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VIRGINIA AND THE CHEROKEE INDIAN TRADE,  
1753-1775\*

By W. NEIL FRANKLIN

When young George Washington and his Virginia militia exchanged shots with French soldiers in the Ohio Valley in the spring of 1754 they precipitated the American phase of the Seven Years War. In the face of an enemy with superior forces the Virginians retreated, leaving France, for the time at least, in control of all the disputed transmontane territory. Hoping, perhaps, that they might be made use of by Washington, or if too late for that, that they might be sent against any Indians allied with the French, Cherokee warriors were requested by Governor Robert Dinwiddie in exchange for war materials and other supplies. In July, 1754, Abraham Smith was sent by the governor to the Cherokee to fetch the desired warriors, but the chieftain, Old Hop, complained that no supplies had as yet been sent, and that until such appeared no fighting men need be expected.<sup>1</sup> This answer Old Hop requested the Virginia trader, Richard Paris (or Pearis), to carry back to Dinwiddie, but that Paris did so seems hardly likely, for that same month he wrote the governor in his own behalf, requesting permission to take over the Long Island, or great Island, of the Holston,<sup>2</sup> where he planned to erect a trading post, probably in company with Nathaniel Gist. Dinwiddie replied that Paris could acquire the Long Island by going through the proper legal forms,<sup>3</sup> and expressed the wish that Virginia might supply the Cherokee, but he went on to state that he knew little of such matters. Nevertheless, that same month the governor wrote that he had ordered powder and lead sent to the Cherokee,<sup>4</sup>

\*This is a continuation of "Virginia and the Cherokee Indian Trade, 1673-1752", in East Tenn. Hist. Soc., *Publications*, No. 4 (Knoxville, 1932), 3-21. It was read at a meeting of the Society at Knoxville, Nov. 4, 1932.

<sup>1</sup> South Carolina Indian Affairs, V, 14-20.

<sup>2</sup> Near the present Kingsport, Tennessee.

<sup>3</sup> R. A. Brock (ed.), *The Official Records of Robert Dinwiddie, Lieutenant-Governor of the Colony of Virginia, 1751-1758* (Richmond, 1883), I, 266-268. In his letter dated August 2, 1754, the governor remarked that he agreed with Paris "that carrying liquor to the Indians is prejudicial to them and hurtful to trade", yet a Carolina trader reported that upon Paris' next trip to the Cherokee he carried into the nation twenty kegs of rye whiskey (S. C. I. A., V, 41-47).

<sup>4</sup> *Dinwiddie Letters*, I, 271.

## CHEROKEE INDIAN TRADE,

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In February, 1755, General Edward Braddock brought to America some fifteen hundred British redcoats to be used in conjunction with the colonials in driving the French from the Ohio Valley. Within a few weeks Governor Dinwiddie had sent into the Cherokee country Nathaniel Gist, who was to obtain as many warriors as possible, these to be amply furnished with war materials by Virginia. The governor's instructions had said nothing about "a great and Constant Trade", but knowing the Indian nature and needs far better than did Dinwiddie, Gist promised this on his own responsibility.<sup>5</sup> At first the Cherokee were visibly impressed, but soon their ardor cooled; after all, had not Virginia often promised them a trade in times past? and had very much ever come of these promises? Then the Carolina traders, some of whom had returned to their old haunts, may have plainly told the Indians that the governor's letter had in reality said nothing at all of a trade. Moreover, the Cherokee had learned from the northern Indians that the latter planned to remain neutral until they could foresee the outcome of the Anglo-French conflict. And so it was that Gist returned to Virginia emptyhanded.<sup>6</sup> The moral seemed plain: if Dinwiddie really desired Cherokee assistance, he must begin a regular trade with the red mountaineers, and that soon.

With the approach of summer, 1755, General Braddock began his campaign, his immediate objective being the French fort, Duquesne, at the forks of the Ohio River.<sup>7</sup> Moving into a wild country, most likely infested with the enemy, there was exceeding need for caution, and as scouts Cherokee warriors would have served well, and in the event of a general engagement the Cherokee were well acquainted with the principles of wilderness warfare. But Dinwiddie had not sent goods, and the Cherokee did not send warriors. The Cherokee might, or might not, have been able to save Braddock from disaster, but disaster he did suffer when on the ninth of July, almost within sight of his objective, his army was almost wiped out by a joint attack of the French and their Indian allies. The governor of Virginia was probably stunned by the news, but immediately thereafter came the clamors of frontier folk for protection against roving bands of French Indians turned loose against the western settlers.

<sup>5</sup> S. C. I. A., V, 41-47. A Carolina trader sent the above information to Governor Glen in a letter dated March 27, 1755. The messenger's name was spelled "Guest", but it must have been Nathaniel Gist.

<sup>6</sup> *Ibid.*, V, 53-59.

<sup>7</sup> Fort Duquesne was located where Pittsburgh now stands.

