treaty, and he would regard it with as little respect as the blank sheet that he held in his had, [tearing it and casting it on the floor.] Such a treaty, considered as a private contract, would be, in law, not merely voidable, but void. Void, ab initio. So should he regard the treaty of the Indian Springs, if made with incompetent persons, whether fraudulently or not. Had it been submitted to this House for an appropriation, with satisfactory evidence that the Indian negotiators were destitute of authority to make it, he would not have voted a cent to give to it effect.

So would he decide in relation to this treaty if it were or could be proved, that fradulent means had been employed for its ratification. But where is the evidence of such fraud? Does any concealment mark this transaction? The fact supposed to warrant the insinuation which has been made, is stamped on the very face of the treaty. What says its third article?

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Shall be immediately paid to whom? The Chiefs assembled here asserted that they had authority to receive the stipulated consideration. Is that authority doubted or denied? It rests, as they truly say, on the same evidence with their unquestioned power to treat at all Their *subsequent* agreement, among themselves, relative to the distribution of a part of the consideration, constitutes no link of the preceding negotiation, no feature of the treaty itself. It is their separate and independent act, for which they are responsible, not to the Secretary of War, or to us, but to those for whom they were deputed to treat. Is the Secretary of War bound—has he the power, to follow these Chiefs to their native wilds in order to execute their laws, to enforce among themselves their own customs, to control them in the final distribution of the money, with which they are entrusted by their nation.

If this treaty be valid, the appropriation which we make should conform to its provisions. If fraudulent and void, no appropriation whatever should be made.

Had the treaty been silent as to the part of the consideration which the Chiefs proposed to distribute, before their departure; had this sum been secretly promised; had it been proposed secretly to pay it, so as to screen the receivers from all responsibility to the chiefs and warriors of the Creek nation; there would, indeed, be some ground for the imputation of fraud. On this subject although negative proof cannot be required, we are happily furnished with the highest exculpatory testimony. A Senator from Missouri, of distinguished abilities entitled, it need scarcely be added, to the highest credit—a gentleman thoroughly acquainted with the progress of the entire negotiation, had voluntarily communicated to Mr. M.—[here some gentleman exclaimed aloud that Mr. Benton had so informed the Senate.] Mr. M. proceeded.—He had no right, he said, to advert to what the honorable Senator had said, in his place to the body of which he is a member: but he had a right to refer, for purposes of public justice to his personal assurance to himself that, on the part of the Secretary of War, this treaty had been conducted on the fairest and most honorable principles.

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(The Speaker here questioned whether Mr. M. was in order.)

He was misunderstood, Mr. M. replied, by the Chair. He had risen to acquit, to vindicate, not to condemn.

(The Speaker said, no charge, had been made on the Secretary of War.)

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Mr. Mercer explained—The gentleman says that I have misstated his argument. I did not refer, in my vindication of the Secretary of War, to the argument of the gentleman from Georgia, who last spoke, but to that of his colleague, who first addressed the House; and I did not mean to say that he had expressly made a charge upon the Secretary. I inferred it from the tenor of what he did say.

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To be sure, sir, the gentlemen, after indulging the utmost freedom, did, in the *conclusion* of his remarks, attempt to smooth over his previous observations a little, and talked of "deductions" which might be drawn from what I had said.

Sir, I have nothing to do with his deductions. I made no charge. I have merely stated *facts*—facts which speak volumes—facts which require no comment; and which are, from their enormity, scarcely credible. If these facts fix fraud, it must rest where *they* fix it.

