the immediate representatives of the people and as guardians of their rights, understanding their interests and knowing their Sentiments, it is your bounden duty to obey their will when clearly & publicly expressed by themselves—therefore, should we fall in our representative capacity to come to any satisfactory or definite understanding with those who represent our western brethren, in the adoption of measures for reuniting the people under some provisional arrangements for the establishing a new Government, it will become your duty to consult the feelings and sentiments of the people and to take steps for ascertaining their will in reference to this important subject. Respectfully Submitted.

*John Ross  
Geo. Lowrey*

FC (LS), Southard Papers, NjP; FC, DNA, RG 233, 26th Cong.; FC, DNA, RG 393, Fort Gibson Letters Received; FC, DNA, RG 393, 2nd and 7th Departments, Letters Received; PC, Cong. Serial 365, House Doc. 129, 32.

<sup>1</sup> Addressed to Richard Taylor and Gong Snake.

<sup>2</sup> PC, Cong. Serial 365, House Doc. 129, 30-31.

<sup>3</sup> PC, *ibid.*, pp. 34 and 36.

### TO MONTFORT STOKES

Takattokah [Takaroka]  
Council Ground [Cherokee Nation]  
June 21st 1839

Sir

We deem it our duty to address you on this occasion, for the purpose of communicating the result of this General Council. You are aware that the objects for which it was convened were to effect a union of the Eastern and Western Cherokees and to take measures for remodelling their govt. & laws so as to meet the exigencies of both branches of the Cherokee family and to provide, equally, for the tranquillity and permanent welfare of the whole people. But we regret to say that the reasonable propositions, submitted to the consideration of the representatives of our Western brethren have not been recd. by them in a manner compatible with the wishes of the whole people. They require the unconditional submission of the whole body of the people who have lately arrived, to laws and regulations, in the making of which they have had no voice. The attempt of a small minority to enforce their will over a great majority contrary to their wishes appears to us to be a course so repugnant to reason and propriety, that it cannot fail to disturb the peace of the community and to operate injuriously to the best interests of the Nation.

We are not without hopes, however, that every thing will yet be amicably settled. The sense of the People, who form a branch of this Genl. Council, has been expressed on the subject. They deem it essential, to the welfare of the Nation, that the desired union should be formed and equal and wholesome laws established, by which the general prosperity and happiness of the country may be promoted. And to carry their wishes into effect, they have called a National Convention of the Eastern and Western Cherokees, to meet at Illinois Camp Ground on Monday July 1, 1839.

Under these circumstances we feel it due to the interests of the late emigrants as well as to all concerned, to request, through your official authority, that no disbursements of moneys due to those whom we represent, nor any other business of a Public character affecting their rights be made or transacted by the agent of the government, with any other Cherokee authority, than the undersigned, until a reunion of the

people shall be effected. We have the honor to be Sir, very respectfully yr friends & Brothers. Ross and thirteen members of the National Committee.

FC, Ross Papers, OETG; FC, Southard Papers, NjP; FC, DNA, RG 75, M 640, Roll 2, 638-39; FC, DNA, RG 233, 26th Cong.; PC, RCIA, 1839, 357; PC, Cong. Serial 365, House Doc. 129, 34.

### TO MATTHEW ARBUCKLE

Sir

Park Hill [Cherokee Nation], June 22d 1839

It has become my painful duty to report to you that I have just heard that Elias Boudinot is killed. Upon receiving intelligence of this unhappy occurrence, I immediately requested my broth(er) in law John G. Ross, who, accompanied by Mr. [W. A.] Lenoir and others, to repair to the place and ascertain the facts, with the view of reporting the same to you. They have returned with a message from Mrs. [Delight Sargent] Boudinot confirming the report with the advice from her, for me to leave home for safety saying that, Stand Waite had determined on raising a company of men for the purpose of coming forthwith to take my life! Why I am thus to be murdered without guilt of any crime—I cannot conceive. Therefore with all due respect, in order that justice may be done, I trust that you will deem it expedient forthwith to interpose and prevent the effusion of innocent blood by exercising your authority, in order that an unbiased investigation might be had in the matter. Very respectfully I have the honor to be, Sir, yr. obed. Hble. Servt.