Again there was need of assistance, and again Dinwiddie turned to the Cherokee. His agent was the trusted Richard Paris, who now had to overcome not only the depressing effect of Braddock's defeat, but also the machinations of the Carolina traders, who left with the Indians the impression that his purpose in coming among them was not to bear any message from Virginia but to collect from them an obligation of some 2500 pounds of deer skins. Paris rose to the occasion; in a public bonfire he burned his ledgers and cancelled the debts. What other means, if any were necessary, the trader used to gain his object does not appear, but when Richard Paris left the nation in September, 1755, he was at the head of four score Cherokee warriors, all pledged to take part in the forthcoming campaign of Major Andrew Lewis against the Francophile Shawnee.<sup>8</sup>

When the new year, 1756, dawned, there was still great need of native assistance, yet Virginia had begun no regular trade with the Cherokee. The only form of traffic was the irregular expeditions of individual traders. By this time there were those who feared that the red mountaineers might be won to the enemy cause by French emissaries, and then Virginia's plight would be sad indeed. To prevent such an outcome a plan was brought forward for the construction, at some point along the Holston, of a combination fort and factory.<sup>9</sup> Then, while this plan was being discussed in the colony, Virginia dispatched delegates to Broad River, North Carolina, there to exert every effort to induce the Cherokee commissioners to consent to a binding military alliance with the Old Dominion. Among those present at the conference was the aged emperor, Attakullakulla, who now reminded the Virginians of his former attempts to encourage a trade between the two peoples and reiterated the desire of his people for the inauguration of a regular commerce that he hoped would prove of "mutual advantage".<sup>10</sup> Strangely enough, however, the treaty which was drawn up, that of March, 1756,<sup>11</sup> omitted all reference to such a trade, although Attakullakulla may have expected the development of such intercourse if the Virginians remained true to their promise of building a fort deep in the Cherokee country, in return for which the nation was to furnish Virginia with four hundred warriors.

The war with the French was now in full swing; the frontiers were reeling under the repeated assaults of the French Indians;

<sup>8</sup> *Va. Burgesses, Journals, 1752-1758*, pp. 379-381. Paris was later reimbursed by the Virginia assembly for his cancellation of the Cherokee debt.

<sup>9</sup> *Va. Mag.*, XIX (1911), 302-304. The above information was derived from a letter written by a Virginia clergyman, dated February 10, 1756.

<sup>10</sup> *Ibid.*, XIII (1905-1906), 253-254.

<sup>11</sup> *Ibid.*, XIII (1905-1906), 257-262.

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expediency demanded that Virginia keep faith with the Cherokee. And so it was that the promised fort was built in the summer of 1756, built upon the northern bank of the Little Tennessee River, near the Cherokee village of Chota, and some twenty-five miles southwest of the present city of Knoxville.<sup>12</sup> The Indians naturally expected Virginia to garrison the fort, but Governor Dinwiddie delayed doing so, fearing that the Cherokee had already determined to ally with France.<sup>13</sup> Just a few months after the Old Dominion had completed its stronghold in the Overhill Cherokee country the South Carolinians, feeling rather bitterly toward Virginia for the latter's apparent aspirations toward primacy in Indian affairs,<sup>14</sup> constructed and garrisoned Fort Loudoun, located approximately at the junction of the Tellico and Little Tennessee rivers, and only a few miles from the Virginia fort.<sup>15</sup> It was probably the building of Fort Loudoun that swung the Cherokee definitely to the English side and sent their war parties scouring the Ohio country in search of the French-favoring Shawnee.<sup>16</sup> And to assure the mountain Indians of the unwavering support of their English allies there could, perhaps, be nothing more efficacious than the establishment of an orderly, abundant trade.

Although in August, 1756, the governor of Virginia had stated that he stood ready to encourage intercourse with the Cherokee,<sup>17</sup> several months passed before the colony took official action. Then, in the late spring of 1757, the assembly appointed five men to serve as "The Trustees of the Indian Factory of Virginia" and appropriated the sum of five thousand pounds for use in "establishing a trade with the Indians in alliance with his majesty." The trustees should permit no liquor to be carried into the Indian country, and they should choose as factors men willing to be bonded that they would engage in no private trade.<sup>18</sup> Virginia's object was not financial gain, for the goods were to be disposed of at cost and the furs and skins received therefor should be exchanged for other goods which in turn would be sold to the Indians without profit.<sup>19</sup>

<sup>12</sup> *N. C. Hist. Rev.*, II (1925), 309.

<sup>13</sup> Archibald Henderson, *The Conquest of the Old Southwest* (New York, 1920), 67-68.

<sup>14</sup> South Carolina Public Records, XXVI, 84-105. Transcripts of part of this series are in the McClung Collection, Lawson McGhee Library, Knoxville, Tennessee.

<sup>15</sup> *N. C. Hist. Rev.*, II (1925), 315-322.

<sup>16</sup> The Cherokee, however, would not send the four hundred warriors to Virginia, because of the disconcerting influence of the Carolina traders (*Dinwiddie Letters*, II, 555-556) and of the colony's failure to garrison the Virginia fort.

<sup>17</sup> *Dinwiddie Letters*, II, 487.

<sup>18</sup> Hening, *Statutes*, VII, 116-118.

<sup>19</sup> *Dinwiddie Letters*, II, 640.

