

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A REPORT OF THE SECRETARY OF WAR,

OF THE MEASURES HITHERTO DEVISED AND PURSUED

For the Civilization of the several Indian Tribes,

WITHIN THE UNITED STATES.

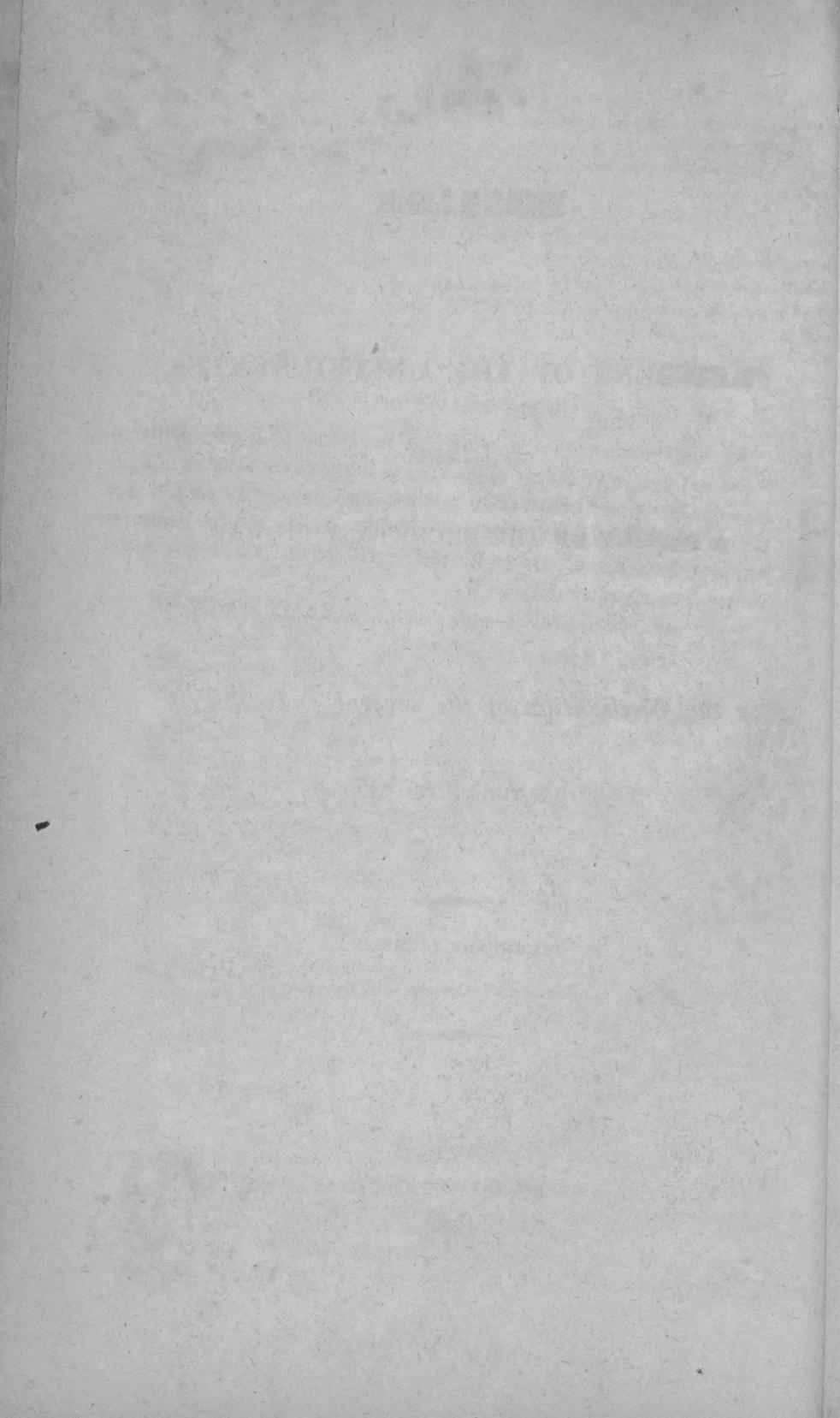
FEBRUARY 11, 1822.

Read, and referred to the Committee on Indian Affairs.

WASHINGTON :

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1822.



TO THE HOUSE OF REPRESENTATIVES:

In compliance with a resolution of the House of Representatives, "requesting the President of the United States to cause to be laid before this House any information which he may have of the condition of the several Indian tribes within the United States, and the measures hitherto devised and pursued for their civilization," I now transmit a report from the Secretary of War.

JAMES MONROE.

Washington, February 15th, 1822.

REPORT.

DEPARTMENT OF WAR,

8th February, 1822.

The Secretary of War, to whom was referred the resolution of the House of Representatives, "requesting the President of the United States to cause to be laid before this House any information which he may have of the condition of the several Indian tribes within the United States, and the progress of the measures hitherto devised and pursued for their civilization," has the honor to transmit the enclosed table, marked A, containing the number of schools established under the patronage of the government, within the Indian country; the number of scholars at each; the time of their commencement, where fixed, and by whom established, with remarks on their progress, present condition, &c. By reference to the table it will appear that there are eleven principal schools, with three subordinate ones, in actual operation, and that three are in a state of preparation, and that the number of scholars, at the last return, at the principal and subordinate schools, amounted to five hundred and eight. On these schools there has been expended \$15,827 56. of which \$7,447 56 have been on account of buildings, and the balance, \$8,380, on account of the expense of tuition. It is made a condition of the subscription on the part of the government, that the schools should be established within the Indian country, and that the system of education, in addition to reading, writing, and arithmetic, should, for the boys, embrace instruction in agriculture and the ordinary mechanic arts, and for the girls the common domestic industry of that sex.

