

CORRESPONDENCE

Between Commissioners on the part of the United States, and the Council of the Cherokee Nation, in the year 1823.

[CONTINUED.]

The following is a reply from the Commissioners to the Council.

NEWTOWN, October 21, 1823.

Friends and Brothers: Your communication of yesterday was handed us by your messenger. We feel constrained by duty and instruction to reply, and to reserve to ourselves the privilege of reply, as often as we may consider it necessary. In doing this, we violate no sentiment which we have heretofore expressed, with regard to this nation. Nothing would give us a deeper regret, than to find that our confidence has been misplaced, and our encomiums improperly bestowed. Of this we have no apprehension at present, and shall pursue the negotiation under the hope, that it will yet be closed in a manner which shall comport with the just expectations of the Government.

Brothers: The relation which this nation stands to the Government of the United States, is somewhat peculiar. The original title of this soil is acknowledged to have been in you.

There was a time, when most of the territory now composing the United States, belonged to the various tribes of Indians. The people of Europe were the first white men who landed upon these shores. As soon as they established colonies, they claimed the sovereignty of the soil by the *right of discovery*. For a long period of time this sovereignty was exercised without resistance. At length, the colonies grew to a size which enabled them to take management of their own affairs. A war ensued, which lasted seven years, and then ended in a complete success of the Colonies. What Europe claimed by discovery, was then vested in the people of the Colonies by conquest. All the country which was conquered fell to the conquerors. The Cherokees, the Creeks, and almost every Indian tribe, powerful and numerous as they were, took sides against us. All shared the same fate. All became subject to the government afterwards established, under the title of the "United States of America."

This subordination and loss of power, would have followed conquest as a matter of course; but, in order that it might be reduced to a certainty, and made plain, and recorded, treaties were entered into, in every instance, with the Indian tribes, who were parties to the war.

The Delaware surrendered their sovereignty at the treaty of Fort Pitt; the Six Nations at Fort Stanwix; the Creeks at New York; the Chickasaws at Hopewell; and the Cherokees at Hopewell in the year 1785, and so on. By these, and by great many other nations, a complete surrender is made, and *protection* claimed. The language of the United States, in the treaty of Hopewell, gives peace to the Chero-