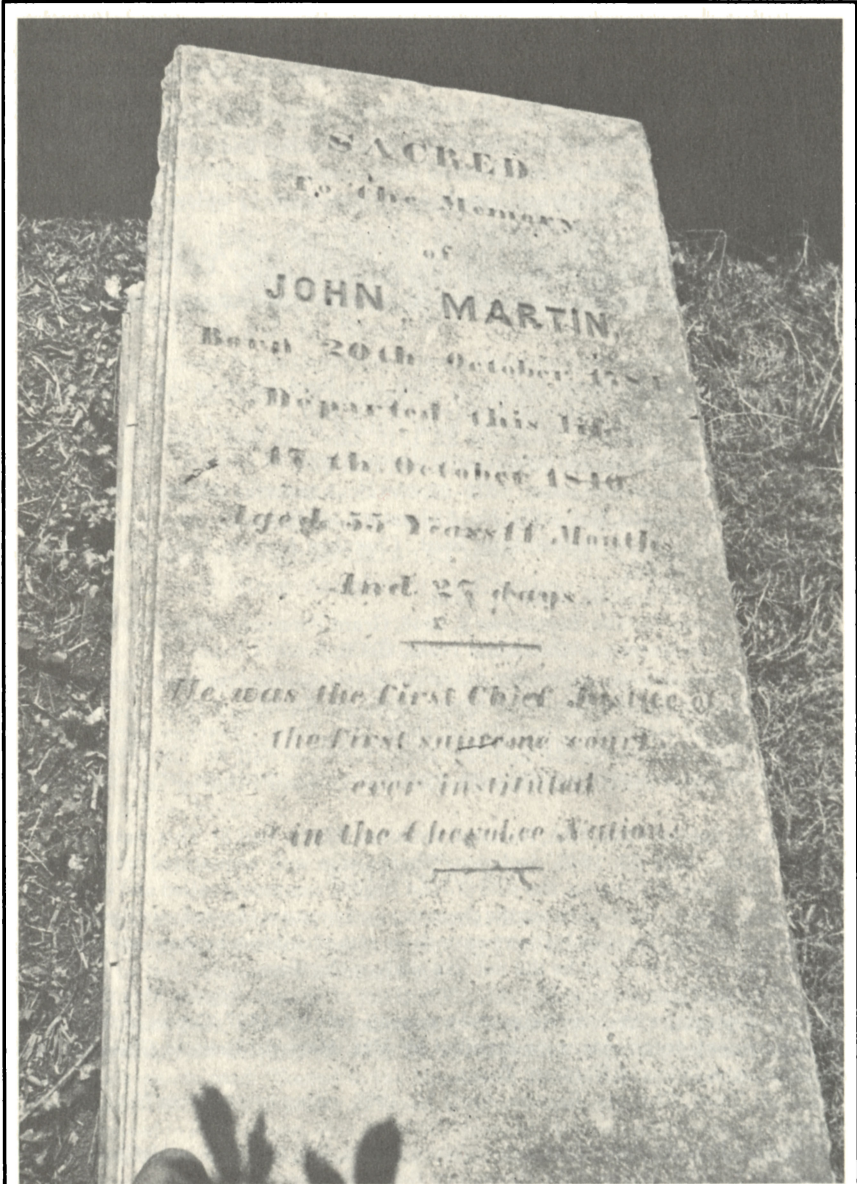


THE CHRONICLES OF OKLAHOMA



John Martin's grave is located near the old barracks at Fort Gibson, a final resting place far removed from his home in Georgia (Courtesy Richard Ryan).

Judge John Martin

First Chief Justice of the Cherokees

*By Patricia Lockwood**

"Justice John Martin, first chief justice of the Supreme Court of the Cherokee Nation in the West, set a pattern of excellence in devotion, education, and personal training which few who followed were able to match."

Rennard Strickland¹

John Martin, a prominent mixed-blood Cherokee, was born October 20, 1784, probably in one of the Overhill Towns, a cluster of Cherokee villages in the western foothills of the Great Smoky Mountains in what is now Tennessee.² By the time of his death in 1840, he would own several plantations, become the first Chief Justice of the Cherokee Supreme Court, and raise a generation of sons and daughters to lead the Cherokees into the challenge of the Indian Territory.

