

2-10-1849

Memorial of Judge Wind and others, asking the fulfilment of treaty stipulations with the Cherokee Indians

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Misc. Doc. No. 40, 30th Cong., 2nd Sess. (1849)

This House Miscellaneous Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

OLD SETTLERS OF THE CHEROKEE NATION OF INDIANS.

MEMORIAL

OF

JUDGE WIND AND OTHERS,

ASKING

The fulfilment of treaty stipulations with the Cherokee Indians.

FEBRUARY 10, 1849.

Laid upon the table, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the "Old Settlers" or "Western Cherokees," are again impelled to present their grievances before your honorable bodies, and ask of you the fulfilment of your often repeated promises to mete out full and exact justice to them, who are weak and feeble.

Your memorialists do not deem it necessary again to revert to the circumstances which impel them to seek redress at your hands after having so often done so; and it is with the deepest sense of the respect due to the dignity of your honorable bodies that they feel induced plainly to represent that their grievances are not the result of any fault of theirs, but are produced solely by the neglect and tardiness of that government which your honorable bodies compose, and to which they are impelled to come almost in the attitude of suppliants, to obtain that which they humbly conceive they might claim as a right. When the treaty of 6th August, 1846, was made and ratified, to the provisions of which your memorialists very reluctantly acceded, they did not expect still to be compelled to send delegates year after year to Washington for the purpose of urging Congress to pay them the amount, though small, adjudged to them in the provisions of that treaty. They strive, however, to console themselves with the charitable reflection that the amount due them has been withheld probably in consequence of the neglect or tardiness of the department having control of the business, or perhaps on account of the war between the United States and Mexico, the prosecution of which required all the resources of the government to be directed to that object; but since peace has been secured your memorialists cannot conceive any good reason why their reasonable demands should not be speedily and promptly complied with.

Your memorialists now respectfully request your honorable bodies to cause the appropriation to be made at the present session of Congress, of all money due them, and to cause the same to be paid to them in pursu-

ance of the provisions of said treaty, and should the government party of Cherokees be disposed to delay the payment of the moneys due to themselves, your memorialists can conceive no reason arising therefrom why their own money should not be paid them without delay in pursuance of said treaty.

The debts of your memorialists, as adjudicated and allowed by them, amounting to the sum of thirty thousand dollars, and set forth in their memorial to the last preceding session of Congress, they are willing and anxious to have paid, and respectfully request your honorable bodies to cause that sum to be set apart from the general fund, and paid to the creditors whose claims have been so adjudicated and allowed, which said claims are already before your honorable bodies and certificates thereof have been duly issued to the said creditors.

Your memorialists further beg leave to call the attention of your honorable bodies to their right to interest upon the amount due them under said treaty from the date thereof, which said interest will be sufficient to discharge the said debts, leaving the whole of the principal to your memorialists.

JUDGE WIND,

Chairman of Committee.

Aaron Hicks,
John Spears,
Joseph Clyning,
Thos. B. Wolf,
Jesse Russell,
Samuel Chambers,
Thomas Pegg,
Little Elk,
Takes-tas-kee,
Thomas Candy,
Choo-wai-loo-kee,
Buffalow,
John Choctaw,
Jacob Thorn,
Nicholas Byers,
Deer Track,
Big Cabin,
Tar-wah-tee-hee,
Alex. Foreman,
James M. Payne,

Members of the "Old Settler" Committee.

H. T. MARTIN,

Secretary of Committee.

SAP-LON-TEE-SKEE, U. N.

December 8th, 1848.