

Copied

State-line Station, 62 miles N. of Mobile
on the Mobile & Ohio Railroad,
28th February 1855

Gentlemen

... your letter of the 27th Dec^r last
came to hand by the last train. I regret that it
should have been so long on the way.

The Memorial you were about to
address to the President of the United States "claim-
ing the net proceeds of the lands ceded to
the U. States by the Treaty of Dancing Rabbit Creek
1st because a liberal construction of the treaty
entitles ^{our} your nation to them, and 2^{ndly} it is in
Equity and good faith entitled to them, whether
the treaty will bear that construction or
not", I suppose has been laid before that func-
tionary; and if deemed reasonable and just
by him, has been communicated to Congress.

The statement of facts connected with the
treaty, furnished you by Gen^l. Eaton ~~at the~~
at the time, ~~our~~ ^{our} sec^y of War, and one of
the Commissioners that negotiated the treaty,
I judge, was quite sufficient to induce the
President to entertain your Memorial, and
I trust to communicate it to Congress.

That the treaty was forced upon
your nation no one conversant with the
history of it, and of that period, will deny.

but not by any unfair means of the Federal Government. It was by the act of the Legislature of Mississippi, extending her laws ~~of the paper~~ over that portion of your Nation within her limits, before your people were sufficiently civilized to bear and live under them. Genl Jackson, then President of the United States, clearly saw that the most fearful consequences would grow out of the execution of those laws, which the federal Government could not prevent, and that the removal of your people to their Western possessions beyond the limits of the States, could alone obviate under this view the treaty, to all appearances, was unmercifully perfided by the Commissioners of the United States. I was in the mercantile business at the time, having at great cost arranged for the manufacture of straws and blankets in England (exactly suited to the then taste & substantial use of your people) and for their importation; which were paying me good profits, at the Chaktaw branch of my concern. And although your removal West would destroy this lucrative interest, yet as a cherished friend of your tribe honored for more than twenty years

with its confidence, I felt it my duty to advise its chiefs to treat, and remove west.

This advice however was given, under the assurance of the Commissioners, that the most liberal ~~terms~~ should be offered - terms considered equivalent to the net proceeds of the land, and about as favorable to the Chuktauws, as had been offered to the Chickasaws, and by them conditionally accepted.

Had the treaty been faithfully carried out, it was not illiberal; but some of its provisions were shamefully overlooked and unprovided for. It unfortunately happened that ~~Gen.~~ Eaton who had hastily arranged for quieting the discontented party; and would have arranged for carrying out all the provisions of the treaty satisfactorily, was sent as Minister to Spain, I think, before the ratification of the treaty; and his successors in the War Office, not having equal personal knowledge of the understanding which existed between him & your people as to the manner of carrying out the various provisions of the treaty, made

blunders sadly prejudicial to your nation, and at immense unnecessary cost to the government. The failure of registering claimants under the 14th article, and to reserve their lands from sale, is one of the blunders alluded to, and which alone intitles the nation to heavy damages, in my opinion. This omission on the part of the United States threw the claimants into the clutches of speculators after being dispossessed of their lands, into the clutches of speculators, who for ten or twelve years besieged Congress praying redress to the dispossessed Indians, and after obtaining it, appropriated the greater portion to themselves. The worst of this sad omission is that these claimants return to you not only poor, but many of them vagabonds.

I shall at all times be happy to hear from you, and serve your people.

Letters addressed to me at Mobile, forwarded by mail, will reach me. My son H. S. Gaines of that city will forward them to me, wherever I may be.

Respectfully

Your friend

Geo. S. Gaines

To Mess^{rs} D. D. Pritchlym & others

Cherokee Delegation
at Washington city