The gentleman, in the enthusiasm of the moment, quoted the remark, that "an honest man's the noblest work of God," and observed that, if so, the Secretary of War was one of the noblest works of God. Sir, let me not be understood as denying this. My private intercourse with him has not only been gratifying to me, but it has occasioned me to regard him, as I believe all who know him regard him, as a man of excellent heart and courteous manners, and as a gentleman of honor. I am, however, a public man, discharging a public duty, and I must, therefore, say, that the unprecedented facts evolved in the course of this transaction leave me at a loss how to justify or to palliate the conduct of the Government. Sir, I cannot but believe that if the members of the Administration had reflected for a moment upon the monstrous fraud which, with their agency, was to be accomplished—if they had looked to the consequences affecting both their public and their private characters, which a denouement would occasion; if they had thought that this sun which is now pouring his rays around us, would have lighted up the bureau where was hatched, in darkness and in secrecy, this monstrous transaction; they never—trust me, sir, they never would have been soiled with it. The gentleman who is at the head of the Indian bureau, (I use the term "bureau," for I understand it is the modern term adopted in this great city for a clerk's office,) when he was told by Ridge and Vann of the contemplated fraudulent distribution of the money, very composedly replied, "it was their own affair!" The treaty expressly provides that the money mentioned in it, (upwards, considerably, of two hundred thousand dollars,) shall be paid to "the *Chiefs* of the nation, to be *divided among the Chiefs and Warriors of the Creek nation.*" But Ridge and Vann are neither Chiefs nor Warriors of that nation, and were, therefore, not entitled to a cent. The Department of War, therefore, disregarded the terms of its own treaty, when it countenanced the disposition intended to be made of the money by the few persons who were here. It cannot be said that the Secretary of War was ignorant of the fact who those two persons, Ridge and Vann, were: for three of my colleagues and myself had an interview with the Secretary of War at the commencement of the session, and distinctly apprised him that those two persons had nothing to do with the delegation; that they were not even Creeks, but Cherokees. There was, indeed, a kind of official connexion between them and the delegation: one was styled Secretary of legation. I do not know what kind of a diplomatic thing the other was, or what title was given to him, but it is understood that he is an attache of some sort.—Their official connexion should never have been recognized by the Government. The gentleman from Virginia has used the word "*tortured*," in application to my statements of the facts. He will not deny the use of this word at least: for I cannot be mistaken as to *it*, having taken it down in writing as soon as it fell from his lips. Sir, there has been no "torturing" of the meaning of the facts. There needed none to aid me. The documents containing these facts were read They did not even need comment. My colleagues and myself may have occasionally manifested feeling.—God knows we have had good cause for doing so. The rights of our native State have been violated—the character of her Chief Magistrate has been made a foot-ball for every vile calumniator—the feelings of her citizens have been outraged; and it was impossible for us to have remained cool and indifferent. We may, in the course of this and preceding discussions, have shewn feelling, but we have not "*tortured*" the meaning of facts. "Tortured," indeed! Sir, no torture has been inflicted by us, except upon the feelings of those to whom we have held up the facts of this infamous transaction—to whom we have exhibited the truth!

Sir, said Mr. T. truth conveys the keenest torture, when it is connected with either impropriety or ignorance. There was the "torture." He repeated to the gentleman from Virginia, who had stepped forth upon this occasion, *there was the* "*torture.*

To conclude: the gentleman from Virginia, in attending to the agreement which Congress has acted upon as a treaty, has emphatically asked, "what is the treaty?" He would remind the gentleman of the circumstances under which it was made, and then reply to him, in the true Yankee way, by returning the question—"what *is* the treaty?"

Mr. Bartlett, of New Hampshire, said, he could not perceive that the question now before the House, which was on agreeing to the report of the Committee of Conference, involved at all the question of the Treaty, or the character of any individual. The Treaty provides, that a certain sum of money shall be paid to the Chiefs and Warriors of the Creek Nation. The Senate adds, as an amendment, that the money shall be distributed in a certain manner; the treaty did not contradict such an an arrangement—but the House disapproved and disagreed to it. The Senate insisted on their amendment—conferees were appointed—and, after some discussion, the managers of the Conference agreed that the amendment proposed by the House will effect the same object as that contemplated by the amendment of the Senate. It goes indeed a little farther, and insists that the division of the money shall be made in full council of the nation. But now it is said, that the Chiefs design to appropriate the whole sum to their own use. The arrangement proposed will certainly prevent the accomplishment of any such design, if it exist. I would have consented to the amendment of the Senate as sufficient—but I think that reported by the conferees holds out a more effectual security—and it certainly presents no question involving the integrity or reputation of any gentleman. The session draws rapidly to its close, and we have on our table some forty or fifty bills, in which sundry individuals have a deep interest. Under such circumstances, whatever feeling may exist in the minds of some gentlemen on the subject of this treaty, there certainly can be no need of expressing them any farther than has already been done.