John's father, Joseph Martin, was a white Virginian. Serious historians of the "old frontier," including Theodore Roosevelt and Stephen B. Weeks, have recognized Joseph Martin's talents. Their written accounts of his varied pursuits, his personal bravery, and his active role in border warfare from which he emerged unscathed are vivid sketches of early frontier life.

Through his private endeavors as long-hunter, trader, and land speculator, Joseph acquired a substantial fortune. From "soldier" in the French and Indian War he rose to the rank of brigadier general in the militias of North Carolina and Virginia. His political activities led to his election to the legislatures of three states. But it was his career as Indian agent, and his long residence among the Cherokees, that are of particular interest in discussing his son, John.

As the American Revolution approached, Joseph Martin joined the Patriot cause. In 1776 he served as captain in the Virginia militia in a campaign against the pro-British faction of the Cherokees, and was

THE CHRONICLES OF OKLAHOMA

appointed the following year to act as agent to that tribe on behalf of the state of Virginia. It was a dangerous assignment; Tory influence in the Cherokee Nation was strong, and most of the American Patriots who resided among the Cherokees had withdrawn to the white settlements, taking their families with them. Not surprisingly, Martin's reception left something to be desired.

He had hardly embarked on his duties when he was advised, presumably by friendly Indians, that his life was in danger and he would be wise to leave the Cherokee nation.³ To restore his effectiveness as agent and to pursue his office with a reasonable amount of security (as he later explained), Joseph followed the traditional path to survival—he "married into the tribe." John Martin's mother, Susannah, was one of Joseph's Cherokee wives.⁴

Joseph Martin's solution may have saved his scalp, but it must have placed considerable strain on his diplomatic skills. It is to his credit that the existence of his Cherokee wives and children (at least some of them) was not concealed from his white wives living in Virginia; each accepted Martin's arrangement, apparently without public criticism.⁵

In the spring of 1789, when Martin's tour as agent expired, he returned to his Virginia home, which he had visited over the years. He took with him his oldest Cherokee son, James, to be "raised and educated" for a period of time with Joseph's white sons and daughters.⁶

Martin's justification for his Cherokee marriages contained a degree of truth, apparently enough to soothe his Virginia family. There is no reason to suspect, however, that his affection for his Indian children was not abiding. He undoubtedly kept a parental eye on his Cherokee sons and daughters, and visited them from time to time when his frequent travels placed him in their vicinity. That would have been his style.

John Martin's mother, Susannah Emory, a member of a prominent family, was one-quarter Cherokee. Her grandfather, Ludovic Grant, was a sturdy Scotsman who entered the Cherokee Nation in 1725 as a licensed trader and lived among the tribe for the remainder of his life. According to historian Emmet Starr, who was more often right than wrong, Susannah's father was William Emory, "an Englishman."⁷ Susannah was married, in turn, to Captain John Stuart, Richard Fields, and Joseph Martin. She left, by each of her husbands, talented descendants to serve as leaders among the Cherokees.

John Martin was four years old when his father returned to Virgi-

JUDGE JOHN MARTIN

nia. He probably remained with his mother, his two sisters, Nancy and Rachel Sabra, and assorted siblings from his mother's previous marriages. When and where he received his superior education are open to question. It is possible that he, like James, lived and studied at his father's home, or he may have been tutored at his home in the Cherokee Nation. Cherokees who could afford the luxury often employed white teachers for their children. Whatever the case, John's pursuit of knowledge became an ongoing habit, and he supplemented his education by extensive reading on his own.⁸

In 1796 Tennessee became a state, and by 1819 the Cherokees had relinquished their lands within the present limits of that state with the exception of a small portion south of the Hiwassee River. The center of gravity of the Cherokee Nation had shifted from the Overhill Towns to the northwest corner of present-day Georgia. A new capital was being formed on the banks of the Oostanaula River which became known as New Echota. As the population of the tribe drifted south into the southern remnants of their former vast holdings, the vanguard of white settlers was in close pursuit. John Martin grew to manhood during these troubled times and at an early age became involved in the political affairs of the hard-pressed Cherokees.

John, usually called Jack, has been described as ". . . five feet ten inches tall, blond and weighing 170 pounds."⁹ Following the Cherokee custom of polygamy still in use at that time, John had two wives, Eleanor (Nelly) and Lucy McDaniel, who were sisters. His wives are believed to have had about the same amount of Cherokee blood as their husband.