The trustees, finding few wares in the colony suitable for trading purposes, ordered a great quantity of supplies from England.<sup>20</sup> The Cherokee grew impatient, but Dinwiddie bade them wait until the goods should come by ship, promising them that a caravan would be sent into their country in the spring of 1758, at which time the Virginia fort would also be garrisoned.<sup>21</sup> Spring came, but it brought the Cherokee neither garrison nor goods from Virginia; just another instance, the red men must have reasoned, in which the Chesapeake colony had made them smooth promises which, in the end, had proved meaningless. Virginia apparently attempted no excuses, offered no apologies; relations, long tense, became even more so. Carolina settlers had, for some time, been encroaching upon hunting lands claimed by the mountain Indians; the trade from Carolina had been severely curtailed; several warriors were killed as a result of a difference of opinion as to red or white ownership of certain horses along the Virginia frontier; and then, somewhat later, other tribesmen, accused of deserting the Forbes expedition against Fort Duquesne, were accorded humiliating treatment.<sup>22</sup> Young and thoughtless Cherokee warriors sought to embroil their nation in war with the English, but even yet some there were who clung desperately to the hope of a trade with Virginia, a trade which might dispel the grim spectre of war. In January, 1759, the emperor himself came again to Williamsburg to make the now familiar plea to the colony's new executive, Francis Fauquier. The latter believed that all differences were adjusted, and promised to begin the trade the coming spring.<sup>23</sup> But the blood-thirsty warriors did not regard all differences as adjusted; at last it was indeed too late to begin the trade, for war with the Cherokee was a reality.

"The Trustees of the Indian Factory of Virginia" had failed to prevent war with the Indian "allies"; their *raison d'etre* was no more. A caravan of supplies, far on the way to Cherokee-land, had to be recalled, and early in 1760 the trustees were ordered to sell the goods accumulated for trading purposes, and to balance all accounts with the treasurer of the colony.<sup>24</sup> When the scheme for a public trade came to an untimely end, all legal intercourse with the warring Indians ceased. If the Cherokee could be prevented from obtaining war materials from without, then the conflict could

<sup>20</sup> *Ibid.*, II, 657.

<sup>21</sup> *Ibid.*, II, 700. It was probably intended that the Virginia fort should serve as a trading factory.

<sup>22</sup> For the causes of the Cherokee War, consult *N. C. Hist. Rev.*, II (1925), 442-458.

<sup>23</sup> *Va. Burgesses, Journals, 1758-1761*, p. 267.

<sup>24</sup> Hening, *Statutes*, VII, 354-355.

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be brought to a more immediate conclusion. Fortunately, the French had suffered a series of recent reverses and were unable to send supplies to the Cherokee, although some English traders, spurred on by hope of wartime profit, did engage in an illicit traffic, which, however, must have been inconsiderable.<sup>25</sup> Military expeditions penetrated far into the enemy country, laying waste the fields and villages. In the beginning the Indians had regarded the white man's wares as luxuries, but after two or three generations of contact with them some commodities had come to be virtual necessities, and it was the hope of supplies, in part at least, that inspired the Cherokee to sue for peace after many months of wasteful warfare.<sup>26</sup> The prospect of peace appeared welcome to the Virginians, also, and their participation in the war came to an end when a treaty of peace was signed in November, 1761 at Fort Robinson. The Virginia fort of 1756 had been destroyed by the Indians in the course of the recent conflict,<sup>27</sup> and so Fort Robinson, on the Long Island of the Holston, had been erected by the Virginia troops, as it happened, just before the conclusion of hostilities.<sup>28</sup>

With the Cherokee in dire need of European goods, Fort Robinson might well have become the center of a thriving trade. That it did not become such would seem to be owing largely to the apathy of the provincial government. In the very month in which peaceful relations were resumed Governor Fauquier stated to the Virginia assembly that he was "utterly unacquainted with the Advantages to be expected from carrying on a Trade with" the Cherokee, and that he would "refer the consideration of this matter wholly" to that body.<sup>29</sup> But the assembly appeared no more interested than the governor in the development of the colony's peltry trade, so no official action was taken. In the meantime, individual traders were wending their way, as of old, along the path to the Cherokee country, where they disposed of their wares at advanced rates.<sup>30</sup> It seems, too, that in 1761 Nathaniel Gist purchased from the Indians, for trading purposes, the Long Island of the Holston,<sup>31</sup> possession of which had been sought, seven years before, by Richard Paris. A military ob-

<sup>25</sup> *Va. Gazette*, January 16, 1761.

<sup>26</sup> Williams, *Timberlake's Memoirs*, 96.

<sup>27</sup> *Ibid.*, p. 58, n. 30. On Timberlake's map appears the legend: "Built by the Virginians 1756 and soon after destroyed by the Indians". See also Henderson, *Old Southwest*, 68, and Reuben Gold Thwaites, *Daniel Boone* (New York, 1902), 50.

<sup>28</sup> S. C. Williams, "Fort Robinson on the Holston", in *East Tenn. Hist. Soc., Publications*, No. 4 (Knoxville, 1932), 22-31.

<sup>29</sup> *Va. Burgesses, Journals*, 1761-1765, p. 6.

<sup>30</sup> *C. O.* 5: 65, p. 534.

<sup>31</sup> Summers, *Southwest Va.*, 83.

server, leaving the Cherokee towns in March, 1762, noted at the evacuated Fort Robinson a goodly store of flour and other goods that had belonged "to a private trader";<sup>32</sup> referring, possibly, to Gist. Some Virginians took advantage of the collapse of the scheme for a public trade and bought, preparatory to entering the trade themselves, goods from among those thrown on the market by the "Trustees of the Indian Factory".<sup>33</sup>