*John Ross*

ALS (RC), DNA, RG 393, 2nd and 7th Departments, Letters Received; FC (ALS), DNA, RG 233, 26th Cong.; FC (LS), Southard Papers, NjP; FC, DNA, RG 75, M 234, Roll 84, 44; PC, RCIA, 1839, 359; PC, Cong. Serial 365, House Doc. 129, 34-35.

### TO MATTHEW ARBUCKLE

Dear Sir

Park Hill [Cherokee Nation] June 23rd 1839

I have the honor to acknowledge the receipt of your despatch of this date, by Lt. [Andrew?] Porter. Your kind advice thro' my nephew to retire to that Post [Fort Gibson] provided I did not feel secure at my residence was thankfully recd. but the propriety of my remaining at home, having been determined previous to the arrival of my nephew, I remain yet in that course, believing it more secure here, than in attempting to go to the Fort. As there is at this time a party of armed

men in this immediate neighborhood, who by message this day recd. hold me accountable for the murder of [Elias] Boudinot, and are still gathering their forces, for what purpose I know not, unless it be for an attack upon my residence.

A portion of my friends have assembled at my house for the purpose of acting alone on the defensive in case of an attack, and would therefore again suggest the propriety of your interposition by sending some of the troops up without delay to prevent any further difficulty.

I will again repeat that I exceedingly regret the disaster that has happened & if the report of the death of [John] Ridge be true, I assure you that no one will regret the circumstance more than myself. With regard to the meeting of the chiefs mentioned in your letter, for the purpose of preventing further acts of violence, it meets my entire approbation, and unless prevented by some providential occurrence, it will afford me pleasure to be present, at the time proposed—hoping that some satisfactory arrangements may be made to secure this peace & tranquillity of the people. Very respectfully, I have the honor to be Sir, yr. obr. Hble. Servt.

*John Ross*

ALS (FC), Private Collection; FC (ALS), DNA, RG 233, 26th Cong.; LS (RC), DNA, RG 393, 2nd and 7th Departments, Letters Received; FC, Southard Papers, NJP; PC, RCIA, 1839, 360; PC, Cong. Serial 365, House Doc. 129, 55-56.

#### TO MATTHEW ARBUCKLE

Dear Sir, Park Hill [Cherokee Nation], June 24th 1839  
 Since my communication to you of yesterdays date by Lieut [Andrew?] Potter an additional number of my friends have assembled at this place for the purpose of preventing or repelling an attack upon me, as was reasonably anticipated from the violent threats of personal revenge. I have explained to them fully the contents of your dispatch relative to the proposed meeting at Fort Gibson on tomorrow and the nature of my reply to you.

They have after a consultation among themselves, concluded that it is not advisable for me to proceed to Ft. Gibson without a sufficient escort of armed men to ensure safety, and have determined, as I am now informed, that in consequence of the present position of things that I shall be so accompanied.

I have therefore deemed it proper to apprize you of this fact and also to assure you that no improper feelings on the part of our people towards the Govt. or its officers prompts the course they have determined upon, and sincerely hope with this explanation that no prejudicial motive will be attributed to such a movement. And I would respect-

