

CORRESPONDENCE,

Between Gens. Gray, Davidson and Coker, late Commissioners of the United States, and Messrs. John Ross and Ridge, on the part of the Cherokee Nation.

[CONTINUED.]

CHEROKEE AGENCY,

SEPT. 24, 1827.

MESSRS. JOHN ROSS & MAJOR RIDGE.

GENTLEMEN:—The enclosed letter has just been handed me, with a request that I would forward it to you with as little delay as practicable.—Mr. William Cowan is therefore despatched with instructions to do so.

I again request your prompt attention to their call, and hope it will be treated with that respect and attention which is due to it.

Very Respectfully, your obedient servant,

H. MONTGOMERY.

CHEROKEE AGENCY,

SEPT. 23, 1827.

MESSRS. JOHN ROSS AND MAJOR RIDGE.

GENTLEMEN:—The undersigned Commissioners of the United States acknowledge the receipt of your joint letter, bearing date the 15th instant, which reached them late on yesterday. We avail ourselves of the earliest moment to reply, and despatch a special messenger that no delay may occur in communicating to you our astonishment and regret at the contents of your letter. You speak of our invitation for a General Council of the Cherokee Nation as "sudden and unexpected, and that the time and place was appointed without consulting the convenience of the members of the Committee and Council." In reply to that part of your letter we take leave to

recalled you of facts within your recollection. Early in July last one of the undersigned, (to wit,) Gen. Cocke, reached New Town, otherwise New Echota, and was introduced, together with his Secretary, to the Committee and Council then in session, by Major Ridge, the Speaker of the Nation.— In addressing them he informed that General Cocke and two others were appointed by the President of the United States to hold Councils with the Nation, and recommended to them the extension of the hand of friendship as a token of their respect for the General's character, and attachment to and confidence in the government of the United States. This occurred on the 4th of July, as you both must well recollect. How then can it be "sudden and unexpected?" On this visit to the Nation Gen. Cocke applied to Mr. McCoy, the principal Secretary of the nation, for the names of the Committee and Council, which was promised; but was afterwards informed by the Secretary, that Mr. John Ross had directed him not to impart that information. Thus it became impossible to "consult the convenience of the members of the Committee and Council" by the act of Mr. Ross, who the undersigned suppose to be the same person, whose signature is fixed to your joint letter. You then mention the great expence that would attend the nation in consequence of the proposed meeting. The undersigned with pleasure assure you that ample means have been afforded them by the President of the United States to defray every expence, and the necessary supplies are now provided. Should the invitation be disregarded, it cannot be considered by the government of which we are the representatives in any other character than as disrespectful and contemptuous.

Since the arrival of the undersigned at the Cherokee Agency they have been furnished with the written Constitution of your nation, establishing a separate Independent Government, not amenable nor subject to that of the United States. We take leave to enquire, is the present refusal to meet us in Council intended to shew that independence? or should the states, within whose limits the Cherokee Nation is located, extend their laws and jurisdiction to those limits, can the Cherokees expect the interference and aid of the government of the United States.

The undersigned address you as two Chiefs of the Cherokee Nation. They are uninformed of the fact, nor have you, in your letter, stated whether you act in a public or private capacity not even by your signatures.

We again remark that the Agency is the place designated & established as the place to transact all business between the United States and the Cherokee Nation, and located by the special request of the Cherokees; and where all treaties records and documents, in which the United States and the Nation are interested, are deposited. It is also the duty of the Agent to guard the interest of the Cherokees. Near his residence must be selected to enable him faithfully to discharge that trust. The undersigned will remain, and attend daily at the Rattle Snake springs near the Agency; or at the Agency, which ever is most agreeable to the Nation, until all may have a sufficient time to attend, that think proper. They must then retire and report all the facts to their government. They renew their invitation to the Chiefs, Head men and Warriors of the Cherokee Nation to meet them for the purposes mentioned in their letter of the 23d of August last.

ALEXANDER GRAY,
JOHN COCKE,
GEO. L. DAVIDSON.