Mr. Thompson, of Georgia, said that, however impatient the House might be to take the question, he felt disposed to avail himself of that opportunity to submit a few brief remarks to the House on the subject then under discussion. Mr. T. said that the honorable Chairman of the Committee of Conference had given it as his opinion that the Government, in carrying the treaty into effect, ought to pursue, literally, the stipulations of the treaty. In that opinion, Mr. T. entirely agreed with the honorable Chairman as well as with his friend from Georgia, (Col. Tattnall,) but this coincidence of opinion, between the honorable Chairman and himself, lead to results directly opposite. The Chairman of the Committee is opposed to the amendment originally made to this bill by the Senate, because that amendment provided that the consideration money, to be paid under this treaty, should be paid to the Creek Indians, according to the scale of distribution of annuities, which provision the honorable gentleman considers a departure from or a violation of, the third article of the treaty, which stipulates that the money should be paid to the chiefs, headmen, and warriors of the Creek nation of Indians. How, then can that honorable gentleman support the amendment proposed by the Committee of Conference? Does not the provisions of this amendment equally violate the stipulations of the third article of the treaty? That article expressly stipulated, that the United States shall pay to the chiefs, headmen, and warriors, of the Creek nation of Indians, a certain sum of money, "*immediately* after the ratification of the treaty." What is the plain and obvious meaning of those words? May not these chiefs demand *immediate* payment to be made them here? Have the United States a right to withhold payment now, and so alter the treaty that payment shall be made, not here, but in the Creek nation, and at a future period? If it is competent for the United States to defer the payment to a future period, how long may they not withhold it? If this is a treaty, the Delegation may certainly according to its stipulations, demand the money *immediately* The honorable chairman of the committee informs me, (said Mr. T.) "that the chiefs, headmen, and warriors, of the Creek nation of Indians, are not here, but in the Creek nation, and that payment must consequently be made to a council of, and in, the nation; inasmuch as the treaty stipulates payment to be made to the chiefs, headmen, and warriors, of that nation. Mr. T. said, if he had supposed those chiefs, headmen, and warriors, to be here, he stood corrected by the gentleman; but, if the gentleman conceded to the Delegation the power to conclude this contract or treaty, he surely would not deny to them the right to receive the consideration money. This right had been conceded to them by the Department: for, on the presentation, by John Ridge and Jo. Vann, (Cherokees.) of a list, exhibiting a scale of an intended distribution of $159,000, with a demand that the sums designated should be separately counted, sealed up, and paid, in the Department to the individuals to whom those sums were respectively assigned,* the head of the Indian *Bureau* replied, that payment could not be made there, but that he had no doubt the officers of the Bank would, to oblige them, make the arrangement required. Although, Mr. T. said, he did not consider this a valid treaty, yet those who claimed the possession of competent power had decided that it was: and, agreeing with the honorable Chairman, and his friend from Georgia, that the stipulations of a treaty ought to be literally fulfilled and complied with, he could not support either of the amendments which had been proposed; because each was equally a violation of the third article of the treaty; but, if, like the honorable Chairman, he could vote for the amendment reported by the committee, and now under consideration, he could more readily and cheerfully vote for the Senate's first amendment, as better calculated to secure the legitimate objects of the treaty, and meet the ends of justice. And here he could not but express much surprise, that gentlemen had been unable to find, in the circumstances of this transaction, any evidence of an intention, on the part of the Delegation, to commit a fraud upon their nation. Mr. T. said, he cherished due respect for gentlemen and their opinions, but the evidence of fraud was so clear to him, that he could not conceive how it could be doubted. Where, (asked Mr. T.) in the history of the repudiated treaty, can you find the evidence of fraud so gross as that which is exhibited by the documents connected with the treaty now under consideration?—there was none. Mr. T. said, he conceded to the Secretary of War the high character which had been attributed to him, in the course of this debate, by the gentleman from Virginia, (Mr. Mercer,)—he felt no disposition to derogate from his merit—and he protested against the right of any member to attribute to him an unfriendly disposition towards the honorable Secretary; but he must state the facts of the transaction, and facts were stubborn things. Before the treaty was ratified a list had been exhibited by John Ridge and Jo Vann to the head of the Indian *Bureau*, shewing the intended distribution of the money to be paid under the treaty: and, from that list, it appeared that $15,000 was to be paid to John Ridge, another $15,000 to Jo. Vann, and $10,000 to old Major Ridge, another Cherokee The head of the Indian *Bureau* was apprised of the intended fraud, and the only notice which he deigned to take of the corrupt intention, was a simple declaration that it was no affair of the Government.—Ridge and Vann had however been asked, whether the whole Delegation knew, as well as they did the mode which they had adopted for the distribution of the money? Ridge frankly answered, No; but that Ooothleyoholo and Charles Connells knew, and that was enough. This was reported by the Head of the Indian *Bureau* to the Secretary of War, who directed that the Delegation should appear in the Department. They attended The Secretary represented to them the danger that might arise from so partial a distribution of their money, as their people might not subscribe to it.—They replied that *they knew what they were about.* "The Interpreter was then directed to say, that the Secretary of War had no desire to control that over which the Treaty had given them the power, but as the paper had been handed to him, he wished to read it and know whether they agreed to have the disposition made of the money which was therein indicated. They answered each, and individually, yes;" that it was their own arrangement, and the fears he Secretary had expressed in regard to the probable effects of such a course upon their people at home, need not be indulged, for that they would see that their people ratified the arrangement, *as in the event of any dissatisfaction* they had their annuity and this very money, and would so apply it as to satisfy all. The Secretary replied, "that he still had his fears, but could only advise." Thus, said Mr T. the facts shew that the Secretary was well acquainted with the intended fraud. But gentlemen see no fraud, no corruption in all this. Look into these documents. Here is tangible evidence of gross corruption. It was evident that Ridge and Vann had attempted a trick on the Creek Delegation. Mr. Thompson said, it was true that the whole Delegation had heard the paper read, yet they did not understand English, and he presumed the honorable Secretary did not understand the Creek Indian language. It was, therefore, no very difficult matter for an apt Interpreter to deceive both the Secretary and the Indians. One thing, said Mr. T. is, however, clear, that John Ridge, Joe Vann, and old Major Ridge, all Cherokee Indians, were to receive $40,000 of the money which was, according to the stipulations of the Treaty, to be paid by the United States to the Chiefs, head men, and Warriors, of the Creek nation of Indians, in consideration of the Territory ceded by the Creek Indians to the United States. What entitled these Cherokees to this enormous sum? They had no interest in the Creek nation. They were not entitled to one foot of land in the Creek country, neither were the Chiefs, Head Men, or Warriors, of the Creek nation of Indians. What claim, then, could they have to $40,000 of the money stipulated to be paid by the U. States to the Chiefs, Head-men, and Warriors, of the Creek nation of Indians? Mr. T. said, it could not be conwas not concealed. They had heard it openly cealed that there was palpable and gross fraud and corruption in this transaction. Gentlemen say, all this spoken of. All he could say to this was, they had been more fortunate than he had been. He certainly had never heard of these corrupt transactions, or that such a sum as $40,000 was intended to be given to Cherokee Indians who have no interest in the Treaty, until this information was drawn from the Department by the Committee of Conference.