But the wants of the Cherokee were many, and apparently they could not be met by the Virginians independently trading among them, for they continued to request a greater trade. One delegation appeared before the council in January, 1762, receiving a very encouraging reply;<sup>34</sup> then the military observer referred to above was instructed a few weeks later by the headmen of the nation "to press the Governor of Virginia to open trade";<sup>35</sup> and before the year was out there were doubtless other, but unrecorded, attempts of the Indians to increase the volume of traffic. An unusual opportunity to smooth over trading difficulties was afforded by the gathering at Augusta, Georgia, in November, 1763, of representatives from most of the southern colonies and from most of the southern Indian nations. The conference was called by John Stuart, Superintendent of Indian Affairs in the Southern District of North America,<sup>36</sup> primarily for the purpose of explaining to the red men the changed political situation brought about by Britain's defeat of France and Spain in the late war. This done, the matter of trade came up for discussion. According to Attakullakulla, Virginia traders had been coming among his people, but for their goods they had asked ". . . exorbitant prices, and got their Skins for almost nothing. . ."; and judging by the fact that the emperor was now asking for "good Traders, staid men", several of them had probably been "young rioting Fellows", who had committed disturbances. Especially desired were traders from Virginia, but in his reply to the delegation of mountain Indians Superintendent Stuart stated that the provincial government could not require the private trader to go anywhere, that the latter could and would follow his own inclinations, and that the price of goods depended entirely upon the agreement reached between him and the Indian purchaser.<sup>37</sup> However, the treaty which concluded the conference did provide, among other things,

<sup>32</sup> Williams, *Timberlake's Memoirs*, 38.

<sup>33</sup> See, e. g., *ibid.*, 128, and *Va. Burgesses, Journals*, 1761-1765, pp. 298-299.

<sup>34</sup> *Va. Mag.*, XVI (1908), 142.

<sup>35</sup> Williams, *Timberlake's Memoirs*, 117.

<sup>36</sup> The office had been created in 1755, but Stuart's appointment was of recent date.

<sup>37</sup> C. O. 5: 65, pp. 534, 539, 540, 552.

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that the superintendent and the southern governors should encourage the traders to frequent the Indian towns,<sup>38</sup> although it remained to be seen how faithfully this provision would be observed.

The Cherokee war had wrought the ruin of the recent scheme for a public trade. With the close of hostilities trade relations had been resumed and, owing to the urgent need of the red men for supplies, the interchange of commodities had gone forward at a rapid rate. But when the most pressing needs had been met the volume of trade naturally declined, and many traders then sought other employment. In the spring of 1765 a report was sent the Indian superintendent as to the number of traders in the Cherokee nation, and those from the Old Dominion received bare mention.<sup>39</sup> In view of the Virginia government's traditional reluctance to become connected with the Indian trade,<sup>40</sup> it is difficult to explain why the "Trustees of the Indian Factory" were now revived, or re-created. The sum of 2500 pounds was appropriated for the use of the trustees, goods were to be ordered from England, and the Cherokee trade placed on a non-profit basis.<sup>41</sup> To serve as factor, a certain David Ross was selected and, although the assembly had passed the bill in May, 1765, it was exactly a year later before Ross made his appearance among the Cherokee. The latter had already asked the Virginia government to use its good offices in mediating between themselves and the Ohio Indians, chiefly the Shawnee, with whom they had been at war for a long while. The governor and council cheerfully acquiesced, for they knew very well that Shawnee raiding parties would not hesitate to attack Virginia caravans carrying supplies to their own enemies.<sup>42</sup> The officials, however, hoped for not only peace with the Ohio Indians, but trade as well; in fact, they were to be supplied from the same warehouse as the Cherokee.<sup>43</sup> This warehouse was to be located at the Long Island of the Holston, and it was especially to acquaint the Indians with the design that Factor Ross had come among them in the spring of 1766. The Cherokee, however, refused to entertain the project for a moment. About the Long Island, they said, lay their very best hunting grounds; cattle belonging to the whites might be slain by careless warriors; trouble would ensue; and eventually the entire trading scheme would pos-

<sup>38</sup> C. O. 5: 65, p. 560.

<sup>39</sup> C. O. 323: 23, L 4. None of the traders in the report held Virginia licenses, but two of them were referred to as the "Gentlemen from Virginia".

<sup>40</sup> The act of 1757 was, of course, a war measure.

<sup>41</sup> Henning, *Statutes*, VIII, 114-118; *Va. Burgesses, Journals*, 1766-1769, *passim*.

<sup>42</sup> Clarence Edwin Carter, (ed.), *The Correspondence of General Thomas Gage with the Secretaries of State, 1763-1775* (New Haven, 1931), I, 222.

<sup>43</sup> C. O. 5: 66, p. 808.

sibly be overthrown. Therefore, it would be wise not to establish a trading post nearer than Chiswell's Mine.<sup>44</sup> To the factor this was a disappointment, truly enough, yet he was able to leave a good impression among the red men both by his demeanor and by his promise to send them "Ammunition in a couple of Moons, if the Norwards [i. e., the northern Indians] [would] permit him."<sup>45</sup> The ammunition may have been sent, but the silence of the records would seem to indicate that it was not. Be that as it may, a strange rumor arose. According to report received by Superintendent Stuart, Factor Ross, following his conference with the Cherokee in May, 1766, had returned to the Old Dominion, collected a cargo of goods, and started back to the Indian country. Before reaching their destination, however, Ross and six associates were set upon and brutally murdered.<sup>46</sup> Stuart believed that the outrage had been perpetrated by Cherokee hot-heads, bent upon vengeance for the killing, a year or so before, of several of their warriors in the frontier county of Augusta.<sup>47</sup> A message of sharp protest was sent the head-men of the nation,<sup>48</sup> who courteously, but firmly, denied the allegations made against them, and stated further that a careful investigation had failed to reveal any evidence concerning a murder of any kind.<sup>49</sup> As a matter of fact, Ross had not been murdered, the report being, as the superintendent informed Governor Fauquier a little later, "without foundation".<sup>50</sup> The origin of the rumor remains uncertain. When David Ross returned from the Indian country at some date prior to December, 1768, he reported to the Trustees of the Indian Factory that commercial intercourse with the Cherokee would be attended by many "Inconveniences", and it was this discouraging report which caused the trustees to abandon the project of a public trade.<sup>51</sup>

Yet it was just as well that the board of trustees gave up hope of expanding the Cherokee traffic in the manner planned, for in June, 1767, the English privy council disallowed the Virginia statute

<sup>44</sup> Where Wytheville, Virginia, is now located.