It was thought advisable, at the commencement of the system, to proceed with caution, and to enlarge the sphere of operation, as experience should indicate the proper measures to be adopted, by which an useless expenditure of public money would be avoided, and the system adopted for the civilization of the Indians have the fairest trial. Experience has thus far justified those which have been adopted; and it is accordingly intended to give, this year, a greater activity to the funds, of which a much larger portion may be applied to tuition, the necessary buildings at so many points having already been erected.

Whether the system which has been adopted by the government, if persevered in, will ultimately bring the Indians within the pale of civilization, can only be determined by time. It has been in operation too short a period to pronounce with certainty on the result. The present generation, which cannot be greatly affected by it, must pass

away, and those who have been reared under the present system of education must succeed them, before its effects can be fully tested. As far, however, as civilization may depend on education only, without taking into consideration the force of circumstances, it would seem that there is no insuperable difficulty in effecting the benevolent intention of the government. It may be affirmed, almost without qualification, that all of the tribes within our settlements, and near our borders, are even solicitous for the education of their children. With the exception of the Creeks, they have every where freely and cheerfully assented to the establishment of schools, to which, in some instances, they have contributed. The Choctaws, in this respect, have evinced the most liberal spirit, having set aside six thousand dollars of their annuity in aid of the schools established among them. The reports of the teachers are almost uniformly favorable, both as to the capacity and docility of their youths. Their progress appears to be quite equal to that of white children of the same age; and they appear to be equally susceptible of acquiring habits of industry. At some of the establishments a considerable portion of the supplies are raised by the labor of the scholars and teachers.

With these indications, it would seem that there is little hazard in pronouncing, that, with proper and vigorous efforts, they may receive an education equal to that of the laboring portion of our community. Still, however, the interesting inquiry remains to be solved, whether such an education would lead them to that state of morality, civilization, and happiness, to which it is the desire of the Government to bring them, or whether there is not something in their situation, which presents insuperable obstacles to such a state? To answer this inquiry, we have but little experience. There is certainly much encouragement to hope for the best, from the fact that the Cherokee nation, which has made the greatest progress in education, has also made the greatest towards this desirable state, but the experience which it affords is yet imperfect. They have adopted some written provisions for their government, to a copy of which, with an extract of a letter from the Rev. Mr. Steiner, a respectable Moravian, who has visited the nation at the interval of twenty years, and states the progress which they have made in that time, and which accompany this report, marked B, I would respectfully refer the House, as furnishing the best testimony of the actual progress which that nation has made towards civilization. The zeal of the Cherokees for improvement, and the progress which they have made, are further evinced from the liberal provision for a school fund, for which the last treaty with them, ratified on the 10th of March, 1819, stipulates, and the fact that there are now established in the nation six schools, (two of which are upon the Lancasterian system) containing in the aggregate about 230 scholars. Notwithstanding these favourable appearances, many obstacles, difficult to be surmounted, will impede the progress of the Indians to a state of complete civilization.

Without adverting to others, the political relation which they bear to us, is of itself of sufficient magnitude, if not removed, to prevent so

desirable a state from being attained. We have always treated them as an independent people; and however insignificant a tribe may become, and however surrounded by a dense white population, so long as there are any remains, it continues independent of our laws and authority. To tribes thus surrounded, nothing can be conceived more opposed to their happiness and civilization than this state of nominal independence. It has not one of the advantages of real independence, while it has nearly all the disadvantages of a state of complete subjugation. The consequence is inevitable. They lose the lofty spirit and heroic courage of the savage state, without acquiring the virtues which belong to the civilized. Depressed in spirits and debauched in morals, they dwindle away through a wretched existence, a nuisance to the surrounding country. Unless some system can be devised gradually to change this relation, and with the progress of education to extend over them our laws and authority, it is feared that all efforts to civilize them, whatever flattering appearances they may for a time exhibit, must ultimately fail. Tribe after tribe will sink, with the progress of our settlements and the pressure of our population, into wretchedness and oblivion. Such has been their past history, and such, without this change of political relation, it must probably continue to be. To effect it, many difficulties present themselves. It will require the co-operation of the General Government and the states within which the Indians may reside. With a zealous and enlightened co-operation, it is, however, believed that all difficulties may be surmounted, and this wretched, but in many respects noble race, be ultimately brought within the pale of civilization. Preparatory to so radical a change in our relation towards them, the system of education which has been adopted ought to be put into extensive and active operation. This is the foundation of all other improvements. It ought gradually to be followed with a plain and simple system of laws and government, such as has been adopted by the Cherokees, a proper compression of their settlements, and a division of landed property. By introducing gradually and judiciously these improvements, they will ultimately attain such a state of intelligence, industry, and civilization, as to prepare the way for a complete extension of our laws and authority over them.

Before I conclude, I would respectfully refer the House of Representatives for more full and detailed information, in relation to the progress made by the Indians in civilization, to the report of the Rev. Doctor Morse, which was laid before the House in pursuance of a resolution of the 22d January last.

All which is respectfully submitted.

J. C. CALHOUN.

To the President of the United States.

STATEMENT of Schools which have been established in the Indian Country, shewing when commenced, where located, by whom established, and the number of scholars at each.