The first home of John Martin that can be successfully identified was in the Nacoochee Valley in present White County, Georgia. He was living with his family at that location when, in 1819, the land was ceded by the Cherokees. Article 3 of the Treaty of 1819 stated: "Each person named in a list accompanying the treaty shall have a reserve of 640 acres in fee simple, to include his improvements, upon giving notice within six months to the agent of his intention to reside permanently thereon."¹⁰ Reservees who remained on their land were to become citizens of Georgia. John's name was on the list.¹¹

The treaty was concluded in Washington in February, and on March 6 John Martin, who was at the capital, wrote a formal note to Colonel Return J. Meigs, United States agent to the Cherokees, stating that it was his intention "to continue to reside permanently" on the land reserved to him.¹² The "Town or Water Course" used to identify the location of John's reservation was "Sautee."¹³ Sautee was

THE CHRONICLES OF OKLAHOMA

both a town and a water course. The Cherokee settlement of Sautee, and Sautee Creek, a tributary of the Chattahoochee, were located in the Nacoochee Valley.

Whether he was sincere in stating that he intended to remain on his reservation is open to question. At some point, probably 1821, he moved his family from the Sautee location to the vicinity of New Echota, sixty miles to the west in the heart of the Cherokee Nation. He was compensated for his Sautee reservation in October 1823 by a payment of \$2,000.¹⁴ John built a comfortable home on the Coosawattee River for his wife Nelly, then acquired a second home on Salacoa Creek, a tributary of the Coosawattee, for Lucy.

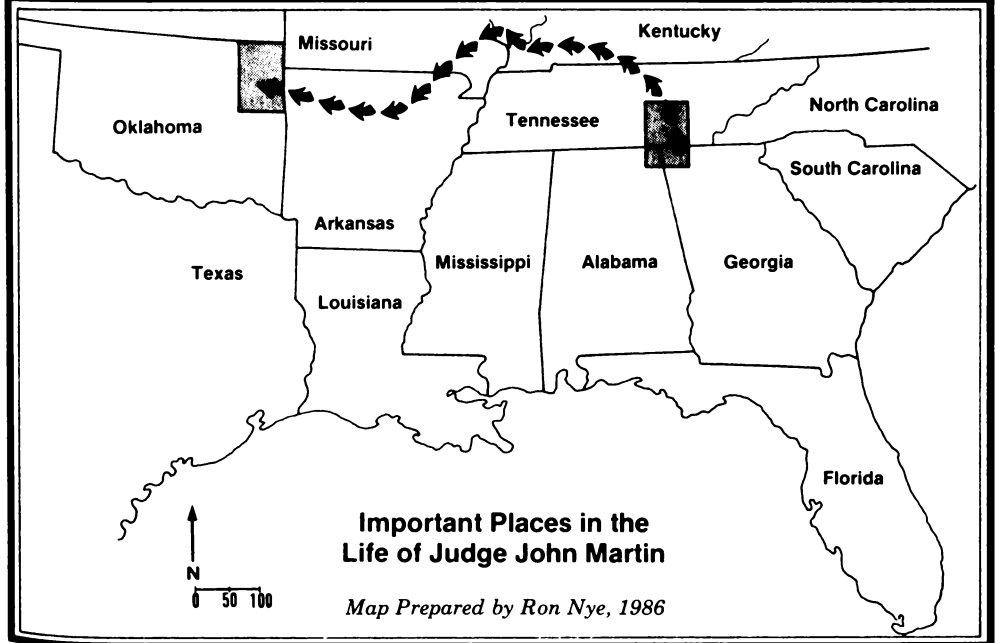
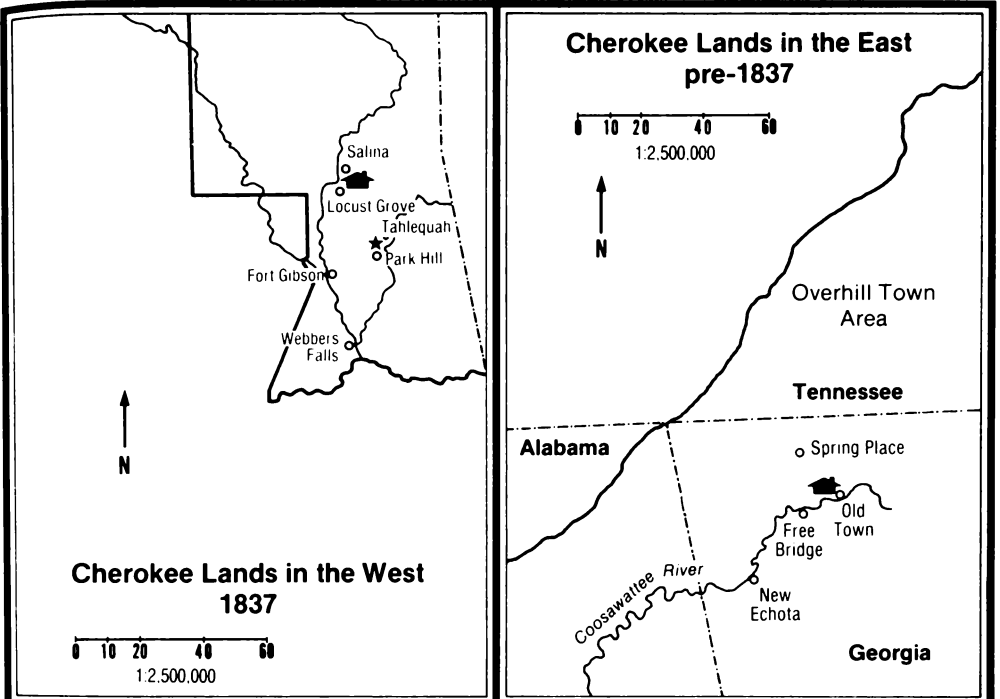
By 1817 the leading men of the Cherokee Nation, realizing the need for a stable, central government to withstand the pressure of the encircling whites, had created a national bicameral legislature, usually referred to as the General Council. In a resolution passed by that body in 1820, the Cherokee Nation was divided into eight political districts. John Martin's homes on the Coosawattee and Salacoa were located in the new Coosawattee District.

