

no other person has been killed at Sumach.— It is to be wished that the officers of this District were more vigilant and more attentive to their duties. Unless they do speedily go to work, they will make themselves liable to public reprobation; and these frequent thefts and murders will go to confirm the world in the opinion that we are still savages.

We hear it reported, that the General Government has found exceptions in the Constitution of this Nation, and that the Agent has been directed to call a Council and point out the errors. It is not our opinion that the Cherokees will be prohibited from enforcing their constitution, which is intended for the Government of their own people. It is probable that the General Government has seen some faults in it which the framers unintentionally committed, and which is desirable to be rectified. If so, we hope our principal men will not be obstinate, but duly consider the relation which exists between the United States and the Cherokees, and make such alterations, as they will, after mature consideration, discover to be wrong.

Under the head, Congress, will appear Mr. Woods' motion in the House of Representatives, to inquire, by what authority Col. McKenney took upon himself to depose a Chief, acknowledged as such by the Creek Indians. When we heard of this instance of power exercised by Mr. McKenney, we could not but consider it oppressive, unwarrantable and despotic, marking the way to the time, when the liberties of the Indians will gradually be taken away from them.— To this result, many are now aiming. It is true the person who was deposed, is a Cherokee, yet we doubt whether there is any treaty existing between the United States and the Creek Indians, which will go to vindicate Mr. McKenney, and debar any private Cherokee from acting as Secretary for any of their Indian brethren. The person in question acted as such, from the commencement of the Creek controversy, and was well known in that capacity, in Washington, by Mr. McKenney, and the Secretary of War. Yet no objection was made by the Executive. If there was any reason then existing, that Indians should not befriend each other in times of emergencies, why was it not made known?— It is even said, unless we are very much mistaken, that large sums of money were expended to the United States, Cherokees, and his associate to purchase their "impertinence," or in other words, to present them so much, if they would influence the Creek delegation to sell their Country. There was no crime then to be interfering with the Creeks, on the part of the United States. We rather think this late assumption of power by the Agent of the United States cannot be easily defended from the charge of inconsistency. We have no evidence that this Cherokee has behaved impudently. This we know, that it was owing in a great measure, to his exertions, that the base treaty, called the treaty of the Indian Springs, was abrogated, and another more advantageous treaty for the Creeks substituted, & thus the U. S. saved from recognizing acts obtained by unwarrantable means. If this is impertinence, as Mr. Lumpkin would no doubt call it, it is a pardonable one.

CONGRESS. HOUSE OF REPRESENTATIVES. INDIANS.

The House then took up the following resolution, offered yesterday by Mr. WOODS:

Resolved, That the President of the United States be, and he hereby is, requested to inform this House, (if not, in his opinion, incompatible with the public interest, by what authority Thomas L. McKenney informed the Creek nation of Indians, that no communication of any sort would be received from them, if a certain man referred to in his letter to the Secretary of War, of the 29th November, 1827, had any agency in it, or what were the reasons for breaking said individual, and of depriving him of his authority, and in what capacity said individual was acting for said Indians; and to communicate to this House the agreement made with said Indians, referred to in said letter to the Secretary of War, with such information respecting the same as he may think proper to communicate.

The resolution having been read— Mr. M'LANE asked for the question of consideration, which was carried in the affirmative.

Mr. Woods said, some misunderstanding seemed to prevail, as to the objects which he wished to attain by the resolution. It is stated in the report made to the Secretary of War,

by Col. McKenney, that he was unable to make a treaty, or to effect the object of his mission to the Creek Indians, until he assumed and exercised the power of depriving one of the Chiefs, or head-men of the nation of his authority. After he had thus interposed his power, and prevented that chief from acting for the nation, he was able to accomplish his object.