<sup>45</sup> C. O. 5: 66, p. 820.

<sup>46</sup> C. O. 5: 68, p. 197. Stuart's report was from an agent in the Cherokee country, and was dated January 21, 1767. See, too, *Gage Correspondence*, I, 134, 138.

<sup>47</sup> For the Augusta county incident, consult C. O. 5: 1331, pp. 17-25.

<sup>48</sup> C. O. 5: 68, p. 200.

<sup>49</sup> C. O. 5: 68, p. 207.

<sup>50</sup> C. O. 5: 68, pp. 241-242. The letter was dated April 11, 1767. Consult also *Gage Correspondence*, I, 140.

<sup>51</sup> C. O. 5: 71, p. 129. "Inconveniences" probably referred to the Shawnee menace, Cherokee opposition to a warehouse on the Long Island, and the too easily inflamed spirits of many of the younger warriors.

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<sup>55</sup> C. O. 5:

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 C. O. 5: 1331, pp. 17-25.

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calling the trustees into existence.<sup>52</sup> The repeal was brought about partly through the efforts of the Indian superintendent, John Stuart. Ever since his appointment, Stuart had hoped for an increase of power whereby he might attain some degree of order in the Indian country, which object it seemed impossible to achieve so long as the colonial governors in his district could, with impunity, flout his authority. By the royal proclamation of 1763 the territory west of the Alleghanies was closed to the settler, but opened wide to the Indian trader, who had only to obtain a license from a colonial executive.<sup>53</sup> It was not the intention of the home government, however, to free the individual trader from restraint, rather, it was to bring about this very restraint that a new plan, that of July 10, 1764, was announced. Every colonial law respecting the trade was to be repealed; the entire Indian country was to become a vast reservation, subject only to imperial law administered by imperial officials—the superintendents and their commissaries. Every trader, although licensed by the governor of his respective colony, once he passed within the red man's territory, was to observe carefully the imperial regulations, such as the prohibition placed upon the sale of rum to the natives.<sup>54</sup> In the southern Indian district Superintendent Stuart was ordered to inaugurate the new system at once, and this he attempted to do. Shortly thereafter came the re-establishment of the Virginia Indian Factory, and its work the superintendent felt it his duty to condemn. To supply the Cherokee at cost, he said, would evoke from neighboring nations a demand for a similar reduction of rates; the other colonies, unlike Virginia, could not subsidize a profitless trade; and in the end his Majesty would be forced to assume the responsibility of supplying all the Indians under British protection.<sup>55</sup> Had Stuart but known it his fears were phantoms, for the plan had been dropped by Virginia even before it had been vetoed by the privy council. This unpleasant situation, however, did show clearly enough that the superintendent and the Old Dominion were working at cross purposes; for the success of the plan of 1764 such boded ill.

Impressed by the enormity of the offenses committed by irrespons-  
 ible traders in the Indian country, and authorized to do so by the  
 home government, Superintendent Stuart drew up in the spring of

<sup>52</sup> *Acts of the Privy Council, 1766-1783*, pp. 36-37.

<sup>53</sup> C. O. 5: 65, pp. 231 *et seq.*

<sup>54</sup> E. B. O'Callaghan and B. Fernow, (eds.), *Documents Relative to the Colonial History of the State of New York* (Albany, 1856-1887), VII, 637 *et seq.*

<sup>55</sup> C. O. 5: 67, pp. 92-95.

1767 a number of trading regulations.<sup>56</sup> Besides stating in detail what each trader might, or might not do, the regulations provided that each license to trade must be approved by the proper commissary. Within a short time Governor Fauquier was studying Stuart's scheme and devising a reply to his request that Virginia cooperate in promoting harmony among the red nations to the west. "I know nothing", Fauquier wrote, "of the Proclamation of the 7th October, 1763",<sup>57</sup> for it was this that Stuart had cited as his authority to issue the regulations. The governor would not deny the desirability of uniform trade regulations, but in the absence of any instructions from the home government he felt powerless to act. Virginia law required no licenses of those engaging in the Indian trade, and if he moved in this direction he would be "infringing the Liberty of the Subject".<sup>58</sup> Such defiance the superintendent did not encounter in the other provinces, and in the summer following he instructed the southern governors to enforce an additional restriction, namely, that all traders should be bonded in individual amounts of three hundred pounds.<sup>59</sup> Fauquier's comment was that, although he could prevent no one from trading, he knew "of no law to Restrain [him] from granting licenses to all who apply for them", and that he imagined there would be many such "when they find themselves under difficulties for want of them".<sup>60</sup> Bonding the traders could be done only by the provincial authorities, and herein Fauquier enjoyed the advantage. The governor never mentioned the matter of bonds to Stuart, but the latter doubtless interpreted Fauquier's silence to mean that in Virginia he need expect no observance of his latest regulation.<sup>61</sup> And if Virginia persisted in acting independently, even though every other southern colony obeyed Stuart's instructions, his plan for a uniform trading system among all the Indians of his district might have to be abandoned.