Mr. Dwight insisted that the amendment was in accordance with the Treaty; the Treaty says the money shall be paid "to the Chiefs and Warriors." "The Chiefs," of the Creek nation are not here—they are in the Creek nation—a delegation only is here, for diplomatic purposes, but "the Chiefs" are at home; if the money, then, should be paid in the midst of a council of the nation, it would be paid as the Treaty stipulates.

Mr. Thompson explained. Even if the money must be paid to the delegation as representing the nation, still it would be no violation of the Treaty,

* Statement referred to in the letter of James Barbour, Esq. Secretary of War, and communicated to him by the Committee of Conference, shewing the terms of the agreement, for the proposed distribution of the money to be received under the Creek Treaty:

John Ridge	$15,000	Little Prince	10,000
Joseph Vann	15,000	Tookenchee Tuckabatchee	10,000
Oochale Yoholo	10,000	Tookenugge Mallow	10,000
John Stidham	10,000	Major Ridge, of the Cherokees	10,000
Mercurce	10,000	Fuckehtche Tuckeugee	1000
Charles Connells	10,000	Tookenchow Coosta	2000
Mad Wolf	5000	Hobi Hoja	1000
Paddy Carr	500	McGillivray	4000
Tippo, a young man	200		
To the remaining members of the Delegation each [7 in number.] 5000 dolls.	35,000		$159,000

treaty, and he would regard it with as little respect as the blank sheet that he held in his had, [tearing it and casting it on the floor.] Such a treaty, considered as a private contract, would be, in law, not merely voidable, but void. Void, ab initio. So should he regard the treaty of the Indian Springs, if made with incompetent persons, whether fradulently or not. Had it been submitted to this House for an appropriation, with satisfactory evidence that the Indian negotiators were destitute of authority to make it, he would not have voted a cent to give to it effect.