HEAD OF COOSA, CHEROKEE NATION,
SEPTEMBER 26, 1827.

COL. HUGH MONTGOMERY, SIR:
We have received your letter by Mr. Cowan enclosing a letter from Gens. John Cocke, Alexr. Gray and Geo. L. Davidson, and requesting our prompt attention to their call, and to treat it with that respect and attention due to it. We assure you that it is sincerely desired, on our part, to treat all the Public Agents of the General Government with proper respect and attention. As a manifestation of that disposition those Gentlemen were invited to attend the General Council of the Nation at New Echota on the 8th day of Oct. next; at which time and place it would afford us pleasure to see you also, and we hope that you will make it convenient to pay our

council a visit. We regret to find that the Commissioners persist in urging the General Council to be convened at a place, where it would be impracticable to get the assent of the members of Committee and Council to meet them, as has before been stated. You will please to deliver them the accompanying Communication in reply to their letter.

JNO ROSS,
his
MAJOR & RIDGE.
mark

RIDGE'S FERRY, CHEROKEE
NATION, SEPT. 27, 1827.

TO GENERALS, GRAY, COCKE AND
DAVIDSON.

GENTLEMEN:—Your letter of the 23d. in reply to ours of the 15th inst. was received by your special messenger on last evening, and we avail ourselves of the opportunity presented by his return in replying to your remarks. You express astonishment and regret at the Contents of our letters. We assure you that it was not intended to produce those feelings; but when facts are fairly and impartially scrutinized, we hope that no just cause will be found for your astonishment and regret. And in reply to a certain paragraph of our letter in which we remarked that your general invitation for a General Council of the Cherokee Nation was "sudden and unexpected," as "the convenience of the members of the committee and Council had not been consulted," in fixing the time and place appointed by you—you observe that you will remind us of facts within our recollection, and then proceed to state that, "early in July last, General Cocke reached New Echota, and was introduced, together with his Secretary, to the Committee and Council then in session, by Major Ridge Speaker of the Nation: and in Addressing them [the Committee and Council] he [Major Ridge] informed that General Cocke and two others were appointed by the President of the United States to hold Councils with the nation, and recommended to them the extension of the hand of friendship, as a token of their respect for the General's character, and attachment to, and confidence in the Government of the United States;" and that "this occurred on the 4th of July as [we] both must well recollect." And you ask "how then can it be sudden and unexpected?" Here you will please permit us to reply, and to state facts attending General Cock's visit at New Echota in July last. The General arrived at New Echota on the 3d. of July, in company with a Gentleman whom he introduced as Major Hyne, together with Messrs Lewis Ross and Joseph Coady. The General Council was then in session, and was expected to adjourn on the evening of that day; but, in consequence of its having been rumored from newspaper reports, that Gen. Cocke and two other gentlemen from North Carolina were appointed by the President of the United States to hold a conference with the Cherokee Nation, for a certain object, and as General Cocke had arrived, it was deemed proper that the Council should be prolonged, with a view of giving General Cocke an opportunity of communicating to the General Council the object of his visit, and to ascertain if he had come in the capacity of a Commissioner from the United States.—Accordingly a resolution was passed to postpone the meeting of the Convention to the 5th of the month provided the business of the General Council should not be disposed of on the 4th. And when the Council was convened on the 4th, Gen. Cocke and Major Hyne appeared in front of the Council house, where Major Ridge, (one of the undersigned;) speaker of the Council, an old acquaintance of the General's, went forward, and took the General by the hand, and the General then introduced Major Ridge to Major Hyne. Major Ridge then Conducted them into the Council room, and introduced the Gen. to the members as an old acquaintance, who had commanded the East Tennessee Troops at Fort Armstrong in the first Campaign of the Creek War. He then conducted the General and Major Hyne up into the Committee room; and on entering the room Major Ridge observed to the members of that body, "This is Gen. Cocke, a friend and an old acquaintance, who had served in the Creek War, and no doubt he is known to some of you; give him the hand of friendship." At this introduction Mr.