fully suggest inasmuch as I shall be under the necessity of attending the proposed meeting at Fort Gibson accompanied by my friends in this manner, whether it would not be more advisable that you request the Chiefs & those whom you have requested to attend to proceed hither accompanied by yourself or such of your officers as you may designate, and let the proposed consultation be held here? This, it seems to me would be calculated to give a more general satisfaction & perhaps lead to a more speedy adjustment of any question involving a difference of opinion or feeling among the Cherokee people. A convention of the people will also take place, by a general notification which has been given, on this day week, within a few miles of this place for the purpose of effecting a peaceable & brotherly reunion between the former citizens of this country & the late emigrants from the East. In the late unhappy causes which have thrown the country into excitement, there is no question involved which should produce difficulty or alienation of feeling between the late emigrants and the old citizens of this Nation, and as there is a probability that no definite & conclusive arrangement will be arrived at previous to the general meeting I have refer'd to, I submit these things for your consideration. If you still think it best to attend at Ft. Gibson on tomorrow I will do so trusting there will be no excitement or feeling produced by the course my friends have determined upon. I shall not move however until your answer is received.

If you desire any further information in relation to the subject of this communication, I would respectfully refer you to Messrs. Charles Coodey, Stephen Foreman, and Wm. S. Coodey. They have been deputed to visit you for the purpose, if necessary, of conversing more fully upon this and any other matter upon which you may wish to be informed, I have the honor to be, Dr. Sir, very respectfully yr. obt. Hble. Servt.

*John Ross*

PbC (ALS), Hargett Collection, OLU; LS (RC), DNA, RG 393, 2nd and 7th Departments, Letters Received; FC (LS), Southard Papers, NJP; FC, DNA, RG 233, 26th Cong.; PC, RCIA, 1839, 361-62; PC, Cong. Serial 365, House Doc. 129, 56-57.

#### TO MATTHEW ARBUCKLE

Dear Sir, Park Hill C. N. June 24th 1839  
 A few hours since, I dispatched a communication to you, by Messrs. [Charles and William S.] Coodeys [Coodey] and [Stephen] Foreman, who, meeting with Major [W. W.] Lear & his escort, returned with them.

In reply to your communication by Major Lear, offering the safety of

a conveyance to Fort Gibson it may perhaps be necessary for me to re-appear again, that circumstances will not allow me to accept of the kindness of your offer. My reasons will appear more fully, from the communication I had already dispatched before Major Lear arrived, and which will be handed you by the Gentleman above named.

If any of the persons, charged with the late murders are here, they are not known to me, nor have they been reported to me, and from the threats which have been made against me personally, I do not know but that I am looked upon as one myself. Very Respectfully Sir your obt Hble Servt,

*John Ross*

FC (ALS), DNA, RG 233, 26th Cong.; LS (RC), DNA, RG 393, 2nd and 7th Departments, Letters Received; FC, Ross Papers, OkTG; FC, Southard Papers, NjP; PC, RCIA, 1839, 362; PC, Cong. Serial 365, House Doc. 129, 57-58.

FROM JOHN BROWN, JOHN LOONEY,  
JOHN ROGERS, AND JOHN SMITH<sup>1</sup>

Fort Gibson [Cherokee Nation],  
June 28th 1839

Friends and Brothers!

We, the undersigned, Principal Chiefs of the Cherokee Nation, having been invited to this post by Genl. [Matthew] Arbuckle, the commandant of the United States troops in this quarter, to take into consideration matters of the greatest importance to the peace and prosperity of our nation. We have met here in accordance with that invitation.

We have received information that three of our people, or three Cherokees who had been received as citizens of our Nation, have been killed; and it is believed, by some of the late Emigrants. This has caused us much sorrow and distress. And we learn further, that other Cherokees are threatened with death, wholly, or principally, for their political acts. This is not all we have to complain of, as it would appear from a communication made by John Ross and other Principal Men of the late Emigrants to General [Montfort] Stokes, Cherokee agent, under date of the 21st June, inst. that the late Emigrants have called, what they denominate, a convention of the Cherokee Nation, on Monday the 1st day of July next, to establish a Government for the Cherokee Nation, without the least notice having been given to the undersigned. It must be apparent to Mr. John Ross, and to those who have called this meeting, that these proceedings are altogether irregular; and we feel ourselves bound to protest against all acts that may be passed by the said nominal convention of the Cherokee Nation, that may have the effect to impair the free and undisturbed authority of said Nation as it existed and was in force before the arrival of the late Emi-

grants, all of whom have been received as friends and as citizens of the present Cherokee Nation, and allowed fully to participate and enjoy all the privileges and benefits thereby secured to the Cherokee people. It was believed that this kind and just treatment on our part, would have been received in the spirit in which it was offered; and that if our present form of government was not altogether satisfactory to our brethren late from the East, they would, at an early period, have an opportunity of having a full share in that Government, when the desired changes might be made.

