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THE LOST ARCHIVES OF THE CHEROKEE NATION

Edited by

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PART I, 1763-1772

In December, 1780, and January, 1781, Arthur Campbell, a political and military leader in Southwest Virginia, joined John Sevier of Washington County, North Carolina, in a devastating raid against the Cherokee Indians, who had seized upon the King's Mountain campaign of the western settlers as an opportunity to recover their lost hunting grounds. The punitive expedition led to the burning of most of the Overhill Cherokee towns as well as the destruction of much of the provisions of the Indians. In a letter to Governor Thomas Jefferson of Virginia detailing the events of the expedition, Campbell reported: "We found in Okana-Store's Baggage, which he left behind in his fright, various manuscripts, copies of Treaties, Commissions, Letters, and other Archives of the nation, some of which shews the double game that People have been carrying on, during the present War." Campbell later wrote Jefferson forwarding the documents which remained in his possession. The letters and treaties thus lost by the Cherokee Nation were sent to Thomas McKean, President of Congress, December 20, 1781, and later found their way into the files of the Continental Congress where they have been seen by a number of writers but seldom noted. The documents that have survived are few in number for a once proud nation of Indians. They cover the years from 1763 to 1778, which was one of the most critical times in the


2 One of the leading chiefs among the Cherokees for many years. His name has been spelled a number of ways. Although usually spelled Oconostota by modern writers, in this paper the spelling "Oconostotah" will be used, as nearer the form found in contemporary documents.


4 Boyd, Jefferson Papers, VI, 141. A list of the documents is in a note to this letter.

history of the Cherokees as well as for the English colonies in North America. The one theme that runs through all the papers is that of the constant encroachment of the white man on the Cherokee territory. The Indian nation was fighting for its homeland and slowly losing battle after battle, sometimes as a result of their own mistakes and temporary appetites for the white man’s goods, and at other times as a result of aggression on the part of the frontiersmen whose greed for land was more permanent. The Lost Cherokee Archives constitute a brief history of an important era of an ancient people who were unable to cope with the more advanced Europeans on their frontiers.

In his covering letter to Governor Thomas Jefferson, June 20, 1781, accompanying the papers, Arthur Campbell stated:

I send by this conveyance part of the Papers you desired in your letter of 23d of May last. I have not received those in the hands of the Carolina Officers, but this being so good an opportunity I am desirous of forwarding what I have. At the same time you will please to consider them as sent to you as a private Gentleman or a member of the Philosophical Society, and not as a public Officer of Virginia.8

The document of the earliest date included in the “Lost Archives” is a communication from John Stuart, Superintendent of Indian Affairs for the Southern Department, to the Cherokee Indians inviting them to participate in a conference of southern tribes scheduled to be held at Augusta, Georgia, August 15, 1763. It was designed, according to John R. Alden, “to soothe any jealousies that might be created by the withdrawal of the French and Spanish [as a result of their defeat in the French and Indian War] and to remove grievances.”9

John Stuart, the man most concerned with Indian affairs in the South, apparently arrived in Charleston, South Carolina, in 1748, where he established his home. During the French and Indian War he commanded one of the companies which built and garrisoned Fort Loudoun on the Little Tennessee River in the Overhill Cherokee country in 1756-57, and he was the only officer spared when the Cherokees, who

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8 Ibid., 141-42. The list in Boyd’s note to Jefferson’s letter to McKean indicates that Campbell’s promise to send more documents later was not fulfilled. What happened to the papers is not known. See also Samuel C. Boyle, The Papers of John Sevier (Chapel Hill, 1926), 190.

9 John Richard Alden, John Stuart and the Southern Colonial Frontier (Ann Arbor, 1944), 181.
had become allies of the French, captured the fort and massacred many of the garrison in 1760. He was helped to escape by the Cherokee chief Attakullakulla, the Little Carpenter, and returned to Charleston.