Mr. Woods went on to say that he had, on a former occasion, stated that the system pursued by the Government, in regard to the Indians, was one of fraud and perjury. He wished to obtain a full statement of the facts in this case. This was not the only instance of the kind. He thought we had acted towards these people in a manner unbecoming the character of our Government, and contrary to the principles of justice and right. We pretend to negotiate—to make treaties, and to enter into compacts with the Indians, while on our part it is little less than a system of fraud and violence. The resolution he had offered was expressed in the language of the agent himself. He says, in the document referred to, and which had been communicated to this House, that he "broke him on the spot, by announcing, in the name of the President of the United States, that for the reasons there assigned, no communication, of any sort, would be received by the President if that man had any agency whatever in it." If the individual who was thus deposed belonged to the nation, and was one of the chiefs or head-men, he was at a loss to know what right Colonel McKenney had to depose him, and to deprive him of his authority to act as the agent of the Indians. He wished to know if the agent of the United States, who assumed this authority, had the sanction of the Executive. The resolution is merely one of inquiry. It calls on the President to communicate the facts, if not incompatible with the public interest; and to lay before this House the treaty made with these Indians, by Colonel McKenney. He had seen a copy of what he supposed to be this treaty in the papers of this morning. The subject would, probably, be brought before the House in the form of a bill, or in some other way, & he was desirous to have all the facts properly before the House, that they might be prepared to act upon the subject.

Mr. M'LEAN said it was not because he was opposed to the resolution itself that he called for the question of consideration, but he was aware that it would lead to a protracted debate, and a useless consumption of time. If his colleague had attentively read the documents, he would have seen that Colonel McKenney said that, being sent by the Government, he had taken on himself the responsibility of breaking this Chief, and he gives his reason for taking this step. Here Mr. M'LEAN read an extract from the report of Col. McKenney. He had previously given an account of certain persons among the Creeks, who had before interposed; and after demonstrating their cupidity, he broke this man. He expressly says that he had no authority for this act; why then ask the President, on what authority this was done? The papers of this morning contained a publication of the treaty. The gentleman, therefore; has all the information which he desires. He knew of no good result which could arise from this resolution.

Mr. LUMPKIN said, without any inquiry into the facts, he had no doubt that the agent, Mr. McKenney, complained of, was either one of the impudent Cherokees, or a renegade white man, interfering in what did not concern them. The agents of the General Government could never be able to carry their views into effect, or to act with any efficiency, unless they assume the commanding tone which was properly assumed by Col. McKenney on this occasion. Every man who is acquainted with the Indians, knows that to do any thing with them, it is necessary to assume a decided character, and to speak in positive and commanding terms. Col. McKenney knew he could do nothing unless he did this. He really hoped that the House would never condescend to approach the Executive with such little inquiries as the conduct of an Indian Chief. Our humanity, christianity, and all the benevolent feelings of our humanity, are appealed to on all occasions, by those who consume a great portion of the time of the House, in order to enforce their opinions on others. All that they accomplish,

however, is to show that they do not understand the character of these Indians; and that their efforts and objects are only calculated for sectional and home consumption.

Mr. WICKLIFFE moved to amend the resolution, by adding the following words, which Mr. Woods accepted as a modification of the original resolution:

"And also, a detailed statement of the expenses of the several missions to the Indian tribes, under the authority of the War Department, during the years 1826 and 7, specifying the object of the expenditure, and the persons employed."

Mr. Woods said the gentleman from Georgia had stated that the agents of the Government must have decision of character, or they would find it impossible to effect the objects we have in view. When the great question respecting the policy to be pursued by the Government, in relation to the Indians, shall come before the House, he would be prepared to meet gentlemen on the subject of the treatment of Indians; and it would then be decided whether those who thought with him, in regard to the measures pursued by our Indian agents, or those who entertained the opinions of the gentleman from Georgia, were the true friends of the Indians. The House had been told by the gentleman, that an agent of the General Government ought to have and exercise the power to depose Indian Chiefs.

Mr. LUMPKIN, in explanation, said he did not contend that agents had a right to depose Indian Chiefs. He had said this man was an impudent, interfering Cherokee, or a white renegade.

Mr. Woods said he did not wish to misrepresent what the gentleman had said. The power is claimed to depose these interfering and impudent agents—half breeds, as they are called. Sir, we do not extend to these half breeds any of our privileges—we do not give them the rights of citizens; we treat them as Indians, but we are frequently told, in the language of complaint, of the influence which these men exercise over the Indians. It seems that they have, by their intelligence, been able to defeat the designs of the agents of the General Government—not the policy of the Government itself, but the interested and sectional views which certain gentlemen seem to entertain. He disclaimed all sectional views. But when our agents & the officers of the Government have darling schemes and objects in view, they are disposed to stop at nothing which will enable them to remove the obstructions in their way. It is time for us to obtain some information on this subject.— He had called for this information.— He wished to know who this man was. Was he a Creek Chief? Was he a Cherokee; or a white renegade?— There is no evidence before us on the subject. We have not even a statement of the reasons which induced the agent of our Government to exercise this extraordinary power. He supposed the individual was a chief, or head man of the Creek Indians, or at least recognized by them as such; and that he could not be deprived of his authority in this way by our agent.