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To be sure, sir, the gentlemen, after indulging the utmost freedom, did, in the *conclusion* of his remarks, attempt to smooth over his previous observations a little, and talked of "deductions" which might be drawn from what I had said.

Sir, I have nothing to do with his deductions. I made no charge. I have merely stated *facts*—facts which speak volumes—facts which require no comment; and which are, from their enormity, scarcely credible. If these facts fix fraud, it must rest where *they* fix it.

The gentleman, in the enthusiasm of the moment, quoted the remark, that "an honest man's the noblest work of God," and observed that, if so, the Secretary of War was one of the noblest works of God. Sir, let me not be understood as denying this. My private intercourse with him has not only been gratifying to me, but it has occasioned me to regard him, as I believe all who know him regard him, as a man of excellent heart and courteous manners, and as a gentleman of honor. I am, however, a public man, discharging a public duty, and I must, therefore, say, that the unprecedented facts evolved in the course of this transaction leave me at a loss how to justify or to palliate the conduct of the Government. Sir, I cannot but believe that if the members of the Administration had reflected for a moment upon the monstrous fraud which, with their agency, was to be accomplished—if they had looked to the consequences affecting both their public and their private characters, which a denouement would occasion; if they had thought that this sun which is now pouring his rays around us, would have lighted up the bureau where was hatched, in darkness and in secrecy, this monstrous transaction; they never—trust me, sir, they never would have been soiled with it. The gentleman who is at the head of the Indian bureau, (I use the term "bureau," for I understand it is the modern term adopted in this great city for a clerk's office,) when he was told by Ridge and Vann of the contemplated fraudulent distribution of the money, very composedly replied, "it was their own affair!" The treaty expressly provides that the money mentioned in it, (upwards, considerably, of two hundred thousand dollars,) shall be paid to "the *Chiefs* of the nation, to be *divided among the Chiefs and Warriors of the Creek nation.*" But Ridge and Vann are neither Chiefs nor Warriors of that nation, and were, therefore, not entitled to a cent. The Department of War, therefore, disregarded the terms of its own treaty, when it countenanced the disposition intended to be made of the money by the few persons who were here. It cannot be said that the Secretary of War was ignorant of the fact who those two persons, Ridge and Vann, were: for three of my colleagues and myself had an interview with the Secretary of War at the commencement of the session, and distinctly apprised him that those two persons had nothing to do with the delegation; that they were not even Creeks, but Cherokees. There was, indeed, a kind of official connexion between them and the delegation: one was styled Secretary of legation. I do not know what kind of a diplomatic thing the other was, or what title was given to him, but it is understood that he is an attache of some sort.—Their official connexion should never have been recognized by the Government. The gentleman from Virginia has used the word "*tortured*," in application to my statements of the facts. He will not deny the use of this word at least: for I cannot be mistaken as to *it*, having taken it down in writing as soon as it fell from his lips. Sir, there has been no "torturing" of the meaning of the facts. There needed none to aid me. The documents containing these facts were read They did not even need comment. My colleagues and myself may have occasionally manifested feeling.—God knows we have had good cause for doing so. The rights of our native State have been violated—the character of her Chief Magistrate has been made a foot-ball for every vile calumniator—the feelings of her citizens have been outraged; and it was impossible for us to have remained cool and indifferent. We may, in the course of this and preceding discussions, have shewn feelling, but we have not "*tortured*" the meaning of facts. "Tortured," indeed! Sir, no torture has been inflicted by us, except upon the feelings of those to whom we have held up the facts of this infamous transaction—to whom we have exhibited the truth!

Sir, said Mr. T. truth conveys the keenest torture, when it is connected with either impropriety or ignorance. There was the "torture." He repeated to the gentleman from Virginia, who had stepped forth upon this occasion, *there was the* "*torture.*

To conclude: the gentleman from Virginia, in attending to the agreement which Congress has acted upon as a treaty, has emphatically asked, "what is the treaty?" He would remind the gentleman of the circumstances under which it was made, and then reply to him, in the true Yankee way, by returning the question—"what *is* the treaty?"