A further step toward a republican government was taken by the General Council in 1822 with the creation of a supreme court, consisting of four judges. "The first sessions of the 'Supreme Court of the Cherokee Nation,' as it came to be called, met at Newtown [New Echota] on October 9, 1823. According to its record book, personnel present were 'their Honors John Martin, James Daniels, Richard Walker, Circuit Judges. James Brown being absent.'"¹⁵ Twenty-one cases were heard by the high court during its first term from October 9 to 25. While the court was in session, Judge John Martin observed his thirty-ninth birthday.

In 1827 John was a delegate from the Coosawattee District to the constitutional convention held at New Echota. The delegates drew up a comprehensive constitution, which was adopted by the Cherokees in July of 1827. In 1828 John Ross, chosen by a joint vote of both houses of the General Council, as required by the new constitution, became principal chief. In this same session, and by the same method of selection, John Martin became treasurer of the Cherokee Nation.

The *Cherokee Phoenix* reported: "John Martin appeared before the Committee and executed his bond as Treasurer of the Cherokee Nation, to the satisfaction of the Committee, agreeably to law."¹⁶ The treasurer's salary was fixed at \$350 per annum. Martin, as treasurer, received the federal annuities paid to the tribe, advertised for bids for construction of the court house at New Echota—and for other public

JUDGE JOHN MARTIN



THE CHRONICLES OF OKLAHOMA

endeavors—called in debts owed to the nation and, presumably, kept the accounts in order.

In addition to his public activities, John managed an estate of impressive size. The Cherokee Census of 1835 reveals that he owned a total of 89 slaves; 69 resided at Nelly's plantation and 20 at Lucy's home on the Salacoa. The previous season 6,000 bushels of corn had been harvested at Coosawattee.¹⁷ John's affluence may have resulted from his own initiative, but it is also possible that he received help, at the outset, from Joseph Martin, who was said to have been "... remarkably kind in his family and for benevolence proverbial."¹⁸