The undersigned wish nothing but peace and friendship from their brothers, late from the East; but, as it appears they are not satisfied, and that mischief has already taken place, the undersigned, in the hope & wish to spare the further shedding of Cherokee blood, will agree to meet their Eastern brethren upon the following terms: that no individual of the Cherokee Nation shall be killed hereafter for their former political acts or opinions; that a convention of the Cherokee Nation shall be held at Fort Gibson, in which both parties shall be equally represented; and that the said convention shall have power to remodel the Government for the Cherokee Nation. The undersigned do not wish to dictate, or arbitrarily to determine, the number of which this proposed Convention shall consist; but they believe that sixteen men from each party, of good understanding and approved character, would be a sufficient number to form a convention calculated to harmonize and reunite the whole Cherokee People; and that they have power to elect a President.

If these propositions are acceded to, it is the sincere belief of the undersigned that it will tend to the reestablishment of peace and confidence in the Cherokee Nation, and greatly promote the happiness and prosperity of the people.

If these just and reasonable propositions shall be accepted by our Eastern brethren, we shall be much gratified; but if they are disregarded, and an appeal to arms be determined on, however much we may deplore the shedding of more Cherokee blood, and the disasters of such a conflict, we, and our friends, must meet it, and will meet it as men unwilling to surrender our own rights, or to invade the rights of others.

If we shall have the good fortune to hear that these propositions, however uncalled for, are accepted by our Eastern friends, we further propose, that the convention meet at Fort Gibson, on the twenty fifth day of July next, and proceed to consider and decide upon the important matters confided to them.

The undersigned regard it as a respect due to themselves, and to the Cherokee people, distinctly to state to the Principal men of the late Emigrants, that they are not insensible to the indignity offered to the Cherokee Government and themselves by the late outrages and acts

which have been committed in the Cherokee Nation by the late Emigrants, and could not for any other motive than that given, have thought of making a further concession to them, which they do not conceive they are in justice entitled to.

*John Brown*                      *John Rogers*  
*John Lanney (X)*                *John Smith (X)*

LS, Ross Papers, O&TG: FC, Southard Papers, NJP: FC, DNA, RG 233, 26th Cong.; FC, DNA, RG 393, Fort Gibson, Letters Received; FC, RCIA, 1839, 36A-66; PC, Cong. Serial 365; House Doc. 129, 39-60.

<sup>1</sup>Addressed to Ross and other chiefs and principal men of the emigrant Cherokees.

#### TO MATTHEW ARBUCKLE AND MONTFORT STOKES

Gentlemen:                      Park Hill [Cherokee Nation], June 30th, 1839  
Yours [June 29] with the accompanying communication,<sup>1</sup> by Capt. [George A.] McCall, has been duly received. And is under serious consideration.

We perfectly coincide, with your judgment that two Governments cannot and ought not to exist, in the Cherokee Nation, any longer than arrangements can be made for uniting the two communities. And, in conformity with these views, we have used our best endeavors to bring about this desirable event, in a manner which might be satisfactory to all parties, & by which all rights might be provided for, and the peace and well being of the Cherokees permanently secured.

We have claimed no jurisdiction, over our Western brethren, nor can we, consistently with the responsibilities, with which our constituents have invested us, recognise their jurisdiction over us. We claim to stand on equal ground. We ask for no concessions, nor for any admissions, which would be humiliating in the slightest degree.

We have no wish, to trample on their laws, nor to disregard their rights. And as proof that we entertained no such disposition, we have not availed ourselves, of the advantage of superior numbers in our intercourse with them.