Apparently, there was little more that the superintendent could do; the governor of Virginia stood adamant in his opposition to the imperial plan. Waiting brought an unexpected result; in March, 1768, Francis Fauquier died, his death removing what appeared to be the one great obstacle in Stuart's path. The president of the provincial council, John Blair, now became acting governor; his attitude toward a uniform trade Stuart did not, of course, know, but

<sup>56</sup> C. O. 5: 68, pp. 219 *et seq.*

<sup>57</sup> This statement was not exactly honest. Consult C. O. 5: 69, p. 313.

<sup>58</sup> C. O. 5: 70, pp. 273-274.

<sup>59</sup> C. O. 5: 68, p. 271.

<sup>60</sup> C. O. 5: 69, p. 265.

<sup>61</sup> The Stuart-Fauquier controversy is summarily reviewed in *Gage Correspondence*, I, 144-145.

as.<sup>58</sup> Besides stating in detail what do, the regulations provided approved by the proper commissary. Fauquier was studying Stuart's request that Virginia cooperate with the nations to the west. "I know of the proclamation of the 7th October, had cited as his authority to could not deny the desirability the absence of any instructions powerless to act. Virginia law in the Indian trade, and if he 'infringing the Liberty of the'intendent did not encounter in er following he instructed the additional restriction, namely, individual amounts of three hundred was that, although he could "of no law to Restrain [him] y for them", and that he im- en they find themselves under ing the traders could be done herein Fauquier enjoyed the ioned the matter of bonds to pre- tered Fauquier's silence to no observance of his latest in acting independently, even eyed Stuart's instructions, his ing all the Indians of his dis-

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he immediately informed Blair that all Virginia traders must obtain licenses from their governor and that he, Stuart, would be duty bound to prevent those without licenses from entering the Indian country.<sup>62</sup> As events proved, however, it mattered not at all what Blair thought; it was the English ministry, not a recalcitrant governor, that blasted Stuart's fond hopes. In a communication dated mid-April the superintendent was told that economy and other reasons had dictated the abandonment of the plan of 1764 with its highly imperialized Indian relations, and that the regulation of trade would revert to the individual colonies.<sup>63</sup> Theoretically, Virginia now resumed that freedom of trade which she had enjoyed prior to 1764; actually, it was not resumption at all, for Virginia had never regarded the plan of that year as binding in the least degree, but on the contrary had continually disregarded it.

As the colonial period wore on the character of the Indian trader became progressively worse. Time was when worthy whites had gone among the red men, had taught them the simple mechanic arts, had increased their knowledge of agriculture, had extended them long-term credits, and by so doing had won the respect and confidence of the natives.<sup>64</sup> That time had long since passed, and now it was exceptional to hear a trader spoken of kindly. Governor Dinwiddie, who, during the darkest days of the French and Indian war, had reluctantly requested the traders' assistance, referred to them as "abandoned Wretches".<sup>65</sup> Between 1764 and 1768 all traffic had been, supposedly, under the supervision of imperial agents, yet it was one of the latter, unsparing in his condemnation of the traders, who wrote from the Cherokee country that "No Nation was ever so infested with such a set of Villains, and horse thieves".<sup>66</sup> When the experiment in imperial control was abandoned, conditions which were already reprehensible became well nigh intolerable.<sup>67</sup> According to Superintendent Stuart, it was only the red men's "incapacity of subsisting without European Commodities, as well as the fear of involving their Country with us; [that] renders them so passive to the enormities of the Traders".<sup>68</sup> Stuart exerted himself to obtain

<sup>62</sup> C. O. 5: 70, pp. 294-295.

<sup>63</sup> C. O. 5: 70, p. 313. The commissaries were withdrawn from the Indian country, although some remained as deputies of the superintendent, whose office was not abolished by the decision of 1768.

<sup>64</sup> James Adair, *The History of the American Indians* (London, 1775), 414.

<sup>65</sup> *Dinwiddie Letters*, II, 50.

<sup>66</sup> C. O. 5: 67, p. 429. The date was August, 1766. Note also General Gage's castigation of the traders as a class, *e. g.*, *Gage Correspondence*, I, 96-97.

<sup>67</sup> C. O. 5: 70, p. 493.

<sup>68</sup> C. O. 323: 17, p. 497. The statement was made in 1764, but it would have applied with even greater force to the years following 1768.

the enactment by the provincial assemblies within his district of similar laws regulating the trade, but the results were very disappointing.<sup>69</sup> And so the quasi-chaotic conditions in the Indian country continued.

