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### Return Jonathan Meigs, Cherokee Indian Agent, 1801-1823

Greer Jackson Kimery  
*University of Tennessee - Knoxville*

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To the Graduate Council:

I am submitting herewith a thesis written by Greer Jackson Kimery entitled "Return Jonathan Meigs, Cherokee Indian Agent, 1801-1823." I have examined the final electronic copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in History.

Stanley J. Folmsbee, Major Professor

We have read this thesis and recommend its acceptance:

J. Harley Hoffmann, LeRoy P. Graf

Accepted for the Council:

Carolyn R. Hodges

Vice Provost and Dean of the Graduate School

(Original signatures are on file with official student records.)

August 1, 1948

To the Committee on Graduate Study:

I am submitting to you a thesis written by Greer Jackson Kinney entitled "Return Jonathan Meigs, Cherokee Indian Agent, 1801-1823." I recommend that it be accepted for nine quarter hours credit in partial fulfillment of the requirement for the degree of Master of Arts, with a major in History.

S. J. Folmsbee  
Major Professor

We have read this thesis  
and recommend its acceptance:

J. Harley Hoffmann  
Le Roy P. Graf

Accepted for the Committee

E. B. Waters  
Dean of the Graduate School

RETURN JONATHAN MEIGS, CHEROKEE INDIAN AGENT,  
1800-1823

---

A THESIS

Submitted to  
The Committee on Graduate Study  
of  
The University of Tennessee  
in  
Partial Fulfillment of the Requirements  
for the degree of  
Master of Arts

---

by  
Greer Jackson Kinery  
August 1948



## PREFACE

The main sources of information used in this work are contained in the files of Indian Office Records in the National Archives and the War Department. These manuscripts were in the form of letters written by Return Jonathan Meigs to the War Department, and those written by the Secretaries of War to the Cherokee Agent at Southwest Point.

The purpose of this study is to reveal the part Return Jonathan Meigs played during the twenty-two years he served as Cherokee Indian Agent for the Federal Government.

In the preparation of this study, the writer is greatly indebted to Dr. Stanley J. Folmsbee for his helpful suggestions and valuable criticism.

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## CHAPTER I

### INTRODUCTION

#### Early Life of Meigs

History leaves only a brief sketch of the youthful life of our subject, Return Jonathan Meigs. He was born in Middletown, Connecticut, December 17, 1740. His early education was such as the public schools of that day afforded. His correspondence is evidence that he had mastered the art of penmanship, and his knowledge of mathematics must have been extensive. Meigs was bred to the trade of a hatter, which was a common occupation in Connecticut towns at that time.<sup>1</sup>

The name Return Jonathan has a unique origin. Meigs' mother, a Quakeress maiden, had just refused to marry his father-to-be for what he thought was the last time. As he mounted his horse to leave, she called to him, "Return, Jonathan Meigs!" They were married and their first born was named Return Jonathan. The name was handed down through five generations, every member distinguishing himself in public service.<sup>2</sup>

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<sup>1</sup>g. P. Hildreth, Biographical and Historical Memoirs of the Early Settlers of Ohio, to Which is Annexed Meigs' Journal of Occurrences (Cincinnati: H. W. Derby and Company, 1852), p. 258. Cited hereinafter as Hildreth, Memoirs.

<sup>2</sup>James Mooney, Myths of the Cherokee, Nineteenth Annual Report of the Bureau of Ethnology, Part I, edited by J. W. Powell (Washington: United States Government Printing Office, 1887), pp. 214-215.

### Physical Appearance

Colonel Meigs was a man of slender build and medium height. He had a high bold forehead and a Grecian nose. His black eyes, radiating with benevolence, could quickly change, striking terror to the boldest heart when focused upon one guilty of wrong doing. His facial expression gave the impression of superior intelligence. While serving as an Indian agent, he was active in the athletic sports engaged in by the young Indians. Even when an old man, Meigs was energetic and graceful in all of his movements.<sup>3</sup>

### Revolutionary Career

The people of Middletown were conscious of the gathering storm and, like those of other New England towns, prepared themselves by forming and training military companies. A well-armed and uniformed company was organized in Middletown, and Meigs was chosen as their captain.<sup>4</sup> He was commissioned a major, May 1, 1775, and served in the Revolutionary War in that capacity in Willys' Second Regiment of Connecticut for the greater portion of two years.<sup>5</sup>

Immediately after the first shots were fired at Lexington, Meigs assembled his company of light infantry and marched to Cambridge, offering his services for the defense of the colonies. Benedict Arnold and

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<sup>3</sup>Hildreth, Memoirs, p. 278.

<sup>4</sup>Ibid., p. 279.

<sup>5</sup>Letter from the War Department, March 29, 1946, citing undesignated official records.



--- Meigs' Route to Quebec

MAP 1

Ethan Allen had been successful in their attacks on the British-Canadian posts and believed the French inhabitants would prove friendly, since they had never become reconciled to the English. General Washington and a committee of Congress visited the camp and decided to send a body of troops into Canada via the Kennebec and Chaudiere rivers. They were expected to collaborate with General Montgomery, then in the vicinity of Montreal. Colonel Arnold was chosen to lead the expedition and Major Meigs was one of the field officers in charge of the infantry.<sup>6</sup>

Colonel Arnold's troops consisted of two battalions, segments of the army located at Cambridge. His historic march to Quebec and the attack on that citadel is recorded in a day-by-day description in Meigs' Journal of the Quebec campaign.<sup>7</sup> On the thirteenth of September, 1775, the expedition left Cambridge, and after marching northeast several days, arrived at Newburyport. From this point the detachment embarked on board ten transports. Their orders were to sail for the mouth of the Kennebec River. The journey by sea was made without incident and the ascent of this stream was accomplished by transports to Fort Western, where the men were transferred to two hundred bateaux.<sup>8</sup> From Fort Western to Fort Halifax the Kennebec River was wide and deep. Fair progress was made and the danger of the bateaux's over-turning was lessened by the

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<sup>6</sup>Hildreth, Memoirs, p. 259.

<sup>7</sup>Return Jonathan Meigs, A Journal of Occurrences Which Happened Within the Circle of Observation in the Detachment Commanded by Colonel Benedict Arnold, 1775 (photostats from a copy of the 1876 edition. No publisher, no date).

<sup>8</sup>Ibid., p. 3.



depth of the water. The journey above Fort Halifax proved to be different; the ripples had become cascades. Under the date of the third of October we find in Meigs' account the following:

Proceeded up the river to Norridgewalk, on my way I called at a house where I saw a child 14 months old which is the first white child born here. At 7 o'clock in the evening a little below Norridgewalk my battoe [sic] filled with water going up the falls here I lost my kettle, butter, and sugar, a loss not to be replaced here.<sup>9</sup>

Several rapids were such that it was necessary to travel on the bank, carrying the equipment and supplies. When the Great Carrying Place, between the Kennebec and the Dead rivers, was reached, it was necessary to transport everything across twelve miles of land in muddy terrain, with only three ponds to relieve the difficulty. A council was held near the headwaters of Dead River, at which it was decided that the sick of Meigs' and Captain Morgan's divisions should be returned to Cambridge.<sup>10</sup>

Continuing the ascent of Dead River until its source was reached, Colonel Arnold, his officers and troops, took to the highlands between the Dead and Chaudiere rivers. Provisions were meager and actually the men were facing starvation. Meigs mentions passing soldiers on the march who had no provisions and appeared sickly. "One or two dogs were killed, which the distressed soldiers ate with good appetite even the feet and skins." Two days later, when practically every morsel of food had been consumed, provisions arrived in the form of fresh beef, fowls, butter,

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<sup>9</sup>Ibid., p. 4.

<sup>10</sup>Ibid., p. 5.

pheasants and vegetables. The country was thinly settled on the lower Chaudiere but fortunately the people were kind and generous to the famished soldiers.<sup>11</sup>

The detachment reached the mouth of the Chaudiere, crossed over the flats and managed to cross the St. Lawrence on November 13. The next day they marched on to the Plains of Abraham near the city of Quebec, and placed guards on the roads to cut off communications between the city and country. It was Meigs' opinion that the city might have been taken had an assault been made at that time. After a rest, the troops decamped and marched up to Point Aux Trembles, about twenty-one miles from Quebec.<sup>12</sup>

On December 1, General Montgomery arrived from Montreal with three armed schooners, provisions, ammunition, and men. These men and supplies raised the hopes of the troops and a semi-siege began with the ultimate hope of forcing the city to surrender.<sup>13</sup>

The difficulties encountered in the siege were almost beyond description. One officer mentioned that "for forty days I waded in water more or less . . . most of the time in freezing weather." The ration during this siege was an allowance of one-half pint of flour per man each day, and half of the time no meat.<sup>14</sup> History records this siege and the

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<sup>11</sup>Ibid., p. 6.

<sup>12</sup>Ibid., p. 7.

<sup>13</sup>Ibid., p. 8.

<sup>14</sup>Hildreth, Memoirs, p. 266.

Canadian campaign a failure.

In the final attack, December 21, 1775, about one hundred men were killed and wounded, including one captain and two lieutenants killed, and "Colonel Arnold, Captain Hubbard, Captain Lamb, Lieutenant Steall, Lieutenant Tifdale, Brigade-Major Ogden, wounded." The greatest single loss was General Montgomery, who was mortally wounded in the head and in both thighs. A worthy tribute was paid this military leader when he was given a decent interment in a handsome coffin,

All but a few of the infantry that penetrated the city were captured. They were confined in the Jesuit College buildings, while the officers were held in the Seminary. Major Meigs mentions that he dined with Captain Law of the British army the first night. In the morning of this same day Captain Law had been his prisoner.<sup>15</sup>

Major Chris French, a prisoner of the Continental army, wrote General Washington, August 5, 1776, requesting that he be given in exchange for Major Meigs. He had been a prisoner since the early part of the war and felt that his release through an exchange was overdue, yet he withdrew all claims to a release and agreed to sign the parole under the same conditions as Meigs.<sup>16</sup>

General Washington did not object to this exchange and answered the request of Major French with favor. However, he added that, should

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<sup>15</sup>Meigs, Journal, p. 11.

<sup>16</sup>Major French to General Washington, August 5, 1776, American Archives, Fifth Series, 1776-1783 (Washington: St. Clair Clarke and Peter Force, 1848), I, p. 777.

General Howe refuse to agree to the exchange or other difficulties arise, the Continental Congress would have to grant authority before he could take action.<sup>17</sup>

The letter of the British prisoner was enclosed in one written by the colonial Commander-in-Chief to General Howe, August 17, 1776. In addition to giving his consent for an exchange of the prisoners involved, the American commander expressed his appreciation of the courtesy shown by General Howe in a previous letter.<sup>18</sup>

While Meigs languished in prison his thoughts were of his men. On August 15, 1776, he sent a petition to the Continental Congress in behalf of those officers and soldiers who were captured at the storming of Quebec, December 31, 1775. The petition showed that the men taken as prisoners at Quebec had obtained only the physical necessities for a mere existence. Meigs asked Congress to arrange, as soon as possible, for a cartel and an exchange of prisoners. He also mentioned that the garrison had no money, little credit, and was not given the respect ordinarily granted to prisoners of war by their captors.<sup>19</sup>

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<sup>17</sup>General Washington to Major French, August 8, 1776, American Archives, Fifth Series, 1776-1783 (Washington: St. Clair Clarke and Peter Force, 1848), I, p. 853.

<sup>18</sup>General Washington to General Howe, August 17, 1776, American Archives, Fifth Series, 1776-1783 (Washington: St. Clair Clarke and Peter Force, 1848), I, p. 997.

<sup>19</sup>The petition of Meigs to the Continental Congress, August 15, 1776, American Archives, Fifth Series, 1776-1783 (Washington: St. Clair Clarke and Peter Force, 1848), I, p. 962.

The Continental Congress, in a previous session held in June, had granted General Washington the privilege of arranging for the exchange of British captives for American prisoners taken in Canada. In case no general arrangement could be agreed upon, some provision should be made for supplying the American prisoners with the necessities of life. Either bills of exchange drawn by British officers, then prisoners, in the colonies, or money, if needed, should be provided for the supplies.<sup>20</sup>

Meigs did all he could to alleviate the sufferings of the prisoners during that dreadful winter following their capture. They suffered more from the lack of warm clothing than from the lack of food. He and Colonel Christopher Green advanced two hundred dollars to the prisoners and charged the amount to the American Congress. The following was found concerning a delayed payment. In 1785 Congress resolved:

. . . that the Board of Treasury take order for paying to R. J. Meigs, late a colonel in the service of the United States and to the legal representative of Christopher Green, deceased, late a colonel in said service, the sum of two hundred dollars, the same having been expended for the use and comfort of the unfortunate prisoners in Quebec, in the year 1776.<sup>21</sup>

No official date of Meigs' release from prison has been found. It is known to have occurred previous to May 12, 1777, for on this date he was commissioned lieutenant-colonel and assigned to a Connecticut regiment.<sup>22</sup>

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<sup>20</sup>Ibid., p. 1612.

<sup>21</sup>Hildreth, Memoirs, pp. 266-267.

<sup>22</sup>Letter from the War Department, March 29, 1946.

Meigs enlisted a part of his regiment in an uncertain attempt to destroy the forage and stores collected by the British at Sag Harbor on Long Island Sound. These war supplies were intended for the use of the British forces in New York.<sup>23</sup>

For the successful accomplishment of this attack, Congress, on July 25, 1777, by resolution showed its appreciation of the meritorious service rendered by Lieutenant-Colonel Meigs and his detachment. This expedition was made under handicaps, yet Meigs and his men distinguished themselves in enterprise, activity, and valor. For this service Congress requested "that an elegant sword be provided by the commissary general of military stores, and presented to Lieutenant-Colonel Meigs."<sup>24</sup>

In September, 1777, Meigs was promoted to the rank of colonel of the 6th and 10th Connecticut regiments, a rank which he held throughout the remainder of the war.<sup>25</sup> In the heroic adventure resulting in the capture of Stony Point, Meigs and his regiment acted a conspicuous part.<sup>26</sup> The regiments of Febiger and Meigs, with Major Hull's detachment,

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<sup>23</sup>Hildreth, Memoirs, p. 267.

<sup>24</sup>When this requisition for the sword was sent to the commissary general of military stores, a shortage had developed. The last order had been refused by the Board of War because the swords were badly executed. However, since the gentlemen due these deserved war relics would not accept those from domestic purchase, Congress placed an order for eight plain, but elegant, silver mounted swords, imported from France. Worthington C. Ford and Gaillard Hunt, editors, Journals of the Continental Congress, 1774-1789, 34 volumes (Washington: United States Government Printing Office, 1907), VIII (1777), pp. 579-580; and XIX (1781), pp. 8-9.

<sup>25</sup>Letter from the War Department, March 29, 1946.