Mr. Bartlett, of New Hampshire, said, he could not perceive that the question now before the House, which was on agreeing to the report of the Committee of Conference, involved at all the question of the Treaty, or the character of any individual. The Treaty provides, that a certain sum of money shall be paid to the Chiefs and Warriors of the Creek Nation. The Senate adds, as an amendment, that the money shall be distributed in a certain manner; the treaty did not contradict such an an arrangement—but the House disapproved and disagreed to it. The Senate insisted on their amendment—conferees were appointed—and, after some discussion, the managers of the Conference agreed that the amendment proposed by the House will effect the same object as that contemplated by the amendment of the Senate. It goes indeed a little farther, and insists that the division of the money shall be made in full council of the nation. But now it is said, that the Chiefs design to appropriate the whole sum to their own use. The arrangement proposed will certainly prevent the accomplishment of any such design, if it exist. I would have consented to the amendment of the Senate as sufficient—but I think that reported by the conferees holds out a more effectual security—and it certainly presents no question involving the integrity or reputation of any gentleman. The session draws rapidly to its close, and we have on our table some forty or fifty bills, in which sundry individuals have a deep interest. Under such circumstances, whatever feeling may exist in the minds of some gentlemen on the subject of this treaty, there certainly can be no need of expressing them any farther than has already been done.