When commenced.	WHERE LOCATED.	BY WHOM ESTABLISHED.	No. of Scholars.	REMARKS.
	In the Seneca nation, New York, on the Buffalo reservation - - - }	By the Missionary Society of New York - - -	45	This school appears to have been in existence about eight or nine years, but not of much advantage until lately; for the last two or three years it has been more prosperous, and is becoming very useful; the number of scholars is said to be increasing. In addition to reading, writing, and arithmetic, the Indians are instructed in the mechanic arts, and the use of agricultural implements. There is, also, at this place a female adult school, consisting of from sixteen to twenty-five, who regularly attend and receive instruction in knitting, sewing, spinning, and weaving.
	In the Tuscarora nation, New York - - -	By ditto - - -	45	This school appears to have been established about four or five years ago. At times the number of scholars is said to be greater than that here mentioned. The course of instruction is reading, writing, and arithmetic. A farm is cultivated by the superintendent of the school, which is designed as a model for the Indians.
December, 1820.	In the Oneida nation, at Oneida Castle, New York - - - }	By the Hamilton Baptist Missionary Society of New York - - - }	40	NOTE. The two schools abovementioned, by an arrangement made early in the year 1821, between the Missionary Society of New York, and the United Foreign Missionary Society of New York, were placed under the direction of the latter, since which measures have been taken to render them more extensively useful. This school is on the Lancasterian plan. At the request of the Indians the society has agreed to employ a farmer, carpenter, and blacksmith, to instruct the children in their respective arts. The school is stated to be progressing in a satisfactory manner, and that the Indians appear desirous to acquire the arts of civilized life.
December, 1801.	At Spring Place, in the Cherokee nation - - -	By the Society of United Brethren for the southern states, commonly called Moravians - - - }	19	Between sixty and seventy youths of both sexes have been educated at this school. The number now at it consists of sixteen boys and three girls. They are instructed in reading, writing, arithmetic, and grammar. Between school hours the boys are employed in agricultural labors, and the girls in sewing, knitting, marking, and various household occupations. One of the girls is stated to have made considerable progress in drawing.
January, 1817.	Brainard in the Cherokee nation - - -	By the American Board of Commissioners for Foreign Missions - - - }	96	About two thirds of the number of scholars males. The school is upon the Lancasterian plan, and appears, from the report of the superintendent, to be progressing with great success. There are several local schools which have grown out of this establishment, in the Cherokee nation, and are under its direction. (See extracts from the report of the superintendent herewith.)
January, 1820.	Valley Towns, Cherokee nation - - -	By the Baptist Board for Foreign Missions - - -	37	The number has been as high as sixty. The school is upon the Lancasterian plan. Besides reading, writing, and arithmetic, the boys are instructed in the first principles of husbandry, and the girls in the ordinary domestic arts.
April, 1821.	Tensawatee, on the High Tower river, in the Cherokee nation - - - }	By the Sarepta Missionary Society, under the patronage of the Baptist Board, &c. }	28	The scholars are said to be improving fast, and that the school bids fair to be a very useful one.
August, 1818.	Elliott, in the Choctaw nation - - -	By the American Board of Commissioners for Foreign Missions - - - }	80	Sixty males and twenty females. The extract from the report of the superintendent for 1820, (none having been received for 1821,) herewith, will shew the prosperity and usefulness of this establishment. The chiefs have shewn great liberality in providing for the education of their children, by appropriating in each of the three districts of the nation \$2,000, annually for seventeen years, out of their annuity, for the support of schools, &c. and the American Board has taken measures for the establishment of other schools in the nation, one of which at Mayhew is in great forwardness. The school at Elliot is on the Lancasterian plan.
October, 1820.	Chickasaw nation, near — - -	By the Cumberland Missionary Society - - -	28	Two thirds of the number boys. The report states "that the children have been orderly and attentive to their studies, and particularly so to moral and religious instruction, and have volunteered to work a part of their time, and choose rather to take the time from their play than their books."
October, 1821.	Chickasaw nation, near the agency - - -	By the Domestic and Foreign Missionary Society of the Synod of S. C. & Georgia }		This school at the last report was not in operation, but was expected to be so by last fall. It is intended to be conducted upon the Lancasterian plan.
1820.	Fort Wayne, Indiana - - -	By the Baptist Board of Foreign Missions - - -	50	The children at this school are of the Miami tribe, and are taught to read and write. No particular report in relation to the progress of the school has been received.
1820.	Osages, on the Arkansaw - - -	By United Foreign Missionary Society of New York - - - }		The persons sent out by the society to make this establishment have arrived at their destination, and commenced the erection of the necessary buildings, some of which are completed; but the war which exists between the Osages and Cherokees has prevented the establishment from going into operation.
	Osages, in the state of Missouri - - -	By ditto ditto - - -		The persons sent out during the last year by the society to make this establishment, have not yet made their report, consequently, cannot state what progress has been made by them.
	Cherokees on the Arkansaw - - -	By the American Board of Commissioners for Foreign Missions - - - }		The persons sent out by the American Board of Commissioners, &c. to make this establishment, have arrived among the Cherokees, fixed upon a site for it, and commenced the erection of the necessary buildings, some of which are completed; but a school has not yet been opened, in consequence of the war between the Osages and Cherokees.
				The consent of the Indians to the establishment of the abovementioned schools in their country has, in every instance, been first obtained by the society by which they have been respectively made, with the approbation of the Department of War.

Extract from the report of the superintendent of the establishment, made by the American Board of Commissioners, &c. at Brainard, in the Cherokee nation, dated October 1st, 1821.

There are belonging to the two schools taught in this place, ninety-six Cherokee children of both sexes, about two-thirds males. All of whom are boarded, and many of them clothed, at the expense of the establishment. Many promising children we have been obliged to reject or put by, until those now in school should be prepared to go out and make room for them, as we cannot accommodate and profitably teach more than we have had. Of those who attended last year, three have finished their course and left the institution, and six others have left the institution who could read and write. Twenty four have entered the past year.

At the local schools we board but few scholars, not to exceed eight or ten at each school, and at present, not more than four or five at Taloney. As some of the scholars who board at home have a great distance to walk, they are not all constant attendants, and the number of those who attend at all, is not so great as when the schools first commenced. The average number attending the two local schools, the year past, has been between forty and fifty. Public worship is attended at each of these schools on the Sabbath, at which numbers of the parents as well as children attend; and some have made a public profession of the Christian religion.

