

Indian Emigration.—It was announced some time since in the Georgia Journal, that the President had given directions for the opening of an emigration office in the Cherokee Nation, and it was then supposed that before this time it would have been in successful operation. The letters following will explain satisfactorily the reasons for the delay that has occurred. They will also show with what perseverance the Governor has advocated the measure, a measure which we confidently expect will be of great benefit to the State, and which, should it succeed, will redound, as it ought to do, to the honor of the President, and praise and admiration of Governor Gilmer's official acts.

EXECUTIVE DEPARTMENT OF GEORGIA, }
Milledgeville, 20th June, 1831. }

SIR: Circumstances have enabled me to collect much information as to the present temper and designs and probable future course of the Cherokees. The great interest felt by the people of this State, in having them removed from its limits, and the contract of 1802 finally executed, has induced me to communicate directly to the President, as much of that information as may possibly be useful to him, in his endeavors to effect that object. Strong hopes were at one time entertained, that if the decision of the Supreme Court should be against the application of the Cherokees for a writ of injunction, to stay the jurisdiction of Georgia, that they would immediately treat with the United States, for the extinguishment of the present occupant rights. It is known that previous to the decision, and during the pendency of the case before the Supreme Court, that all classes had expressed their belief, that such would be the course pursued by them. These hopes have however proved illusory; since that decision the wealthy and influential half-breed Chiefs, have been exceedingly active in persuading the people to continue their present residence, in opposition to the desire of the General Government to extinguish their title, and in defiance of the rights and power of Georgia. These efforts have unfortunately been very successful. This has resulted from the extra-judicial opinions of the Supreme Court, in determining that the Cherokees formed a distinct political society, separate from others, and capable of managing its own affairs, and that they were the rightful owners of the soil which they occupied. Meetings of the Indian people have been called in most of their towns, at which their chiefs have used these opinions to convince them that their rights of self-government and soil were independent of the United States and Georgia, and would be secured to them through the Supreme Court, and the change (which they represent to be certain,) in the administration of the General Government.

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From all the information I have received, I am satisfied that the President would fail in any immediate efforts he might make to execute the contract of 1802, by treaty with the Chiefs, and that the attempt would only expose the government to their insults, and increase their confidence in the unfortunate measures which they are pursuing.

It is most respectfully suggested to the President, that no measure can at present be successfully adopted for the execution of the contract of 1802, except that of inducing individuals, families and towns, to emigrate from this State, by paying them the value for their improvements, or giving them such other advantages as may be found acceptable. And the President is earnestly requested to try the effects of this measure, and as early as possible.

The great body of the common Indians are without wealth or power. Nothing prevents their acquiescence with the offers of government, to unite them with that part of their tribe on the West of the Mississippi—but their habitual submission to the control of their Chiefs, and their inert and listless character. What is said of their strong desire not to be separated from the bones of their fathers, is but the expression of those whose ancestors' remains are deposited in Europe or the States. The confidence of the common Indians in the rule of their Chiefs, has been of late impaired by their appropriation of the wealth of the tribe to themselves, their descent from the whites, and the adoption of their manners, and their listlessness of temper in some degree, overcome by the fear of unknown evils from the operation of the laws of Georgia. The Guard which has been stationed among them, has been successful in preventing any trespasses upon the Gold Mines—in putting a stop to their Legislative Councils; their Courts; the execution of their laws; and in removing all white men from among them, disposed to excite their opposition to the government of the State. The Chiefs can no longer prevent the people from enrolling for emigration, by the fear of punishment. It is thought probable that the very attempt to remove the people by enrolling individuals for emigration, will tend to produce a willingness on the part of the Chiefs to treat for the exchange of their lands. They know that by the removal of the common Indians, they will lose their power, the exclusive possession of their country, and become subjected to the prejudices of a white population, with whom they will be mingled.

I have enclosed to the Secretary of War, with the request that the same may be laid before the President, the copy of a letter just re-

ceived from Dr. Reese, a respectable gentleman of this State, who has lately returned from a visit to the Cherokees, and whose connection with some of the influential half-breed Chiefs has enabled him to acquire an accurate knowledge of the design of that class of the Indians; and a correspondence had with the Surveyors who have been lately engaged in dividing the country occupied by the Cherokees, into sections and districts, and whose employment led them into a very unreserved intercourse with all classes of the Indians. The opinions expressed by those persons in favor of the plan of removing the Cherokees by enrolling individuals for emigration, rather than by treaty with the Chiefs, is confirmed by information derived from various other sources.