<sup>26</sup>Hildreth, Memoirs, 268.

formed the right column. The fortress was on a commanding hill, projecting far into the Hudson, which washes most of its base. On the night of July 15, 1779, the right column, in collaboration with other units, crossed the marshland, surmounted every obstacle and entered the works without firing a gun. Colonel Meigs shared largely in the honors and dangers of the assault, mounting the breast-work at the head of his men. After a brief hand-to-hand straggle, the British garrison surrendered and the Americans took possession of the fortress.

The capture of Stony Point was practically a false victory. Owing to the scarcity of men the fortress was evacuated and the troops were withdrawn to the highlands.<sup>27</sup>

Meigs served his country with fidelity to the end of the war.<sup>28</sup> There is some doubt as to the date of his separation from the army, but it is generally believed to have been January 1, 1781.<sup>29</sup>

#### Life in Northwest Territory

In 1787 Meigs became a member of the newly formed Ohio Company and Associates. This company was organized by a group of New Englanders

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<sup>27</sup>Ibid., pp. 270-272.

<sup>28</sup>Ibid., p. 272.

<sup>29</sup>Letter from the War Department, March 29, 1946.



for the purpose of purchasing a large territory in the Northwest. The group had farming in mind, which seems strange since they chose such a hilly section. Yet, the only suitable block of territory available at the time was the region selected.<sup>30</sup>

Two parties, with a total of forty-eight men, were assembled at Hartford, Connecticut, in December, 1787 and January, 1788. In one of these companies were four surveyors, one of whom was Meigs. These surveyors were assigned to survey the tract as purchasers were found.<sup>31</sup>

After many delays the pioneers arrived at the mouth of the Muskingum, April 7, 1788<sup>32</sup> and immediately began clearing the land, building houses and constructing fortifications.<sup>33</sup> As soon as shelter was established, the pioneers saw the need for some system of civil law and authority, since the public officers of the Northwest Territory had not arrived. Accordingly, Meigs drew up a concise system of rules and regulations, considered by the emigrants as a protection for their well-being and preservation. To publicize these accepted laws, the bark was cut from a large oak tree standing near the confluence of the Ohio and Muskingum rivers and on this flat surface was tacked the sheet containing

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<sup>30</sup>Harlow Lindley, Morris Schneider, and Milo Quaife, History of the Ordinance of 1787 and the Old Northwest Territory (Marietta: Northwest Territory Celebration Commission, 1927), pp. 24-25.

<sup>31</sup>Ibid., p. 36.

<sup>32</sup>Ibid., p. 38.

<sup>33</sup>Ibid., p. 40.



the regulations.<sup>34</sup> The Board of Directors appointed Colonel Meigs to administer these self-made laws and see that they were adhered to until the governmental authorities arrived.<sup>35</sup>

In performing the duties of his original task, Meigs, in 1789, surveyed the meanders of the Ohio River, traversing its banks from the Muskingum to the Big Sandy. This work was near the western boundary of the purchase and was dangerous because of Indian attacks. Seven men under a fellow surveyor were killed in an Indian ambushade, forcing the parties to return to Marietta. An Indian war occurred, bringing about the suspension of surveying for several years.<sup>36</sup>

The first session of the Court of Common Pleas was held September 2, 1788. According to Hildreth, ". . . this being the earliest court ever assembled in the North-western [sic] Territory, it was honored with all the ceremony due so important an occasion." The people of the Territory formed a procession, with the sheriff, Colonel E. Sproats, at the head. The judges of the court, supreme judges and the governor were escorted by United States officers from Fort Harmar. They traversed about one-half mile to the northwest block-house of Campus Martius. Impressive ceremonies were held, after which the court was organized and opened for business by the sheriff.<sup>37</sup>

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<sup>34</sup>Hildreth, Memoirs, p. 273.

<sup>35</sup>Lindley, History of the Ordinance of 1787, p. 43; T. J. Summers, History of Marietta (Marietta, Ohio: Leader Publishing Co., 1903), p. 62.

<sup>36</sup>Hildreth, Memoirs, p. 274.

<sup>37</sup>Ibid., p. 273.

Meigs' political career began July 30, 1788. Governor Arthur St. Clair conferred upon him the commissions of justice of the peace of Washington County, and "Prothonotary of the Court of Common Pleas."<sup>38</sup> The duties required of the prothonotary were: "to keep and preserve the records of the said Court of Common Pleas—to keep the seal of the Court." He was directed also to issue all legal papers required according to the prevailing, or newly adopted, laws for the Territorial Government and the benefit of the inhabitants.<sup>39</sup> His work was satisfactory in these positions, and in 1792, Governor St. Clair appointed him commissioner for licensing "Merchant Traders and Tavernkeepers in the County of Washington."<sup>40</sup>

The salaries of these positions were probably low. To supplement his income, Meigs on May 20, 1791, secured his land warrant under the Act of 1786 in which the Government offered liberal land bounties to her Continental soldiers. His commission made him eligible for 500 acres of western land. He secured a patent to several lots in a township "in the United States Military District in Ohio."<sup>41</sup> Evidently his land holdings and appointment as postmaster at Marietta<sup>42</sup> gave him a degree of prestige,

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<sup>38</sup> Clarence Edward Carter, comp. and ed., The Territorial Papers of the United States: The Territory Northwest of the River Ohio, 1787-1803 (Washington: United States Government Printing Office, 1934), III, p. 283.

<sup>39</sup> Ibid., p. 285.

<sup>40</sup> Ibid., p. 383.

<sup>41</sup> Letter from the National Archives, Washington, D. C., March 1, 1946, citing official records from the General Land Office.

<sup>42</sup> Summers, op. cit., p. 138.

for in 1793 the name Return J. Meigs appeared among the board of directors of the Ohio Company.<sup>43</sup>

When the conference was made with the Shawnee in 1795, at the town of Greenville, Colonel Meigs was "appointed commissary of the clothing department." His duties were to issue clothing or goods to the military and Indians as instructed. In one of the articles in the treaty it was stipulated that all white prisoners were to be returned. The Colonel exercised his feelings for human kindness by inquiring of every strange Indian about two white children who had been captured several years before. One had been taken prisoner at Bellville, Virginia, five years previously. The boy's mother lived in Marietta and had sought the aid of Meigs. Since the boys had not been brought in, it was not known whether or not they were dead. After several months, Meigs learned from two Indians that there were two white boys living at the head of Auglaise River. The Colonel lost no time in securing permission from General Wayne to go in search. The boys were found living with a warrior and a widowed Indian mother, both of whom loved them as if they were their own. Meigs, his Indian guide and the white prisoners departed for the month-long trip back to Marietta. On a dark snowy day while in the thick woods the party got their directions mixed, and Meigs took from his pocket a compass. The guide "Indian Thom pointed to the southeast," while "Meigs insisted on the Authority of his compass," The Indian became irritated, shouldered his gun and muttering "D--n compass," pursued his own direction,

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<sup>43</sup>Carter, Territorial Papers, II, p. 467.

which later proved to be right. The party eventually reached Marietta and the boys were restored to their relatives.<sup>44</sup>

Soon after this event Meigs was elected to represent the people of Washington County in the territorial legislature, meeting for the first time in 1798. No representatives of this body were superior to Meigs in "integrity or sound sense" and he carried out his duties with credit to himself and to those whom he represented.<sup>45</sup>

#### Reasons for Appointment as Indian Agent

This political career of Meigs and his experience as a surveyor in the Northwest Territory were excellent preparations for the position he was soon to assume as an agent of the Government among the Cherokee Indians.<sup>46</sup> He had, also, many other valuable qualifications for this office, such as his dogged perseverance, which had helped him to accomplish many assignments in the past. His military experience was an attribute, since it had accustomed him to carry out the orders of his superiors with exactness and unflinching courage.

The ability to make friends was an asset which served him well, for while in military service he made many friends, among them General James Wilkinson. Knowing that General Wilkinson was a good friend of

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<sup>44</sup>Ellsworth, Memoirs, pp. 274-277.

<sup>45</sup>Ibid., p. 277.

<sup>46</sup>Charles C. Royce, "Cherokee Nation of Indians," incorporated in the Fifth Annual Report of the Bureau of Ethnology, 1883-1884, edited by J. W. Powell (Washington: United States Government Printing Office, 1887), p. 181.

President Jefferson, Meigs asked his assistance in obtaining a government position. The General replied offering his services to aid Meigs in any way he could, but requesting further information concerning his situation. Meigs, with the greatest degree of honesty, answered as follows:

I will answer these inquiries truly. In the first place, I enjoy excellent health; in the next place, I am doing what I can at farming business, endeavoring to maintain a credible [sic] existence by industry. I have been for more than two years one of the Territorial legislators; this, though credible, is not profitable. My principle [sic] dependence for living is on the labor of my own hands. I am confident Sir, you can serve me, as you are conversant with every department of the Government and may know what places can be had and whether I am capable of being usefully employed. I don't care what it is, whether civil or military or where situated, provided it be an object which you shall think proper for me. I don't know Mr. Jefferson; have always revered his character as a great and good man . . . .<sup>47</sup>

Apparently, in 1801, General Wilkinson used his political influence in securing for Colonel Meigs his appointment as "Temporary Agent for Indian Affairs in the Cherokee Nation and Agent for the War Department in the State of Tennessee."<sup>48</sup> Although his original title included the word "temporary," Meigs remained in this position until his death in 1823. The salary of Meigs was stipulated at one thousand dollars per year with six meals added and payable in kind or money at his headquarters at Southwest Point in Tennessee.<sup>49</sup> He requested an increase in salary during his

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<sup>47</sup>Colonel Meigs to General Wilkinson, February 10, 1801. Royce, "Cherokee Nation of Indians," 231n.

<sup>48</sup>Henry Dearborn, Secretary of War, to Return J. Meigs, May 15, 1801, Records of the Office of the Secretary of War, Letters Sent, Indian Affairs, File Microcopies of Records in the National Archives, No. 15 (University of Tennessee Library), Vol. A, 74. Cited hereinafter Secretary of War, Letters Sent, Indian Affairs.

<sup>49</sup>Dearborn to Meigs, May 15, 1801, Secretary of War, Letters Sent, Indian Affairs, A, 43.

first year of service but no letters were found granting the raise.<sup>50</sup>

However, in 1818, the appointment of Meigs was renewed with a "salary increase to \$1300 with certain emoluments added."<sup>51</sup>

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<sup>50</sup>Meigs to Dearborn, Oct. 10, 1801, Records of the Cherokee Agency, Indian Office Records, National Archives, Washington, D. C. Cited hereinafter Records of the Cherokee Agency.

<sup>51</sup>Meigs to Calhoun, June 16, 1818, Records of the Cherokee Agency.

## CHAPTER II

### THE GOVERNMENT'S POLICY TOWARD THE CHEROKEES

When Meigs assumed his duties as Cherokee agent in 1801, he found that the Indians were already turning to an agricultural economy.<sup>1</sup> However, there remained the old problem of the white people's intruding on Indian lands. This problem was never permanently solved until the Cherokees were removed west of the Mississippi River.

#### Policy Before 1801

Immediately after the treaty was signed ending the Revolutionary War, land-hungry whites migrated westward, crossing Indian boundary lines and settling on Indian lands. This influx was such as to prompt Chief Old Tassel of the Cherokees to forward "a pathetic appeal to the Governors of Virginia and North Carolina complaining of the invasion of the Cherokee lands by white settlers."<sup>2</sup>

The redskins were left in a deplorable condition following the Revolutionary War. Their towns were destroyed and their ability to resist the whites was gradually weakened. Despite the Indian treaties before 1800, the intruders never ceased in their efforts to find better soil.<sup>3</sup>

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<sup>1</sup>Marion L. Starkey, The Cherokee Nation (New York: Alfred A. Knopf, 1946), p. 16.

<sup>2</sup>Robert Sparks Walker, Torchlights to the Cherokees (New York: The Macmillan Company, 1931), p. 11.

<sup>3</sup>Ibid., p. 12.



These treaties, however, did not stop the whites from settling on Indian lands. Their persistence to push beyond the borderline without authority resulted in the Cherokees' using their guns to drive the intruders back off the Indian lands. The Secretary of War spoke of "the disgraceful violation of the treaty of Hopewell with the Cherokees." He thought Congress should use its authority and prevent this direct violation of treaty stipulations, or else the Government would be ridiculed by lawless men.<sup>4</sup> The intruders were numerous and in spite of governmental authority and the bitter criticism of Washington in 1790, the violators "crowded into the Cherokee land to the West of the Smokies."<sup>5</sup>

Intrusions of whites on Cherokee lands was proving rather embarrassing to the United States. A proclamation was issued by the Government in 1790 forbidding any further intruders on Indian lands near the Tennessee River.<sup>6</sup> This regulation did not take care of the whites previously settled over the Indian line. The Government via the War Department resorted to the customary procedure of negotiating with the Cherokees for the relief of the law violators.

In 1791 the treaty of Holston was negotiated, locating the new boundary at the "Clinch River on the west and a line that approximated the ridge between Little River and the Little Tennessee River on the South."<sup>7</sup>

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<sup>4</sup> Ibid.

<sup>5</sup> Starkny, The Cherokee Nation, p. 15.

<sup>6</sup> Walker, Torchlights to the Cherokees, p. 12.

<sup>7</sup> P. M. Hamer, Tennessee: A History, 4 volumes (New York: The American Historical Society Inc., 1933), I, p. 154.



The treaty of Holston brought temporary relief, though brief it was, for the intrusions resulted in another major problem, the Indian raids and wars on the white settlements.

The local authorities could hardly cope with this Indian menace, for William Blount, Governor of the Southwest Territory, had orders from the Government to use defensive measures only in giving protection to the Territory.<sup>8</sup>

The list of Indian massacres starting with an attack on Ziegler's Station in the Cumberland Settlements, in the summer of 1792, is a long one. Indian raids occurred nearly every week and the list of wounded, captured and dead continued to grow. The famous raid on Buchanan's Station in September by more than 700 Cherokees, Shawnees and Creeks, was beaten off with difficulty.<sup>9</sup>

One thousand Indians attacked Caveto Station near Knoxville and barbarously slaughtered its inhabitants.<sup>10</sup> This led to retaliatory measures by John Sevier and his famous attack on the Cherokee town of Etowah in 1793, which almost destroyed the Indians' ability to continue their depredations.<sup>11</sup>

Indian raids continued on the Cumberland Settlements, initiated mainly by the renegade band of Chicasaugas. General James Robertson ordered an expedition against this tribe in the fall of 1794 which resulted

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<sup>8</sup>J. G. M. Ramsey, The Annals of Tennessee, 1853 (Philadelphia: J. E. Lippincott and Company, 1860), p. 561.

<sup>9</sup>Ibid., 566-567.

<sup>10</sup>Ibid., 581.

<sup>11</sup>Ibid., 585.

in the destruction of Running Water and Nickajack near the whirl on the Tennessee River.<sup>12</sup> These attacks on the Cherokees and their allies by Sevier and Robertson put a stop to the mass raids on the white settlements. They proved that the defensive policy of the Government as a protective measure was insufficient.