In 1763 he was appointed to succeed Edmund Atkin as superintendent of Indian affairs for the Southern Department, a post which provided him with a larger salary than some of the governors of southern colonies received. Stuart acquired large tracts of land in South Carolina and Florida, some two hundred slaves, and a beautiful house in Charleston which still stands. He served as Indian agent until his death in 1779. * His invitation to the Cherokees to attend the Augusta Conference follows. It is in the Virginia Papers, Item 71, Vol. II, 217-18. Hereafter, page numbers will follow the headings of the documents.


To the Principal Warriors and the Governing beloved Headmen of the Cherokee Nation

Warriors and Headmen

His majesty the King having by the Blessings of God on His Arms, reduced his Enemies the French and Spaniards to reason and the Necessity of making Peace upon Equitable terms, and being desirous of renewing and Strengthening Friendship and Harmony between his white Subjects and Your Nation: That so desirable an end may be obtained has thought proper to order me his Agent and Superintendent of Indian Affairs, to invite you the Headmen and Warriors of the Cherokee nation to meet the Governors of his Provinces of Virginia North & South Carolina and Geogia, with me, at Augusta in Geogia on the Fifteenth day of October next where the Warriors and Headmen of the Choctaw, Chickasaw, Creek and Catawba Indians are also invited to meet at the Same time that His Majestys most Gracious and Benevolent Intentions may be communicated to You and them and that Peace Harmony and Friendship between the Indian Nations and His Majestys White Subjects may be established on a firm and permanent Footing.

I therefore send this Letter by Express to acquaint you that the Several Governors will be at Augusta on the Fifteenth Day of October, to meet you with the Warriors and Headmen of the Other Nations abovementioned: and as the Object of the intended meeting is Peace I must recommend to you to come to it with pacifick and Friendly Intentions toward each other, that no bad Talk may prevail and that the Path may remain Straight and Open——

As an incontestable Proof of his Majestys most benevolent and upright Intentions and Disposition towards you and the Other Indian Nations, I enclose you a copy of Orders which he has lately sent to his Governors in America relating to your Lands: and which I am ordered to Communicate to You, that you may cause them to be read and Published thro'out your Nation, to the End that all men may know his Majesty's [sic] determined resolution of maintaining you

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* Ibid., passim.
and massacred by the Cherokee Nation, on the frontier of South Carolina, near the Savannah River. With the death of this great Chief, the Chiefs of the Cherokee Nation, under the leadership of their famous Leader, the Principal Chief, and the other Indian Nations in Your just Rights & Privileges and Observing inviolably his Engagements. I am

Your affectionat Friend
and Brother
John Stuart, Agent
& Superintendent

Charles Towne 30 June
1763

Even before Stuart issued the invitation for the congress at Augusta, the colonial governments in North America had received a proclamation dealing with Indian affairs. The proclamation, although issued by George III on December 9, 1761, apparently was not received in the colonies until the summer of 1763. The document has been overlooked by the writers on the history of the southern Indians although it was published in the colonial newspapers about six months before the publication of the Proclamation of 1763, which set the Appalachian watershed as the western boundary for settlement by Englishmen. In many ways the Proclamation of 1761 closely resembles the Proclamation of 1763, although it does not fix a definite boundary; indeed, in some respects it seems to be harsher on those who exploited the Indians.

The document was printed by Stuart soon after its arrival in Charleston, and it was sent to all the Indian nations under his jurisdiction as of the date July 4, 1763. Apparently, then, it was not enclosed with his letter of June 30, 1763, to the Cherokees.

JOHN STUART'S COMMUNICATION TO THE CHEROKEE INDIANS,
JULY 4, 1763, OF A ROYAL PROCLAMATION OF 1761,
PRINTED, P. 151.

His Majesty's Instructions to all the Governours of his Provinces in America. Whereas the peace and security of our colonies and plantations upon the continent of North-America, does greatly depend upon a just and faithful observance of those treaties and compacts which have been heretofore solemnly entered into with the Indians by our royal predecessors, Kings and Quees of this realm: AND WHEREAS, not withstanding the repeated instructions which have been, from time to time, given by our late Royal Grandfather to the governours of our several colonies upon this head, the said Indians have made,

See next document, which was not enclosed, but sent separately under date of July 4, 1765.