The children of the schools continue to manifest an aptness to learn, a willingness to labor, and a readiness to submit to all the rules of the school. The Cherokees, we think, are fast advancing towards civilized life. They, generally, manifest an ardent desire for literary and religious instruction.

Extract from the report of the superintendent of the establishment, made by the American Board of Commissioners, &c. at Elliot, in the Choctaw nation, dated December 21st, 1820.

Since the last report, 38 scholars have been admitted to the school. Ten have left, and one has been dismissed for misconduct. The number now in school is 74. Six more are considered as belonging to it, but are at home on a visit. Of the whole number 60 are males and 20 females. All these board in our family and are entirely under our direction; excepting that ten, who live in the neighborhood, go home on Saturday, and return generally on the Sabbath morning.

Fifty of the scholars now belonging to the school could not speak our language when they entered. These have all made progress in proportion to the time they have been here, and several of them now

speak English fluently. Others, who have not advanced so far, can read correctly, and will soon acquire the spoken language. Sixty-five now in the school, began with the alphabet. Twenty-eight of these can read with facility in the Testament. All the scholars have been accustomed, from the first, to write their lessons on slates, and when advanced, to write on paper. Thirty-nine write a plain hand, without a copy. Nineteen others can form letters with tolerable accuracy. Ten have made some progress in arithmetic, and two who were considerably advanced when they entered school, have attended to grammar and geography.

The boys when out of school are employed as circumstances may require, in the various business of the farm and family. Each one, who is of sufficient size, is furnished with an axe and a hoe. We cultivated the past season about fifty acres of corn and potatoes, most of which was planted and hoed by the boys.

The girls are in two divisions, and are employed alternately in the kitchen, and in sewing, spinning, knitting, and other domestic labors.

We acknowledge, with gratitude, the kind providence of God, in raising up patrons by whose generous aid, in co-operation with the government, we have been enable to extend to so many children of the forest the blessings of civilization, and to lay a foundation for more enlarged operations. An increasing desire is manifested by the natives to have these advantages more widely extended. Many full-blooded Indians have made applications of late to have children admitted to the school. They are willing to submit them entirely to our direction. Strong desires are expressed to have other schools opened.

B.

Extract of a letter from the Rev. Abraham Steiner, to the Secretary of War, dated

SALEM, N. C. 25th January, 1822.

HONORED SIR: I would not willingly intrude on your time, but, observing the agitation in Congress concerning the Indian affairs, and fearing the benevolent and humane plan of government for civilizing the Indians to be at stake, I cannot forbear to say a few words on the subject.

I have been, many years ago, somewhat among the northern Indians; twice I have been among the Creek nation of Indians, but am chiefly acquainted with the Cherokees, among whom I have been seven times, for a longer or shorter period. The last time I was among the Cherokees is two years ago. Just twenty years ago, I first saw and visited them, and I can assure you, Sir, that, though I had expected to see some signs of civilization among them, that it far surpassed my expectation, comparing the people with the state I

first saw them in. There were, and are now, established respectable schools in that nation, and well supported with scholars of both sexes, and it is only to be regretted that the several establishments must be limited in the number of scholars, for want of means, since the natives are highly in favor of schools, and offer more children than the several establishments are able to receive. Many of their youths can read and write, and I found among them, more especially half-breeds, as much knowledge as is commonly met with in persons of the same grade in civilized life. Besides the more public school institutions, some of them support private schools in their neighborhoods.

What interested me much was their advancement in agriculture, and their comfortable and decent mode of living, compared with former times. Surely, we cannot say that it is uniformly so, but it is among them, nearly, as it is among their white neighbors, some are industrious and advance in wealth and decency, whilst others go on careless in the way of their fathers, and remain poor beings. I have been with some who live altogether like our substantial farmers, in a very comfortable, nay, decent way, and their houses and furniture correspond with their advanced situation. In short, as far as I know, the Cherokees are advanced in civilization the farthest of the several tribes. This has been brought about not only by means of benevolent associations, who have instituted and continue the good work, but greatly by the friendly countenance, the aid, and the measures, pursued by the government, which have contributed so richly towards rescuing our red brethren, the aborigines of the land, from their degradation. There is now a fair prospect of success, and the time is hailed with pleasing emotions, as not far distant, when these sons of the forest will be useful citizens. Why let not the plan be fully tested? And why destroy the fruit of the plant before it has come to maturity, or nip it in the bud? The government being so much interested, I think it not irrelevant to say, that the institution at Brainard is a very useful one, which is supported by the Board of Foreign Missions, together with two other schools, on a smaller scale, at Taloney, and at the Creek-Path. The Baptists have also an establishment in the mountains, under the care of the Rev. Mr. Posey.

The Moravian Society at Salem, in North Carolina, have long since had, and now have, a mission establishment at Spring Place, not far from the Conesaga river, near Joseph Vann's, on the great road leading from Georgia to Tennessee, where a post office is established. According to the latest accounts from there, from fifteen to twenty children are there educated at the cost of the society. They learn to read, to write, and to cypher, and are also instructed in husbandry and useful arts. Many have gone forth from that institution evincing the usefulness of their instruction in their improvement. The Rev. John R. Smith is the missionary and teacher at that place, and last year we paid a hand, a very moral character, to cultivate the land around the establishment, and to afford the youths an

opportunity to be instructed therein; and, for the present year, we have engaged another such character for the same purpose. About thirty miles further south, not far from the Coosa river, we have made, a year ago, another establishment, where the Rev. John Gambold now resides as missionary. We expect to have an assistant for him soon as teacher. At that place is a close settlement of Indians, with fine plantations, on which are wagons and teams, ploughs, and all implements of husbandry, and some good buildings of hewn logs. Permit me also to notice, that a good portion of Indians have embraced Christianity and walk worthy of their high calling.