Nevertheless, in spite of the Indian raids the white population was increasing rapidly and within a few years the same problem of the whites intruding on Indian lands resulted. The Government responded by habit and negotiated the Tallico treaty in 1798, by which two separate tracts of Indian lands were purchased.<sup>13</sup> One tract was located "between the boundary fixed by the treaty of Holston in 1791 and the Tennessee and Little Tennessee rivers, the other between Clinch River and the foot of the Cumberland Mountains."<sup>14</sup> Again the intruders had succeeded in retaining possession of their lands and a temporary peace existed between the whites and the Indians.

It could be said that North Carolina was partly to blame for the many problems faced by the inhabitants of Tennessee after the state was admitted to the union. North Carolina maintained that the Cherokee alliance with the British during the Revolution had extinguished the Indian title to the land, and she proceeded to give the white people land

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<sup>12</sup>Ibid., p. 611.

<sup>13</sup>Charles C. Royce, Indian Land Cessions in the United States, Eighteenth Annual Report of the Bureau of American Ethnology (Washington: United States Government Printing Office, 1900), p. 640.

<sup>14</sup>Hamer, Tennessee: A History, p. 242.

grants to all parts of the state except a corner in the southeastern part of present-day Tennessee, which was reserved for the Indians.<sup>15</sup> The United States Government's policy, however, of recognizing the Indian title to all lands they had not formally relinquished by treaty prevented these holders of North Carolina warrants from making use of their grants.

Apparently Congress realized that the most logical way to satisfy the land-title holders and intruders was by negotiating treaties with the Indians. On February 19, 1799, Congress appropriated \$25,000 to defray the expense of making a treaty or treaties with the Indian tribes south of the Ohio.<sup>16</sup> Again on May 12, 1800, Congress appropriated \$15,000 for the same purpose.<sup>17</sup>

The Government of the United States put forth no strenuous effort to obtain lands from the Cherokees before the initial presidency of Thomas Jefferson. The former treaties were negotiated between the Cherokees and the United States in order to effect peaceful relations between the two peoples.<sup>18</sup>

The Government continued to follow its usual course in extinguishing titles to Indian lands by treaty, but by 1800 this policy was supplemented by vigorous efforts to promote civilization among the Indians. It

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<sup>15</sup>Ibid., p. 241.

<sup>16</sup>Annals of the Congress of the United States, IX (1797-1799), 5 Congress, 3 Session (Washington: Gales and Seaton, 1851), pp. 2915-2916.

<sup>17</sup>Annals of Congress, I, 6 Congress, 1 Session, p. 716.

<sup>18</sup>Rayce, Land Cessions, p. 640.

was believed by some whites that "their [the Indians] only hope of survival as a nation lay in making the transition to an agricultural economy."<sup>19</sup> In spite of Cherokee losses in land, their territory was considerable for their estimated population of twenty thousand. After the loss of many battles to the whites near the close of the eighteenth century, the Indians were willing to work the soil, raise crops and "take up the arts of civilization."<sup>20</sup>

The plans of the Federal Government for civilizing the Cherokee Indians in 1800 were carried on by Mr. Dinsmore, who had preceded Meigs as Cherokee Indian agent. In general the agent was to encourage industry and agriculture and to aid the Cherokees in stocking their land. Dinsmore had followed this policy and had assured the Indians that their present land was sufficient for this purpose.<sup>21</sup>

#### Policy After 1801

The Federal Indian policy of civilizing the Indians continued in force in 1801. The Secretary of War had in mind definite plans when he requested that Meigs employ the military to help carry on the establishment of manufactures on the Indian frontiers. The soldiers could erect buildings "necessary for housing such industries as those employing

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<sup>19</sup>Starkey, The Cherokee Nation, p. 16.

<sup>20</sup>Walker, Torchlights to the Cherokees, p. 13.

<sup>21</sup>Dearborn to Meigs, June 30, 1801, Secretary of War, Letters Sent, Indian Affairs, A, 74.

wheelrights, batteries, trimmers, carpenters, shoemakers, potters, etc." Tools would be supplied by the Government as necessary for these industries.<sup>22</sup>

Jefferson's policy of civilizing the Indians through industry and agriculture had all the marks of sincerity but the plan was only partly successful owing to the activities of pressure groups from North Carolina, Tennessee and Georgia. These people wanted all the Indians' land and they cared little as to the means of obtaining it.

The old policy of buying the Indian lands at the Government's price should the tribe desire to sell was cast aside and more vigorous efforts were made to induce the Indian to part with his land. Congress knew that peace and friendship were a necessity in relation to the Indian, yet some means had to be found whereby the United States could get possession of Indian land. The clamor of the border settlers influenced the Government in initiating a more active policy. President Jefferson asked for an appropriation from Congress to purchase Indian lands and was granted \$10,000 for this purpose early in 1803.<sup>23</sup>

Jefferson's policy was influenced somewhat by the circumstances existing in the state of Georgia. In 1802 Georgia ceded to the United States the territory she claimed west of the Chattahoochee River with the provision that the Government attempt to extinguish the Indians' title to all the lands they still retained within the state. The people of Georgia

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<sup>22</sup>Meigs to Dearborn, November 30, 1801, Records of the Cherokee Agency.

<sup>23</sup>Annals of Congress, XII, 7 Congress, 1 Session, p. 510.

wished to expand their settlements to the west but could not attempt this move until the Indians were removed. In this way Jefferson was influenced and made to feel that he should continue the policy already begun.<sup>24</sup>

The people of Georgia were extremely anxious to reclaim the land within their boundaries. Only about three million acres were cleared of Indian titles, leaving approximately forty-nine millions of acres under the control of the Cherokees and the Creeks.<sup>25</sup> However, Georgia was not alone when it came to monopolizing Cherokee lands. Tennessee also showed a grasping attitude. On November 25, 1803, Tennessee presented to Congress a petition to obtain a title to all of the land inside the state boundaries.<sup>26</sup>

Under the North Carolina Land Grab Act of 1783 Indian claims were ignored and warrants issued from John Armstrong's land office. Title to the Indian lands had not been extinguished by the national government.<sup>27</sup> However, when Jefferson came into office most of these warrants had fallen into the hands of speculators who urged the President to extinguish the Indian titles.<sup>28</sup>

This agitation had great influence on Jefferson. He was a willing

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<sup>24</sup>U.B. Phillips, "Georgia and State Rights," American Historical Association, Annual Report, 1901 (Washington: United States Government Printing Office, 1902), II, p. 48.

<sup>25</sup>Annals of Congress, XII, 7 Congress, 2 Session, Appendix, 1343.

<sup>26</sup>Annals of Congress, XIII, 8 Congress, 1 Session, p. 623.

<sup>27</sup>Thomas P. Abernethy, From Frontier to Plantation in Tennessee (Chapel Hill: The University of North Carolina Press, 1932), p. 251.

<sup>28</sup>Ibid., p. 253.

swimmer in a gigantic tide of expansion. Thomas Jefferson, in a confidential message to Congress, January, 1803, first mentioned the plan of removing the Indians westward.<sup>29</sup> After the cession of Louisiana in November 1803,<sup>30</sup> Jefferson was quite interested in a plan for moving the Indians to the northern part of this territory. His plan would give relief to the whites and would permit them to settle on the edge of the frontier, rather than forcing them far to the west as some of the eastern citizens feared would happen.<sup>31</sup> All initial efforts for exchanging the land of the Cherokees for an equal amount beyond the Mississippi River met with little success.<sup>32</sup>

While all the Federal policies for regulating Indian affairs were promulgated by the President via the War Department, the officials designated to see to their operation were the Indian agents. Apparently the Department of War believed that Meigs was quite capable of performing the duties of Indian agent among the Cherokees. Among the routine instructions he received was an order to continue the Government's policy of promoting industry, developing agriculture, encouraging the breeding and raising of cattle and the attainment of progress in the art of handicrafts.

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<sup>29</sup>Royce, "Cherokee Nation of Indians," pp. 202-203.

<sup>30</sup>Annals of Congress, XIII, 8 Congress, 1 Session, p. 73.

<sup>31</sup>President Jefferson to General Gates, July 11, 1803, H. A. Washington, ed., The Writings of Thomas Jefferson (Washington: Taylor and Maury, 1854), IV, p. 494.

<sup>32</sup>Annie H. Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi River," American Historical Association Annual Report (Washington: United States Government Printing Office, 1906), I, pp. 250-255.



He was also warned to refuse entrance to Indian lands unless a pass was presented. The pass was to be carefully checked as to signature, and an accurate record kept of the signers. Should any person attempt to mark trees, make surveys on Indian lands or use their influence against the United States in relation to Cherokee treaties, the agent had to report them to the Government and deal with the violator as instructed. If a trader without a license was discovered in the Indian nation, he was to forfeit his goods to the Indians and be considered a violator of the law. His punishment would be meted out accordingly. An accurate record of Indian affairs was to be kept and sent to the War Department every six months. Also, Meigs was to report immediately to the commandant of the post and army, and to the Secretary of War, any hostile movements of tribes of Indians either against the Cherokees, the United States or other tribes outside of the Government's territory.<sup>33</sup>

In carrying out his instructions and the directives of the War Department, Meigs expressed his opinions concerning the policy and problems relating to the Indians' welfare. Yet the agent always cooperated with his employers regardless of his personal opinions. This cooperation was shown clearly by the successful conclusion of several Indian treaties, necessary in forwarding the Indian policies regarding the Cherokee Indians. Also, this cooperative spirit of Meigs is shown in his efforts to persuade the intruders to remove from the Cumberland Mountains without the use of

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<sup>33</sup> Dearborn to Meigs, May 15, 1801, Secretary of War, Letters Sent, Indian Affairs, A, pp. 45-49.



military force.<sup>34</sup> On this occasion it proved effective, but later a detachment from Hiwassee Garrison removed 83 families from the Cherokee lands.<sup>35</sup> Again, in 1810, the intruders were removed from Battle Creek three times within one year.<sup>36</sup>

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<sup>34</sup>Maize to Dearborn, July 13, 1803, Records of the Cherokee Agency.

<sup>35</sup>Maize to Dearborn, June 12, 1809, Records of the Cherokee Agency.

<sup>36</sup>Maize to Dearborn, May 10, 1810, Records of the Cherokee Agency.

### CHAPTER III

#### CHEROKEE TREATIES WITH THE UNITED STATES

##### Meigs' Preliminary Assignment

One of the first important assignments given Meigs was to superintend the surveying of the boundary line between North Carolina and the Cherokee nation. Article five of the Tellico Treaty of 1798 was not acceptable to the War Department. Meigs was commissioned to make the survey on June 16, 1802,<sup>1</sup> from the top of Iron Mountain, in Tennessee, to a branch of the French Broad called the Little River in North Carolina.<sup>2</sup> There was a difference of opinion as to what stream was understood to be the "Little River," mentioned in the treaty. Three small rivers were in this area and there were advocates of each. However, since Meigs was given latitude of choice, he ran his line on the farthest branch of the French Broad River and by so doing left no white settlers on Indian lands and few Indian families on the North Carolina side.<sup>3</sup>

Colonel Meigs was honest in giving his opinion concerning his survey of the North Carolina Cherokee boundary line, when he said, "I am

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<sup>1</sup>Dearborn to Meigs, June 3, 1802, Secretary of War, Letters Sent, Indian Affairs, A, p. 219.

<sup>2</sup>Meigs to Major Lovely, July 20, 1802, Records of the Cherokee Agency. A marker was placed on the ridge of Iron (Smoky) Mountain where Meigs began his survey. This location is known as "Meigs' Post." Mary Rothrock, ed., The French Broad-Holston Country (Knoxville: Kingsport Press, 1946), p. 45.

<sup>3</sup>Meigs to Dearborn, October 4, 1802, ibid.

perfectly satisfied that the line is run precisely where the treaty of 1798 intended."<sup>4</sup>

Wafford Tract Treaty, October 24, 1804

Return J. Meigs and Daniel Smith were appointed Indian commissioners by the President of the United States to hold a conference with the chiefs of the Cherokee nation. The commissioners were instructed to use discretion in their efforts to obtain a cession of land at some location in the state of Tennessee, or Kentucky. A maximum price of fourteen thousand dollars and an annuity of three thousand dollars was allocated for the tract. A cession of land between East and West (now Middle) Tennessee would be most desirable, and a tract near the Currahee Mountains, including Wafford's plantation in Georgia, would be acceptable. The maximum sum allowed for this tract was five thousand dollars, and an annuity of one thousand dollars. In addition, if necessary, one or two thousand dollars in goods might be available to aid in consummating the treaty. The commissioners were to receive six dollars per day while actually in conference, with all necessary expenses paid.<sup>5</sup>

The Wafford tract settlements were composed of 134 families, 119 of whom had settled within Indian territory. Colonel Wafford and a few

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<sup>4</sup>Ibid., October 20, 1802.

<sup>5</sup>Dearborn to Meigs and Daniel Smith, April 4, 1804, in American State Papers, Indian Affairs, 1789-1815 (Washington: Gales and Seaton, 1832), I, p. 699.

families had settled on the land before a survey was made but the others had no excuse for settling on Indian territory. Meigs suggested that "if a purchase or lease could be gained it would help matters."<sup>6</sup>

The conference was held at Tellico Garrison on Cherokee ground in southeastern Tennessee. The negotiations were successful and a treaty was drawn up October 24, 1804. All parties agreed to the following cession:

The Cherokee nation relinquish and cede to the United States, a tract of land bounding, southerly on the boundary line between the state of Georgia and the said Cherokee nation, beginning at a point on the said boundary line northeasterly of the most northeast plantation in the settlement known by the name of Wafford's Settlement, and running at right angles with the said boundary line four miles into the Cherokee land; thence at right angles southeasterly and parallel [sic] to the first mentioned boundary line, so far as that line, to be run at right angles southerly to the said first mentioned boundary line, shall include, in this cession, all the plantations in Wafford's Settlement, so called, as aforesaid.

For this tract of land the United States agreed to pay the Cherokee nation either five thousand dollars in money, or useful goods and merchandise equivalent of that value. In addition the Federal Government promised to deliver goods annually, in the amount of one thousand dollars or a like sum of money at the option of the Cherokees.<sup>7</sup>

The Senate did not ratify the Wafford Tract Treaty until many years after it was negotiated. In 1811 the Cherokees, in seeking ratification

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<sup>6</sup>Meigs to Dearborn, September 13, 1804, Records of the Cherokee Agency.

<sup>7</sup>The Statutes at Large of the United States, Indian Treaties, 1789-1845 (Boston: Little and Brown, 1846), VII, p. 228; Royce, Land Cessions, p. 666.