Whenever we are unable, said Mr. W. to effect our wishes by making use of the authority possessed by the Indian chiefs, we exercise our power & deprive them of their authority & influence over their nation. The Indians themselves have been compelled to break and turn out the corrupt chiefs, whom we had brought over to our interests, & they have put in their places intelligent young men, who are able to meet our agents, and to resist their plans. Yes, sir, they complain loudly of the influence which these young men have acquired by their intelligence, and they complain that the Government has interfered with their policy by endeavoring to civilize the Indians. We have even heard on this floor, that the policy of the government in educating the Indians, and teaching them the arts of husbandry, and furnishing them with the means of living by agriculture, was an interference with the rights of our own citizens. He said he would not pursue the subject farther. The treaty which he had seen in the paper of this morning pleased him. It was better than he could have expected, when obtained by such means. But this is no justification of the means employed. He wished to know if we were still, without inquiry or examination, to pursue this course and sanction this mockery of justice. As far as it depended on

him, said Mr. W. he would expose it. He would to the extent of his public abilities, lend his aid to break down the whole system, which is productive of, and at the same time sustained by, so much fraud and injustice.

Mr. THOMPSON enquired if the resolution called for the name of the person dismissed, and his former place of residence.

Mr. Woods replied in the negative.

Mr. THOMPSON suggested an amendment to that purpose.

Mr. Woods accepted the amendment as a modification.

Mr. WILLIAMS of N. C. said he saw no practical effect which could result from the resolution. The treaty was published, and nothing more could be altered.

He moved to lay the resolution on the table—Ayes 70—Noes 54.

The resolution was then laid on the table.

FOR THE CHEROKEE PHOENIX.

Officers, under any Government, are intended to perform the duties for which they were created. The laborer should be worthy of his hire.— Malevolent motives are sometimes ascribed, to the undeserving of such censure, when in the honesty of mind, they find it a duty to complain of public servants. The Marshals of this Nation were appointed in lieu of our light horse Companies, who it was believed, would render more and exact service to our country. This calculation has lost its power to delude the people any longer. Our Marshals are asleep on the watch tower, and have no disposition to awake from their slumbers, unless it be at the approach of our Legislative Council, to get their forty dollars for services expected of them, but not rendered. They are like drones in a Bee-hive, useless to the Nation. The duties of the officers as required of them, are contained in a law passed 11th Nov. 1824, viz:

"The several Marshals, Sheriffs, Constables, shall take cognizance of every violation of law within their respective bounds of districts, and to give information of, and bring to justice, according to law, such person or persons, so offending; and should any of the aforesaid officers neglect to bring to justice any transgressor of law after having been duly informed of such transgression, such officers, upon conviction before any of the district courts, shall be subject to pay a fine, to be assessed by the court, the fine not to exceed one hundred dollars, and not less than five dollars; and the officer or officers so neglecting, shall be subject to be removed from office, at the discretion of the National Council."

The Marshal of Chattooga, instead of attending to his duties within his bounds, is living at his ease, in Chickamauga District, 70 or 80 miles from the seat of justice of the district of which he is an officer. The Marshal of Coosawattee has taken a journey towards the west, to the Arkansas, or to the Texas, and we do not know whether he is still in the land of the living or not. But it is needless to particularize any farther.

Thieves are again rising in contempt of half breed officers, in spite of our Marshals, and Sheriffs, and Constables. May the next Legislature notice their indolence, and discount their wages. If we wish to have our property secure, and criminals punished, our wishes will be unrealized, so long as these officers remain in neglect of duty, and adhere to the policy of picking money from the National pocket without rendering the required service. I may be excused in the opinion that the Light horse Companies were the best and most efficient officers for vigilance, and were better adapted to keep down the thieves of the country, and to inflict punishment on their naked backs. But fine times now for reges.