The subject is of great importance not only to the peace, prosperity and quiet of the State, but to the character of the government. The obstructions which have been thrown in the way of the execution of the contract of 1802; the long continued indifference and neglect of the General Government, and its actual opposition in 1805-6; the constant torrent of abuse which party violence has poured upon the authorities of the State and its people on account of the measures which have been adopted for the support of its rights of soil and jurisdiction; the influence which that partizan violence is now exercising over the Cherokee Chiefs, in inducing them to continue their opposition to the laws of Georgia, and in exciting their expectation that by a change of the present administration of the General Government, they will be secured in the rights of self-government; the conduct of the Chief Justice of the United States, in interfering with the administration of the criminal law of the State; and the intimation given the Cherokees, in the late decision of the Supreme Court, that the laws of Georgia were exceedingly oppressive; that the State had neither the right of jurisdiction nor of soil, have all conspired so to irritate the public mind here, that it will be excessively difficult, perhaps impossible, to prevent the Legislature from disposing of all the lands of the State assigned to the Indians for their occupancy, except so much as may be in their immediate possession, or required for their support, unless the President shall be enabled, during the present year, to adopt such measures as will give assurance that the Cherokees will be certainly and shortly removed from the State. It is important that the government of the State should know whether it has become impossible for the United States to execute the contract of 1802, so that its policy in relation to the Cherokees, may no longer be influenced by the expectation of that event.

Hitherto the Indians have neither been compelled to pay taxes, nor perform any civil duties. The only operation of the laws, since the extension of the jurisdiction of the State over them, has been to protect them from injury, by the punishment of crimes, and the removal of the whites who had been tempted into their country by the attraction of the gold mines.

The State is at this time maintaining a guard at great expense, for the purpose of preventing the exercise of assumed authority on the part of the Chiefs, from the expectation that the President would be enabled, during the present year, to succeed in removing the Indians beyond its limits, and the strong disposition felt by its authorities to avoid the adoption of any measures which might have even the appearance of violating the laws of humanity, or the natural rights of the Indians.

If the Cherokees are to continue inhabitants of the State, they must be rendered subject to the ordinary operation of the laws, with less expense and trouble and more effectively than heretofore. The State must put an end to even the semblance of a distinct political society among them. It has been hitherto permitted, from the belief that their happiness required it, and that such a state was not inconvenient nor injurious to the rights of Georgia. The agitation which the Indian question has excited throughout our country, and the manner in which it has endangered the most important political rights of the State, renders it necessary that this should be done. The millions of acres of land which are now of no value, except to add to the gratification of the idle ambition of the Chiefs, must be placed in the possession of actual cultivators of the soil, who may be made the instruments for the proper administration of the laws.

It is hoped the President will concur with me in the necessity of making such efforts for removing the Cherokees, as will ascertain whether it be practicable at all, by treaty, enrolment for emigration, or any other means.

I trust that the importance of this subject will be my sufficient apology to the President, for the manner in which it has been pressed upon his consideration.

With sentiments of the highest consideration, I remain most respectfully yours, &c.

GEORGE R. GILMER.

ANDREW JACKSON, *President of the U. States*

(COPY.)

Department of War, August 12th, 1831.

SIR,—Your letter to this Department of June the 21st, together with the communications accompanying it, was received in the due course of mail. Your letter to the President of the day preceding, was also received by him, and I presume the President's answer has ere now reached you. In that answer, his views were fully made known, and in conformity with them, he gave directions that the necessary instructions should be issued by this Department, to carry into effect the plan proposed by you, and approved by him. Until yesterday he supposed this had been done. It was then however ascertained that the subject had been inadvertently lost sight of, and that the requisite instructions had not been issued.

This duty has now been performed, and I have the honor to transmit you the copy of a letter this day addressed to Mr. Montgomery, the Cherokee Agent. I sincerely trust that the measures will be followed by all the advantages you anticipate from it, and that it will hasten the removal of the Indians. And in the least exceptionable mode. By the free choice of every individual, looking to his own circumstances and to those of the tribe, and uninfluenced by the threats or persuasions of others. This event is not more loudly called for by the Government and people of Georgia, than it is in the President's opinion, by every consideration

connected with the prosperity, if not with the existence
of the Cherokee themselves

With great respect, sir, I have the honor to be your
obedient servant.