# TREATY with the CHEROKEES OCTOBER 25, 27, 1805



MAP 2.  
ON THIS AND SUBSEQUENT  
MAPS INDIAN TREATY  
BOUNDARIES ARE INDICATED  
BY DOTTED LINES AND RIVERS

of this land cession, were willing to have the boundary lines extended. This extension would make the tract 33 miles, 76 chains in length and four miles in width. It would embrace every settler who had any sort of claim on account of occupancy. The Cherokees believed that by this extension every objection to ratification would be removed.<sup>8</sup> Meigs' copy of the treaty sent to the United States Senate was either pigeon-holed or lost. The Cherokees retained their copy of the treaty and submitted it to the President at Washington, April 30, 1824. This duplicate was transmitted to the Senate and that body consented to its ratification.<sup>9</sup>

#### Treaty of October 25, 1805

The time and the conditions looked excellent for the negotiation of Indian treaties in the summer of 1805. Meigs revealed this in a letter to General Robertson in advising him that his prospects of obtaining a cession of land from the Chickasaws were excellent. The Cherokees and Chickasaws were in dispute over claims in Middle Tennessee. Meigs suggested that representatives of both tribes talk over their differences and try to reach an agreement on their dispute.<sup>10</sup>

Tennesseans were over-anxious to get possession of the land from the Indians. The pressure was such that "the United States appointed

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<sup>8</sup>Meigs to Eustis, December 17, 1811, Records of the Cherokee Agency.

<sup>9</sup>Meigs to Eustis, December 20, 1811, in Royce, "Cherokee Nations of Indians," p. 188.

<sup>10</sup>Meigs to Robertson, June 24, 1805, Records of the Cherokee Agency.

commissioners and instructed them to negotiate for the establishment of the Duck River, and a line thence to the Tennessee, as the boundary between the Indian lands and the lands that the Cherokees might occupy in Tennessee.<sup>11</sup>

The commissioners, Daniel Smith and R. J. Meigs, met the Cherokee Indian delegation at Southwest Point, October 25, 1805, and successfully negotiated the following treaty:

The Cherokees quit claim, and cede to the United States, all the land which they have heretofore claimed, lying to the north of the following boundary line: Beginning at the mouth of Duck River, running thence up the main stream of the same to the junction of the fork, at the head of which Fort Nash stood, with the main south fork; thence, a direct course to a point on the Tennessee River bank opposite the mouth of Hiwassee River. If the line from Hiwassee should leave out Field's Settlement, it is to be marked round his improvement, and then continued the straight course; thence, up the middle of the Tennessee River to the mouth of Clinch River; thence up the Clinch River to the former boundary line, agreed upon with the said Cherokees . . . thence, a course at right angles with the river to the Cumberland road; thence, eastwardly along the same to the bank of Clinch River and down the same, to the mouth thereof . . . .<sup>12</sup>

Expressing the general boundaries of the treaty another way:

. . . the Cherokees thus surrendered their claims to a large part of Tennessee, from the Kentucky line on the north to Manchester and Altamont on the South, from the Tennessee River on the east to the neighborhood of Livingston, Cockeville, Smithville, and Woodbury on the west, and in addition a relatively small strip north of the Duck River in which are now located Shelbyville, Chapel Hill and Waverly.<sup>13</sup>

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<sup>11</sup>Hamer, Tennessee: A History, I, p. 243.

<sup>12</sup>Amer. State Papers, Ind. Affs., I, pp. 697-698.

<sup>13</sup>Hamer, Tennessee: A History, I, p. 244.



According to the terms of the treaty of October 25, 1805, three square miles of land were reserved "for the particular disposal of the United States, on the north bank of the Tennessee, opposite and below the mouth of Hiwassee." This reservation was for the future use of the United States on the supposition that the factory and military post would be moved to this location at a later date. However, the commissioners, Meigs and Smith, did not expect an early removal and

. . . had stipulated with Doublehead, a Cherokee chief, that whenever the United States should find this land unnecessary for the purposes mentioned it was to revert to him, provided he should retain one of the square miles to his own use, but should relinquish his right and claim to the other two sections in favor of John D. Chisholm and John Riley in equal shares.<sup>14</sup>

In fact, this reserve was to be a present to Doublehead and other chiefs who had used their influence to the advantage of the government, resulting in the cession of a large tract of land to the United States. It was a secret article, sent to the War Department by the commissioners and placed on the record, yet never ratified by the Senate.<sup>15</sup>

Bribery was thus used to obtain the influence of prominent chiefs. Meigs made payments to Doublehead and Chisholm for their support of this treaty. The War Department gave their approval and authorized the agent to draw a bill on this Department for the paid order.<sup>16</sup>

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<sup>14</sup>Joyce, "Cherokee Nation of Indians," p. 191.

<sup>15</sup>Ibid., p. 192.

<sup>16</sup>Dearborn to Meigs, November 4, 1806, Secretary of War, Letters Sent, Indian Affairs, A, 149.



Two other small reservations were given to Talontiskee:

. . . one section of land at the foot of the mountain one mile square, and one section of land on the Tennessee River, where he now lives where his ferry is kept, of one mile square; and that he will not be molested or disturbed in the possession and enjoyment of the same, having also the consent of his nation thereof.<sup>17</sup>

### Treaty of October 27, 1805

This treaty was a minor one and was made to eliminate misunderstandings in the future, and for convenience. Meigs and Smith negotiated the treaty, in which the Cherokees ceded a small tract of territory one mile square at Southwest Point, then occupied by the United States garrison. Evidence tends to prove that this land at the garrison was obtained from the Cherokees under false pretenses. The leading chiefs were told that this tract would be convenient for the location of the state capital. While the commissioners, Meigs and Smith, did not promise the Cherokee chiefs that the capital would be moved to Kingston, they did promise that the state legislature would meet at this location.<sup>18</sup> Also included in the cession of October 27, 1805, was the first small island in the Tennessee River, above the mouth of the Clinch. The ferries on the Tennessee River in this area remained under Indian control. The Cherokees also granted free use of a road through their country, leading from the treaty town of Tellico to Fombige.<sup>19</sup> The Cherokee act of

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<sup>17</sup> Ibid., p. 192.

<sup>18</sup> Robert H. White, "Tennessee's Four Capitals," The East Tennessee Historical Society's Publications (Knoxville: Stubbley Printing Company, 1934), No. 6 (29-43), p. 33.

<sup>19</sup> Royce, Land Cessions, p. 670.

permitting the free use of this road through their nation was one of the means which allowed undesirables to penetrate Indian lands. It aided in the process of white agitation for the Indians' possessions.

Almost two years later, in September, 1806, the Tennessee legislature passed a resolution providing that the next general assembly should meet "at the town of Kingston near Southwest Point."<sup>20</sup> Thus this legislative body was called to order at Kingston on Monday, September 21, 1807, and that town became the second capital of Tennessee. Shortly after the legislature was organized, it was resolved to "adjourn forthwith from Kingston to meet on Wednesday, the 24 instant, at eleven A.M. at the courthouse in Knoxville." One other resolution was passed, reconveying the public papers from Kingston back to Knoxville.<sup>21</sup> This act fulfilled the obligations of the treaties of 1805, yet the intent of the original promise was one of trickery to obtain the land from the Indians.

#### Treaty of January 7, 1806

The Secretary of War, Henry Dearborn, desired to extinguish the Cherokee claims to land "lying to the north and east of Tennessee River and west of the headwaters of Duck river." Meigs and Daniel Smith, commissioners who had recently negotiated the treaties of October 25

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<sup>20</sup>White, "Tennessee's Four Capitals," p. 31.

<sup>21</sup>Ibid.

TREATY with the CHEROKES  
JANUARY 7, 1806



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and 27, 1805, accompanied a delegation "of Cherokee chiefs and headmen" to the capital, where a treaty was signed January 7, 1806. The Secretary of War conducted the negotiations and transmitted the treaty to the Senate shortly afterward. It was finally ratified in May, 1807.<sup>22</sup>

By this treaty the Cherokee Indians surrendered all claims, rights, titles and interests to Indian lands north of the Tennessee River and eastward to a line to be run from Chickasaw Island, in Chickasaw Old Fields to the eastern headwaters of Duck River. The northern boundary of this area was the Duck River. Two small tracts of this land were reserved for the Cherokee nation, and Messrs. Melton and Charles Hicks. The first tract, reserved for the Cherokees, was the area north of Muscle Shoals and the Tennessee River between Cypress Creek and Elk River. The western boundary extended up Cypress Creek ten miles and the eastern boundary to a similar point on Elk River. The northern boundary was a straight line from the ten mile point on Elk River to the ten mile point on Cypress Creek. The second tract of land reserved was located on the north side of the Tennessee River and extended three miles northward from the mouth of Spring Creek, to the west two miles at right angles to the course of Spring Creek, then southward parallel with Spring Creek to the Tennessee River and east along the Tennessee to the beginning of the tract. The Cherokees also relinquished all claims to the Long Island in the Holston River,<sup>23</sup> near the present Kingsport.

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<sup>22</sup>Boyce, "Cherokee Nation of Indians," p. 195.

<sup>23</sup>Stat. at Large, VII, pp. 101-102.

In compensation for this territory, the United States agreed to pay a total of ten thousand dollars in money; to build a grist mill in the Cherokee country within one year for the use of the nation; to supply the Cherokee people with a cotton cleaning machine, and to grant the old Cherokee chief, Black Fox, an annuity of one hundred dollars during his life. The United States also agreed to use its influence in prevailing on the Chickasaws to consent to a specified boundary between their nation and the Cherokees south of the Tennessee River.<sup>24</sup>

The land reserved at the ferry at Southwest Point was put into the hands of Doublehead. The other reserve was placed in the possession of Talontiskee. This arrangement pleased the President. He wanted the Indians to have the experience of holding private property as a means of cultivating a tendency toward industry. Also, the President believed that the Indians should own personal property to leave to their children when they died.<sup>25</sup>

In answer to his speech of April 24, the chiefs in council sent an address in appreciation of his noting their progress, etc. Yet, they complained that the people in the upper towns were not well supplied with "wheels and cards" as their brothers in the lower towns. "Our people are ready enough to follow your advice but they want ploughs and other things to enable them to follow your advice."

The council approved of the late treaty by a deputation at

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<sup>24</sup>Ibid.

<sup>25</sup>Dearborn to Meigs, April 2, 1806, Secretary of War, Letters Sent, Indian Affairs, B (page lacking).

Washington except a part of the reservation at Muscle Shoals and on Spring Creek lying north of Tennessee River, "which lands shall belong to the whole nation and not to individuals. . . ."<sup>26</sup>

In regard to the first article of the treaty negotiated January 7, 1806, there was some doubt among the Cherokees concerning the limits of the ceded lands. In order to clarify this situation, James Robertson and Return J. Meigs met with a delegation of Cherokee chiefs on Chickasaw Island in the Tennessee River. The commissioners and the chiefs agreed on a line running "from the upper end of the Cherokee Old Fields" to include the source waters of Elk River, to the Cumberland Mountains and along their margin "until it shall intersect the lands heretofore ceded to the United States at the said Tennessee Ridges." The Cherokee hunters were given the customary privilege of hunting on this tract until settlement made it improper. The United States paid \$2,000 for this additional land.<sup>27</sup>

Soon after these treaties were negotiated the Cherokee people learned of Doublehead's secret agreement with the United States. The Indians felt that Doublehead had betrayed their interest and were resentful toward him because he had not secured the consent of the national council. This smoldering hatred continued to grow and came to a head on July 4 of the following year when the Cherokee chiefs gathered at Southwest Point for the distribution of the annuity. Doublehead was killed

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<sup>26</sup>Cherokee address to the President via Meigs to Dearborn, April 25, 1806, Records of the Cherokee Agency.

<sup>27</sup>Stat. at Large, VII, p. 753.

by his accusers after he had killed Bone Polisher, who had taunted him for the loss of their hunting grounds.<sup>28</sup> The murder of Doublehead was evidence of unrest among the Cherokees. It was proof that no individual chief could determine the law for the nation.<sup>29</sup>

After Doublehead's death, Meigs anticipated trouble in carrying out the Indian treaties of 1805 and 1806. He proceeded with authority to give Black Fox \$1,000 and a rifle in a secret agreement for his future aid if necessary in upholding these treaties.<sup>30</sup>

#### The Iron Ore Treaty, December 2, 1807

Colonel Elias Earle had a great desire to establish some iron works with "smith shops in the Cherokee nation, in the vicinity of Hiwassee." Colonel Meigs was requested to meet with the chiefs and ascertain their attitude on the subject after explaining the purpose and the benefits the iron works would afford the Cherokee people. A suitable location would necessarily involve one with timber, water, and high ground. This requirement in the selection of the proper location would be left to Colonel Earle.<sup>31</sup>

Meigs, after consultation with Indian leaders, told Colonel Earle that the chiefs were enthusiastic about his iron and smithy project in

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<sup>28</sup> John P. Brown, Old Frontiers (Kingsport, Tennessee: Southern Publishers, Inc., 1938), p. 453.

<sup>29</sup> Ibid.

<sup>30</sup> Amer. State Papers, Ind. Affs., I, p. 273.

<sup>31</sup> Dearborn to Meigs, February 20, 1807, Secretary of War, Letters Sent, Indian Affairs, B, p. 284.

their nation. Meigs mentioned "Valley towns, waters of Chicamauga Creek and a place not far from Muscle Shoals" as possible locations.

After a site had been selected, negotiations would be in order with the chiefs. There was no doubt in the agent's mind but that a treaty could be made satisfactory to all parties concerned. All available aid would be given to make the project a success.<sup>32</sup>

Commissioner Meigs negotiated a treaty with the Cherokees, December 2, 1807, obtaining a small tract of land six miles square at the mouth of Chicamauga Creek on the Tennessee River. Colonel Earle had selected this location previous to the negotiations. For this territory the United States agreed to pay the Cherokee nation the sum of five thousand dollars and one thousand bushels of corn as soon as the treaty was ratified by the United States Senate. It was also agreed that the United States would have the privilege of securing ore at the most suitable place available in case the amount failed on the tract selected. The opposition of Vann, an influential Indian chief, made the cession difficult to obtain.<sup>33</sup>

Meigs transmitted the treaty to the Secretary of War by Colonel Earle, December 3, 1807. Other information attached was that the creek was navigable for many miles from the river and the territory abounded in the necessities for the business, with respect to ease of transporting

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<sup>32</sup>Meigs to Colonel Earle, June 20, 1807, Records of the Cherokee Agency.

<sup>33</sup>Amer. State Papers, Ind. Affs., I, p. 753.



ore, timber and supplies. It was known that Chicamauga Creek was large and had sufficient depth and length throughout the tract. Meigs mentioned that while the cost seemed high in comparison with the cost of other cessions, it was low considering its value to the Government.<sup>34</sup>

President Jefferson, in placing the treaty before the Senate for ratification, explained the advantages of the tract and its ideal location for iron works. Among the advantages he mentioned an immediate settlement of Indians around the works; the production of cast and wrought iron needed by the Indians in their agricultural and industrial pursuits; its nearness at hand and the employment of Indian labor, all of which would result in friendly cooperation between the Government and the Indian nation.<sup>35</sup>

The Senate did not ratify the treaty, for it was ascertained that the ceded tract was in the state of Tennessee. The Senate postponed action in the hope that the state of Tennessee would relinquish its claims. The state refused, and the treaty was finally rejected, January 10, 1812.<sup>36</sup>

One year later, Colonel Earle made a second attempt to set up his "iron works and smith shops in the Cherokee nation." Again he was given permission to proceed with his plans. Meigs was requested to lend him aid in selecting a site and in holding any necessary conferences with the

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<sup>34</sup>Meigs to Dearborn, December 3, 1807, in Amer. State Papers, Ind. Affs., I, p. 753.