LAWS OF THE CHEROKEE NATION,

Passed by the National Committee and Council.

NEW TOWN, CHEROKEE NATION,
October 24, 1820.

Resolved, by the National Committee and Council, That the Cherokee Nation shall be laid off into eight districts, and that a council house shall be established in each district, for the purpose of holding councils to administer justice in all causes and complaints that may be brought before it for trial. There shall be one judge and one marshal in each district, and one circuit judge, who shall have jurisdiction over two districts, to associate with the district judges in determining all causes agreeable to the laws of the nation; the marshals are to execute the decisions of the judges in their respective districts; the district councils to be held in the spring and fall seasons, and one company of light horse to accompany each circuit judge on his official duties in his respective districts, and to inflict such punishments on thieves as the judges and councils decide agreeably to law. It shall be the duty of the marshals to collect all debts, and they shall be entitled to eight per centum for the same. The nation to defray the expenses of each district council.

In case of opposition to the marshals, in the execution of their duty, they shall be justifiable in protecting their persons in the same manner as is provided for the national light horse, by law.

By order of the committee,

JOHN ROSS, *President.*

Approved of by the council,

PATH KILLER,
CH. R. HICKS.

A. MCCOY, *Clerk national committee.*

NEW TOWN, October 25, 1820.

Resolved, by the national committee and council, That each head of a family shall pay a poll tax of fifty cents, and each single man under the age of sixty years, shall also pay fifty cents per annum, to be collected by the marshals in each district, and paid into the national treasury, to be applied for such purposes as the national committee and council shall deem proper.

By order of the national committee,

JOHN ROSS, *President.*

Approved of by the council,

PATH KILLER,

CH. R. HICKS.

A. McCox, *Clerk national committee.*

NEW TOWN, October 25, 1820.

Resolved, by the national committee and council, That a ranger shall be appointed in each district, whose duty it shall be to receive, post, and advertise, all stray horses that may be found in their respective districts, giving the age, height, color, and marks, as plain as possible: and should the proper owner not reclaim his horse or horses within two months after posting, such horse or horses shall be sold at public sale, on six months credit; the purchaser shall keep such horse or horses six months, and should the proper owner not reclaim his horse or horses within that time, such horse or horses shall be the rightful property of the purchaser; the money arising from the sales to be paid into the national treasury.

The ranger shall be entitled to one dollar for every horse so posted; and it shall further be the duty of the rangers to endeavor to place in good hands, all work horses to keep on account of their labor, or otherwise one dollar per week shall be allowed for keeping a horse on forage.

By order of the national committee,

JOHN ROSS, *President.*

Approved of by the council,

PATH KILLER,

CH. R. HICKS.

A. McCox, *Clerk national committee.*

NEW TOWN, October 25, 1820.

Resolved, by the national committee and council, That a national toll gate shall be erected on the federal road, near Captain David McNairs; and the rates of toll shall be equal to that of the turnpike on the Nickojack road at Hicks'; and that the rates of the turnpike toll at Cosewatee shall be reduced so as to make it also equal to the one on the Nickojack road.

It is also resolved, That those persons who have entered into a contract for the repairing of the federal road, shall be bound in the penalty of the sum contracted for each payment, for the faithful performance of their contracts, in putting the road in good repair.

By order of the national committee,

JOHN ROSS, *President*.

Approved of by the council,

PATH KILLER,

CH. R. HICKS.

A. McCoy, *Clerk national committee*.

NEW TOWN, October 25, 1820.

Resolved, by the national committee and council, That single white men are hereby admitted to be employed as clerks in any of the stores that shall be established in this nation, by natives, on condition that the employer obtains a permit, and becomes responsible for the good behavior of such clerks.

It is also resolved, That any person or persons whatsoever, who shall bring into the Cherokee nation, without permission from the national committee and council, a white family, and rent land to the same, proof being satisfactorily authenticated before any of the judges in the district councils, for every such offence, they shall forfeit and pay the sum of five hundred dollars, and receive one hundred stripes on the bare back.

By order of the national committee,

JOHN ROSS, *President*.

Approved of by the council,

PATH KILLER,

CH. R. HICKS.

A. McCoy, *Clerk national committee*.

NEW TOWN, October 28, 1820.

Whereas much inconvenience and expense have devolved upon the missionaries, from their scholars running away from schools, and the negligence on the part of the parents to take such children back to the schools: Therefore,

Resolved, by the national committee and council, That in future any scholar or scholars who are now, or may hereafter be put, under the tuition of the missionary seminaries, in the Cherokee nation, by the voluntary consent of their parents or guardians, who shall leave such schools without permission from their teachers, and without just provocation, and shall return home to their parents or guardians, and after application being duly made by any person authorized by the superintendent of the mission establishment, from which such scho-

lars run away to their parents or guardians, for the return of the scholar or scholars, and the parents or guardians refusing to take proper measures to compel their children to return to school, shall be bound to pay all expenses incurred by their children to the mission establishments for clothing, board, and tuition, to the superintendent of such institution.

And be it further resolved, That the superintendent of the missionary stations shall have the privilege to take out of their schools such scholars as they shall deem proper, with the consent of their parents or guardians, and bind them out to learn such mechanical trades as may be attached to their respective establishments to the best interest of the apprentice so bound. And in case of the elopement of such apprentice, the same rules and regulations as provided for in the foregoing resolution, shall be observed. The nation shall procure, at the public expense, a set of tools for every such apprentice who shall have faithfully served his time, and shall have learned a trade.

By order of the national committee,

JOHN ROSS, *President.*

Approved of by the council,

PATH KILLER,
CH. R. HICKS.

A. Mc Coy, *Clerk national committee.*

NEW-TOWN, October 28, 1820.

