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RATIFIED TREATY NO. 89
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF JULY 8, 1817, WITH THE CHEROKEE INDIANS

No. 1 May 16 (817)

To Gen Jackson
Telling

Comprising

3807

(Copy)

Department of War,

May 16th 1807.

Sir,

I had the honor to inform you on the 14th instant, that the President had determined to hold a treaty with the Cherokees, for an exchange of territory, in pursuance of the authority vested in him by the 15th section of the act passed on the 26th of March, 1804, for erecting Louisiana into two territories,

I now enclose you a commission authorizing Gov. M^r. Minn, Genl. Meriwether, and yourself, to negotiate with the Cherokee nation for that and other objects.

The lands proposed to be given to the Cherokees, on the West of the Mississippi river, in exchange for those now occupied by that nation on the East of the said river, are the lands on the Arkansas and immediately adjoining the Osage boundary line, and which are now occupied by a part of the nation. As a further inducement to that portion of the nation, whose habits of life would dispose them to remove from a country where the products of the chase are daily diminishing, and no longer afford certain support for their families, to one where game abounds, and where the means of subsistence are easily attainable in that mode which is most congenial to their habits, you are authorized to grant a given sum of money, for the purpose of affording the means of transportation; and, also, to stipulate for furnishing them with such number of arms, blankets, and other articles, as you may think expedient or necessary. Those individuals (and they are understood to be numerous)

Who have acquired property and wish to remain, and who experience the daily increasing embarrassments and difficulties arising from the want of proper laws, for the protection and security of that property, will, it is believed, find sufficient inducement for the exchange, in the benefits which they will derive from the enjoyment after rights and immunities of a citizen of the United States, and in the protection of the laws of the particular state, or territory, in which they may respectively reside; and in the assignment of a section of 640 acres of land (and more, if in particular instances it may be ^{deemed} necessary) to the head of each family, in which they will have a life estate, with a reversion in fee simple, to their child, or children, reserving to the widow her dower.

I enclose for your information, a copy of a talk delivered by the President of the United States, in 1809, to a deputation of the Cherokee nation, from which it will appear, that the permission which was granted to a part of the nation to remove to the Arkansas, was founded on an expectation of an exchange of territory, at least in part, and proportioned to the numbers of those who removed.

Should the nation not be prepared to enter into an arrangement for the exchange of territory, at the present moment, much benefit may nevertheless, be expected from your mission, as you will be able to explain fully the views and objects of the government, and to impress on the minds of the different descriptions of people of which the nation is composed, the

advantages which they may, respectively, derive from an exchange of territory, the ultimate accomplishment of which, will be as beneficial to themselves as to the people of the United States.

In consequence of the guaranty made in the 4th article of the Convention with the Cherokee, entered into at Washington on the 7th of January, 1806, it has become expedient to obtain a relinquishment of the claim of the Cherokee nation, to the two tracts of land reserved by the first article of that Convention: this relinquishment, it is believed, you will be easily enabled to obtain, and for a reasonable compensation.

I have the honor &c.

(Signed)

George Graham.

To Genl. Andrew Jackson, }
Gov. Joseph McMinn, } Commrs &c.
Genl. David Meriwether }