When they refused, to mingle councils, with us, for free conversation on our affairs, and requested that our wishes might be reduced to writing, we offered to meet them on equal ground. But our just and reasonable overtures were unconditionally rejected by them, and our communication treated with contempt. We have no disposition, however, to stand upon punctilios. But what are we to understand by the propositions now made? (And even these, rigorous as they are, it appears, are yielded, with reluctance, through your influence and at your

instance.) Is it required, that the late emigrants relinquish all their rights, and appear before the Western Chiefs in the attitude of supplicants? If such be their wish, and we know not how otherwise, to construe their words: we are compelled to say that we do not believe our brethren, *the western people*, have the least desire, to reduce us to so abject a condition. Indeed they have expressed their sentiments: and in the exercise of their inalienable and indefeasible rights, have appointed a National Convention for Monday July 1, 1839. And for ourselves, we are unable to perceive any irregularity in their proceedings. They formed an integral branch of the late Genl. Council. Their acts are perfectly legitimate, and we cannot assume the responsibility of protesting against them or of declaring them invalid.

It appears, to us, that the Western Chiefs, in their communication, blend questions, which, in their nature, are altogether separate and distinct, and in so doing, have fallen, into glaring inconsistencies. While the Eastern Cherokees are denied recognition, in the character of a political community, and their representatives, are, by the Western Chiefs stripped of their official relations to the people; it would seem somewhat out of character, to lay on the shoulders of these *private individuals* the burden of controlling the ebullition of public feeling, and stopping the effusion of Cherokee blood; regardless, however, of this inconsistency, we feel forward to use our influence, and to exert our utmost efforts to stay the hand of violence and to restore, tranquillity with the least possible delay.

We have thought it proper to say, this much, in advance, by Capt. McCall; the subject being still under serious consideration. Entertaining the hope that all excitement may be allayed and a satisfactory accommodation speedily effected, We have the honor to be, Gentlemen, yr. obt. Servts.

*John Ross*                              *Eduard Gunter*  
*George Lourey*                        *Lewis Ross*

P.S. Of the "report of a party of Cherokees ranging through the country, about Honey creek, with the object of killing three Cherokees," we have heard nothing, except what is considered in your letter. But we beg you to be assured that no pains, on our part shall be spared to put a stop to all such proceedings.

ALS, DNA, RG 393, 2nd and 7th Departments, Letters Received; FC (ALS), Ross Papers, O&TG: FC, Southard Papers, NJP: FC, DNA, RG 233, 26th Cong.; PC, RCIA, 1839, 367-68; PC, Cong. Serial 365, House Doc. 129, 60-62.

<sup>1</sup>John Brown, John Lanney, John Rogers, and John Smith to Ross et al., June 28, 1839.

TO JOHN BROWN, JOHN LOONEY, AND JOHN ROGERS<sup>1</sup>

Friends & Brothers Park Hill [Cherokee Nation] June 30, 1839

We acknowledge the receipt of your communication of the 28th Inst. inclosed from General [Matthew] Arbuckle. Its contents are under consideration and will shortly be acted upon.

The invitation to come up, conveyed to you by a committee, consisting of Jesse Bushyhead, Daniel McCoy,<sup>1</sup> Bark & Samuel Downing accompanied by Aaron Price and others of the old settlers, we had hoped would have been accepted, and our hope was and still is that amicable and judicious councils may terminate our difficulties and bring about arrangements which may be satisfactory to the whole Cherokee people. Very respectfully your friends & Brothers,

*John Ross  
Gen. Lowrey  
Lewis Rait*

FC, Southard Papers, NjP; FC, DNA, RG 233, 26th Cong.; PC, Cong. Serial 365, House Doc. 129, 62.

<sup>1</sup>Addressed to "the Chiefs of the Western Cherokees."