LEWIS CASS.

His Excellency GEORGE R. GILMER,
Governor of Georgia.

Extract of a letter from Gov. Gilmer to the Secretary of War.

EXECUTIVE DEPARTMENT. }
Milledgeville, 24th August, 1831. }

SIR, -I received by the last mail your letter of the
22th inst together with a copy of your instructions to
the Cherokee Agent, upon the subject of enrolling the
Cherokees for emigration.

Some disappointment has been felt at the delay
which has occurred, the cause of which was unknown
until the receipt of your letter. On the 20th inst. I
wrote you, urging various reasons why the policy
which is about to be pursued, should be pressed to its
fullest effect, and as soon as possible. I suggested to
you in my letter of the 20th, the propriety of establish-
ing several offices for enrolling emigrants. I again
repeat the suggestion, convinced as I am, that its adop-
tion is extremely important to ensure success. The
contract of the United States to extinguish the Indian
title to all lands within the limits of Georgia, author-
izes me to request it as an act of justice that the Che-
rokees should be first removed from this State.

If there is but one office of emigration, and that at
the Agency, it will be difficult to induce the Indians
from this State to go that far to enrol, inert as they
are, and subject to the controlling influence of the
Chiefs. Those who reside within our limits, are most
probably readier than others to enroll on account of
the extension of its laws over them, and their appre-
hension of suffering therefrom, unknown and dreadful
evils. It is indeed believed, that the indications of a
desire to emigrate have been almost exclusively con-
fined to the Indians in this state, and principally to
those who reside on the South and East of the Etowah
river. They may also enrol without fear of injury
from the influence of their chiefs on account of the pro-
tection which the Georgia Guard will be enabled to
afford them.

If any difficulty should occur in procuring proper
Agents, I would respectfully recommend to you the per-
sons who are mentioned as suitable for such service in
my letters of the 14th of May, and 21st of June, and
the accompanying communications.

Very Respectfully yours, &c.

GEORGE R. GILMER.

Hon. LEWIS CASS,
Secretary of War.

(COPY.)

Department of War, Sept 7th, 1831.

SIR,—I have had the honor to receive your letter of the 20th ult. with its enclosures. These have been submitted to the President, and the renewed expression of your views respecting the emigration of the Cherokees, together with the statements and opinions to which you have referred, have led to a reconsideration of this matter, and to a determination by a systematic effort, to effect the removal of these Indians, from the chartered limits of Georgia, so far as the same can be done with their free consent, and under the stipulations of the treaty of May 6th, 1828, which hold out strong inducements to them. The accompanying papers which I have the honor to transmit you, will put you in possession of the plan which has been adopted, and of the mode proposed for its execution. Information shall from time to time be given to you of the progress and prospects of the affair, and of any changes it may be found necessary to make. And I shall be happy to receive any suggestions you may feel disposed to offer.

Mr. Curry, who has been appointed to superintend the business, is represented to be a man of energy, integrity and industry, and I doubt not but he will devote himself zealously to the execution of the duty assigned to him.

You will perceive that for the reasons stated in the papers, this effort is confined to the Cherokee country, within the chartered limits of Georgia, and it therefore becomes unnecessary to designate any particular district to which the attention shall be first directed. If his report furnishes grounds for the belief, that any considerable portion of the Cherokees are prepared to emigrate, all proper means within the reach of this Department, will be used to forward that object.

I have the honor to be, very respectfully, your obedient servant.

LEWIS CASS.

His Excellency GEORGE R. GILMER,
Gov. of Georgia, Milledgeville.

Extract of a letter from the Secretary of War to Gov. Gilmer, dated Sept 9th, 1831.

I have had the honor to receive your letter of the 24th inst.

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Our efforts being confined to the Cherokee country, within the chartered limits of Georgia, and these enrollment registers, being now directed to be opened, it is believed that the object will not be unnecessarily delayed.

So far as depends upon the action of this Department, every reasonable facility shall be afforded to carry into effect the plan of emigration. If all the measures which are recommended are not taken and as speedily taken as you could wish, you must attribute the result, not to any indisposition to meet the question in every proper manner, but to its complicated bearing to the practical difficulties of removing a large body of dependant people, and also to the general obligation of carrying into effect every provision of the law, with as much economy as may be compatible with the objects to be attained, and the necessary mode of proceeding."