The 1761 proclamation was printed in the South-Carolina Gazette in the issue of June 18-25, 1763, soon after its receipt by the governor of South Carolina on June 17, 1763. The Proclamation of 1765, dated October 7, was published in Charleston in an "Extraordinary" edition of the South-Carolina Gazette on December 31, 1765. It may be found in Henry S. Commager, Documents of American History, 2 vols., seventh edition (New York, 1963), I, 47-50.
and do still continue to make great complaints, that settlements have been made, and possession taken of lands, the property of which they have by treaty reserved to themselves, by persons claiming the said lands under pretence of deeds of sale and conveyance, illegally, fraudulently and surreptitiously obtained of the said Indians, AND WHEREAS it has likewise been represented unto us, that some of our governors, or other chief officers of said colonies, regardless of the duty they owe to us, and of the welfare and security of our colonies, have countenanced such unjust claims and pretensions by passing grants of the lands so pretended to have been purchased of the Indians. WE THEREFORE, taking this matter into our royal consideration, and being determined, upon all occasions, to support and protect the said Indians in their just rights and possessions, and to keep inviolable the treaties and compacts which have been entered into with them, DO HEREBY strictly enjoin and command, that neither any governor, nor any lieutenant-governor, president of the council, or commander in chief of any of our said provinces, do upon any pretence whatsoever, upon pain of our highest displeasure, and of being forthwith removed from their or his office, pass any grant or grants to any persons whatsoever of any lands within, or adjacent to the territories possessed or occupied by the said Indians, or the property or possession of which has, at any time, been reserved to or claimed by them: And it is our further will and pleasure that our governors publish proclamations in our name, strictly enjoining and requiring all persons whatever who may, either wilfully or inadvertently, have seated themselves upon any lands so reserved to, or claimed by, the said Indians, without any lawful authority for so doing, forthwith to remove therefrom. And in case they shall find, upon strict enquiry to be made for that purpose, that any person or persons do claim to hold, or possess, any lands within our said province, upon pretence of purchases made of the said Indians, without a proper license first had and obtained either from us or any of our royal predecessors, or any persons acting under our or their authority, they are forthwith to cause a prosecution to be carried on against such person or persons, who shall have made such fraudulent purchases, to the end that the land may be recovered by a due course of law. AND WHEREAS the wholesome laws which have at different times been passed in several of our said colonies, and the instructions which have been given by our royal predecessors for restraining persons from purchasing lands of the Indians without a license for that purpose, and for regulating the proceedings upon such purchases, have not been duly observed: It is therefore our express will and pleasure, that when any application shall be made to any governor for license to purchase lands of the Indians, they do forbear to grant such license until they have first transmitted to us, by our commissioners for trade and plantations, the particulars of such application, as well in respect to the situation as the extent of the lands so proposed to be purchased, and shall have received our farther directions therein. And it is our further will and pleasure, that they do, forthwith, cause these our instructions to them to be made publick, not only within all parts of our said provinces inhabited by our subjects, but also amongst the several tribes of Indians, to the end that our royal will and pleasure in the premises may be known, and that the Indians may be apprized of our determined resolution to support them in their just rights, and inviolably to observe our engagements with them.

(signed) GEORGE REX

By JOHN STUART, Esq; his Majesty's Agent and Superintendant of the Southern District of America.

The Great King's most gracious intentions, towards all the Indians his
children, contained in the above instructions, being sent from London in
a letter signed by his own hand, and sealed with his own seal, are, pursuant
to his Majesty’s express commands, communicated to all the nations of
Indians

Given under my hand and seal at arms, at Charlestown,
this fourth day of July, in the year of our Lord
one thousand seven hundred and sixty-three, and of
his Majesty’s reign the third.

[signed] John Stuart

The Proclamation of 1761 insisted that the whites should stay in
their own areas and remove themselves from the lands reserved to the
Indians. The Proclamation of 1763 was more precise in that it stated
that “for the present” the Appalachian divide—“the sources of the
rivers which fall into the sea from the west and northwest”—marked
the dividing point between the two races. But at the same time a long
process of marking off boundary lines (which would modify the
proclamation line) with the various southern provinces had begun at
the congress at Augusta. Representing the Cherokees at this meeting
were Attakullakulla (also known as the Prince of Chote and the Little
Carpenter) and another chief named Saluy. Ouconnostotah remained
at home. Other tribes represented were the Choctaws, the Upper and
Lower Creeks, the Chickasaws, and the Catawbas. The meetings began
formally on November 5, 1763, and by November 10, 1763, a treaty
had been signed.