## TO WILLIAM ARMSTRONG

Dr. Sir Park Hill [Cherokee Nation] June 30th 1839

You have no doubt ere this been informed of the excitement which pervades this section of a country, produced from the unfortunate circumstance of the two [Major and John] Ridges & [Elias] Boudinot being killed, and the violent threats of revenge made by some of their friends against the lives of innocent persons.

To prevent the shedding of innocent blood a number of the well disposed people have been compelled to assemble with arms in hand for the sole purpose of acting on the defensive and repelling any lawless attack that might be made upon the lives of peaceable and unoffending individuals. Since then, several of the persons who had determined on revenge in the way stated, have gone to Fort Gibson, as they say for protection.

General [Matthew] Arbuckle previous to this, had invited the chiefs of the Western Cherokees, as I was advised, with the view that they in conjunction with myself and other chiefs of the late emigrants might take steps to prevent further acts of violence. It having been determined on the part of my friends that it would be more proper under existing circumstances, for the chiefs to meet and confer on this important matter at this place, where a large number of the people were assembled—unless the Genl. should still desire myself to meet them at the Fort, and to approve of all who would wish to accompany me, to go

also. The Genl. and Gov. [Montfort] Stokes with the chiefs were therefore invited to meet us here—but, this invitation has not been noticed, but, a written correspondence opened, embracing matters vested in the people alone to determine, and not within the province of any chiefs to settle and enforce by themselves. At a late general council held at Takartokah [Takaroka] by the joint appointment of the chiefs of the Eastern & Western Cherokees, for the purpose of forming a reunion of the people and taking preliminary measures for remodeling their government and laws upon principles of equity & justice to ensure the peace and happiness of the Nation—the representatives of the people having failed to effect the desired object, the people, therefore took the matter into their own hands, and appointed a National Convention to meet at the Illinois Camp Ground, near to this place, on Monday the 1st July 1839, where they are now assembling under that good feeling which encourages the strongest hope that every cause of difficulty will be removed, and that the Cherokees once more will become united and enjoy the blessings of peace and prosperity. Hoping that it may be practicable for you to visit us, at this convention on the present important crisis of Cherokee affairs, I have dispatched an express with this special invitation from your Cherokee friends, for you to come and shake them by the hand and to see that peace and tranquillity are restored on a permanent basis among them. You will be pleased to say to our Choctaw & Chickasaw friends not to apprehend that any serious consequences will result from the late excitement in this country—but to remain at ease and not to listen to bad reports—that all will soon be well. Very respectfully yr. friend & obt. Servt.

*John Ross*

ALS (FC, DNA, RG 75, M 640, Roll 2, 643-47); FC (ALS), DNA, RG 233, 26th Cong.; FC (ALS), Southard Papers, NjP; PC, Cong. Serial 365, House Doc. 129, 63-64.

TO ROLEY MCINTOSH AND OTHER CHIEFS  
OF THE CREEK NATION

Illinois Council Ground [Cherokee Nation]  
Brothers In Genl Council, July 1st 1839

Considerable excitement has for a few days past prevailed among us, on account of some rash acts among our own people. And we have thought proper to send you this communication to prevent any unpleasant feelings which might be created by false rumors.

The lives of innocent persons were threatened by some individuals, and we were compelled to take up arms to prevent the mischief from being done. But we are not disposed to make war. We wish to hurt no one, not even those who have threatened our lives.

<sup>7</sup> Cherokee Decree, July 7 (with an amendment, July 13), 1839, PC, RCIA, 1839, 390-92.

<sup>8</sup> See n. 5 above.

<sup>9</sup> Arbuckle to Poinsett, December 11, 1839. The brackets in the quotes that follow are from the document.

<sup>10</sup> Statement of Arbuckle, November 27, 1839, and Arbuckle to Jones, November 24, 1839.

<sup>11</sup> Cong. Serial 366, House Doc. 162.

<sup>12</sup> Arbuckle to Jones, November 24, 1839.