Resolved, by the National Committee and Council, That any person or persons whatsoever, who shall trade with any negro slave, without permission of the owner of such slave, and the property so traded for be proved to have been stolen, the purchaser shall be held bound to the legal proprietor for the same, or the value thereof.

And be it further resolved, That any person who shall permit their negroes to purchase spirituous liquors and vend the same, the master or owner of such negro or negroes shall forfeit and pay a fine of fifteen dollars for every such offence, to be collected by the marshals within their respective districts for the national use; and should any negro be found vending spirituous liquors without permission from their respective owners, such negro or negroes, so offending, shall receive fifteen cobs or paddles for every such offence, from the hands of the patrollers of the settlement or neighborhood in which the offence was committed; and every settlement or neighborhood, shall be privileged to organize a patrolling company.

By order of the national committee,

JOHN ROSS, *President.*

Approved by the council,

PATH KILLER,
CH. R. HICKS.

A. Mc Coy, *Clerk national committee.*

IN COUNCIL, NEW-TOWN,
November 1, 1820.

Resolved, by the National Committee and Council, That the first district is, and shall hereafter be known by the name of Chicamauga district, and shall be bounded as follows: Beginning at the confluence of Aumuchee creek with the Oostinalah river; thence, a straight course, northwardly, to a spring branch, between the Island-Village and Racoon-Town; thence, to the head source of a creek, on which Suaggee lives, between that and Flute's old place; thence, a straight course, over the Lookout mountain, to the intersection of the Blue ridge; thence along, the said ridge, opposite the heads of Will's and Lookout creeks; thence, a straight course, to the nearest source of Racoon creek; thence, down the said creek, to the Tennessee river; thence, up said river, to the mouth of Ooletewaugh creek, and up said creek to its southeastern source; thence, a straight course, to the mouth of Sugar creek, on Connessaugee river; thence, down said river, to Oostenaleh river; thence, down said river, to the place of beginning. And the said district shall hold its councils in Chicamauga Village, the first Monday in May and the first Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the National Committee and Council, That the second district is, and shall hereafter be known by the name of Chattoogee district, and be bounded as follows: Beginning at the mouth of Racoon creek with the Tennessee river; thence, down the said river, to the boundary line, commonly called Coffee's line; thence, along said line, to Will's creek; thence, down said creek, to its confluence with the Coosa river; thence, down said river, to the military ford, the first island above Fort Strother; thence, along the boundary line, between the Cherokees and Creeks, to Little Chinneebee's trace; thence, along said trace, to Cedar creek, below Avary Van's old place; thence, down said river, to its confluence with the Coosa river; thence, up the said river, to the confluence of High Tower and Oostinalah rivers; thence, up Oostinalah river, to the mouth of Aumuchee creek, and to be bounded by the first district. And the said district shall hold its councils at Chattoogee town, the second Monday in May and the second Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the National Committee and Council, That the third district is, and shall hereafter be known by the name of Coosewaytee district, and to be bounded as follows: Beginning at the widow Foal's Ferry; thence, eastwardly, along the High Tower wagon road, to Thomas Pettitt's; thence, to the big creek on said road, and up said creek, to its source; thence, a straight course, to the head of Tullonie creek, between this and James Daniel's; thence, a straight course, to the head of Red Bank creek, above Cortikeyeh; thence, a straight course, to the Blue ridge, opposite the head of Potatoemine creek; thence, to the head of Clabboard creek, above Ellejoy town; thence, a straight course, to the head source of Connessaugee river; thence, a straight course, to Connessaugee river opposite the mouth of Sugar

creek, and to be bounded by the first district. And the said district shall hold its councils in the town of Coosewaughtee, the first Monday in May and the first Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the National Committee and Council, That the fourth district is and shall hereafter be known by the name of Aumoiah district, and shall be bounded as follows: Beginning at the head source of Connessaugree river; thence, a straight course, eastwardly, to the head source of Star's creek, commonly called Connessaugree, including the inhabitants of Mudtown, above Hiwassee old town; thence, down the said Connessaugree creek, to the boundary line; thence, along said line, to Hiwassee river; thence, down said river, to Tennessee river; thence, down said river, to the mouth of Ooletewaugh creek, and to be bounded by the first and third districts. And the said district shall hold its councils in the town of Aumoiah, the second Monday in May and the second Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the National Committee and Council, That the fifth district is and shall hereafter be known by the name of Hickory Log district, and shall be bounded as follows. Beginning at the Blue ridge at the Potatoemine creek; thence, along said ridge, southeastwardly, where the Chuwastogah path crosses the same, leading to Frog-town; thence, along said path, where it crosses Frogtown branch; thence, down said branch, to its confluence with Tasantee; thence down Chestatee river, to Chattahoochy river; thence, down said river, to five miles above the mouth of Sweet-water town creek; thence, a straight course, northwardly, to the source of said creek; thence, a straight course, over Hightower river, to the Big creek, above Thomas Pettitt's, and to be bounded by the third district. And the said district shall hold its councils in the town of Hickory Log, the first Monday in May and the first Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the National Committee and Council, That the sixth district is, and shall hereafter be known by the name of Hightower district, and shall be bounded as follows: beginning on the Chattahoochy river, five miles above Sweet-water town creek; thence, down said river, to the mouth of Sand creek, on the west bank of the Chattahoochy river; thence, along the boundary line, between the Cherokees and Creeks, to Little Chinneebee's trace, and to be bounded by the second, the third, and fifth districts. And the said district shall hold its councils in the town of Hightower, the second Monday in May and the second Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the national committee and council, That the seventh district is and shall hereafter be known by the name of Toolostieyeb, and be bounded as follows: beginning at Star's creek or Connessaugree, along the boundary line, southwestwardly, to the Unicoy turnpike road; thence, along said road, to where it crosses the Hiwas-

see river, in the Valley towns; thence, a straight course, to the head source of Coosa creek, at the Blue Ridge, above Chuwostoyeh, including the inhabitants of Nattullee; thence, along the said Ridge, to where the Unicoy turnpike road crosses the same; thence, a straight course, to the head source of Tasentie Persimonlog; thence, down the said Tasentie, to its confluence with Frogtown creek, and to be bounded by the third, fourth, and fifth districts. And the said district shall hold its councils in the town of Toolostieyeh, the first Monday in May and the first Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

