

Jacob Siler's Letter to William H. Thomas

December 18, 1854

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For English 618: Research Methods in English
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INTRODUCTION TO THE SERIES

This transcription and its attendant annotations, explanatory material, and bibliography were prepared by students in ENGL 618: Research Methods in English, the required gateway class for the MA in English at Western Carolina University. The learning outcomes for this class include the following:

1. Conduct appropriate, effective, and ethical scholarship
 - a. Effectively find and use advanced research tools (handbooks, databases, guides, bibliographies, etc.) appropriate to a subject.
 - Students will be able to use a wide variety of such tools and evaluate those tools.
 - b. Find appropriate advanced research (print and electronic scholarship) and apply that research to specific disciplinary questions or issues.
 - Students will be able to find a variety of scholarship, evaluate both the appropriateness and rigor of that scholarship, and incorporate that scholarship correctly and effectively.
 - c. Develop accurate bibliographies and reference citations.
 - Students will be able to annotate, abstract, and cite materials following standard MLA format.
2. Understand the process by which the texts we use are made available.
 - Students will be able to conduct basic editorial work and evaluate the editorial work of others.

All work is presented as submitted by the students. While these students take great care with their transcriptions and annotations, errors are always possible. As these students learn throughout this class, good scholarship requires checking of sources and corroboration by authoritative sources.

It is hoped that the transcription and annotation of WCU Special Collections materials will be useful to the institution, students, scholars, and other patrons and users of WCU's Special Collections materials

If you wish to submit an emendation or correction for this document, please email Dr. Brian Gastle (bgastle@wcu.edu).

INTRODUCTION TO DOCUMENT

This manuscript is a letter written by Jacob Siler, a former Agent of the State¹ (1839-40) working within North Carolina and nearby states, and sent to William Holland Thomas. In the letter Jacob Siler is protesting both duplicate land certificates being given, as well as the lands themselves that are being given to him and his Entry takers. He states that they are entitled to lands that have not yet been sold or surveyed by the state.

Jacob Siler was born June 1st, 1795 in the Pendleton district of South Carolina and died on April 25th, 1871 (Powell, *vol. 5* 345). Before becoming an agent in 1839 he had been a soldier, merchant, magistrate in both Haywood and Macon counties, surveyor, and representative in the North Carolina legislature. At the time of creating this document, he is working as an agent of Cherokee lands. His work would aid in the creation of present-day Cherokee

Jacob Siler had five children with his wife Matilda Swain whom he married in 1822. Following Matilda's death in 1858, he married Mary Thornton Highsmith in 1864 and had two more children before his passing on April 25th, 1871

William Holland Thomas was born in Haywood County on February 5th, 1805 and died on May 10th, 1893 (Powell, *vol. 6* 25). He represented the Cherokee of North Carolina in Washington from 1836-1843 as they contended that they were exempt from the removal mandated by the Treaty of New Echota. Despite speculating in the land from which the Cherokee were to be removed during this time he used his personal wealth to support many Cherokees after the removal and continued to pursue the treaty awards agreed to by the federal government. In 1848 he succeeded in this, and the government recognized the Eastern Band of the Cherokee and most of their claims. Thomas had also, in his name, purchased the majority of what is now the Qualla Boundary.

He voted for southern succession in 1861 and joined the confederacy in 1862. During his service he was promoted to Colonel and placed in command of the Sixty-ninth North Carolina regiment, which contained several Cherokee companies. Following the war, he was declared insane and placed in the Raleigh state asylum in 1867. In the years before his death, he would go on to lose much of the land he had previously secured for the Cherokee.

Between 1849 and 1861 William Holland Thomas was a member of the Committee on Internal Improvements, and supported and sponsored many bills in an attempt to improve transportation within North Carolina. These bills included projects to build both railroads and plank roads throughout the state, and one of these projects is likely the project which this letter is about. This letter could possibly be in reference to the Western turnpike, and the repeated allotment of certain land to multiple individuals.²

¹ Jacob Siler is often referred to as a "Cherokee Indian Agent," which is inaccurate. An "Indian agent" was an official appointed by the Federal or state government to transact business with Native Americans. There is not currently compelling evidence to suggest that Siler served in this capacity. Jacob Siler was an agent of the state who dealt with former Cherokee lands and with the sale of land bonds within newly established Cherokee County.

² For further reference see Munday.

Editorial statement

The manuscript is written on thick lined paper that has begun to yellow. The paper is stiff, wrinkled, brittle, and has a tear starting at the bottom and going up the length about four inches. The writing is fluid, but hard to make out in places due to the lack of differentiation between some letters. His handwriting in this letter does resemble that of his handwriting in other but is distinctly more haphazard. It appears that he was in an atypical state, perhaps being aggravated or in a rush.

The manuscript is 11 $\frac{3}{4}$ inches in length and 8 $\frac{3}{4}$ inches in width. There is a tear on the right side of the manuscript that cuts off the end of two lines, these lines will be denoted with a footmark that includes a speculative reading.