<sup>35</sup>Amer. State Papers, Ind. Affs., I, p. 752.

<sup>36</sup>Royce, "Cherokee Nation of Indians," p. 200.

chiefs.<sup>37</sup> This attempt was unsuccessful for the state of Tennessee had not relinquished its claims to the Chicamauga Creek site. However, this did not stop Colonel Earle. He secured permission from the same source for a third attempt in February, 1814.<sup>38</sup> One year later, Meigs and Earle attempted to negotiate with the Cherokees for a six mile square tract of land for the proposed iron works. It failed to materialize.<sup>39</sup> Even though Colonel Earle visited other sites for his proposed iron works, no evidence was found to indicate that he desired any site outside the state of Tennessee or the Chicamauga area, possibly because of the nearness to the center of the Cherokee nation. Finally on March 24, 1814, Meigs was advised "that \$985 had been paid Colonel Earle for damages sustained by him in the Cherokee country . . . which amount must be deducted from the Cherokee annuity."<sup>40</sup>

#### Treaty of September 14, 1816

Secretary of War Crawford made the initial plans to purchase all Indian lands north of the Tennessee River more than one year before the negotiations took place. The effort was in response to a united demand

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<sup>37</sup>Eustis to Meigs, May 14, 1812, Secretary of War, Letters Sent, Indian Affairs, C, p. 130.

<sup>38</sup>Meigs to Armstrong, February 3, 1814, Secretary of War, Letters Sent, Indian Affairs, C, p. 194.

<sup>39</sup>Royce, "Cherokee Nation of Indians," pp. 200-201.

<sup>40</sup>Ibid.

made by the representatives in Congress from Tennessee. Since no Indians lived on these lands except Colonel Lowry, it was thought they could be bought cheaply. A present to Lowry equal to his possessions would probably aid in the purchase of the entire area. The President desired that Meigs put forth every effort possible to purchase this cession at the next national council held by the Indians. The price was to be twenty thousand dollars in payments after ratification and five thousand dollars in presents, if necessary to obtain the Cherokee's consent. Secretary Crawford was told by the Tennessee representatives in Congress, that the Cherokees would probably sell in the fall the land the government intended to purchase. This tract lay "west of a line to be run due south from that point on the Tennessee which is intersected by the eastern boundary of Madison County, to the line agreed upon by the late treaty."<sup>41</sup> For this tract of land Meigs was to offer an "annuity of six thousand dollars in perpetuity." The Chickasaw tribe had claims to most of this land and for that reason it was thought the Cherokees would be willing to sell for the amount mentioned. The President relied upon the influence of Colonel Meigs for a satisfactory negotiation of this treaty.<sup>42</sup>

The Indian commissioners met the Cherokee representatives at Chickasaw Council House and Turkeytown, where the following treaty was negotiated: The Cherokee nation withdrew all rights and claims to lands lying south of the Tennessee River and west of a line

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<sup>41</sup>Crawford to Meigs, May 27, 1816, Secretary of War, Letters Sent, Indian Affairs, C, p. 365.

<sup>42</sup>Ibid.

. . . commencing at Camp Coffee, which is opposite the Chickasaw Island; running from thence a due south course to the top of the dividing ridge between the waters of the Tennessee and Tombigee rivers; thence eastwardly along said ridge, leaving the headwaters of the Black Warrior to the right hand until opposed by the west branch of Will's Creek; thence down the east bank of said creek to the Coosa River and down said river.<sup>43</sup>

This cession included the Cherokee lands previously acquired from the Creeks which Secretary of War Crawford (and Meigs) had given back to the Cherokees.

#### Treaty of July 8, 1817

The Assistant Secretary of War sent instructions to General Jackson to extinguish the Indian title to two Indian reservations within the Cherokee nation. The General was informed that the United States must be justified in her means of taking over this land. The consent of the entire tribe should be obtained and a treaty made to avoid any future dispute concerning the events. Yet, General Jackson was given authority to use other methods if acceptable to the United States.<sup>44</sup>

It was the duty of Meigs to make all arrangements for this conference, such as food and sleeping quarters for the participants, and their appearance for the talks. Meigs had all the plans completed and notified Jackson in March to this effect.<sup>45</sup>

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<sup>43</sup>Royce, Land Cessions, p. 682.

<sup>44</sup>George Graham to General Jackson, January 13, 1817, Secretary of War, Letters Sent, Indian Affairs, B, p. 2.

<sup>45</sup>Meigs to Crawford, March 25, 1817, Records of the Cherokee Agency.

# CHEROKEE TREATIES OF 1817 1819



MAP 4

From Bureau of Ethnology Vol XVIII

This treaty was finally negotiated in the summer. Two main tracts of land were ceded by the Cherokees along with private Indian reservations withheld by former treaties. The Indians met the commissioners at the Cherokee agency in Tennessee and ceded

. . . to the United States all the lands lying north and west of the following boundary lines; Beginning at the Indian boundary, the line runs from the north bank of the Tennessee River opposite to the mouth of Hywassee [sic] at a point on top of Walden's Ridge, where it divides the waters of Tennessee River from those of Sequatchie River; thence along said ridge southwardly to the bank of the Tennessee River, at a point near a place called the Negro Sugar Camp, opposite to the upper end of the first island above Running Water Town; thence westwardly a straight line to the mouth of Little Sequatchie River, thence up said river to its main fork; thence due west to the Indian boundary line.<sup>46</sup>

The other cession was a small tract in Georgia, east of the Chattahoochie River. Its boundary line

. . . began at the High Shoals of the Appalacky [sic] River and running thence along the boundary line between the Creek and Cherokee nations westwardly to the Chatahouchy [sic] River; thence up this river to the mouth of Sonque Creek; thence continuing with the general course of the river until it reaches the Indian boundary line, and should it strike the Turruran River, thence with its meanders down said river to its mouth, in part of the proportion of land in the Cherokee nation east of the Mississippi, to which those now on the Arkansas and those about to remove there are justly entitled.<sup>47</sup>

The private reservations made to Doublehead and others by the treaty of January 7, 1806, were ceded to the United States by this treaty of July 8, 1817.

The commissioners negotiating this treaty were General Andrew Jackson, Joseph McMinn and David Meriwether. Meigs was assigned to arrange

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<sup>46</sup>Royce, Land Cessions, p. 684.

<sup>47</sup>Stat. at Large, VII, p. 156.

all details and be a witness to the proceedings.<sup>48</sup> The Indian agent performed his services as usual in a satisfactory manner.

Treaty of February 27, 1819

A provision of the treaty of 1817 prepared the way for an exchange of lands already occupied in the west and resulted in this treaty of 1819.

Meigs made the way smoother for carrying on the negotiations with the Cherokee chiefs at Washington by sending a letter to Secretary Calhoun in which he named the delegates whose authority and opinions were held in high esteem by the tribe. The other representatives had little experience and could be expected to follow the leaders.<sup>49</sup>

The treaty was negotiated between John C. Calhoun and the appointed chiefs of the Cherokee nation with Meigs as an important witness to the proceedings. The results of the negotiations were as follows:

The Cherokee nation cedes to the United States all of their lands lying north and east of the following line, viz: beginning on the Tennessee River at the point where the Cherokee boundary with Madison County, in the Alabama territory, joins the same, thence along the main channel of said river to the mouth of the Highwassee [sic]; thence along its main channel to the first hill which closes in on said river, about 2 miles above Highwassee Old Town; thence along the ridge which divides the waters of the Highwassee and Little Tellico to the Tennessee River at Tallasee; thence along the main channel to the junction of the Coosa and Nanteyalee; thence along the ridge in the fork of said river to the top of the Blue Ridge, thence along the Blue Ridge to the Unicoy Turnpike road; thence by a straight line to the nearest main

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<sup>48</sup> Royce, Land Cessions, p. 684.

<sup>49</sup> Meigs to Calhoun, February 9, 1819, Records of the Cherokee Agency.



source of the Chestatee; thence along its main channel to the Chatahouchee [sic]; and thence to the Creek boundary. All islands in the Chestatee and a few in the Tennessee and Highwassee belong to the Cherokees, except Jolly's island which was privately owned.

Most of the small reservations were included in this cession. However, "from the above cession 31 tracts of 640 acres each were reserved for individuals." It was also agreed that every head of an Indian family who would become a citizen of the United States should receive 640 acres.<sup>50</sup>

The state of Tennessee denied the validity of the Cherokee reservations. In 1820 trouble arose between the authorities of Tennessee and a surveyor, Robert Houston, who was entrusted to survey the individual reservations provided for under the treaties of 1817 and 1819. The legislature refused to confirm all such reservations and Houston was given orders by state officials to cease the survey.<sup>51</sup>

The successful negotiation of the Cherokee Indian treaties was due more to the efforts and influence of Colonel Meigs than to any other person. From years of experience among the tribe, he knew the necessary procedure in arranging for the talks which resulted in the acquisition of Indian lands by treaties.

Although Meigs was the key man in the negotiation of Cherokee treaties which resulted in dispossessing Cherokees of their lands, the agent never doubted their loyalty to the United States. His faith in their allegiance was confirmed when they offered their military services against the British in the War of 1812.

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<sup>50</sup> Stat. at Large, VII, p. 195; Royce, Land Cessions, p. 696.

<sup>51</sup> Royce, "Cherokee Nation of Indians," p. 232.



## CHAPTER IV

### THE CHEROKEES AND THE WAR OF 1812

#### British Influence and the Efforts of Tecumseh

In their quest for friendship and aid to stem the crises, British Canada and the United States were both seeking Indian alliances in 1808. The land hungry whites had placed the Federal Government at a disadvantage and its efforts were futile. After this attempt failed the United States plead for Indian neutrality.<sup>1</sup>

The spread of the western settlements were increasing year by year. Since there was no effort on behalf of the Federal Government to conciliate the southern tribes, the Indians were enraged and became fit subjects to plot revenge. The British traders were liberal in distributing small presents of various kinds to the Indians which placed them in a more favorable disposition toward the English government.<sup>2</sup>

Tecumseh, an orator and Indian chief from the Northwest, visited the southern Indians in 1811 for the purpose of organizing them into a confederacy to resist the westward advance of the white settlers. His oratory created great excitement among the Creek warriors and was effective in developing a war party, which "anxiously awaited the opportunity to strike."<sup>3</sup> Tecumseh's visit to the Cherokees, seeking cooperation, was

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<sup>1</sup>Abel, "Indian Consolidation," p. 263.

<sup>2</sup>Ibid., p. 261-262.

<sup>3</sup>Hamer, Tennessee: A History, I, p. 220.

a failure owing to the fact that it coincided with the activities of some "medicine men and old chiefs in reaction to the Cherokee aping of white man's ways." Their preaching was put to a test, failed, and Tecumseh's organizing efforts "became associated with the ridicule that followed and was rejected by the Cherokees."<sup>4</sup>

### The Necessity of Cherokee Allegiance

When the war clouds of 1812 began to form, the Cherokees were aware of the approaching hostilities. The young chiefs asked to be permitted to offer their services on the side of the United States. They offered to enlist a number of young men for this service "on the same terms of pay and emolument" as received by soldiers of the United States' Army. Meigs mentioned this to show that the young men would not remain idle spectators should war be declared.<sup>5</sup>

If war were to be declared the fighting services of the Cherokees would not be needed as much as their favorable attitude toward the United States. The Secretary of War had this in mind when he sent an important circular letter to the southern Indian agents informing them that war had been declared with Great Britain. He advised that "your vigilance and attention are necessary in your agency" at the present. In the execution of their duties and performance, they were to spare no expense "to keep the Indians quiet and friendly."<sup>6</sup>

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<sup>4</sup>Starkay, The Cherokee Nation, pp. 22-23.

<sup>5</sup>Meigs to Bustis, May 5, 1812, Records of the Cherokee Agency.

<sup>6</sup>Bustis to Meigs, June 9, 1812, Secretary of War, Letters Sent, Indian Affairs, C, p. 137.

It was thought necessary that something be done to keep the Cherokees kindly disposed toward the Government. In one of the directives to the agency, Meigs was given permission to deliver plows and agricultural implements, provided the Indians remained amicable.<sup>7</sup> This was one of the methods used by the War Department in its attempt to hold the friendly attitude of the Cherokees during this critical period.

Meigs was sincere in requesting that the Indians be granted an opportunity to fight in this war. He thought the employment of the best young chiefs and men would have the desired effect of maintaining their attachment to the United States. The interest of the Cherokees in the war was very important, Meigs said, as "they owe the United States more than they are able to pay, for their protection, for their existence as a nation at this time, for raising them from a state of hunters to cultivators, herdsmen and manufacturers."<sup>8</sup>

#### Active Participation

The Cherokees had received threats from the Creeks and had been the recipients of depredations committed by that tribe. The old chief, Pathkiller, could not stand idly by and let the Creeks have their way, and therefore he arranged to have an army of Cherokees join the Jackson forces.<sup>9</sup> According to Marion Starkey, "The Ridge, a prosperous trader

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<sup>7</sup>Eustis to Meigs, July 26, 1812, Secretary of War, Letters Sent, Indian Affairs, C, p. 143.

<sup>8</sup>Meigs to Armstrong, July 30, 1813, Records of the Cherokee Agency.

<sup>9</sup>Starkey, The Cherokee Nation, p. 23.

and planter at the head of Coosa, was credited with recruiting 800 Cherokees to fight the Creeks and had been rewarded by Jackson with the title of major.<sup>10</sup>

The final battle fought against the Creeks was at Horse Shoe Bend on the Tallapoosa River in southern Alabama. General Jackson had the Cherokee forces in the rear guarding supplies or stationed to cut off the retreating Creeks if necessary. When the battle was going against Jackson's troops and the lines of the Creeks could not be broken, the Cherokee forces refused to be held back. Several Indians swam the river, returned in Creek canoes and transported their men (Cherokees) back across in large numbers. The Indian attack was "in hand-to-hand combat without cover." This attack divided the Creek warriors and the result was a victory for General Jackson and his allied forces.<sup>11</sup>

#### The Cherokee-Creek Boundary Dispute

A treaty was negotiated with the Creek nation at the Council House at Fort Jackson on August 9, 1814.<sup>12</sup> The Cherokees claimed a portion of the land ceded to the United States by this treaty. A close examination of the stated boundaries proved "that no less than

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<sup>10</sup>Ibid., p. 24.

<sup>11</sup>Ibid., p. 25.