Resolved, by the national committee and council, That the eighth district is, and shall hereafter be known by the name of Aquohee district, and shall be bounded as follows: beginning where the Unicoy turnpike road crosses the Blue Ridge; thence, along said road, eastwardly, to the Standing Man; thence, along the boundary line, run by Colonel Houston, to the confluence of Nanteyalee and Coewee rivers; thence, down said river, to Talapsee; thence, along the afore-said boundary, to the intersection of the Unicoy turnpike road, and to be bounded by the seventh district. And the said district shall hold its councils in the town of Aquohee the second Monday in May and the second Monday in September, and shall sit five successive days to dispatch business that may be brought before them.

These eight districts were laid off by the council agreeably to the resolution of the committee and council of the 24th instant, for the organization of the Cherokee nation.

Test,

CH. R. HICKS.

In Committee, New Town, October 26, 1819.

Unanimously agreed, That schoolmasters, blacksmiths, millers, saltpetre and gun-powder manufacturers, ferrymen, and turnpike keepers, and single hirelings, as mechanics, are hereby privileged to reside in the Cherokee nation, under the following conditions, viz: Their employers procuring a permit from the national committee and council for them, and becoming responsible for their good conduct and behaviour; and subject to removal for misdemeanor. *And further agreed,* That blacksmiths, millers, ferrymen, and turnpike keepers, are privileged to improve and cultivate twelve acres of ground for the support of themselves and families, should they please to do it.

JOHN ROSS,

President of the national committee.

A. M'Coy,

Clerk national committee.

NEW TOWN, CHEROKEE NATION,

October 28, 1819.

This day decreed by the national committee and council that all citizens of the Cherokee nation, establishing a store or stores for the purpose of vending merchandise, shall obtain a licence for that purpose from the clerk of the national council, for which each and every person so licensed shall pay a tax of twenty dollars per annum, and that no other but citizens of the Cherokee nation shall be allowed to establish permanent stores within the nation: *And it is also decreed,* That no pedlar or pedlars, not citizens of the nation, shall be permitted to vend merchandise in the nation without first obtaining a licence from the agent of the United States for the Cherokee nation, agreeably to the laws of the United States; and each and every one so licensed, shall pay a tax of eighty dollars per annum to the treasurer of the Cherokee nation. And all such person or persons, so licensed, shall obtain a receipt on the back of his or their licence, from the treasurer, for the sum so paid; and, in case any person or persons violate this decree, he or they shall forfeit and pay a fine of two hundred dollars to the national treasury; and it shall be the duty of the regulator or light-horse, to collect the same; and any person discovering and giving information of the same, shall be entitled to the sum of twenty-five dollars: *And it is hereby further decreed,* That no person or persons, not citizens of the nation, shall bring into the nation and sell any spirituous liquors, and all such person or persons, so offending, shall forfeit the whole of the spirituous liquors that may be found in his or their possession, and the same shall be disposed of for the benefit of the nation; and if any person or persons, citizens of the nation, shall receive and bring into the nation spirituous liquors for disposal, and the same or any part thereof be found to be the property of a person or persons not citizens of the nation, and satisfactory proof be made of the fact, he or they shall forfeit and pay the sum of one hundred dollars, and the whiskey be subject to confiscation as aforesaid. This decree to take effect from and after the first day of January, one thousand eight hundred and twenty, and to be strictly enforced: *Provided, nevertheless,* That nothing shall be so construed in this decree, as to tax any person or persons bringing sugar, coffee, salt, iron, and steel, into the Cherokee nation for sale, but no permanent establishment for the disposal of such articles can be admitted to any person or persons, not citizens of the nation.

JOHN ROSS,

President of the national committee.

Concurred in by the council.

PATH KILLER,
CH. R. HICKS.

A. M'Coy, Clerk.

NEW TOWN, CHEROKEE NATION,

October 30, 1820.

Whereas the Big Ratling Gourd, William Gremitt, Betsey Broom, the Bark, Daniel Griffin and Mrs. Lesley have lodged a complaint before the chiefs, of a certain company of persons having formed a combination, and established a turnpike arbitrarily in opposition to the interest of the above named persons, proprietors of a privileged turnpike on the same road:

Be it now therefore known, That said complaint having been submitted by the Council to the National Committee for discussion, and after maturely investigating into the case, have decreed, that the said new company of the disputed turnpike shall be abolished, and that the above named persons are the only legal proprietors and privileged company to establish a turnpike on the road leading from widow Foal's at the forks of Hightower and Oostinaleh rivers, to Will's creek, by way of Turkey town; and the said company shall be bound to keep in repair said road, to commence from the first creek east of John Fields, sr. known by the name of Where Vann was shot, and to continue westward to the extent of their limits. And the widow Foal shall also keep in repair, for the benefit of her ferry, at the fork, the road, to commence from the creek above named, to where Ridge's road now intersects said road, east of his ferry, and that the Ridge shall also keep in repair the road to commence at the two runs east of his ferry, and to continue by way of his ferry as far as where his road now intersects the old road leading from the fork west of his ferry; and that the Hightower turnpike company shall keep in repair the road from the two runs to where it intersects the Federal road near Blackburn's. *And be it hereby resolved,* That no person or persons whatsoever, shall be permitted to cut out any road or roads now in existence so as to intersect the same again, and to the injury of the interest of any person or persons residing on said road, without first getting an order from the National Council for the opening of such road or roads. Any person or persons violating this decree, contained in the foregoing resolution, shall be subject to such punishment and fine as the National Council and Committee may hereafter decide and inflict on any such case as may be brought before them for trial.