Nelly and Lucy contributed equally to John's expanding family with eight children each. John also had a daughter, Amelia, whose mother has not been identified. Although Emmet Starr, in his history of the Cherokees, preserved the names of Martin's children with remarkable accuracy, he failed to list them in their proper chronological order, and he did not separate Nelly's children from Lucy's. John Martin's grandson, Lucien Burr Bell, a dependable source, listed Nelly's children as Brice, Anne, Martha, Joseph L., Susanna, Gabriel, Richard F., and Eleanor. Lucy's children were: Charlotte, John, Jane, Eliza, Rachel, Nancy, Pauline, and Cicero. Bell referred to Amelia as "Mille Martin—natural child."¹⁹

At least four daughters were married during the Coosawattee years: Anne to Benjamin Franklin Thompson, a white man of considerable wealth; Martha to George Washington Adair; Jane to John Adair Bell; and Charlotte to her cousin, Joseph Martin Lynch. The *Cherokee Phoenix* took note: "At Coosawaytee, on Thursday last by the Rev. D. C. McLeod, Mr. GEORGE W. ADAIR to Miss MARTHA MARTIN, daughter of Hon. John Martin."²⁰ And again: "At Salequoyee, by the Rev. Evan Jones of Valley Towns, Nov. 6th, 1831, Mr. JOSEPH LYNCH, Esq. of the Cherokee Nation to Miss CHARLOTTE, daughter of John Martin, Esq, Treasurer of the Cherokee Nation."²¹

The Rev. D. C. McLeod, Methodist Episcopal minister, apparently took a charitable view of Martin's polygamous status. John also was elected vice-president of the Cherokee Sunday School Society of Mount Wesley. His sons-in-law, Benjamin F. Thompson and George W. Adair, and his half-brother, Turtle Fields, were officers in the Missionary Society.²²

According to the 1835 census, seven of the eight members of Nelly's family then residing at Coosawattee could read English. Nelly's two oldest daughters had married and established separate households.

JUDGE JOHN MARTIN

The maverick non-reader was probably Eleanor, youngest daughter, who was not yet old enough to read. Nancy and Rachel (Lucy's children), and possibly other Martin offspring, attended Miss Sophia Sawyer's school at New Echota.²³

On the domestic front John's life appeared to be stable and prosperous, but the developing political scene, of which he was acutely aware, was becoming increasingly ominous. In May of 1830 Congress passed the Indian Removal Bill, which stipulated that after an exchange of lands had been agreed upon, all Indians remaining in the East were to be moved west of the Mississippi. Georgia, with a perfect sense of timing, had extended her laws over that portion of the Cherokee Nation that fell within her chartered limits, declared the laws of the tribe null and void, and proposed to survey Cherokee lands with the announced intention of distributing them to the citizens of Georgia by lottery. In the wake of such arbitrary acts the Cherokee population became demoralized.

John Martin was a member of the Cherokee delegation which arrived in Washington in December of 1831 to protest the actions of the federal government and the state of Georgia. But the push for removal was at its peak at the capital, and even the staunchest supporters of the Cherokees talked of conceding defeat. The delegation returned home in June of 1832, distressed by the rapid series of setbacks they had experienced.

In October of 1832 the Georgia lottery was held. Over 20,000 fortunate citizens of that state became the owners of the Cherokee lands located within the present boundaries of Georgia. Possession of their newly won property was to become effective upon the removal of the Cherokees. Judge Martin's fine plantation, his homes and improvements, were considered especially desirable by the Georgians.

When the inevitable split in tribal leadership occurred, Cherokees who favored removal to the West joined the ranks of the Treaty Party, under the leadership of Major Ridge and his son, John; those who hoped against all odds to retain their eastern homeland, supported the position of Chief John Ross. The heated pitch of tribal conflict made it difficult to maintain a moderate position, but Judge Martin managed, with a degree of success, to remain on neutral ground. He expressed his opinion on several occasions that a treaty should be considered; his son, Brice, and two of his sons-in-law supported the Treaty Party. Still, John was not inclined to stray from the middle path.

A portion of a letter, written in February of 1835 by Samuel Smith,

THE CHRONICLES OF OKLAHOMA

secretary of state for Tennessee, to President Jackson, reveals Martin's position during this period:

A delegation is about to leave for Washington, understood here to be divided two for Ross's party and one for Ridge's but I had an interview with them and they are all decidedly (sic) with Ridge and in favour of a treaty. Martin, one of the delegation, says his object is first to produce a reconciliation between Ross and Ridge both now at Washington and then prepare to offer terms to you for a Treaty.²⁴

Unfortunately, John's hope for a reconciliation between Ross and Ridge was not realized.

