

most solemn engagements, deliberately formed, ratified, acted upon, confirmed, ratified again and again by the highest authority of our republic? How can it for a moment be apprehended, that the co-ordinate branches of our Government—our high, legislative, executive, and judicial functionaries, will manifest so total a disregard of every principle of public morality?

#### SIXTH COMPACT WITH THE CHEROKEES.

This instrument was executed on the 20th of October, 1803, by Return J. Meigs, Agent of the United States among the Cherokees, and by fourteen Cherokee chiefs, beginning with Black Fox, the principal chief, and ending with the famous James Vann. It was witnessed by five officers of the United States' Army, and three other persons, one of whom was Charles Hicks, then acting as interpreter. I have called it a *compact*, not a *treaty*, because it was not sent to the Senate for ratification. But though it be not technically a treaty, it is morally binding upon the United States; for it has been carried into effect, and the United States, particularly the people of Tennessee and Georgia, have derived great benefit from it. I have an accurate copy before me.

"Articles of agreement between the United States and the Cherokee nation, for opening a road from the state of Tennessee to the State of Georgia, through the Cherokee nation.

"The Cherokee nation having taken into consideration the request of their Father, the President of the United States, to grant that a road may be opened through the nation, from the State of Tennessee to the State of Georgia, and being desirous to evince to their Father, the President, and the good people of the United States, their good will and friendly disposition, do hereby agree, that a road may be opened from the State of Tennessee to the State of Georgia, with the reservations and provisions, as in the following articles are expressed; and further to evince to our Father, the President, that we are not influenced by pecuniary motives, we make a present of the road to the United States."

ART. 1. A road granted, sixty feet in width, passing through about 150 miles of Cherokee territory, and opening a communication from Augusta, Georgia, to Knoxville and Nashville, Tennessee. [This has usually been called the Federal Road. It has been much travelled; and great quantities of merchandise, and other valuable property, have been transported over it.] It was to be made solely at the expense of the United States. The article also provides, that when the road is opened, the direction of it shall not be changed; and that no branch or branches (except one which had been described) "shall ever be permitted to be opened without the consent of the Cherokee nation."

ART. 2. The Cherokees reserve to themselves the income of the ferries; and specify where the ferries shall be kept.

ART. 3. Various regulations respecting houses of entertainment, which the Cherokees were to establish; keeping the road in repair, &c. &c.

ART. 4. No neat cattle from the southern States shall be driven through the Cherokee nation; and when horses are taken through, the number of them shall be inserted in the passport of the owner. The Cherokees not to be answerable for estrays from among the animals of the whites.

ART. 5. Officers, civil and military, mail carriers, and some other classes, exempted from toll and ferriage.

ART. 6. Commissioners to be appointed on each side to survey and mark the road.

ART. 7. One copy of this agreement to be sent to the Secretary of War, another to be left with the principal Cherokee Chief, and a third with the Agent of the United States among the Cherokees.