JOHN ROSS,

President of the National Committee.

Approved of by the Council,

PATH KILLER,
CH. R. HICKS.A. M'Cox, *Clerk.*

NEW TOWN, CHEROKEE NATION,
November 1, 1819.

Resolved, by the National Committee and Council, That any person or persons employed or instigating any person or persons whatsoever, to steal the property of another, and such person being tried and convicted upon satisfactory proofs, shall forfeit and pay the value of the property so stolen, and be punished alike with the person or persons so employed to steal, agreeably to the sentence of such a trial.

By order of the National Committee,
JOHN ROSS, *President.*

Approved by the Council,
PATH KILLER,
CH. R. HICKS.

A. M'Coy, *Clerk.*

NEW TOWN, CHEROKEE NATION,
November 2, 1819.

Resolved, by the National Committee and Council, That any white man who shall hereafter take a Cherokee woman to wife, be required to marry her legally by a minister of the Gospel or other authorized person, after procuring a licence from the National Clerk for that purpose, before he shall be entitled and admitted to the privilege of citizenship.

And in order to avoid imposition on the part of any white man, *Resolved,* That any white man who shall marry a Cherokee woman, the property of the woman so married shall not be subject to the disposal of her husband contrary to her consent; any white man so married, and parting from his wife without just provocation, shall forfeit and pay to his wife such sum or sums as may be adjudged to her by the National Committee and Council for said breach of marriage, and be deprived of citizenship; *And it is also resolved,* That it shall not be lawful for any white man to have more than one wife, and it is recommended that all others should also have but one wife hereafter.

By order of the National Committee,
JOHN ROSS, *President.*

Approved of by the Council,
PATH KILLER,
CH. R. HICKS.

A. M'Coy, *Clerk.*

NEW TOWN, November 1, 1819.

Resolved, by the National Committee and Council, That in case any person or persons, citizens of the nation, and not enrolled in the Ar-

kansaw country, who have or may take possession of, and occupy any improvement or place, where Arkansaw emigrants had left, before any privileged emigrants, to continue in this nation, shall retake possession of such place or places aforesaid, they shall be entitled to an exclusive right of the same.

By order of the National Committee,

JOHN ROSS, *President.*

Approved of by the Council,

PATH KILLER,

CH. R. HICKS.

A. M'Coy, *Clerk.*

IN COUNCIL, BROOM'S TOWN,
September 11, 1808.

Resolved, by the Chiefs and Warriors in National Council assembled, That there shall be regulating parties or light horse, to be employed in this nation, to continue in service for one year when any person or persons engages therein; and to consist of six men to each company, whose duty it shall be to suppress horse stealing, as well as other property, and to protect fatherless children to their father's property, which children he may have had by his last wife with whom he lived at the time of his decease. The said regulators, or light horse, shall each receive thirty dollars for his services, except the captain, who shall receive fifty dollars, and the lieutenant forty dollars per annum. Should any horse or horses belonging to the company die while on duty, they shall be paid for by the nation at the rate of forty dollars each. When any person or persons shall be charged with theft, one or two witnesses are required to establish the facts, or circumstantial proof being adduced against the accused person or persons, he or they shall be punished with one hundred stripes on his or their bare back for stealing a horse, or one half of the stripes in case the property be restored or paid for at the rate of sixty dollars. And in order for the strict execution of the above law,

Be it further resolved, by the Chiefs and Warriors in National Council assembled, That if it shall so happen that any person or persons in this nation who shall be accused of theft, and shall raise up with weapons in his or their hands against the regulators or light horse, such as guns, tomahawks, knives or spears, in opposition and with intention of injuring any of the regulators or light horse, in defiance of their orders, then, in that case, the regulators are hereby fully authorized, and it is decreed by the seven clans composed of this nation to defend their person or persons from injury by any person or persons in opposing their orders, and should the regulators or light horse kill him or them when opposing their orders, which the seven clans hereby decree, for the respective clans, that the blood of him or them so killed, shall in no wise be required of the regulator or

from any of his relatives, or from any of the clans to which he or they may have belonged.

Accepted of by the acting chiefs,

**BLACK FOX,
PATH KILLER,
TOOCHALAR.**

NOTE. The above law was first passed at Oostinaleh Council in 1800, and committed to writing at Broom's Town, 1808, and an amendment made at Aumoiah Council in 1817.

IN COUNCIL, OOSTINALEH,
April 18, 1810.

1. *Be it known this day,* That the various clans or tribes which compose the Cherokee Nation, have unanimously passed an act of oblivion for all lives for which they may have been indebted one to the other, and have mutually agreed that after this evening, the aforesaid act shall become binding upon every clan or tribe thereof.

2. The aforesaid clans or tribes have also agreed that if in future, any life should be lost without malice intended, the innocent aggressor shall not be accounted guilty; and should it so happen that a brother forgetting his natural affections, should raise his hands in anger and kill his brother, he shall be accounted guilty of murder and suffer accordingly.

3. If a man has a horse stolen and overtake the thief, and should his anger be so great as to cause him to let it remain on his own conscience, but no satisfaction shall be required for his life, from his relative or clan he may have belonged to.

By order of the seven clans,

TURTLE AT HOME,
Speaker for the Council,
**BLACK FOX,
PATH KILLER,
TOOCHALAR,
KEACHATALOO,
BOAT,
CHULEOA.**

CHARLES HICKS, *Secretary of the Council.*