In December of 1835 members of the Treaty Party met with agents of the federal government at New Echota to effect a treaty of removal. John's sons-in-law, George W. Adair and John A. Bell, signed the controversial document. John Martin was in Washington when the treaty was concluded at New Echota. As a member of the Cherokee delegation led by Ross, he joined in a protest against the act of the Treaty Party. The federal government, however, refused to recognize the authority of the Ross delegation. Commissioner of Indian Affairs, Elbert Herring, professed not to believe that a letter of protest received from the delegates contained a fair expression "even of the feelings of those who signed it."²⁵ Perhaps, in John Martin's case, the commissioner was correct.

As soon as the Treaty of 1835 was proclaimed, John began the complicated arrangements to move his family west within the two year period allowed by the treaty. In January of 1835 he had received an ultimatum from Colonel William Bishop, Georgia agent. It referred to Nelly's home on the Coosawattee:

Murray County, Ga.
Jan. 20, 1835

Mr. John Martin:

Sir—The legal representative of lots of land No. 95, 25th district, 2nd section, No. 86, 25th district, 2nd section, No. 93, 25th district, 2nd section, No. 89, 25th district, 2nd section, No. 57, 25th district, 2nd section, has called on me, as State's agent, to give possession of the above described lots of land, and informs me that you are the occupant upon them. Under the laws of the State of Georgia, passed in 1833 and 1834, it is made my duty to comply with his request, therefore, prepare yourself to give entire possession of said premises on or before the 20th day of February next; fail not under penalty of the law.

WM. N. BISHOP
State's Agent.²⁶

JUDGE JOHN MARTIN

Apparently upon receipt of Colonel Bishop's letter John brought pressure to bear in the proper places. Governor Lumpkin of Georgia wrote to Bishop that he had spoken with Colonel Farish Carter, the eager new owner of Martin's home, and Carter had agreed to allow Judge Martin to ". . . continue to occupy his place the present year, by paying a reasonable rent, . . ." ²⁷ By the spring of 1837 the Martin households were prepared for the westward journey.

In addition to the amount paid to the tribe for the purchase of Cherokee lands, the federal government compensated individuals for the value of their personal improvements, including homes, out-buildings, orchards, fencing, cleared fields, and even the "turnip lot" if one existed. The final valuation of John Martin's property in the Cherokee Nation East read:

No. 35 John Martin, Salaquoyah, Cass County Geo.	
Valuation at Wards old place	\$ 475.00
Ditto at Lucy Martin's place	3,740.00
Ditto at Red Hill Ten	2,767.00
Ditto " Coosawatie Murray Co. Geo	9,814.00
Spoliation viz Rent	ent <u>1,132.50</u>
	\$17,928.50
Spoliation for rent	ent <u>4,350.00</u>
	<u>\$22,278.50</u>

He was paid an advance of \$8,257 on this amount on January 24, 1837. A debt of \$442.13 was paid. The balance was sent to the West in two payments: \$9,229.37 in May and \$4,350 in September. ²⁸

Cherrie Adair Moore, granddaughter of George W. Adair, and great-granddaughter of John Martin, described the emigration of the Martin and Adair families:

Grandfathers, Martin and Adair, moved from Georgia in 1837, just before William Penn's seventh birthday. . . . It isn't known just how long it took the families to make the journey, but with family, slaves and live stock, and only covered wagons in which to move, it must have taken them almost three months, if not more. Grandfather Adair settled on Saline Creek near Salina and Grandfather Martin made his home on Grand River near Locust Grove, two miles south of Grandfather Adair's.