<sup>12</sup>Weigs to Armstrong, August 9, 1814, Records of the Cherokee Agency.

four million acres of the land appropriated by Jackson was not Creek at all," but belonged to the Cherokees.<sup>13</sup> The Cherokees made their claims known in the spring of 1816 when another treaty, establishing a boundary between the Creeks and the Cherokees, was negotiated at Washington by the Secretary of War, Crawford. Meigs accompanied the Cherokee delegation to the seat of Government and aided in establishing the following boundary.<sup>14</sup>

The Cherokees declared and agreed that a line shall be run from a point on the west bank of Coosa River opposite the lower end of the Ten Islands in said river and above Fort Strother, directly to the Flat Rock or stone on said Bean Creek, which line shall be established as the boundary of the lands ceded by the Creek nation to the United States by said treaty of August 9, 1814, and of the lands claimed by the Cherokee nation lying west of the Coosa and south of the Tennessee rivers.<sup>15</sup>

General Jackson defended himself with one tirade after another, all to justify what he had done in the Creek treaty at Fort Jackson.<sup>16</sup> Secretary of War Crawford returned a forceful reply. He spoke of a paper produced by a Cherokee deputation of the previous winter, which taken as a whole, designated the boundaries agreed upon by the parties concerned. Jackson was acquainted with these facts. The Secretary added that "the note at the bottom asserts that the execution of a convention was deferred upon your advice." All evidence points to the fact that the Cherokee contention over their ceded land in the Creek treaty was just.<sup>17</sup>

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<sup>13</sup>Starkey, The Cherokee Nation, p. 26.

<sup>14</sup>Walker, Torchlights to the Cherokees, p. 14.

<sup>15</sup>Loyce, Land Cessions, p. 680.

<sup>16</sup>Jackson to Crawford, June 10, 1816, Records of the Cherokee Agency, Amer. State Papers, Ind. Affs., II, p. 110.

<sup>17</sup>Crawford to Jackson, June 19, 1816, Amer. State Papers, Ind. Affs., II, p. 112.

General Jackson also had other troubles concerning the Creek treaty. Following this treaty at Fort Jackson, settlers moved into the territory comprising in part four million acres claimed by the Creek and Choctaw nations. When Jackson's underhanded procedure became apparent, the settlers were reluctant to remove from their new domicile and Jackson was in sympathy with them. This sympathy is revealed when Crawford tells Jackson that "the idea attempted to be imposed upon the public by the intruders, that they are ready to remove from their settlements as public property, but not as Indian land, is too shallow a device to deceive the most inconsiderate." Jackson was given orders to terminate this delusion immediately.<sup>18</sup> Nevertheless, Jackson was slow in complying with this directive and Meigs continued to insist that the intruders be removed and the delusion cast aside.<sup>19</sup>

Instead of the intruders being removed, the disputed territory was purchased from the Cherokees in the treaty of September 16, 1816, and the intruders became legal settlers.

#### General Jackson's Lack of Recognition

It is difficult to understand why General Jackson showed his lack of respect for the Cherokee warriors after the battle of Horse Shoe Bend.

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<sup>18</sup> Crawford to Jackson, July 1, 1816, ibid., p. 113.

<sup>19</sup> Meigs to Crawford, August 8, 1816, ibid.

Nowhere does he give credit to the heroism of individual Cherokees for their part in this battle or for the services of the Indian forces as a whole. We have evidence that there were Indian heroes in this battle, for later President Madison recommended, via the Secretary of War, that "a good rifle gun" be given to Charles Reese and two Cherokee warriors for their gallant conduct in the engagement with the Creeks at "Horse Shoe Bend." Meigs was given further instructions to secure three medals from "the superintendent of Indian trade and present them to these deserving men."<sup>20</sup>

When General Jackson denied that the Cherokee nation had suffered any damage or given their services in the Creek war, agent Meigs upheld the Cherokees and made this indignant reply:

It may be answered that thousands witnessed both; that in nearly all the battles with the Creeks and the Cherokees rendered the most efficient service, and at the expense of the lives of many fine men, whose wives and children and brothers and sisters are mourning their fall.<sup>21</sup>

#### Compensation for Losses

The Cherokees likewise suffered losses of personal property during the Creek campaign. The Indian soldiers filed a statement of claims for spoiliations on their property by part of the Tennessee troops in the expedition against the hostile Creeks. This application for damages was

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<sup>20</sup>Crawford to Meigs, May 4, 1816, Secretary of War, Letters Sent, Indian Affairs, C, p. 340.

<sup>21</sup>Meigs to Crawford, August 19, 1816, in Amer. State Papers, Ind. Affs., II, p. 97.



made to the War Department and included the loss of cattle, horses, hogs, cows, sheep, and corn. The amount demanded totaled \$4,344.10.<sup>22</sup>

Compensation for these losses was a small item in comparison to what the Cherokees felt they deserved. In their opinion the Creeks should be required to cede to them sufficient land to pay for their damage and the cost of the campaign against them.<sup>23</sup>

Meigs felt that the Cherokee claims were just and requested Jackson to permit him to speak in behalf of the Cherokees. A memorial was sent to General Jackson concerning the heroic service rendered by the Cherokees at Horse Shoe Bend as well as the losses of personal property sustained while the warriors were in service.<sup>24</sup>

General Jackson was sorely offended by these remarks concerning the Cherokees and gave expression to his thoughts in two letters to Colonel Meigs at Hiwassee "in which he made use of strong language in reprobating the convention with the Cherokees, both with respect to boundary and the grant to indemnify the Cherokees for spoliation on their property." The hero of New Orleans requested an explanation concerning the destruction of Cherokee property and was promptly supplied by Meigs with copies of all the claims and satisfactory explanations.<sup>25</sup>

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<sup>22</sup>Meigs to Armstrong, May 4, 1814, Records of the Cherokee Agency.

<sup>23</sup>Ibid., May 15, 1814.

<sup>24</sup>Armstrong to Meigs, May 31, 1814, Secretary of War, Letters Sent, Indian Affairs, C, p. 168.

<sup>25</sup>Meigs to Crawford, August 19, 1816, in Amer. State Papers, Ind. Affs., II, pp. 113-114.



When annuities to the Cherokees were paid, they were usually allocated to take care of individual claims which were substantiated by proof. This was the method used by the War Department in settling the horse thefts, damage cases and cases of bribery mentioned in previous chapters. Meigs was instructed to divide the sum of \$955.24, allocated from the Cherokee annuity of 1815, among the Cherokee warriors for their services in the recent war.<sup>26</sup>

#### Pensions

The United States Government gave recognition to the Cherokee warriors of the Creek campaign by notifying those next of kin that their applications for pensions would receive consideration. The relatives of all Indians losing their lives (killed or died from wounds later) in the service of the United States would receive the same pension as those in a similar position among the white populace. The pension would be forty-eight dollars per year for the common soldier and one-half the salary of officers. Should the widow marry again, their children would receive the benefits. The pensions would be granted for five years and those eligible would be determined by agent Meigs after proof had been ascertained.<sup>27</sup>

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<sup>26</sup>Monroe to Meigs, August 20, 1815, Records of the Cherokee Agency.

<sup>27</sup>Graham to Meigs, August 13, 1817, Secretary of War, Letters Sent, Indian Affairs, D, p. 77.

The granting of pensions was a slow process. All claims of pensions had to be adjusted for those whose relatives fell in the War of 1812.<sup>28</sup> Almost five years after the close of the war, warrants were issued by the Secretary of War, drawn on the United States Treasury Department for the sum of \$453.80. This money was given to the widows and orphans of those Cherokees who fell at Horse Shoe Bend.<sup>29</sup>

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<sup>28</sup> Calhoun to Meigs, September 5, 1818, Records of the Cherokee Agency.

<sup>29</sup> Ibid., December 16, 1819.

## CHAPTER V

### INDIAN REMOVAL

#### Early Efforts in Jefferson's Regime

The first emigration movement of the Cherokees was inaugurated when a few families, dissatisfied with the terms of the treaty of Hopewell, 1785, embarked in small boats and "descending the Tennessee, Ohio, and Mississippi rivers, reached and ascended the Saint Francis . . . formed a settlement and later moved to a location on White River." Other dissatisfied families joined this settlement from time to time.<sup>1</sup>

Thomas Jefferson in 1803 stated in a confidential message to Congress, that he favored the "removal of these tribes beyond the Mississippi." Congress passed an act, March 26, 1805, dividing the Louisiana Purchase into two divisions. These divisions were known as the Louisiana and Orleans territories. This act also appropriated \$15,000 to enable President Jefferson to carry out his plan of initiating Indian removal to the upper (Louisiana) territory.<sup>2</sup> The plan was not immediately set in motion as there is no evidence that agent Meigs was given at that time any instructions to propagate the idea.

No large migrations of Cherokees occurred during the first years of Jefferson's regime. After the treaties of 1805 and 1806, there was

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<sup>1</sup>Royce, "Cherokee Nation of Indians," p. 204.

<sup>2</sup>Ibid., pp. 202-203.

an increase in the number of families removing to the Arkansas. This encouraging fact was made known in 1808 when Meigs reported that a large number of Cherokees had migrated to the trans-Mississippi territory.<sup>3</sup>

Meigs talked with many of the Cherokee chiefs and found them favorably inclined toward industry and desirous of improving their situation. The agent believed the objects of their pursuit could best be attained by an exchange of land for tracts of equal amounts beyond the Mississippi. There they would find excellent hunting grounds as well as the protection and fostering hand of the government. "Their existence as a distinct people depends on their migration. . . . A general idea of an exchange is that they shall have an equal extent of land as they now hold here."<sup>4</sup>

#### Beginnings of Indian Removal

Arrangements for the transfer of land for territory west of the Mississippi River were started in the latter part of Jefferson's regime.<sup>5</sup> Meigs submitted a plan to the War Department for this exchange and recommended that the emigrants have aid in the way of a factor, mills and mechanization if they expected to become self-sufficient.<sup>6</sup> This plan or

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<sup>3</sup>Meigs to Sevier, April 11, 1809, Records of the Cherokee Agency.

<sup>4</sup>Meigs to Dearborn, June 3, 1808, ibid.

<sup>5</sup>Meigs to Armstrong, June 24, 1814, ibid.

<sup>6</sup>Meigs to Eastis, August 17, 1809, ibid.

proposition was handed to the President for his consideration. The problem of removal was of great interest to the Cherokee nation as well as to the United States and was a major one in its scope. A gradual emigration by families seemed to be more logical than emigration by large parties.<sup>7</sup>

The Government began immediately to plan for a gradual removal of the tribe to the West. The War Department intended to allocate four hundred and fifty dollars for use in the purchase of agricultural tools for the Cherokee nation and the use of schools. The agent believed this help should be given in the interest of creating better feelings and would result in a more sincere spirit of cooperation on the part of the Cherokees in this project.<sup>8</sup>

After a delegation of Cherokee Indians visited the country on the White and Arkansas rivers in 1809, agent Meigs reported that as many as two thousand "signified their intention of removal as early as the autumn of that year." Meigs was advised to discourage the emigration of so large a number owing to the financial condition of the War Department and the huge expense involved. The plan was stalemated until the spring of 1811, when Meigs was advised by his superiors that conditions were proper, and was requested to revive interest "on the subject of a general removal and exchange of lands."<sup>9</sup> Little progress had been made

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<sup>7</sup>Smith to Meigs, November 1, 1809, Secretary of War, Letters Sent, Indian Affairs, C, p. 6.

<sup>8</sup>Eustis to Meigs, February 16, 1810, ibid., p. 16.

<sup>9</sup>Royce, "Cherokee Nation of Indians," p. 203.

toward this objective when the War of 1812 intervened, causing a cessation of efforts toward this end. It was almost two years after the end of the war before the War Department again turned its attention to the subject of Indian emigration.

Meigs agreed with Secretary of War, Crawford, that the existence of the Cherokee tribe depended on the relinquishment of "their savage rights and customs" and the acceptance of civilized practices in agriculture, industry and the ways of obtaining an education, mainly in schools. The agent admitted the necessity of a large expenditure of money to carry out a complete emigration, yet he pointed out that the gains to South Carolina, Tennessee and Georgia would be many times the cost. A just compensation to effect the removal and satisfactory establishment beyond the Mississippi would probably cost one hundred thousand dollars. Meigs believed this amount reasonable, considering the great losses incurred by the Cherokees in land transactions since 1785. The Indians, in transacting negotiations, always received the consent of the tribe, thus delaying action. Colonel Meigs believed that the subject relating to the exchange of lands should be placed before the tribe on printed copies several months in advance of the negotiation. The negotiations should be held in Washington.<sup>10</sup> The only suggestion of Meigs that Secretary of War, Crawford, agreed to was the latter. This was shown eight months later when Colonel Meigs sent an Indian deputation to the national capitol,

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<sup>10</sup> Meigs to Crawford, November 8, 1816, Amer. State Papers, Ind. Affs., II, p. 116.

July 8, 1817. The negotiations with Secretary Crawford resulted in a cession of two large tracts of land which were in exchange for a similar amount "on the Arkansas and White rivers" adjoining the territory of the Osages.<sup>11</sup>

Before the treaty was ratified and in the summer of 1817, Meigs reported that "within a month . . . over 1700 Cherokees had already enrolled themselves for removal the ensuing fall."<sup>12</sup> The removal of part of this number was probably due to the influence of friends and relatives in the West. It was evident that the call of blood ties remained strong, for when runners were sent to the eastern group seeking aid for their contemplated war with the Osage tribe, the nation responded with warriors, and following the victory, they received a portion of the spoils. According to Brown the "Osage War had a unifying effect on the Eastern and Western Cherokees, and caused them to feel that regardless of separation, they were still one people."<sup>13</sup>

#### Preparations for Indian Removal

Colonel Meigs left no stone unturned in his effort to comply with the directives of the Secretary of War. He gave every encouragement to

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<sup>11</sup>Royce, "Cherokee Nation of Indians," p. 216.

<sup>12</sup>Ibid., p. 218.

<sup>13</sup>John Brown, Old Frontiers, pp. 475, 476.

the removal of the Charokees beyond the Mississippi River in accordance with the treaty of 1817.<sup>14</sup>

The Assistant Secretary contracted with Mr. Rockbold for sixty boats to be delivered to Colonel Meigs for transporting all the Indians who desired to remove to the Arkansas. The Indian agent was requested to purchase all the flour and meat necessary for the westward journey. Other necessities would be furnished later. Mr. Rockbold also contracted to furnish "four tons of lead and a ferry boat," the latter to be left with the factor at the Chickasaw Bluffs to transport across the Mississippi River those Indians who desired to go by that route. The War Department would forward "five hundred kettles and stoves and eight hundred blankets," all to be sent in "the first detachment of booty." Meigs was to keep the Department informed of the number of Indians leaving in the fall and spring. He was authorized to encourage them, mentioning free transportation, rations, presents, and the opportunity of selecting six hundred and forty acres of land of their choice in the Arkansas country along with the privilege of becoming citizens of the United States.<sup>15</sup> It was agreed by the treaty of 1817 that the Charokees would relinquish to the United States their lands east of the Mississippi River in exchange for land on the Arkansas and White rivers in proportion to the number of the tribe moving west.<sup>16</sup>

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<sup>14</sup>Boyce, "Cherokee Nation of Indians," p. 215.