Then, too, there were other things to ruffle the red man's temper. It has already been pointed out that white encroachment upon Indian hunting grounds was one of the inciting causes of the Cherokee War. Following the close of that conflict, and of the war with France, the westward pointing tide of settlement was held in leash by fear of the Indians, by inertia produced by the demands of the recent war, and by the king's proclamation of 1763.<sup>70</sup> Held in leash, but not for long; by the late 1760's settlers were swarming across the Alleghenies and pouring down those rich western valleys through which coursed streams wending their way to the Mississippi.<sup>71</sup> From Virginia and North Carolina came bands of pioneers, roving in the general direction of the Cherokee towns, and some of these continued on until by 1769, they had planted on the banks of the Watauga River the most advanced white settlement.<sup>72</sup> To quiet the fears which several Indian nations entertained of English encroachments, Superintendent Stuart sought to negotiate with the red men a series of treaties, carefully defining the western boundaries of the southern colonies. At Hard Labour, South Carolina, in 1768, the Cherokee assented to a proposal for delimiting their territories with respect to Virginia. The line as provided for<sup>73</sup> did not, however, run as far to the westward as the Old Dominion wished, with the result that vigorous protests were made. Stuart pointed out that the advance of white settlers would inevitably wreck the Indian trade, an important factor in preserving harmonious relations between the races. This Virginia, although she attempted to evade the issue, could not deny, and she at length countered with the argument that the returns from traffic with the natives could not be expected to equal the profits to be derived from the employment in the new lands of industrious laboring men. Virginia, then, was willing to sacrifice the peltry trade, and this she did, in a sense, when her insistence brought about the desired westward extension of the boundary line. By the treaty of Lochaber, 1770, the line was to begin at

<sup>69</sup> Clarence Walworth Alvord, *The Mississippi Valley in British Politics* (Cleveland, 1917), II, *passim*.

<sup>70</sup> Forbidding settlement west of the Alleghenies.

<sup>71</sup> Consult Justin Winsor, *The Westward Movement* (Boston and New York, 1897).

<sup>72</sup> Ramsey, *Annals of Tenn.*, 93-103. The Watauga settlement was located near the present Elizabethton, in upper East Tennessee.

<sup>73</sup> C. O. 5: 70, pp. 153-198.

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It had been difficult enough to arrange a satisfactory boundary, but it was even more difficult, nay, impossible, to keep the whites on their side of the line. And if the red man disliked the encroaching settlers, how much more cordial must have been his dislike of those who went just in advance of those same settlers, that is, the hunters. Following the paths long used by the traders, these hunters went well beyond the limits of settlement and there proceeded to obtain deer-skins by the simple art of shooting the animals and then skinning them. The hunter possessed certain distinct advantages over the trader: the former halted when he reached the hunting grounds, while the latter had to journey to the native villages; and instead of the trader's bulky pack, the hunter carried only his rifle and a goodly supply of powder and shot. But to poach upon Indian preserves was a dangerous occupation, as not a few of the hunters discovered; when caught by the Cherokee the poachers would be roughly rebuked and released only after they had been relieved of the skins they had accumulated.<sup>75</sup> But the profits, in an enterprise which required practically no original outlay, were so great that the hunters determined to run the risk of encountering Indian opposition. Soon, it seemed to the Cherokee that their guns were "Ratling every way",<sup>76</sup> and then, as if to overawe the red men, they began to coalesce into great groups, in one recorded instance counting half a hundred rifles and threatening to shoot the Cherokee themselves for having protested against the vast slaughter of deer.<sup>77</sup>

The situation was aggravated enough, to be sure, but there was an additional complication afforded by the incursions of the so-called northern Indians,<sup>78</sup> in reality, the Shawnee and neighboring tribes of the Ohio Valley. Between these Indians and the Cherokee there lay the land of Kentucky, abounding in game, but not occupied by any nation of red men. It was in fact, a no-man's land, frequented by hunting parties from both north and south, and it is not surprising that, at times, these parties clashed.<sup>79</sup> "Wars" rather easily arose, and bands of young warriors, lusting after scalps, would betake themselves into the enemy country, where, along some oft trod trail they would lie in wait until there appeared a weaker detach-

<sup>74</sup> C. O. 5: 72, pp. 57-61.

<sup>75</sup> C. O. 5: 75, p. 435.

<sup>76</sup> C. O. 5: 70, pp. 595-596.

<sup>77</sup> C. O. 5: 72, p. 49; *Gage Correspondence*, I, 222.

<sup>78</sup> The "northern Indians" of the seventeenth century generally meant the Iroquois.

<sup>79</sup> C. O. 5: 71, p. 122.

ment of the foe, upon whom they would fall in what would probably be reported as a sanguinary "battle".<sup>80</sup> Periods of peace and strife alternated, but as the 1760's advanced those of peace came to be of briefer duration. To the Indian superintendents, Sir William Johnson in the northern district and John Stuart in the southern, such intertribal conflict was most undesirable; it menaced the safety of traders and, besides, other tribes might at any time be drawn in, rendering control of the situation problematical. Johnson and Stuart, therefore, exerted themselves to effect a reconciliation, and the Cherokee even sent a delegation of chieftains to New York and later to Pittsburgh to negotiate. All efforts, however, proved unavailing, and still the "northern Indians" sent raiding parties far into the Cherokee country, leaving that nation in a state of constant anxiety.<sup>81</sup>

Small wonder that Virginia's trade with the Cherokee was steadily declining. The mountain Indians were in a dangerous mood, occasioned by the malpractices of traders, the trespassing of hunters, the approach of white settlements, and the fear of raids by their red foemen from the Ohio. Nevertheless, times had changed, and goods upon which the Cherokee had once looked as desirable, but nonessential, had now become necessities; their dependence upon goods of European manufacture was almost complete.<sup>82</sup> Regardless, then, of the Indian's real attitude toward the white man, it was necessary to assume the guise of friendliness and respectfully petition for supplies. From Virginia the Cherokee received virtually no encouragement. When the provincial government became convinced of the impracticability of a public trade and ordered the abandonment of the 1765 project it set its face firmly in one direction and thereafter refused to budge; to all later schemes savoring of subsidized intercourse it turned a deaf ear. For that matter, the Old Dominion failed even to regulate private trade. As previously pointed out, Governor Fauquier had made no requirement of trading licenses, and had made no attempt to have his assembly pass a licensing law. Doubtless some Virginians fell into the easy habit of carrying goods

<sup>80</sup> For one of the Cherokee-Shawnee "battles" see G. W. L. Bickley, *History of the Settlement and Indian Wars of Tazewell County, Virginia* (Cincinnati, 1852), 53.

