

Their first treaty with the United States was entered into at Hopewell, South Carolina, November 18, 1785, and was the commencement of a series of ruinous contracts whereby the Cherokees were coerced or forced by circumstances into relinquishing their rights to the land east of the Mississippi. Many plans and devices were adopted to deprive them of their inheritance, and they suffered inhuman treatment at the hands of the colonists, but rarely sought revenge for these outrages, until, in 1792, being driven almost to desperation, a body of 700 warriors under John Watts attacked Buchanan Station, near Nashville, Tenn., and probably would have reduced it to ashes had not their leader fallen beneath his wounds early in the attack. Later on, Caville Station, near Knoxville, Tenn., was captured and burned by a force of 1500 braves. Peace was not fully restored to the border until the summer of 1794, when Major Ore destroyed two large Cherokee towns—Running Water and Nickajack.

In the year 1809 the Upper and Lower Cherokees began to develop a difference in tastes and methods of living. The former were making considerable progress in agriculture, while the latter, who chiefly subsisted on the proceeds of the chase, were becoming discontented with the growing scarcity of game, and as a consequence a party of the latter started for the White river country in Arkansas, with a view to finding a better hunting ground. In this they were successful, and in eight years from the date of their first settlement there were three thousand members of the tribe located on the White river and its tributaries. Then followed the treaty of 1817, whereby the United States government presented each poor exile Indian with a rifle, trap and blanket in lieu of his home claim, and transported him west of the great river to join his comrades and fight the Osages and Quapaws, who were incessantly raiding upon the new comers. The government had promised them protection from the hostiles, but refused to interfere until the remainder of the Cherokees availed themselves of the late treaty and abandoned their homes.

At the same time the state officials of Georgia commenced persecuting those who remained in their old homes and pressing the United States government to hasten their removal from the state. An agreement had been entered into in April, 1802, whereby Georgia ceded to the United States certain lands lying south of the Tennessee and west of the Chatahouchie rivers, etc., in consideration of \$1,250,000, the Indian title to lands in Georgia to be extinguished on peaceable and reasonable terms. As the years went by without the fulfillment of the latter part of the contract, the citizens of Georgia grew more and more offensive, and Governor Troup went so far as to threaten the secretary of war with impending bloodshed if immediate action was not taken. At this time there were a few white men among the Indians laboring for their welfare, and they were arrested, but those who would promise not to return to the Indian country were immediately released. Dr. Worcester and Butler refused to make this promise and they were thrown into prison.

The United States Supreme Court ordered them to be liberated, but the state of Georgia at first refused and it was not done for over a year afterwards.

In the meantime the final treaty was drafted and concluded in December, 1835. This treaty was a clear release of all lands owned by the Cherokees east of the Mississippi for the sum of \$5,000,000. John Ross, the principal chief, who had been at Washington for three or four winters in the interests of his people, was opposed to the treaty, and opened a correspondence with the President in the hope of relief, but obtained none. On the other hand Andrew Ross, a member of the Cherokee delegation, who was in favor of the emigration, entered into an agreement with the commissioner of Indian affairs to bring together a sufficient number of leading Cherokees with whom a treaty could be effected. A preliminary treaty was therefore concluded on the 19th day of June, 1834, but it was never ratified, as the Cherokees were divided, some being in favor of emigration, while others were opposed to it. On the 14th day of March a treaty providing for removal was drawn up with the delegates, with the express stipulation that it should receive the approval of the Cherokee people in full council assembled. In October following the Cherokee people in full council rejected the treaty, but notwithstanding this it was ratified by the United States Senate May 23, 1836; and the Cherokees were compelled to leave their homes and seek new ones in the western wilds.

The history of the removal of the Cherokees from their eastern homes is a very sad story. Between sixteen and seventeen thousand men, women and children left Brainard late in the fall with a winter's journey of about half a year before them. The severity of the weather, together with the number of old and infirm emigrants, rendered them unable to travel more than from five to fifteen miles a day. As the season advanced they were attacked by disease with dreadful fatality. A large number lay down by the roadside to die, and the great caravan soon became a veritable funeral procession, the average number of deaths reaching thirteen per day. At the end of the journey the roll was called and over four thousand persons were missing, one-fourth of the company having died by the wayside. The survivors were so enraged at those who had been instrumental in bringing this calamity upon them that shortly after their arrival at their destination three of the leaders of the treaty party were brutally murdered. The old settlers, these of the lower towns who came west of their own accord, refused to acknowledge John Ross as their chief, and considerable trouble ensued, many murders resulting therefrom. At length, concluding they could not live in peace with the Ross party, the old settlers sent a delegation into the Texas country to explore for a new home, but it went no further at that time.

Heretofore the Cherokees were under the government of their chiefs, but now it was decided to make a change in this matter, and a constitution, based on the Constitution of the United States, was adopted on the 12th

day of July, 1838. Under this the supreme executive power of the nation is vested in the principal chief or governor, who is elected by the popular vote for a term of four years. In case of death or removal from office his position is filled by an assistant principal chief. The former receives a salary of \$2000 and the latter \$1000 per annum. An executive council or cabinet composed of from three to five persons is appointed by the national council, to be at the disposal of the chief when their services are required. Among other important officers are the treasurer, solicitor general and auditor, the former two receiving \$1000, and the latter \$500 per annum.

The judicial powers of the nation are vested in supreme, circuit and district courts. The former is conducted by three judges, one of whom is appointed by the council every two years. These functionaries receive a salary of \$800 per year, and hold their commission for six years. The nation is divided into three judicial circuits, each of which has a judge, elected by the people, with a salary of \$600 a year. It is also divided into nine districts, viz: Canadian, Illinois, Sequoyah, Flint, Delaware, Going-snake, Tablequah, Saline and Coo-wee-coo-wee, in each of which is a district court, the judge being elected for a term of two years at a salary of \$400 per year.

Each district sends to the national council two senators and from three to seven representatives, in proportion to population. The national capital is located at Tablequah, where the council meets annually the first Monday in November and continues from four to six weeks. The legislative body is divided into two branches—the senate and council—and the members are elected for a term of two years, \$5 per day being paid them during attendance. The majority of the members are Cherokees by blood, though there are a few exceptions. They are mostly men of intelligence. Their laws are very good, and are more strictly enforced than those of other tribes.

At the breaking out of the war of the Rebellion many of the Cherokees were wealthy slaveholders and in sympathy with the South. As a consequence a party was organized under the leadership of Stand Watie, and united with the Southern Confederacy. Others remained loyal to the Federal government and a party was organized for its support. Chief John Ross for a time remained neutral, but finally organized a regiment to assist the Confederates. They served but ten months, however, when, not being supplied with food and clothing, they all went over to the North, and it was not long until Chief Ross followed their example, claiming to have favored the North from the first, but that he had been overborne by the power of the Confederacy, and felt constrained to save the material interests of his people from total destruction. He was escorted out of the country by Colonel Welr's regiment, and went to Philadelphia, where he remained three years.

In the spring of 1863, after the government had returned the refugees to their homes in time to plant their crops, Stand Watie, with about eight