<sup>15</sup>Graham to Meigs, August 9, 1817, Secretary of War, Letters Sent, Indian Affairs, D, p. 71.

<sup>16</sup>Stat. at Large: Ind. Affs., VII, p. 156.



It was Meigs' duty to see that the Indians assembled at the right time and place for the journey. The first detachment of boats was to be delivered about November 1, and earlier if possible. Since the supply of rifles could not be delivered at that time, one hundred rifles would be sent from Newport, Kentucky to the factor at Chickasaw Bluffs. Here each Indian making the journey was to receive "four pounds of powder and twelve pounds of lead" along with a new rifle.<sup>17</sup>

Meigs was given instructions later to require the army contractors of the state of Tennessee to furnish 38,640 rations of meat, flour and salt for the Cherokees registered for emigration to the West.<sup>18</sup> It has been estimated that the total value of the goods given to the Cherokees as an inducement to migrate to the Arkansas River was \$20,560. These goods included rifle guns, gunpowder, lead, flints, beaver traps, axes, hoes, and ploughs.<sup>19</sup>

The additional burdens on Meigs caused by the removal of the Indians west of the Mississippi made it necessary for him to have additional help. Meigs was requested to appoint Samuel Houston as assistant Cherokee agent at a salary of one thousand dollars per year with four rations added.<sup>20</sup>

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<sup>17</sup>Graham to Meigs, August 13, 1817, Secretary of War, Letters Sent, Indian Affairs, D, p. 74.

<sup>18</sup>Ibid., September 9, 1817 (page number lacking).

<sup>19</sup>A note of estimate on file (no date), Records of the Cherokee Agency.

<sup>20</sup>Graham to Meigs, September 29, 1817, Secretary of War, Letters Sent, Indian Affairs, D, p. 84.

The Indian removal program was lagging due to the pro- and anti-removal factions among the Indians. A representative delegation of Cherokees was sent to Washington and the old system of bribery was attempted.<sup>21</sup> "Talentisky [sic] was given one thousand dollars and each of the other delegates five hundred dollars." When this deputation of Indians left Washington, it was thought they appreciated the kindness and favors shown them. The War Department hoped that these representatives would react favorably to obtain the permission of the tribe for emigration west of the Mississippi River.<sup>22</sup> The Governor of Tennessee was asked to use his influence and assist Colonel Maigs in furnishing rations for all the Indians emigrating to the Arkansas.<sup>23</sup> The final act in preparing for the Indian removal was the official appointment of George Gillespie as commissioner to evaluate the improvements on the lands of the emigrants leaving for the trans-Mississippi journey.<sup>24</sup>

#### Emigration to the Arkansas and White Rivers

A passport was issued to chief John Jolley, January 26, 1818, who had "under his superintendence sixteen boats laden with Cherokee families

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<sup>21</sup>Calhoun to McMinn, March 16, 1818, Secretary of War, Letters Sent, Indian Affairs, D, p. 125.

<sup>22</sup>Ibid., p. 126.

<sup>23</sup>Calhoun to Maigs, March 26, 1818, Secretary of War, Letters Sent, Indian Affairs, D, p. 131.

<sup>24</sup>Calhoun to George Gillespie, March 31, 1818, ibid., p. 133.

and their property, on their way to the Arkansas River to enter on lands designated for them. . . .<sup>25</sup>

There is no record of the number of Cherokees who had moved west of the Mississippi by 1818, though there must have been several thousand. In 1810 a messenger arrived from the White and Arkansas rivers and informed Meigs that there were 1100 gunmen within that region.<sup>26</sup> This estimate probably included the Osage tribe as well as the Cherokees.

Meigs, no doubt, became discouraged at the attitude of the Cherokees. Pathkiller, the principal chief of the Cherokees, was opposed to removal and secured the passage of a law, by the National Cherokee Council at New Echota, giving the "death penalty" to any Cherokee who made "unlawful land deals." He told Meigs that "I love my country where I was raised," and "hope you have conscience to let me raise my own children in my own country."<sup>27</sup> These statements caused Meigs to say: "The Indians appear to have a greater dread of a well regulated community than of annihilation, and the last most assuredly awaits them as a nation if they will still refuse the offers of Government, their people will not stay here much longer" [sic].<sup>28</sup>

The number of Cherokees opposing the idea of exchanging their lands east of the Mississippi River for acreage in the West was gradually increasing. In 1819, Meigs sent a list of those Cherokees who had enrolled for

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<sup>25</sup>A note on file (no date), Records of the Cherokee Agency.

<sup>26</sup>Meigs to Eustis, July 25, 1810, Records of the Cherokee Agency.

<sup>27</sup>Starkey, The Cherokee Nation, pp. 48-49.

<sup>28</sup>Meigs to Governor McKinn, August 7, 1818, Records of the Cherokee Agency.

emigration under an alleged misunderstanding of the treaty of 1817, but desired to remain in their native country. There were 837 names on this list.<sup>29</sup>

The enthusiasm for removal among the Indians gradually bogged down in spite of constant efforts of the War Department to paint a glowing picture of life in the Arkansas country. This failure of a wholesale emigration was partly attributed to Calhoun's broken promises of granting citizenship to the Cherokees included in the treaties of 1817 and 1819. Also, the promise of granting reservations of land to the chiefs was forgotten.

Calhoun, the Secretary of War, expressed as follows his opinion concerning the lack of cooperation on the part of the Cherokees in their removal to the Arkansas:

It would have been a source of great satisfaction to me, if the Cherokee nation had assented to remove to the Arkansas. I believe our interest and their own would have been greatly promoted by it. This opinion I urged in my conferences with them but they appeared to me to be forced in their opposition to emigrating, and that for their efforts, besides, being accompanied with much expense, would be useless.<sup>30</sup>

In the partial removal of the Cherokees, the lack of cooperation on the part of the Indians proved rather expensive to the Government. In this removal some of the boats furnished by the Government failed to complete the trip, resulting in the necessity for the purchase of other boats by one

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<sup>29</sup>A note in the files (no date), Records of the Cherokee Agency.

<sup>30</sup>Calhoun to McKinn, May 6, 1819, Records of the Cherokee Agency.

# THE CHEROKEE NATION

1810 - 1838



MAP 5

From Starkey's The Cherokee Nation

of the chiefs. Meigs was authorized to pay this friendly Indian one hundred and fifty dollars in compensation for his expenditure. This individual chief expressed gratification for the tribe's new land on the Arkansas.<sup>31</sup>

The removal policy of the Government had made great strides under the Cherokee agent but was far from complete when death removed Meigs from the picture in January, 1823. After the treaties of 1816-1819, with the Cherokees and Chickasaws, Indian titles to all of Tennessee had been extinguished except a small part in the southeastern corner. Sixteen years elapsed before the Cherokees agreed to relinquish their title to this tract and adjoining territory in North Carolina, Georgia, and Alabama. They had a great desire to remain on this small part of their once great empire. But the people of Tennessee and Georgia could not be satisfied until every Indian title had been extinguished.<sup>32</sup>

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<sup>31</sup>Meigs to Calhoun, March 22, 1820, Secretary of War, Letters Sent, Indian Affairs, D, p. 386.

<sup>32</sup>Hamer, Tennessee: A History, I, p. 249.

## CHAPTER VI

### MEIGS AND THE MISSIONARIES

#### Early Efforts of the Missionaries to Establish Schools

Many years before the initial emigration of the Cherokees west of the Mississippi River, missionaries had entered the Indian villages. In 1784, the Moravians of North Carolina made their first attempt to start a mission among the Cherokees. They sent Brother Martin Schneider to the Indian towns on the Little Tennessee River to seek permission to establish the mission school. Although the mission was for the benefit of the Indians, warfare was raging at this particular time and the missionary's efforts were fruitless.<sup>1</sup> Later, in September 1800, two other Moravian missionaries traveled to Tellico and were successful in securing permission from the Cherokee chiefs to establish a mission in that nation.<sup>2</sup> Reverends Steiner and Byhan began work on the mission in April, 1801. Colonel Meigs aided them in establishing the school on a site which was later called Spring Place.<sup>3</sup>

Previous to the establishment of this school, the Reverend Gideon Blackburn in 1799 had attempted to bring Christianity to the Cherokees. The Presbytery of Union in East Tennessee was not financially able at this time to aid him in his "designs." However, in 1803, the Reverend Mr.

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<sup>1</sup>John Brown, Old Frontiers, p. 466.

<sup>2</sup>Walker, Torchlights to the Cherokees, p. 26.

<sup>3</sup>Mooney, Myths of the Cherokee, p. 84.

Blackburn presented his plan, for teaching Indian children, to the general assembly of the Presbyterian Church. This plan was accepted. Then, foreseeing difficulties, he "waited on" President Jefferson and received recommendations from the Secretary of War and directions to Colonel Meigs to facilitate his project.<sup>4</sup> Meigs was instructed by Secretary of War Crawford to contribute a gift of money and land, from the Government, to this worthy project, and to enter into conferences with the chiefs and the Reverend Mr. Blackburn concerning a suitable location. The Government would furnish sufficient land and possibly two or three hundred dollars to aid the missionary in getting his school started.<sup>5</sup> The Presbyterian Board granted \$200 to Blackburn for two months of service and recommended that he seek financial aid from the people of Tennessee. From the latter source he collected \$430 and some books.<sup>6</sup>

The question of separation of church and state did not enter into the negotiations for government support of missions. All government money was allocated for the building and support of Indian schools. While it was known that the minister's objective was to introduce Christianity "as fast as the young minds could grasp it."<sup>7</sup> No mention was ever made of supporting the missions for religious purposes. The Government gave

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<sup>4</sup>Blackburn to Dr. Morse, 1807, in The Panoplist, conducted by an Association of Friends to Evangelical Truth (Boston: Lincoln and Edmands, 1808), No. 53, III, p. 39.

<sup>5</sup>Dearborn to Meigs, July 1, 1803, Secretary of War, Letters Sent, Indian Affairs, A, p. 354.

<sup>6</sup>Blackburn to Dr. Morse, 1807, The Panoplist, p. 40.

<sup>7</sup>Ibid., p. 85.



the missionaries a free hand in their teaching with the understanding that their instructions would not interfere with the Government's regulations for the Indians.<sup>8</sup> It is interesting to notice the restraints under which the Government granted permission to Blackburn to carry out his project. The establishment of an English school was required but the Government was to be under no obligation to finance it.<sup>9</sup>

The Reverend Mr. Blackburn was given the promise of a school by the Cherokees at the time of the distribution of the annuity, October, 1803. The school was located at Hiwassee Garrison and opened in the spring of 1804.<sup>10</sup> The school was quite successful and the missionary desired that the public take notice of his success. He transported the twenty-five "scholars" by canoe down the Hiwassee River to Tellico and paraded the students during the treaty negotiations of 1805. The Indians were greatly impressed and requested another school in the lower district of the nation. When Blackburn established this school on Sale Creek,<sup>11</sup> the Committee on Missions of the Presbyterian Church was unable to lend financial assistance for the new school. Therefore, Blackburn made a tour of the South and collected approximately \$1500 which gave the school security.<sup>12</sup> The missionary continued to have success in his attempt at

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<sup>8</sup> Dearborn to Blackburn, July 1, 1803, Secretary of War, Letters Sent, Indian Affairs, A, p. 355.

<sup>9</sup> Ibid.

<sup>10</sup> Blackburn to Dr. Morse, 1807, The Panoplist, p. 85.

<sup>11</sup> Ibid., December 14, 1807, p. 417.

<sup>12</sup> Ibid., January 15, 1808, p. 475.

civilizing the children; however, his health became impaired and he was compelled to leave his Indian schools in 1810.<sup>13</sup>

The experiment at Spring Place resulted in one of the finest schools established in the Cherokee nation. The Indians welcomed the Moravians and their work, and showed their gratitude by permitting the "American Board of Foreign Missions" in 1816 to send missionaries of the Baptist, Methodist, Congregational and Presbyterian faiths.<sup>14</sup> After the Creek War, these four mission groups carried their religious and educational efforts into various towns of the Cherokee nation. The Baptist and Methodist missionaries were active in establishing schools in the Valley Towns.<sup>15</sup>

The Reverend Elias Cornelius, an agent of the American Board of Missions, had sought and been granted permission from the War Department to visit the southern tribes of Indians and ascertain if cooperation could be secured in establishing institutions to train the children in the English language, agriculture, and the domestic arts. Meigs was instructed to lend aid in every way possible and to cooperate in a survey.<sup>16</sup> This project, Brainerd Mission, will be discussed in a separate division.

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<sup>13</sup>Brown, Old Frontiers, p. 468.

<sup>14</sup>Starkey, The Cherokee Nation, p. 30.

<sup>15</sup>Ibid., p. 31.

<sup>16</sup>Graham to Meigs, July 20, 1817, Secretary of War, Letters Sent, Indian Affairs, D, p. 61.

### Government Assistance in Indian Education

The Federal Government, for many years after the establishment of the Moravian school at Spring Place, was rather stingy in granting funds for the support of schools in the Cherokee nation. The Cherokee agent, Meigs, was instrumental in aiding the missionaries to establish schools but this help was mainly in service, with little money granted for building or maintaining the schools. However, the amount of funds was increased when results of the schools became better known. While Meigs never appealed directly to the War Department for school support, his numerous reports favoring the benefits of Indian schools probably aided in bringing about the increase in funds.

The Secretary of War, Henry Dearborn, informed the Reverend Mr. Blackburn that he had authorized Colonel Meigs to grant three hundred dollars "for the encouragement of the civilization of the Cherokee Indians." The President was highly pleased with the mission school thus established. The minister was praised for his benevolent work and was told that for his sacrifice he would receive many blessings.<sup>17</sup>

When the Reverend Gideon Blackburn's schools closed in 1810, only one institution in the Cherokee nation continued to function. This was the little Moravian school at Spring Place. It appeared to be in poor financial condition but received encouragement when "Meigs notified Mr.

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<sup>17</sup>Dearborn to Blackburn, November 12, 1806, Secretary of War, Letters Sent, Indian Affairs, B, p. 261.

Gambold, superintendent of the school, that the Government had agreed to give them [Moravian school] a grant of one hundred dollars per annum."<sup>18</sup>

There seems to have been slight progress in educating the Indian children until after the founding of the Brainerd Mission School in the fall of 1816.<sup>19</sup> The Government became more liberal both in furnishing materials and funds for school buildings and in annual grants of money.

The Reverend Humphery Posey, a missionary of Baptist faith, wrote Meigs relative to building a "seminary" in the Cherokee nation. He was informed that aid comparable to that given others would be granted to him for establishing a school. Meigs was ready to make a contract for the buildings as soon as the missionary furnished a plan or description of the structures and their location.<sup>20</sup>

The schools varied in size and number of students and for this reason Government aid varied in the amount of funds granted each. However, by 1820, the schools at Spring Place and Brainerd were receiving \$250 each per year. The payments were made on a quarterly basis.<sup>21</sup>

The Government decided on a new method of granting aid to the Indian schools in the Cherokee nation at this time. Tuition was paid by the Government based on the number of pupils attending. Coinciding with

<sup>18</sup>Walker, Torchlights to the Cherokees, p. 31.