John Ross, (one of the undersigned,) President of the Committee, and also an old acquaintance of the General's, rose and took him by the hand, and was then introduced by the General to Major Hyne; and the members of the house, each in succession, rose and shook the hands of the General and Major Hyne, and their names were respectively imparted to General Cocke. After being seated a while, they retired, and the Council continued in session until towards the latter part of the day; and General Cocke having made no intimation of his appointment, nor communicated the object of his visit, the General Council was then adjourned, and the members of the convention then met and organized themselves for business. Thus ended the Council in July last. And as General Cocke did not make himself known as a commissioner, nor suggested any thing on the subject of his visit, or of your intention to appoint a place and time for the purpose of inviting a General Council of the Cherokee nation, previous to the session which is to take place at New Echota on the 8th day of next month, therefore we could not but have said that your invitation was "sudden and unexpected."

Further, you state that "General Cocke applied to Mr. McCoy, the Principal Secretary of the Nation, for the names of the Committee and Council, which was promised, but was afterwards informed by the Secretary, that Mr. John Ross had directed him not to impart that information, and thus it became impossible to "consult the convenience of the members of the Committee and Council" by the act of Mr. Ross, who you suppose to be the same person whose signature is fixed to our joint letter. Here again we beg leave to remark, that General Cocke remained several days after the rise of the General Council, and during the sitting of the Convention, in the course of which time it was understood, that the General had enquired of a private individual, if he could furnish him with a list of the names of the members of the Committee and Council. Being answered in the negative, the General then on the eve of leaving New Echota asked Mr. M. Coy, clerk of the Committee, and who was then acting as secretary to the Convention for a list. Upon receiving this information the members of the Convention expressed a curiosity to know the object of the General for applying for the list in such a private manner, and he not having communicated to any person the object of his visit, they in order to draw from the General an idea of his visit, as well as his design for soliciting the list of names, requested Mr. Ross, then President of the Convention, to ask Mr. McCoy if Gen. Cocke had given him any reasons for requesting a list of the names, and if not, to request Mr. McCoy to defer furnishing the list, until the General should give some reasons for making the request; this request of the members, as stated, was communicated to Mr. McCoy, who said that the General had assigned no reasons for making the request; soon after this the General and Major Hyne left the place, without hearing any thing further respecting the list of names. You are not mistaken in supposing that Mr. Jno. Ross, referred to is the identical person who signed the joint letter you received from us.

Gentlemen, these statements are indisputable facts, and can be established by the members of the Committee and Council, and of the Convention, so far as came within their respective knowledge; and it is painful to us to be compelled to make statements in contradiction to your own understanding; altho' we cannot for a moment suppose, that the Honorable Gentleman, who communicated what you have stated, could have designedly misrepresented them, therefore we must believe that he has been misinformed in these particulars, thro' the medium of misinterpretations. — General Cocke being introduced to the members of the Committee and Council in session, we cannot see how it became "impossible to consult their convenience" on the subject of appointing a place and time for a General Council. We believe it would have been uncourteous and impertinent for the members of the Committee and Council to have called upon General Cocke, or any other gentleman, for information respecting the object of his visit, and to have asked him his business. Therefore it was

more properly the province of General Cocke to have introduced the subject of his visit; and his failing to do so ought not unjustly to cast blame on any other person.

You say that ample means have been afforded you by the President of the United States to defray every expense, and that the necessary supplies are now provided. There are various incidental expenses attending the meeting of the General Council of the nation, independent of supplies of allment, such as the employment of cooks, members' pay for services &c. &c. which we cannot suppose are contemplated to be embraced in the ample means afforded you by the President.

You further remark, "Should our invitation be disregarded, it cannot be considered by the General Government in any other character than disrespectful and contemptuous." We would here assure you with profound sincerity, that nothing is more remote from the intention or wish of the representatives of this Nation, than to treat the Public Agents of the General Government with disrespect or contempt.