Mr. Thompson, of Georgia, said that, however impatient the House might be to take the question, he felt disposed to avail himself of that opportunity to submit a few brief remarks to the House on the subject then under discussion. Mr. T. said that the honorable Chairman of the Committee of Conference had given it as his opinion that the Government, in carrying the treaty into effect, ought to pursue, literally, the stipulations of the treaty. In that opinion, Mr. T. entirely agreed with the honorable Chairman as well as with his friend from Georgia, (Col. Tattnall,) but this coincidence of opinion, between the honorable Chairman and himself, lead to results directly opposite. The Chairman of the Committee is opposed to the amendment originally made to this bill by the Senate, because that amendment provided that the consideration money, to be paid under this treaty, should be paid to the Creek Indians, according to the scale of distribution of annuities, which provision the honorable gentleman considers a departure from or a violation of, the third article of the treaty, which stipulates that the money should be paid to the chiefs, headmen, and warriors of the Creek nation of Indians. How, then can that honorable gentleman support the amendment proposed by the Committee of Conference? Does not the provisions of this amendment equally violate the stipulations of the third article of the treaty? That article expressly stipulated, that the United States shall pay to the chiefs, headmen, and warriors, of the Creek nation of Indians, a certain sum of money, "*immediately* after the ratification of the treaty." What is the plain and obvious meaning of those words? May not these chiefs demand *immediate* payment to be made them here? Have the United States a right to withhold payment now, and so alter the treaty that payment shall be made, not here, but in the Creek nation, and at a future period? If it is competent for the United States to defer the payment to a future period, how long may they not withhold it? If this is a treaty, the Delegation may certainly according to its stipulations, demand the money *immediately* The honorable chairman of the committee informs me, (said Mr. T.) "that the chiefs, headmen, and warriors, of the Creek nation of Indians, are not here, but in the Creek nation, and that payment must consequently be made to a council of, and in, the nation; inasmuch as the treaty stipulates payment to be made to the chiefs, headmen, and warriors, of that nation. Mr. T. said, if he had supposed those chiefs, headmen, and warriors, to be here, he stood corrected by the gentleman; but, if the gentleman conceded to the Delegation the power to conclude this contract or treaty, he surely would not deny to them the right to receive the consideration money. This right had been conceded to them by the Department: for, on the presentation, by John Ridge and Jo. Vann, (Cherokees.) of a list, exhibiting a scale of an intended distribution of $159,000, with a demand that the sums designated should be separately counted, sealed up, and paid, in the Department to the individuals to whom those sums were respectively assigned,* the head of the Indian *Bureau* replied, that payment could not be made there, but that he had no doubt the officers of the Bank would, to oblige them, make the arrangement required. Although, Mr. T. said, he did not consider this a valid treaty, yet those who claimed the possession of competent power had decided that it was: and, agreeing with the honorable Chairman, and his friend from Georgia, that the stipulations of a treaty ought to be literally fulfilled and complied with, he could not support either of the amendments which had been proposed; because each was equally a violation of the third article of the treaty; but, if, like the honorable Chairman, he could vote for the amendment reported by the committee, and now under consideration, he could more readily and cheerfully vote for the Senate's first amendment, as better calculated to secure the legitimate objects of the treaty, and meet the ends of justice. And here he could not but express much surprise, that gentlemen had been unable to find, in the circumstances of this transaction, any evidence of an intention, on the part of the Delegation, to commit a fraud upon their nation. Mr. T. said, he cherished due respect for gentlemen and their opinions, but the evidence of fraud was so clear to him, that he could not conceive how it could be doubted. Where, (asked Mr. T.) in the history of the repudiated treaty, can you find the evidence of fraud so gross as that which is exhibited by the documents connected with the treaty now under consideration?—there was none. Mr. T. said, he conceded to the Secretary of War the high character which had been attributed to him, in the course of this debate, by the gentleman from Virginia, (Mr. Mercer,)—he felt no disposition to derogate from his merit—and he protested against the right of any member to attribute to him an unfriendly disposition towards the honorable Secretary; but he must state the facts of the transaction, and facts were stubborn things. Before the treaty was ratified a list had been exhibited by John Ridge and Jo Vann to the head of the Indian *Bureau*, shewing the intended distribution of the money to be paid under the treaty: and, from that list, it appeared that $15,000 was to be paid to John Ridge, another $15,000 to Jo. Vann, and $10,000 to old Major Ridge, another Cherokee The head of the Indian *Bureau* was apprised of the intended fraud, and the only notice which he deigned to take of the corrupt intention, was a simple declaration that it was no affair of the Government.—Ridge and Vann had however been asked, whether the whole Delegation knew, as well as they did the mode which they had adopted for the distribution of the money? Ridge frankly answered, No; but that Ooothleyoholo and Charles Connells knew, and that was enough. This was reported by the Head of the Indian *Bureau* to the Secretary of War, who directed that the Delegation should appear in the Department. They attended The Secretary represented to them the danger that might arise from so partial a distribution of their money, as their people might not subscribe to it.—They replied that *they knew what they were about.* "The Interpreter was then directed to say, that the Secretary of War had no desire to control that over which the Treaty had given them the power, but as the paper had been handed to him, he wished to read it and know whether they agreed to have the disposition made of the money which was therein indicated. They answered each, and individually, yes;" that it was their own arrangement, and the fears he Secretary had expressed in regard to the probable effects of such a course upon their people at home, need not be indulged, for that they would see that their people ratified the arrangement, *as in the event of any dissatisfaction* they had their annuity and this very money, and would so apply it as to satisfy all. The Secretary replied, "that he still had his fears, but could only advise." Thus, said Mr T. the facts shew that the Secretary was well acquainted with the intended fraud. But gentlemen see no fraud, no corruption in all this. Look into these documents. Here is tangible evidence of gross corruption. It was evident that Ridge and Vann had attempted a trick on the Creek Delegation. Mr. Thompson said, it was true that the whole Delegation had heard the paper read, yet they did not understand English, and he presumed the honorable Secretary did not understand the Creek Indian language. It was, therefore, no very difficult matter for an apt Interpreter to deceive both the Secretary and the Indians. One thing, said Mr. T. is, however, clear, that John Ridge, Joe Vann, and old Major Ridge, all Cherokee Indians, were to receive $40,000 of the money which was, according to the stipulations of the Treaty, to be paid by the United States to the Chiefs, head men, and Warriors, of the Creek nation of Indians, in consideration of the Territory ceded by the Creek Indians to the United States. What entitled these Cherokees to this enormous sum? They had no interest in the Creek nation. They were not entitled to one foot of land in the Creek country, neither were the Chiefs, Head Men, or Warriors, of the Creek nation of Indians. What claim, then, could they have to $40,000 of the money stipulated to be paid by the U. States to the Chiefs, Head-men, and Warriors, of the Creek nation of Indians? Mr. T. said, it could not be conwas not concealed. They had heard it openly cealed that there was palpable and g