OAKFUSKIE.

A Second Troup.—His Excellency Governor Forsyth, of Georgia, appears to possess a full portion of the spirit of his predecessor, in the office of chief magistrate of the above mentioned state. It is well known that the Cherokee Indians in the state of Georgia, have made such advances in civilization and the arts, as to have established over themselves a regular form of government, with tribunals of justice, &c. and that they are making rapid advances in every species of improvement in civilized life. Among other things they have established schools, and a printing press, and bid fair, in a short time, to become a well

ordered, respectable community.— In this state of things, and with such a prospect before them, Governor Forsyth has issued a proclamation, the object of which is obvious. It is to break up this tribe, drive them away after the Creeks to the wilderness, crush every effort towards civilization, and destroy all the hopes of improvement which have thus far been entertained in behalf of this injured people.—N. Y. Lat. Adv.

Distressing Shipwreck.—In the Journal du Havre, of the 18th December we find the following particulars of the distressing shipwreck of the American brig Lydia, Capt. Sylvia, bound to this port from Cork.—N. Y. Adv.

HAVRE, 18th Dec.—The crew of this vessel, to the number of 36, arrived this morning, by the Jean Baptiste, Capt. Aubert, who took them off at sea the 28th November. The statement of Capt. Sylvia is subjoined. The Lydia sailed from Cork on the 13th October for New-York. 16th was overtaken by a storm which split his sails. On 31st another storm, in which the mainmast was carried away, the pumps choked, and two of the best hands disabled. 4th Nov. fell in with ship Corinthian, of Baltimore, bound to Lima, who refused us all succor, though informed that each one on board was reduced to an ounce of bad bread per 24 hours.— Fortunately the same day fell in with the French ship Panurga, from Charleston to Havre, from whom we received some sails, and a few provisions. When we reached the 62 deg. of long, the mate was no longer able to work. 13th Nov. spoke brig Ospray from Salem, bound to Boston from Gibraltar, from whom we received a little bread and flour. 21st, lost our other mast, and the vessel became unmanageable. Every body being exhausted by fatigue and want, despair was visible in every face, the provisions were exhausted—a dog then served for our food for three days; this last resource consumed, and famine staring us in the face, all the tins were turned to another horrible resource. The exhausted & miserable wretches whose strength had failed them, became the victims of those who could yet work at the pumps!!! In this desperate situation, Heaven sent to our relief on the evening of the 23th, the French brig Jean Baptiste, which restored hope to our worn out spirits. A boat was sent to us, and two of our passengers returned in her to communicate to the commander our frightful situation. M. Aubert said he was bound from Charleston to Havre, and would take us all on board—we were 36—but when, in spite of the rough weather, the women and children were safely transported to the French brig, the captain said that having a long route yet before him, he could not burden himself with so many people, but would send provisions and sails to those left on board. The boat returned with this news, and a scene of terrible despair ensued. The separation of mothers from children, and brother from brother, seemed more terrible than death itself; and as the brig prepared to make sail, the most piercing cries of despair were uttered from both vessels. The generous Frenchman, touched by the scene, and listening rather to the dictates of human nature than of prudence, (since he only had on board the necessary allowance for his own crew,) resolved to receive all in his vessel, and each sailor emulating the example of his captain, shared with the shipwrecked sufferers his bottle and his bread. To this generous devotedness do we owe our existence.

Judge Breckenridge in reprimanding a criminal, among other hard names, called him a scoundrel. The prisoner replied, "Sir, I am not so great a scoundrel as your honor—takes me to be."—"Put your words closer together," replied the Judge.

AGENTS FOR THE CHEROKEE PHOENIX.

Application has been made to a number of Gentlemen, in different parts of the United States, to act as Agents for this work. We hear, as yet, of only the following who have consented.

HENRY HILL, Esq. Treasurer of the A. B. C. F. M. Boston, Mass.

GEORGE M. TRACY, Agent of the A. B. C. F. M. New York.

POLLARD & CONVERSE, Richmond, Va. Rev. JAMES CAMPBELL, Beaufort, S. C. Col. GEORGE SMITH, Staunton, W. T.

Besides the above, Mr. THOS. R. GOLD, an itinerant Gentleman, residing lately in Troy, N. Y. has rendered us much service, and will act in future as our Agent.