<sup>13</sup> Old Settlers' (Ross adherents) Resolution, August 23, 1839, PC, RCIA, 1839, 386-88.

<sup>14</sup> See n. 12 above.

<sup>15</sup> See n. 5 above.

<sup>16</sup> See n. 9 above.

<sup>17</sup> Adair to Bell and Watie, November 26, 1839.

<sup>18</sup> See n. 5 above.

<sup>19</sup> See n. 5 above.

<sup>20</sup> See n. 11 above.

<sup>21</sup> John Brown et al. to Stokes, June 15, 1839, PC, RCIA, 1839, 355.

<sup>22</sup> Acts of Western Cherokees, November 5 and 7, 1839, PC, Cong. Serial 359, Senate Doc. 347, 16-17.

<sup>23</sup> Crawford to William Armstrong, October 8, 1839, PC, RCIA, 1839, 114-16.

<sup>24</sup> See n. 5 above.

<sup>25</sup> See n. 5 above.

<sup>26</sup> See n. 5 above.

#### TO JOEL R. POINSETT

Washington City May 18th 1840

The accompanying papers<sup>1</sup> are submitted relating to the expenses of the Cherokee emigration under the agreement committing to them the management of their own removal. Some explanation perhaps will be proper in relation to some portion thereof. It may be considered that the arrangements entered into with Genl. [Winfield] Scott contemplated expenses to be incurred, only, while the several detachments were actually on the march, but it must be recollected that extensive preparatory arrangements were necessary to put the detachments in motion, and that in consequence additional unavoidable expense was added to that travel, and which may not seem regular under a literal construction of the estimate agreed on, but still were as essential to the removal as any that followed, and within the spirit of the agreement.

As soon as such detachment was organized and reported to be in readiness for moving they ceased to obtain provisions from the U. States Contractors and were thenceforth furnished by the Cherokee Contractors for subsisting the emigration.

<sup>1</sup> A large number of teams were, necessarily, to be employed in this

removal, and the short time allowed for getting all Cherokees in moving order made it urgent that they should be obtained as early as it was possible to do so. These teams had of course to be foraged as soon as collected. Three detachments moved off, in the time agreed on, when Genl. Scott deemed it advisable to suspend their further march in consequence of the extreme scarcity of water, until they might again go forward with improved circumstances for health and comfort.

The expense incurred by the several detachments, for provisions and forage up to the time of resuming the march, with some exception, were embraced in the amount for which a requisition was made on Genl. Scott dated Athens Ten. 9th of Nov. 1838, and not yet paid. An abstract of issues was also submitted. The accompanying small abstract marked No. 2 is also for issues made previous to the departure of the last detachment.

These were mostly for persons who were in attendance at the agency on business with the U. States Commissioners, and for others detained by sickness & who afterwards formed the water detachment. The a/cts. marked No. 1 to 13 exhibit the expense of each detachment, separately, while on the journey. The three first having actually moved off when the order was given for a halt. The hire of the teams is charged from the time of their first movement until their arrival West. The provision and forage for those three detachments up to the time when they again went forward in October, are embraced in the abstract Submitted to Genl. Scott when the requisition was made before alluded to.

The expenses of the water detachment during the journey is in proportion to that of the others; the charge for subsistence from the time the last land detachment left its departure is included in the Small abstract marked No. 2. An early winter closed in with great severity while the entire body of the Nation were on the route West. They moved on with all the expedition that large bodies under such circumstances would permit. The three advanced Companies had barely crossed the Mississippi when the river was closed by ice. Every exertion was made to effect a crossing at three several points. At short intervals a portion of the detachments was enabled to reach the opposite shore, when the increased severity of the cold and ice again prevented further exertion. And it was not until sometime in the month of Feby. that the entire number were enabled to reach the opposite banks of the Mississippi. This threw several detachments together, and in order to expedite their travel, when it was possible to do so they journeyed different routes until they finally arrived at their destination. These causes for delay were a fatality over which no human agency could exercise control. It is thought unnecessary to transmit the correspondence with Genl. Scott relative to the emigration, as it was no doubt reported by him at an early stage of this business and now on file in the Department.