The new homes for the families were soon built. Each was made of hewed logs filled with mortar. Spaces were left for windows, and a breeze-way and later when weather boarding was available, the home was dressed up with that. ²⁹

In June of 1838 United States agent Montford Stokes wrote to the

THE CHRONICLES OF OKLAHOMA

secretary of war opposing the restriction against traders at Fort Gibson selling to the Indians. His letter provides insight into the life-style of certain Cherokees:

There are many wealthy Cherokees settled in this country; the Ridges, the Vanns, Judge Martin, the Adairs, . . . and many others who live as the Whites do. They buy their sugar and coffee by the barrel and bag; and when they come to the Garrison to buy their groceries and table ware and kitchen utensils, they bring their Jersey waggons and carry-alls, to take home their purchases. These people are displeased at not being allowed to buy what they consider necessaries. The country traders do not deal in the heavy groceries of sugar, coffee, tobacco &c and therefore by the late regulation, the most wealthy and respectable portion of the Indians are cut off from their necessary supplies.³⁰

In the spring of 1839, following the arrival of the main body of the tribe under the leadership of John Ross, serious factional strife erupted. On June 22, apparently in retaliation for their sufferings during their forced removal from Georgia, members of the Ross Party assassinated three of the leaders of the Treaty Party. The repercussions from this tragic event threatened to engulf the nation in civil war. By September 6, however, John Ross had succeeded in pushing through a unified government, operating under a new constitution, with Ross once more as principal chief. Tahlequah was designated the new capital of the Cherokee Nation West.

Under the new constitution Judge John Martin became the first chief justice of the Cherokee Nation. Prior to the constitution of 1839 the office of chief justice had not existed. John Martin's career as chief justice was short-lived, however. On October 17, 1840 he died of tuberculosis of the brain. The *Arkansas Gazette*, at Little Rock, published a notice of his death:

DIED. Near Fort Gibson, on the 17th October, of brain fever, the Hon. *John Martin*, of the Cherokee Nation, aged 51 years, 11 months, and 27 days.³¹

John Martin did not leave a will. He had removed his slaves and at least some of his personal property to the West in 1837, but at the time of his death he had assets in Tennessee, probably in the form of loans owed to him. In 1841, at the August session of the McMinn County court in Athens, Tennessee, Thomas N. Clark, Jr., "a citizen of Roan (sic) County," was appointed administrator for this portion of John's estate.³² Entries in the court records relating to Martin's affairs continued until the final settlement on July 10, 1848.

JUDGE JOHN MARTIN



Martin's house in Georgia was still in good condition as late as 1969. This wing of the home survives much as it looked in 1837 (Courtesy the author).

The list of heirs available from these entries is a confusing mixture of Martin's wives, sons, sons-in-law, and daughters (single and married), but by comparing the names with the genealogy provided by Emmet Starr, which included husbands and wives, and with Lucien Burr Bell's list already given, it can be seen that Martin's two wives and each of their sixteen children were represented.³³ Their names are spelled here as recorded by the court: Nelley's children were: Brice Martin, B. F. and Ann Thompson, George W. Adair, Joseph L. Martin, Clement V. McNair, G. M. Martin, Richard F. Martin, and Elenor Martin. Lucy's children were: Joseph M. Lynch, John Martin, John A. Bell, Eliza Wright, Samuel and Rachel Bell, William and Nancy Cunningham, B. B. and Pauline Nicholson, and Cicero Martin by Gdn. A notation reads: "bond of Elenor Martin is by Gdn Ben F. Thompson; G. M. Martin signs Gabriel M.; B. B. Nicholson signs as Braxton B."³⁴

Lucy's daughter, Jane, the mother of Lucien Burr Bell, died in 1839. She is represented on the list by her husband, and father of her children, John A. Bell. The elusive Amelia Martin was not included in the list of heirs.

THE CHRONICLES OF OKLAHOMA

Although Judge John Martin did not live to guide his people in their new homeland, his children and their descendants would make a tremendous impact. Their accomplishments in the Indian Territory would serve as his legacy.

ENDNOTES

* Patricia Lockwood is a free-lance writer and historian who lives in Burlington, West Virginia. She is the great great great granddaughter of Judge John Martin.

¹ Rennard Strickland, *Fire and the Spirits* (Norman: University of Oklahoma Press, 1975), p. 156.

² The inscription on John Martin's tombstone records October 20, 1784 as his date of birth; Emmet Starr, *History of the Cherokee Indians* (Oklahoma City: The Warden Company, 1921), p. 467, gives October 20, 1781 as John's birth date.

³ Samuel Cole Williams, *Tennessee During the Revolutionary War* (Knoxville: The University of Tennessee Press, 1974 edition), p. 271; Letter from James Robertson to Commissioners Lanier and Winston, October, 1777.

⁴ Emmet Starr, *History of the Cherokee Indians*, p. 305.