<sup>81</sup> In C. O. 5: 70-75 there are numerous, though scattered, references to the desultory conflict between the Cherokee and the nations of the Ohio country. See also *Gage Correspondence*, I, *passim*.

<sup>82</sup> Superintendent Stuart had spoken of this as early as 1764 (C. O. 323: 17, p. 497). For their deer-skins the Cherokee demanded a wide variety of goods, some of which were as follows: blankets, shirts, handkerchiefs, knives, beads, oil, wire, hoes, hatchets, paints, guns and ammunition (C. O. 323: 24 T 44). See, too, *Gage Correspondence*, I, 278, 335.



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to the Cherokee without troubling to obtain express permission for  
so doing, and therein probably lies the explanation of Acting Gover-  
nor Blair's statement to the home government in 1768 that he  
knew of no one in the colony then engaged in the Indian trade.<sup>83</sup>  
Unless applications for licenses had been made to the governor, or  
unless the trade was great enough to attract public notice, he would  
hardly have known of it, as was, of course, the case. Those Vir-  
ginians who did venture into the traffic<sup>84</sup> were few in number and  
quite unable to supply the Cherokee with more than a minimum of  
necessary articles, hence the repeated requests for a greater trade.

These requests were made at every opportunity, and the plight of  
the mountain Indians was carried to the attention of the Virginia  
government through various channels of communication. At one  
time it might be through the superintendent at some Indian con-  
gress,<sup>85</sup> at another through Virginia agents,<sup>86</sup> or again, as in the  
summer of 1770, by special messenger sent directly to the provincial  
council at Williamsburg. In the latter instance, the native complaint  
was that the Old Dominion had been very neglectful, that war was  
threatening with the Creek Indians, that in such eventuality supplies  
from Carolina would be cut off, and that the Cherokee would be  
left destitute unless aid was sent by their white "brothers" to the  
north.

The response of the governor, now Lord Botetourt, was to the  
effect that Virginia had recently tried the experiment of a public  
trade, that so many dangers had attended it that it could not be  
maintained, that so far as he knew those dangers still existed, that  
a private trade was the only kind to be depended upon, that such  
would be great or small depending upon the mutual profits derived  
therefrom, and that he hoped the problem of supplying the Cherokee  
would in large measure be solved by the projection of white settle-  
ments nearer their towns.<sup>87</sup> In this latter observation the governor fail-  
ed to take into consideration the fact that the extension of white settle-  
ment connoted the delimiting of the red man's hunting grounds, the  
only source from which he derived his peltry, which was in turn  
all that he could offer the trader in exchange for the varied com-

<sup>83</sup> C. O. 5: 1346, p. 187.

<sup>84</sup> That Governor Blair's statement was misleading is shown by the fact  
that the English customs records indicate no break in the importation of peltry  
from Virginia.

<sup>85</sup> As at the congress of Lochaber in 1770 (C. O. 5: 72, p. 66).

<sup>86</sup> As Lewis and Walker, when (1769) they were discussing with the Indians  
the subjects to be considered at the Lochaber congress (*Va. Mag.*, XIII (1905-  
1906), 33-34).

<sup>87</sup> C. O. 5: 72, pp. 69-75.

modities he so urgently needed. At times, too, as in 1774, the peltry market sank to such low levels that the trader would receive so little for that which was so troublesome to obtain that a trip into the Indian country was hardly remunerative.<sup>88</sup> But even when quotations ranged high, promising the trader handsome profits, he was compelled to consider the matter of his personal safety. Participation in the Cherokee trade was attended with enormous risk. Along the trading path one might be ambushed and murdered by the "northern Indians", and when the Cherokee towns were reached one's sense of security was little heightened, what with the rising tide of resentment against the whites in general and the traders as a class. Richard Paris, whose acquaintance with the Cherokee dated back to the beginning of the French and Indian War, continued to trade as usual and there may have been others so admired by the Indians that their personal safety was assured.<sup>89</sup> Such, however, was very exceptional; most of the older traders must have deserted the calling, and there was certainly nothing about the trade to attract newcomers.

The knell of Virginia's traffic with the Cherokee had sounded. Strong bands of white hunters slaughtered the deer in what had so recently been the red man's hunting grounds, and those animals that escaped the hunters' marksmanship would inevitably be driven away by the onward rush of white settlement. By chance it was the American Revolution that brought to an end a trade, the collapse of which could not have been long delayed.

<sup>88</sup> C. O. 5: 75, p. 352. The Indians were never able to understand shifts in commodity prices, brought about by market fluctuations (Adair, *Amer. Indians*, 170).

<sup>89</sup> In 1770 the Cherokee wished to bestow upon Paris, his son, and a friend some land as a token of appreciation (C. O. 5: 72, p. 69).