It only now remains for me to urge your earliest attention to this

account. The various individuals who have claims under the contract of the Cherokee Nation with Genl. Scott are pressing for settlement and find themselves extremely inconvenienced by its delay. You will not, therefore, think me importunate in respectfully urging that I may be enabled as soon as possible to answer and relieve them, I have the honor to be, Sir, yr. obt Hble. Servt.

*John Ross*

ALS (FC) and PC, Ross Papers, OkTG; FC, DNA, RG 393, Fort Gibson, Letters Received.

<sup>1</sup>Accounts for Removal Detachment Expenses, May 18, 1840.

### ACCOUNTS FOR REMOVAL DETACHMENT EXPENSES<sup>1</sup>

Washington City 18th May 1840

[General Abstract of Expenses]

For amt of subsistence & forage issued to Cherokee Emigrants, prior to their departure west and for which a requisition was made on Genl [Winfield] Scott, but not yet paid, which is now on file in the office of Indian Affairs, War Dept. also a copy of the abstracts furnished the Supt. of the Emigration by the Contractor

92,781 50

\* the following rations of subsistence & forage issued to Cherokee Emigrants from the 11th August to the 5th Decr. 1838 and not included in any other abstract as per abstract herewith, viz:

1200 rations of flour	@ 5¢	\$ 60.00
1212 " " coffee	@ 2¢	24.24
1212 " " sugar	@ 2¢	24.24
4939 complete rations provisions	@ 16¢	790.24
4939 rations soap	" 15¢	22.16 1/4
147 1/4 lbs.		
1749 rations forage	@ 40¢	699.60
45 " hay	@ 12¢	5.40

1,625 88 1/2

For amt of expenses for Detachment

no. 1—pr voucher herewith	\$67884.13 3/4
" " " " "	72317.10 1/4
" 3 " " " "	105923.12 1/2
" 4 " " " "	97529.20

" 5 " " "	102226.57 1/2
" 6 " " "	95359.85
" 7 " " "	103759.66 1/2
" 8 " " "	111741.45
" 9 " " "	84558.45
" 10 " " "	112504.80 1/2
" 11 " " "	106730.61
" 12 " " "	182407.84
" 13 " " "	20395.87 1/2

1,265,338 48 1/2

\$1,357,745 86 1/2

By Cash received of Capt John Page,

U.S. Disbursing agent on sundry

Requisitions drawn on Major Genl Scott

776,398 98

Balance due

\$581,346 88 1/2

I certify that the foregoing a/cr. amounting to one million three Hundred and fifty seven thousand, seven Hundred and forty five dollars eighty six 1/2 cts. is accurate and just and that the balance of five hundred & eighty one thousand three hundred and forty six dollars 88 1/2 cts. is due as stated.

*John Ross*

Dollars Cents

#### DETACHMENT NO. 1

For Compensation to Hair Conrad,

Conductor, from 28th August to

30th September 1838 inclusive

making 34 days

@ \$5 pr day

170 "

\* Compensation to Daniel Colston, who

succeeded Conrad, from the 1st

October 1838 to the 17th January

1839, inclusive, making 109 days

@ \$5 pr day

545 "

\* do to Atst. Conductor, from 28th

August 1838 to 17th January 1839,

inclusive, making 143 days

@ \$5 pr day

429 "

\* do to Attending Physician from 28

August 1838 to 17th January 1839

inclusive—143 days

@ \$5 per day

\$715

allowance for returning

@ \$120

\$120

835 "

\* do to Interpreter to attending

physician, for same time

@ \$2 50 pr day

357 50

\* do to Commissary & Wagon Master

for same time

@ \$2 50 ea. pr day

115 "

\* do to Assc. Commissy. & Assc. Wagon

Master for same time

@ \$2

572 "