<sup>19</sup>Ibid., p. 42.

<sup>20</sup>Meigs to Reverend Posey, March 18, 1820, Records of the Cherokee Agency.

<sup>21</sup>Calhoun to Meigs, April 10, 1820, Secretary of War, Letters Sent, Indian Affairs, B, p. 399.

this new method of payment, Colonel Meigs received orders and a warrant for \$1533 to be used for school buildings in the Valley Towns and at Brainerd. The sum of \$2370 had already been spent for buildings at Brainerd. Secretary of War Calhoun thought more money should be used to increase the school facilities in the Valley Towns.<sup>22</sup>

Since the establishment of the school at Spring Place, the Government had gradually increased its support of the schools in the Cherokee nation. The Government in 1822 granted \$1,000 per annum to the American Board of Foreign Missions for school purposes.<sup>23</sup>

#### Brainerd Mission School

The plans for what later became Brainerd Mission began to take form when, upon the application of the Reverend Cyrus Kingsbury, President Madison approved of establishing schools in the Cherokee nation and promised to lend aid to the undertaking in every way possible. It was requested that Colonel Meigs see to the construction of a suitable school building and a house for the teacher. Also, he was directed to furnish agricultural tools sufficient for teaching the students to cultivate the soil. A loom, spinning wheels and cards would be furnished if needed.<sup>24</sup>

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<sup>22</sup>Calhoun to Meigs, May 16, 1821, Secretary of War, Letters Sent, Indian Affairs, E, p. 98.

<sup>23</sup>Ibid., October 2, 1822, p. 349.

<sup>24</sup>Crawford to Kingsbury, May 14, 1816, Secretary of War, Letters Sent, Indian Affairs, C, p. 349.

The next step in the procedure for establishing the school in the Cherokee nation was to obtain permission from the Cherokee chiefs and this was accomplished in the fall of 1816. The Cherokee chiefs and Creeks met in council at Turkeytown, on the Coosa River in northeastern Alabama, for settling boundary disputes and other business. After this business was transacted the Reverend Cyrus Kingsbury was introduced to the Cherokee delegates by General Andrew Jackson. The General "very politely introduced the subject of schools and urged the importance of educating their children." Kingsbury, in an address to the chiefs, stated his object: that the missionaries would establish a school, teach their children and feed them in so far as they were able. He requested that the chiefs give him an answer immediately so he could inform the society that had sent him.<sup>25</sup> The chiefs gave him a favorable answer that night and appointed one of their head men, the Glass, to aid Kingsbury in selecting a suitable location for the school.<sup>26</sup> The site selected was southeast of present-day Chattanooga, a plot of 160 acres located on the south side of Chicamauga Creek. The Government paid \$500 for the land.<sup>27</sup>

Meigs was given authority to attend to the construction of sufficient houses, and "to aid in the effort to gain the attendance of the Indian youths." The United States would furnish the necessary supplies and equipment. The Indian agent, realizing the necessity for the school

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<sup>25</sup>Walker, Torchlights to the Cherokees, p. 18.

<sup>26</sup>Ibid., p. 19.

<sup>27</sup>John Brown, Old Frontiers, p. 469.

buildings, sought out Robert Gamble, a carpenter, and signed a contract with him to have the buildings erected for Kingsbury. The materials were to be wood and clay.<sup>28</sup> It was a slow process but the building was finally completed at a total cost of \$1748.75.<sup>29</sup>

The Brainerd Mission school, like most other schools, was compelled to make regulations concerning attendance after a student enrolled. Each student was required to complete his education or else be forced to pay board and room or tuition for his stay at the school. Authority was likewise granted the missionaries to take any student out of school and put him in a trade attached to the mission.<sup>30</sup> The school had the distinction of being the first Indian school in North America to give instruction in systematic and scientific agriculture, and in trades, domestic science, and domestic arts.<sup>31</sup>

It was pleasing to the chiefs and to Meigs when President Monroe laid aside his duties at Washington and made a visit to the seminary at Chicasauga, re-christened Brainerd. The fact that his visit was quite sudden enabled him to get a first-hand working knowledge of the mission and to make suggestions for improving the housing situation. He suggested that a two-story building with glass windows be erected for the use of the girls. Before his departure, he directed a letter to the agent giving

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<sup>28</sup>Meigs to Crawford, February 12, 1817, Records of the Cherokee Agency.

<sup>29</sup>Meigs to Calhoun, June 10, 1818, ibid.

<sup>30</sup>Walker, Torchlights to the Cherokees, p. 144.

<sup>31</sup>Ibid., p. 146.



further instructions for Meigs to defray the expenses of erecting the proposed building.<sup>32</sup> The President's request was followed and the next year Meigs was given instructions to pay the entire bill for erecting the proposed building at Brainerd, provided it did not cost more than one thousand dollars.<sup>33</sup> Meigs expressed his gratitude to the President and told him of the favorable reaction his visit had on the Indians.<sup>34</sup>

The school at Brainerd, though not the first one established in the Cherokee nation, was considered the center of educational activities among those Indians. The Secretary of War spoke of its enlightenment of and influence upon the Cherokee people. Also, he mentioned its satisfactory results and its influence in the establishment of other schools.<sup>35</sup>

#### The Case of the Osage Children

There are numerous sad cases in Indian history of copper-colored children being held as captives by the conquerors after an Indian war or battle. The Cherokee tribe was no exception. They and their allies returned to their native locations with young captives after the Cherokee-Osage War.

The Reverend Elias Cornelius, while on his way to New Orleans on mission duties, was delayed by the swollen waters of Caney Creek in what

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<sup>32</sup>Ibid., p. 99.

<sup>33</sup>Calhoun to Meigs, November 16, 1820, Secretary of War, Letters Sent, Indian Affairs, E, p. 31.

<sup>34</sup>Meigs to President Monroe, September 17, 1819, Records of the Cherokee Agency.

<sup>35</sup>Calhoun to Hoyt, December 12, 1821, Secretary of War, Letters Sent, Indian Affairs, E, p. 205.



is now northern Mississippi. He had the opportunity of interviewing a group of Cherokee warriors returning from the Cherokee-Osage campaign in Arkansas. Here he saw one of the children captives, a small Osage girl about five years old. Before departing, the missionary requested that the child be placed in the school at Brainerd. The Indian owner intimated that he might be willing to sell her.<sup>36</sup> At Natchez, Mississippi, after entertaining friends with the story of meeting the group of Cherokees and the young prisoner, Cornelius was handed one hundred and fifty dollars by one Lydia Carter, to be used to redeem the Osage child.<sup>37</sup>

The missionary wrote a letter to the Secretary of War, explaining the finding of the Osage child and seeking his help in bringing the prisoner to the Brainerd Mission.<sup>38</sup> Also, he wrote a similar letter to Meigs expressing his desire that the little Osage girl be placed in school at Brainerd.<sup>39</sup> Meigs was likewise requested by the Secretary of War to "secure the child and place her in the Brainerd school."<sup>40</sup>

The child was brought to Brainerd the latter part of September and was "christened Lydia Carter, in honor of the generous woman of Natchez." The child was adopted by Mr. and Mrs. Chamberlain, who "assumed the responsibility of giving her an education."<sup>41</sup>

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<sup>36</sup> Walker, Torchlights to the Cherokees, pp. 72-73.

<sup>37</sup> Ibid., pp. 74-75.

<sup>38</sup> Elias Cornelius to Calhoun, July 17, 1818, Records of the Cherokee Agency.

<sup>39</sup> Elias Cornelius to Meigs, ibid.

<sup>40</sup> Walker, Torchlights to the Cherokees, p. 76.

<sup>41</sup> Ibid., pp. 76-77.

This little captive was not the only one held in the Cherokee nation. A missionary teacher, Mr. A. Hoyt, wrote Meigs that the little Osage girl had a sister who belonged to a man by the name of Fields in the lower part of the nation. This man also had a small boy captive. Hoyt stated that, with the President's permission, the mission would like very much to bring these children to Brainerd and place them in the mission school.<sup>42</sup>

Mr. Hoyt and his son, Milo, made a journey of 300 miles in search of the captives. It was disappointing to have to return without them since their owner would not release them.<sup>43</sup> The missionaries, however, did not give up in their efforts to rescue the boy. The following autumn, John Ross offered his services to that end and Colonel Meigs "gave young Ross a letter authorizing him to bring the Osage boy to the Brainerd Mission." He traveled to the mouth of the Catawba River, where he found the boy nude and playing in the yard of his owner. Ross would not take no for an answer and thirteen days after leaving Brainerd he was back with the boy.<sup>44</sup>

The Osage children, especially Lydia, became closely attached to their benefactors. Lydia thought of them as her mother and father and they thought of her as their daughter. This harmonious state of affection

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<sup>42</sup>Hoyt to Meigs, October 23, 1818, Records of the Cherokee Agency.

<sup>43</sup>Walker, Torchlights to the Cherokees, p. 77.

<sup>44</sup>Id., p. 78.

was not to last, for peace terms were being arranged between the Osage and the Cherokee tribes. It was known that one of the demands of the Osage Indians would be "for the return of the children who at first had been taken prisoner."<sup>45</sup> The sorrowful news came to the Mission in the summer of 1820. The Reverend Mr. Hoyt was called upon to deliver his Osage children at Brainerd. Governor Miller of the territory made this request of Meigs,<sup>46</sup> and the children were returned in accordance with the instructions. Lydia Carter, being frail in body, died soon after reaching the Arkansas Territory. John Osage Ross was adopted by Governor Miller and became a saddler by trade. Lydia's elder sister was never rescued by the missionaries because of her age when taken prisoner. This Osage girl married a young Cherokee before the peace terms were arranged. However, in accordance with the peace terms, she was surrendered to the Osage which was definitely against her wishes.<sup>47</sup>

The Government never sanctioned or considered it proper to sell Indian captives, though they permitted the transaction. For that reason no pay was forthcoming from the United States to repay owners of any of the Osage prisoners (children), for they were not salable as slaves.<sup>48</sup>

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<sup>45</sup>Ibid., p. 79.

<sup>46</sup>Meigs to Hoyt, August 20, 1820, Records of Cherokee Agency.

<sup>47</sup>Walker, Torchlights to the Cherokees, p. 82.

<sup>48</sup>Meigs to Hicks, January 20, 1821, Records of the Cherokee Agency.

Maigs showed the greatest consideration in his efforts to fulfill the desires of the American Board of Foreign Missions. Evidence of his influence in the establishment and maintenance of the Indian mission schools was substantiated by the great number of letters Maigs received requesting his aid in fulfilling the needs of the schools.

## CHAPTER VII

### CONCLUSION

In 1801, Return Jonathan Meigs began his career as Indian agent for the Cherokee nation. He was ~~sixty-one~~ years of age at this time and assuming one of the most responsible positions of his life. Nevertheless, Meigs, with his alert mind and excellent physical condition, felt equal to the task of carrying out any instructions his government might issue.

Meigs was given no instructions to make any radical changes in the administrative duties of the agency. But he was instructed to continue to encourage the civilizing process of increasing the Indians' knowledge of agriculture and pastoral pursuits. As this plan of civilizing the Indians was being carried out, Meigs' problems as Indian agent increased.

Outside influences, in the form of white encroachments upon Indian lands, were becoming problems without a permanent solution. Many times Meigs used members of the Hiwassee unit of the United States Army to remove the white intruders from the Cherokee boundaries. The acts of these intruders forced the negotiation of treaties between the United States and the Cherokee nation at a faster rate than the government intended.

Meigs was instrumental in the successful negotiation of the Indian treaties of 1805 and 1806. These treaties were the entering wedges that gradually ate the heart out of the Cherokee nation east of the Mississippi. It is a regrettable fact that Meigs and other officials used bribery in

obtaining these treaties when other means failed. Meigs was the most prominent official in this nefarious method of taking Indian lands at a mere pittance of their potential value. However, in using this underhanded method of obtaining title to the Indian lands, Meigs was merely carrying out the instructions of the Government.

Colonel Meigs was influential in keeping the Cherokees at peace with the United States in the War of 1812. He arranged for the military services of several hundred young Indians who by their valor and fortitude played an important part in the successful battle against the Creeks at Horse Shoe Bend. After the war clouds had passed, Meigs defended the Cherokees both in their claims of spoliation on their property by Jackson's troops and for the pensions due the families of those Cherokee soldiers who lost their lives.

The dispute over territory between the Cherokee and Chickasaw nations was brought to a head by the Government in 1817. Partly through fear of losing these lands, both tribes were induced by Meigs and other government officials to sell what they thought were their holdings and the titles were cleared to large areas.

After the treaty of 1817 providing for the exchange of Cherokee lands east of the Mississippi River for lands on the Arkansas River, Meigs and his superiors supervised the removal of hundreds of Cherokees. Meigs did everything possible to provide for the care and safety of the emigrants on their journey to the Arkansas.

The policy of the states surrounding the Cherokee nation was one of ruthless exploitation. In their eagerness for Indian lands the

inhabitants of these states could hardly wait until governmental machinery could operate and give them title to the land. Maigs understood the Indians' desire to remain on the land and also the eagerness of the white men to occupy the Indians' fertile soil. His sympathy was with both races.

Another problem confronting Maigs was the isolated cases of murder committed by both races on the frontier borders. The spirit of revenge often overcame reason and the resulting turmoil worked against all means of maintaining peace between the two peoples.

About 1815, the long-range plan of the whites was to gain every inch of territory belonging to the Cherokees east of the Mississippi River. The talk of removal among state and government officials was revived with fervor. Maigs, during the next five years, did everything in his power to carry out a wholesale removal but the Cherokees became lukewarm toward the idea. The greater part changed their minds and decided to remain at their homes.

The Cherokee agent, Maigs, either stood by in silence, acted as sponsor, or was a party in these acts of legal confiscation of the Indians' property. He knew that the Cherokee nation was headed toward pauperism but there was nothing he could do to stem the tide. His feeble efforts, as expressed in future plans for the welfare of the Cherokee Indians, fell on deaf ears. His official position made it imperative that he carry out the directives of the War Department or surrender his appointment.

Colonel Maigs placed great faith in the missionaries and their work and this trust was reciprocated by them. The agent was active in making

arrangements for the education of the Indian youth. He aided the missionaries in every way possible to carry on their great work.

By his benevolent attitude, Colonel Meigs won for himself an honored place in the hearts of the Cherokees. The Indians, in laying their problems before Meigs, felt that he was one whose integrity they need not question. They would go to Meigs as to a trusted friend when they needed protection or help. He was not only one to be relied upon when trouble threatened, but he desired to aid the Indians in raising their standard of living.

The Cherokees mourned Colonel Meigs' death, which is believed to have occurred the last week of January, 1823. He died at the Cherokee agency on the Hiwassee River at the present site of Charleston, Tennessee.<sup>1</sup>

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<sup>1</sup>Williard to Joseph McMinn, February 1, 1823, Records of the Cherokee Agency.



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