The main grievances of the Cherokees at the congress were the
incursions of the whites into the territory west of the Kanawha River
in Virginia and to the west of Long Canes River in upper South
Carolina. The Cherokee chiefs, however, acknowledged that whites
had been west of the Kanawha for some ten years, and promised that
those residing on the left bank, and also those north of the Holston,
would not be disturbed. The settlers west of the Long Canes River
could remain if they seized no more land there. The Creeks, on the
other hand, were more upset by the incursions into their lands.

Not many weeks after the treaty, Stuart learned that seven Lower
Creek Indians had murdered fourteen whites in the Long Canes area
on December 24, 1763. He then sent messages to the governors notify-
ing them of the incident and requested the Creeks execute the Indians

intended by the Indians
involved. Stuart also sent "talks" to the other tribes in the South, including the Cherokees.

JOHN STUART TO THE PRINCIPAL WARRIORS OF THE CHEROKEE NATION, 14 JANUARY 1764, PP. 177-180

To the head Beloved Man & principal Warriors of the Cherokee Nation at Chote

Friends and Brothers

I am sorry to acquaint you that so soon after the Congress as the 24th last Month, Fourteen of our People settled near Long cane River were murdered.

You were present at the Congress; You heard the Talks of the different Nations, their Promises and Professions. You heard the Great King's Pardon of all past Offences and Offers of Friendship declared, and you were [word not visible] in the Treaty which all the Nations signed. What then can you think of those who so wickedly and ungratefully, without the Least Provocation spilled the blood of defenceless people suspecting no harm. Yet seven Creek men, who for five years past lived at Estatoe, perpetrated this peice [sic] of Villany; and Pretend that they did it by desire of the Cherokees, and particularly of the Young Warrior Salay.

I know you all and I am sure you are innocent, and that you had not the Least Hand in this affair; I Likewise believe the Young Warrior knew nothing of it. But of those Creeks, [line not visible] Protection, how will it Look? — will not People with good reason think that what they have said is true?

The Creeks have sent me a Talk and Say That if the Cherokees are innocent, they will kill the Seven Fellows that committed the Murder.

You are wise Men and know best what to do. I do not doubt but you will act properly and clear yourselves of any hand in this wicked affair.

I desire to hear from you as soon as Possible after receiving this, and I hope to receive a good Talk from you and that you will send good talks all over Your Nation that the Path may remain Straight as it is at present.

I remain Your affectionate Friend & Brother

John Stuart, Agent &
Superintendent So. District

Charles Town 14 Jan'y. 1764

The recovered Cherokee Archives have no documents of the period 1764-1770. During these years the whites still pressed in upon the Cherokees especially along the Carolina and Virginia frontiers, and Stuart continued his efforts to negotiate Indian boundary lines. Also in this period two important treaties were negotiated with the Cherokee Indians. The first was signed at Hard Labour, South Carolina, in October, 1768, and was primarily intended to draw a boundary between the troublesome Virginians and the Cherokees. It confirmed the line negotiated with North Carolina from Reedy River to Chiswell's Mines,

Alden, John Stuart, 182-86. Stuart considered asking for Cherokee help in restraining the Creeks, but it turned out not to be necessary. The next year, two renegade Creek warriors killed a Long Canes settler. They were seized by the Cherokees and sent to Charleston. Ibid., 187-91.
near the site of Wytheville, Virginia, and extended it to the Ohio River at the mouth of the Kanawha.\textsuperscript{10} The second treaty, of Lochaber, 1770, was made necessary by the Treaty of Fort Stanwix of 1768, negotiated by the northern superintendent, Sir William Johnson, with the Iroquois, who were permitted to cede the lands south of the Ohio River as far west as the mouth of the Tennessee. Their claim to that area was vague and distinctly inferior to that of the Cherokee Nation. Nevertheless, the treaty led to a rapid migration of white settlers into the region beyond the Hard Labour line. By 1769 the whites had penetrated into the Holston, Watauga, and Clinch river valleys. Therefore, the Virginia governor, Frances Fauquier, demanded that a new Cherokee boundary be negotiated. This was done in October, 1770, at a meeting at Lochaber, South Carolina, between Stuart and his deputies and the Cherokee Chiefs. The new boundary agreed to on this occasion was described as:

\[ \ldots \] beginning where the boundary line between the province of North Carolina and the Cherokee hunting grounds terminates [at the 36°30′ parallel, the Virginia-North Carolina boundary], and running thence in a west course to a point six miles east of Long Island in Holston’s [Holston’s] River, and thence to said river six miles above the said Long Island, and thence in a direct course to the confluence of the Great Conhoway [Kanawha] and Ohio rivers.\textsuperscript{11}

At Lochaber, the Cherokees had been most adamant about retaining Long Island (at the site of Kingsport, Tennessee) as they feared that the strategic location would be used for a fort if the Virginians had control of it. Therefore the treaty line was moved six miles away from Long Island.\textsuperscript{12} Despite this it appears that the Cherokees did not trust the Virginians and thought it best to keep posted on their activities in that area. This seems to be the explanation of the following pass which was issued to the Great Warrior of Chote (Ouconnostotah).

The pass was issued by Alexander Cameron, a Scotsman like Stuart, who had recently been appointed deputy superintendent of

\textsuperscript{10} Louis DeVossey, Jr., \textit{The Indian Boundary in the Southern Colonies, 1763-1775} (Chapel Hill, 1961), 64-65.
\textsuperscript{11} \textit{Ibid.}, 66-78; Alden, \textit{John Stuart}, 273-80. The "beginning" point was the intersection of the Hard Labour line with the North Carolina-Virginia boundary, the 36°30′ parallel.
\textsuperscript{12} \textit{DeVossey, The Indian Boundary}, 77.
Indian affairs. Cameron lived among the Cherokees and had a great deal of influence over them.  

SAFE CONDUCT FOR THE GREAT WARRIOR, ISSUED BY ALEXANDER CAMERON, MARCH, 1771, P. 169.

The Great Warrior of Choc is the Bearer hereof. He intends to hunt Beaver from hence to the Long Island and there abouts, until the arrival of the Virginia Commissioners who are appointed by that Government to run the Boundary Line, and will be at the Long Island Some Time in May next—it is therefore required that all persons will use him and his people with hospitality and Civility, they behaving as become friends and allies; it is likewise hoped that if he Should meet [meet] with any hunting parties that they will remove from the Lands, which are reserved for the Cherokees.

Given under my hand and Seal at Toquocka Thirteenth day of March 1771
Alexr. Cameron Dept. Superint.

The boundary line as agreed upon at Lochaber was to be surveyed chiefly by Cameron and Colonel John Donelson (a member of the Virginia House of Delegates and a participant in the treaty). The leading Cherokee representative was Attakullakulla, the Little Carpenter. They began their task on May 27, 1771, and surveyed westward along what they judged to be the 36°30′ parallel to its junction with the South Fork of the Holston River. At that point they made the first deviation from the line as agreed to at Lochaber. Instead of continuing along the parallel, they agreed that the line should follow the course of the South Fork of the Holston to the vicinity of the Long Island. As the Little Carpenter later explained it, he learned there were some white people living north of the river, and he "pitted them." Thus, the so-called "North Holston" settlement between Sapping Grove (Bristol) and the South Fork was placed outside the Indian country, and that portion of the present Tennessee was also considered to be a part of Virginia until the 36°30′ line was eventually surveyed (incorrectly) in 1779. When the Lochaber surveyors reached the point six miles above the Long Island, the Indians agreed to a much greater deviation from the treaty provisions. In exchange, apparently, for a promise (never fulfilled) of an increase of £500 in payment for the lands, they permitted a shift of the line from "a