You have also thought proper to speak of the Constitution of the Nation, as establishing a separate Independent Government, not amenable or subject to that of the United States; and you enquire if the present refusal to meet you in Council is intended to shew that independence; or should the States within whose limits the Cherokee Nation is located extend their laws and jurisdiction to those limits can the Cherokees expect the interference and aid of the Government of the United States? We would remark that the Constitution is not considered in any respect to change the relationship which the Nation sustains with the Government of the United States. It was adopted with no view to set up an independence unwarranted by the Treaties with the United States, therefore we have every just reason and confidence to expect the protection of the United States in good faith, in supporting such rights as are secured to the Cherokee Nation by our Treaties. And we hope, Gentlemen, after all the solitudes which have been so laudably manifested by the greatest and best of men, General Washington, for the civilization of the Cherokee Nation, and for an improvement in their civil Government, and which objects have been patronized by the succeeding Presidents, and now, when the Cherokees are beginning to embrace the comforts of civilization, that you are not disposed, as Commissioners of the present administration, to find fault with our improvement in Governmental as well as in domestic affairs; by endeavoring to disorganize our system and complaining of our Constitution, even after one of you, General Cocke, having expressed his opinion voluntarily to Mr. John Ross, one of the undersigned, in Calhoun, that the constitution which the Conventioners made, is a good one.

We deny having refused to meet you in General Council, and contend that a respect is due to the convenience of the Nation in fixing a time and place for holding a General Council. And as it is well known that the Cherokee Nation for eight years past, have permanently established their seat of Government at New Echota, where every convenience for the accommodation of strangers, as well as for the members of the Com. & Council, are provided, it is the only place where you can in reason have a right to expect to be met in General Council of the Nation; and at which place we have invited your attendance on the day appointed for the meeting of the approaching session. We can see no reason for your persistence in renewing your invitation at the Rattle Snake springs or Agency, where no preparation, for the accommodation of the members of the Committee and Council have been made, and where they would be exposed to the weather, as a congregated assemblage of rude People on a hunting expedition. If you will examine the public documents at the agency, you will no doubt find letters from the Chiefs to Col. Meirs, former Agent, by which you will discover that you are mistaken as to the Agency being located at a place designated by the special request of the Cherokee Nation. And we are also convinced, that you are not correct in supposing, that all business between the United States and the Cherokee Nation was intended to be transacted at the Agency, solely.

We admit that there are various business between the United States and the Nation, as well as between the individuals of the States and of the Nation, which are necessary to be transacted at the Agency, with thro' the Agent; but we cannot admit that Commissioners of the United States are justifiable in demanding a Convention of the General Council of the Nation at the Agency without consulting the convenience of the Chiefs, on the occasion, especially when it is their object to communicate in General Council the views of the General Government on subjects calculated to promote the interest and happiness of the Cherokees, as well as the welfare of the citizens of the United States.

You appear to be at a loss to know whether we are acting in a private or public capacity. If you are not aware yourselves that we act under authority, and if you do not choose to be informed through the Agent of our official characters, and it should be forgotten by you that General Cocks was introduced by Major Ridge, Speaker of the Council, to the members of the General Council, and that Mr. John Ross presided over the Committee as President of that branch of the Legislature, we will inform you, that the undersigned are the presiding officers of the Committee and Council; and since the death of the two Principal Chiefs of the Nation, the corresponding department of the Nation has been entrusted to the President of the Committee, and the business of convening the General Council devolves on both of us, and having consulted some of the most influential members of the Committee and Council on the subject of your circulars of the 23d of August last, we were advised to address you the letter which you acknowledge to have received.

We can only add, should you decline attending the General Council at New Echota, and think proper to transmit to the General Council communications on the subjects of your instructions from the President of the United States, they will be received with proper respect by the Committee and Council, and a considerate reply will be made to them.

We are, Gentlemen, very respectfully, your ob't serv'ts.

JNO. ROSS.

his

MAJOR RIDGE.

mark.