

The following interesting letter from the Secretary at War, to the Secretary of the New York Convention, for the emigration of the Indians, was accidentally excluded from our paper of last week.

Rip Raps, Virginia, August 25, 1829.

SIR—Last evening, by the steam boat Norfolk, from Baltimore, your letter to the President was received at this place, with a transcript of the Constitution, relating to the Indians, recently adopted at New York by your Convention. With the course pursued at your meeting, the President is much gratified, and desires me so to declare to you. He cannot but appreciate highly the views taken by you of a course of policy, which justice to principles recognised, and humanity towards our Indian brethren, constrained him as matter of conceived duty to adopt. He regrets that so many inaccuracies, both as to object and motive, should have found a place in the public journals of the day, evidently misrepresenting, and calculated to produce incorrect impressions. The great consolation entertained by him though, is, that time will prove that his only end, and object and purpose, is to do full and impartial justice, to the extent that his official discharge of duty will sanction.

I beg leave to assure you, that nothing of a compulsory course, to effect the removal of this unfortunate race of people, has ever been thought of by the President, although it has been so asserted. The considerations which controlled, and the course pursued, were such, as he really and in fact believed, were required, as well by a regard for the just rights which the State of Georgia was authorized to assert, as from a conscientious conviction, that by it, humanity towards the Indians would more effectually be subserved. Of this they have been assured, and in that assurance, no other disposition was had than to explain fully to them, and the country, the actual ground on which it was believed they were rightfully entitled to stand.

How can the United States Government contest with Georgia the authority to regulate her own internal affairs? If the doctrine every where maintained be true, that a State is sovereign, so far as by the constitution adopted it has not been parted with to the General Government, then must follow, as matter of certainty, that within the limits of a State there can be none other than her own sovereign power, that can claim to exercise the functions of government. It is certainly contrary to every idea entertained of an independent government, for any other to assert adverse dominion and authority, within her jurisdictional limits: they are things that cannot exist together.

Between the State of Georgia and the Indian tribes within her limits no compact or agreement was ever entered into;—who then is to yield, for it is certain in the ordinary course of exercised authority, that one or the other must? The answer heretofore presented from the Government, and which you, by your adoption, have sanctioned as correct, is the only one that can be offered. Georgia, by her acknowledged confederative authority, may legally and rightfully govern and control throughout her own limits, or else our knowledge of the science and principle of government, as they relate to our own forms, are wrong, and have been wholly misunderstood.

Sympathy indulged is a noble and generous trait of character, but it should never assume a form calculated to outrage settled principles, or to produce in the end a greater evil than it would remedy. Admit it were in the disposition of the Government at Washington to hold a course and language different from that they have heretofore employed; and to encourage the Indians to the belief that rightfully they may remain and exercise civil government in despite of Georgia? Do those who are the advocates of such a course, and consider it reconcileable to propriety, dream of the consequences to which it would lead; or consider after what manner so strange an idea could be put in practice? Have they looked to the State of Georgia, conscious in the rectitude of her own construction of right, demanding of the United States their constitutional authority to interfere, and appealing to the States to sustain her against encroachments, which, if submitted to, might in the end, prove destructive of the whole? If nothing else can be traced through such an appeal and in such an issue, I think the good and the humane may at least perceive that in it peril is to be discerned, and that the weak and undisciplined Indians, in such a contest, would be so utterly destroyed, that the places which now know them, would presently know them no more.

From the conversations had with the President, recently and formerly, on the subject of the Indians, I am satisfied, that no man in the country entertains towards them better feelings, or has a stronger desire to see them placed in that condition, which may conduce to their advancement and happiness. But to encourage them to the idea, that within the confines of a State, they may exercise all the forms and requisites of a government, fashioned to their own condition and necessities, he does not consider can be advantageous to them, or that the exercise of such a right can properly be conceded—What would the authorities of the State of New York say to an attempt, on the part of the *Six Nations*, to establish, within their limits, a separate and independent government; and yet their authority, to do so, would be as undeniable as that of the Creeks, or Cherokees, within the territory of Georgia or Alabama? Would they agree, that the Indian law of retaliation on the next of kin, should be enforced for the accidental killing of one of their tribe? Or, that nothing of trade and commerce, by her citizens, should take place within their limits, except in conformity to the provisions of their municipal code? Would they assent to have their citizens rendered liable to be arraigned at the bar of an Indian court of justice, and to have meted out to them the penalties of their criminal code? It is obvious, that no State of this Union would grant such authority. Concede,

however, that these Indians are entitled to be considered sovereign within their own limits, and you concede every thing else as matter of consequence. Admit the principle and all is admitted—and what then? The sword, the alone arbiter in any community where questions of adverse sovereignty and power are to be settled, would, in the end, have to be appealed to; and, when this shall be the case, the humblest prophet in our land cannot but discern what will be the *finale* of the contest. Is it not preferable, and does not their own peace, and quiet, and happiness, demand, that they should surrender, at once, such visionary opinions, and, by retiring beyond the Mississippi, place themselves where every conflict, as to state authority, will cease; and where the most enlarged and generous efforts, by the Government, will be made to improve their minds, better their condition, and aid them in their efforts of self-government?—For your efforts, and those associated with you in convention, furthering this liberal and only practical scheme, the time will come when all good and generous men will thank you.

In conclusion, the President desires me to thank you for the communication made to him, and to offer you an assurance, that every legitimate power of his, will be freely bestowed to further and assist the laudable and humane course which your convention has adopted.

I have the honor to be, with great respect,
your obedient servant,

JOHN H. EATON.