⁵ Joseph Martin later served as agent for North Carolina as well as Virginia—and eventually, for a period of six months, served as United States agent to the Cherokees and Chickasaws. Joseph Martin's white wife, Sarah Lucas, died in 1782. He married Susannah Graves, his second white wife, in 1784; Draper Collection, *Tennessee Papers*, 3XX4; Letter from William Martin, white son of Joseph Martin, to Lyman C. Draper, July 7, 1842.

⁶ *Ibid*; James, about nine years of age in 1789, was the son of Betsy Ward Martin.

⁷ Emmet Starr, *History of the Cherokee Indians*, p. 466.

⁸ Rennard Strickland, *Fire and the Spirits*, p. 156.

⁹ Medora Field Perkerson, *White Columns in Georgia* (New York: Toronto: Rinehart & Co.), p. 166.

¹⁰ Charles C. Royce, *The Cherokee Nation of Indians* (Chicago: Aldine Publishing Company, 1975), p. 92.

¹¹ "List of persons referred to in the 3rd Article of the Annexed Treaty." General Records of the United States Government, Ratified Indian Treaties, 1722–1869, National Archives (M668, Roll 5).

¹² Application for reservation, John Martin to Cherokee agent Colonel Return J. Meigs, Washington City, March 6, 1819, Records of the Bureau of Indian Affairs, National Archives Record Group 75 (E218).

¹³ "List of Indians who resided on the Lands lately ceded to the United States. . . ." Special Files of the Office of Indian Affairs, 1807–1904, National Archives Record Group 75 (M574, Roll 17).

¹⁴ "Purchase of Reservations of Indian Lands in Georgia." Letters Received by the Office of Indian Affairs, 1824–1881, National Archives Record Group 75 (M234, Roll 117).

¹⁵ Henry Thompson Malone, *Cherokees of the Old South* (Athens: The University of Georgia Press, 1956), p. 83.

¹⁶ *Cherokee Phoenix* (New Echota), October 29, 1828.

¹⁷ Census of Cherokees in the limits of Georgia in 1835, National Archives Record Group 75 (E219) p. 57.

JUDGE JOHN MARTIN

¹⁸ William Martin, "A Biographical Sketch of General Joseph Martin," *The Virginia Magazine of History and Biography*, Vol. 8 (1901), p. 359.

¹⁹ Letter from Lucien Burr Bell to Joseph Martin LaHay, October 11, 1906. Author's collection.

²⁰ *Cherokee Phoenix* (New Echota), July 1, 1829.

²¹ *Ibid.*, December 31, 1831.

²² *Ibid.*, October 8, 1830.

²³ Althea Bass, *Cherokee Messenger* (Norman: University of Oklahoma Press, 1936), p. 120.

²⁴ John Spencer Bassett, ed., *Correspondence of Andrew Jackson* (Washington: Carnegie Institute of Washington, 1931, Vol. V, 1833–38, p. 325.

²⁵ Ross delegation to Lewis Cass, secretary of war, February 29, 1836, Washington City, Letters Received by the Office of Indian Affairs, 1824–1881, National Archives Record Group 75 (M234, Roll 76).

²⁶ George M. Battey, Jr., *A History of Rome and Floyd County*, 2nd edition (Atlanta: Cherokee Publishing Company, 1969), p. 220.

²⁷ Wilson Lumpkin, *The Removal of the Cherokee Indians from Georgia* (New York: Dodd, Mead & Company, 1907), Vol. I, p. 314.

²⁸ Register of Payments, National Archives Record Group 75 (E247A).

²⁹ Cherrie Adair Moore, "William Penn Adair," *The Chronicles of Oklahoma*, Vol. 29 (Spring, 1951), pp. 33–34.

³⁰ Grant Foreman, *Advancing the Frontier* (Norman: University of Oklahoma Press, 2nd printing, 1968), pp. 53–54.

³¹ *Arkansas Gazette* (Little Rock), December 2, 1840.

³² County Court Minutes, 1831–1841, August 2, 1841, McMinn County Courthouse, Athens, Tennessee.

³³ Emmet Starr, *History of the Cherokee Indians*, pp. 10–11.

³⁴ Will Book D, 1841–1849, miscellaneous entries, McMinn County Courthouse, Athens, Tennessee.