This transcription is a diplomatic edition, which aims to communicate the wording and formatting of the original document as faithfully as possible. There have not been any alterations or additions made to the punctuation or verbiage. Line breaks appear at the same intervals, with page changes and other textual features such as stains and crossed out words being denoted in brackets. Significant persons, places, and abbreviations or alternative forms of words will have explanatory and/or contextual footnotes attached. Some features of note in this document are:

- The letter T which appears at times to be incorrectly capitalized but has been transcribed as lowercase when appropriate under the assumption that that was his intention, and their appearance in the manuscript is a characteristic of his hand, not an intentional choice.
- There are three symbols which resemble equal signs, two at the bottom left corner of the first page, and one slightly above halfway up on the left side. Siler uses them to denote a word being finished on the next line.
- It appears that someone has written in pencil in three different locations: one on the first page and two on the second page. These markings will receive a footnote.
- The ink has bled in several locations. When occurring speculative readings will be denoted by a footnote.
- Two words have been written over, with the second being completely obscured. They will both have a footnote affixed to signal their presence, but only the first will receive a speculative transcription.
- Siler uses a myriad of antiquated words, often utilizing words and phrases from older Irish dialects. These words will be affixed with a footnote containing the modern English equivalent. These footnotes will all be using the online edition of the *Oxford English Dictionary* cited below.

Transcription

[MS page 1]

Aquiry office 18th Dec 1854
Col. Wm H Thomas

Dear sir

Your favors one of the 5th & the other of the 7th instant³ is just received your question with regards to divers⁴ lessons giving bonds to me and the entry takers⁵ for the same land I answer no. I do not receive bonds for Entered lands. I believe the ~~bonds~~ the law aught to be so changed as to require me to take the bonds⁶. if bonds are given at all I am tould⁷ that there are bonds a nough⁸ now in this and the Entry Takers offers; to pay for all the road⁹ let out, if so I would suggest that the law author¹⁰ = ing bonds to be given be upraised and that these counti¹¹ be placed on eaqual footing with all other counties in the state. As the law is divers persons execute bonds for the same land, and others give bonds for more land then is, where surveyed, bound to be vacant. The lands being handed over to road contractors will of course be counted off. The land Enterers with out full value being received. The kind of land for which ¹² The road agents and Entry takers were¹³ authorized to to takes bonds was of that class¹⁴ which had been surveyed by the state and never sold. ¹⁵

The remedy¹⁶ you suggest for Those enterers of land who have filed these bonds for land previously entered, or for more land then is found to be

³ "Instant." An archaic term used to refer to the current month.

⁴ "Divers." An archaic form of "diverse."

⁵ An Entry taker is an official who receives and processes claims on public land from the intending occupier or owner.

⁶ The first pencil mark appears here. It is vaguely circular and centered on "bonds."

⁷ "Tould." An antiquated form of "told."

⁸ "anough" An antiquated form of enough.

⁹ The transcription of "road" here is speculative, the ink has run.

¹⁰ The document has been torn here. It likely read "authoriz" forming "authorizing" with the hanging "ing" in the next line

¹¹ Likely "counties."

¹² There are two small symbols here, which appear to be idle quill strokes or unfinished letters.

¹³ Speculative.

¹⁴ Speculative.

¹⁵ This line appears higher in the manuscript but is in line with the period which is abnormally high.

¹⁶ This again appears to be a misspelling of "remedy" not the usage of an archaic spelling.

vacant, is a good remedy if the bonds were to remain
In the office until they were paid or become due
but for such whose bonds are out with road contrac
=tors ~~I would~~¹⁷ the remedy will not apply, the only plaus
=able remedy for such to my mind in that ---¹⁸

[MS page 2]

you mention in a nother part of your letter
which was to give them land for the deficiency
and that such deficiencys be asscrtained and reported by
the lawful surveyor to the office authorized by law
to adjust the cases etc. ¹⁹

¹⁷ "I would" has been crossed out with six small diagonal lines

¹⁸ The following word has been crossed out with a thick horizontal line and is unreadable

¹⁹ The blank portion of the remainder of this page contains later groupings of scribbled pencil as well as the words "old" and "certificates" written in pencil in the margins.

Annotated Bibliography

Munday, S. "Contractors, Look Out!" *Asheville News*, 7 December 1854. p. 3.

<https://newspapers.digitalnc.org/lccn/sn84020688/1854-12-07/ed-1/seq-3/#words=Turnpike+Western>

This is a short article warning contractors of the imminent reselling of unfinished lots.

Oxford English Dictionary, Oxford University Press. <https://www.oed.com/?tl=true>. Accessed December 11th, 2023.

Powell, William S. *Dictionary of North Carolina Biography: vol 5*. University of North Carolina Press, Chapel Hill, 194.

Powell, William S. *Dictionary of North Carolina Biography: vol 6*. University of North Carolina Press, Chapel Hill, 1996.

This is a reference work containing information on a number of significant topics to North Carolina.