

Head Quarters Eastern Division
Cherokee Agency, July 25, 1838

Gentlemen

I have received your letter submitting certain proposals, dated the 23rd instant

On the part of the U. States, I am ready to place the whole business of completing the emigration of the Cherokee people remaining east of the Mississippi (with the exception to be mentioned) to their homes west of that river, in the hands of such functionaries of the eastern Cherokee as may exhibit to me, from the same, due authority to undertake & to carry through the emigration - on the following conditions -

1 That the said functionaries and their people shall continue to observe & execute in good faith, the promises given to me in writing by certain Chiefs & head men for themselves & people, present & absent, on the 19th ultimo.

2. That the said functionaries shall send intelligent ^{Indian} runners, to be furnished with written permission signed by the commanding General in search of, & cause to be brought into the emigration, all Indian families & individuals who may remain out, & who are not citizens of the ~~U~~ U States, or who have not received permission to remain in the States for the purpose of becoming denizens of the Same.

3. That with the exception of such Indians as are in order to become citizens or denizens of the U States, or of the states; - also with the exception of such Indians' families & individuals as may be permitted by the commanding General to imigrate themselves, the said Cherokee functionaries shall cause all their people remaining east, & who may at the time be able to travel, including fugitive Creeks among them, to be put in motion; in convenient detachments, either by land or water, & transported without

unnecessary delays on the routes to the Cherokee country west of the Mississippi - beginning the movement as early as the first of September next & continue to send off parties at intervals, not exceeding three days, so that all the emigrants able to travel within that time, shall be in motion for the west by the of the ensuing month (October).

Such Indians as within that time may not be able to travel by land shall, if the rivers be not up, be permitted to remain until the next rise of waters, & in the meantime have, as attendants, a small number of their families or friends.

The foregoing conditions being agreed to the United States, thro' me are willing to stipulate to pay over to the Cherokee functionaries, from time to time, such portions of the moneys appropriated for the emigration as may see, reasonable to prepare for ^{it} to carry out .

I remain gentlemen,

Yours with great respect,

Winfield Scott.

To ^{rs} M^{rs}. John B^{os} E Hicks

I. Brown, E, Gunter, L Gunter, Sile wakee,

WhitePath & R Taylor