Doc. No. 237,

Ho. of REPS.

### 27th Congress, 2d Session.

# CHEROKEE INDIANS.

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## LETTER

FROM

# THE SECRETARY OF WAR,

#### IN REPLY

To the resolution of the House of Representatives of the 18th ultimo, relative to the affairs of the Cherokee Indians.

### JUNE 3, 1842.

Read, and motion pending to refer to Committee on Indian Affairs when House adjourned!

JUNE 4, 1842.

Considered, referred to Committee on Indian Affairs, and ordered to be printed.

## WAR DEPARTMENT, June 1, 1842.

SIR: 1 received, the day after its passage, a copy of a resolution of the House of Representatives of the 18th ultimo, in the following words: "Resolved, That the Secretary of War be required to communicate to this House the several reports lately made to the Department by Lieut. Col. Hitchcock, relative to the affairs of the Cherokee Indians, together with all information communicated by him concerning the frauds which he was charged to investigate; also, all the facts in the possession of the Department, from any source, relating to the subject."

The want of time, until recently, to examine some of the reports referred to, has prevented an earlier answer to the resolution.

The reports relating to the Cherokees contain information and suggestions in reference to the matters which it was supposed would become the subject of a negotiation between this Department and the delegates of the Cherokee nation, who have been appointed to settle their claims and all other matters of difference with the Government of the United States, and who have now arrived in this city. The nature and subject of the report, in the opinion of the President and of this Department, render its publication at this time inconsistent with the public interest.

The other report referred to in the resolution, relating to alleged frauds of Indian agents, contains such information as Lieut. Col. Hitchcock was enabled to obtain by *ex parte* inquiries of various persons, whose statements were necessarily without the sanction of an oath, and which the persons implicated have had no opportunity to contradict or explain. To promulgate these statements at this time, would be grossly unjust to those persons, and would be calculated to defeat rather than promote the objects. of the inquiry. Sufficient opportunity has not been given to the Department to pursue the investigation, or to call upon the parties affected for explanation, or to determine on the measures proper to be adopted.

It is hoped that these reasons will be satisfactory for not transmitting to the House at this time the reports referred to in its resolutions.

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I have the honor to be, sir, your obedient servant,

JOHN C. SPENCER.

Hon. JOHN WHITE, Speaker of the House of Representatives.