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18 Alden, John Stuart, 187, n.54; John P. Brown, Old Frontiers: The Story of the Cherokee Indians from Earliest Times to the date of Their Removal to the West, 1838 (Kingsport, 1938), 122-23.
19 An Overhill town.
The Lost Archives of the Cherokee Nation

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The following letter, which deals with this matter, appears to have been written during the winter of 1771-72 since Stuart was in West Florida from May 1771 to May 1772 and in Mobile from December 1771 to January 1772. 10

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17 Alden, John Stuart, 283-85. DeVorsey in his The Indian Boundary, 79-83, and also in his "The Virginia-Cherokee Boundary of 1771," East Tennessee Historical Society's Publications, No. 33 (1961), 17-21, describes the changes and also prints Donelson's map of the survey (found in the British Public Record Office), and in the latter also a tracing from another Donelson map, "A Sketch of the Cherokee Boundaries with . . . Virginia, etc. 1771."


10 Alden, John Stuart, 322-23. The British agent, Alexander Cameron, must have been misinformed about the gift of a 12-mile tract to the traders (Carter and Parker) "below the Long Island." They were driven out and forced back to the Watauga Valley, where Carter became one of the first judges of the Watauga Association, ibid., 373-76.
LETTER OF ALEXANDER CAMERON, NO DATE, PP. 173-176.

Friends & Brothers

When I left the Nation, I thought that I would have been able to give you some Accounts from your father Capt. Stuart in and about this time but I have not heard from him since I saw you, altho I wrote to him about every thing that we Transacted to the Norward, as well as in the Nation Last Summer & fall; He is Still at Mobile, but he's expected in Chas. Town in the Spring—

Brothers — I have agreeable to my Promise, Sent in my Brother to Virginia to acquaint the Governor & his Beloved men, that the Course of the Boundary line to where we left it on the Cedar River was agreeable & approved of by all your Chiefs and beloved Men, & to remind Col. Donelson of his Promise of sending a few presents to the long Island upon Holston in the Spring — But as my Brother is not yet return'd I cannot inform you of what their answer may be — altho I doubt not but Col. Donelson will represent Your Generosity to the Governor & wise men in the strongest terms, and that his Talk will have the greatest weight with them — I am daily in expectation of my Brothers return for he has been gone upward of two moons from hence, and upon his Arrival I Shall either Visit you, or Communicate to you whatever Talks I shall receive from Virginia —

I am Sorry to inform you Brothers that I have been told that the path to Virginia has been spoil'd this Winter by some of your young Men Sheding of the Blood of White People from that Province — I make no doubt but they have been scalping of your Deer & Game from you. Contrary to the Great Kings Talk, and also the great & ruling Men of Virginia and if you had taken themselves, their guns, horses & leather, you would have been justified; but to take away lives, is what the great King will not Suffer. But when any of his Children commits a Crime, They must be examined & Tried by a Particular Sett of wise men that he hath chosen purposely for that Business & if found Guilty by sufficient proofs, or evidence who were eye witness to any bad Acts, then such Person or Persons, so found guilty Shall be killd in the presence of Hundreds of People.

I need not tell you Brothers, what Conditions you Signed at the last Peace. I hope that you will not suffer Young foolish men to involve your whole Nation into Trouble, by acting as they think proper.

There is one thing more that I am to mention to you, and that I have just now been informed of — You cannot forget your Promises to your Father Capt. Stuart of never granting any Land without first informing him of it — You Seemed Sorry to have given the land to the Traders without first acquainting him of your design, & then you told me at my house at Toqueh that you never Should Transact any Business of Moment without his, or my knowledge. But I am now told that you have given away a Tract of Twelve Mile square on Holston River to the Traders who are Settled there below the Long Island. But this I do not give the least Credit to, no never Shall, until I hear it from Yourselfs for I have known you a long Time and always found Your Tongues & Mind go together — In Token of this Talk being Sincere & from your Brother, I send you a White String of Wampum. I remain as I always Shall

Your firm Friend & Brother Alexr. Cameron

John Vann Conveys this to you, whom I have Sent to Talk & receive any Public Talks that you may have to Communicate —

A. C.

20 One of the interpreters who assisted in running the Donelson line.

(To be continued in Publications No. 44)