

CHAPTER

7

Land, Growth, and Justice: The Removal of the Cherokees

The Problem

In the spring of 1838, General Winfield Scott and several units of the U.S. Army (including artillery regiments) were deployed to the Southeast to collect Native Americans known as the Cherokees¹ and remove them to lands west of the Mississippi River. Employing bilingual Cherokees to serve as interpreters at \$2.50 per day, Scott constructed eleven makeshift stockades and on May 23 began rounding up Native Americans and herding them into these temporary prisons. According to John G. Burnett, a soldier who participated in the removal,

Men working in the fields were arrested and driven to the stockades. Women were dragged from their homes by soldiers whose language they could not

understand. Children were often separated from their parents and driven into the stockades with the sky for a blanket and the earth for a pillow. And often the old and infirm were prodded with bayonets to hasten them to the stockades.²

Just behind the soldiers came whites, eager to claim homesteads, search for gold, or pick over the belongings that the Cherokees did not have time to carry away.

On August 23, 1838, the first of thirteen parties of Cherokees began their forced march to the West, arriving in what had been designated as Indian Territory (later Oklahoma) on January 17, 1839. With some traveling by boat while others journeyed overland, a total of approximately thirteen thousand Cherokees participated in what became known as the Trail of Tears.

1. The Cherokees referred to themselves as Ani'Yun'wiya ("principal people"). The origin of the term *Cherokee* is unknown, but the name almost certainly was given to them by Native American neighbors. See Russell Thornton, *The Cherokees: A Population History* (Lincoln: Univ. of Nebraska Press, 1990), pp. 7–8.

2. See John G. Burnett, "The Cherokee Removal Through the Eyes of a Private Soldier," *Journal of Cherokee Studies* 3 (1978): 180–185.

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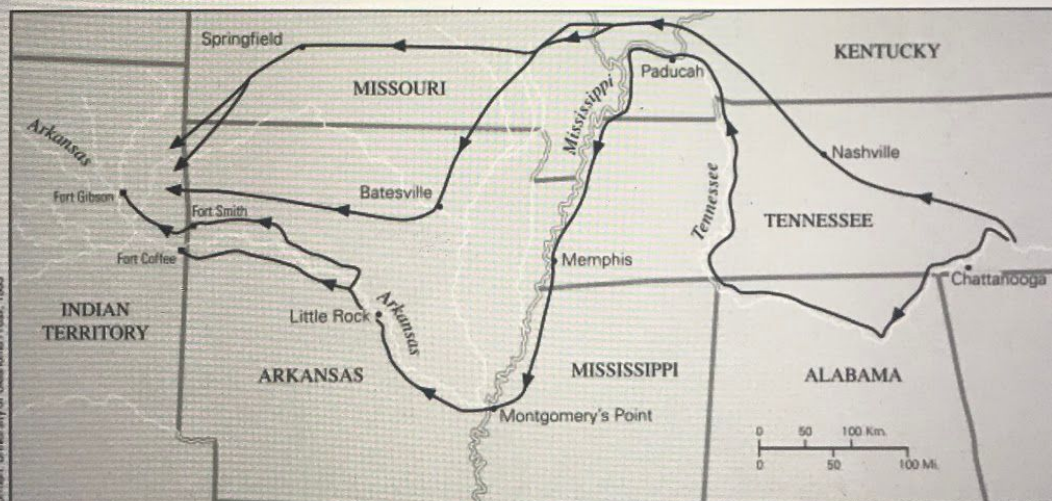
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(See Map 1.) It has been estimated that over four thousand died in the squalid stockades or along the way.³ But recent research has determined that the figure may have been higher than that, in part because of shoddy record keeping and in part because numerous Cherokees died in an epidemic almost immediately upon reaching their destination. In addition, conflict broke out between new arrivals and those Cherokees (around six thousand) who had earlier moved. And, once in the West, those who opposed removal took out their vengeance on the leaders of the Cherokee removal faction. Cherokee

advocates of removal (including leaders Major Ridge, John Ridge, Elias Boudinot, and Thomas Watie) were murdered.⁴

The forced removal of the Cherokees marked the end of a debate that was older than the United States itself. As white populations mushroomed and settlements moved ever westward, the question of how to deal with Native Americans came up again and again, especially when Native American peoples refused to sell or give their lands to whites by treaty.

In 1829, Andrew Jackson became president. For at least ten years, it was



Map 1. The Trail of Tears, 1838-1839.

Adapted from Grace Steele Woodward, *The Cherokees* (Norman: University of Oklahoma Press, 1963), pp. 206-207. Copyright © 1963 by the University of Oklahoma Press, Norman, Publishing Division of the University of Oklahoma. Reprinted by permission.

3. The official U.S. Army count of those removed to Indian Territory totaled 13,149, of whom 11,504 actually arrived in the West. Based on the tribal census of 1835, at least 2,000 died in the stockades.

4. See Russell Thornton, "The Demography of the Trail of Tears Period: A New Estimate of Cherokee Population Losses," in William L. Anderson, ed., *Cherokee Removal: Before and After* (Athens, Ga: Univ. of Georgia Press, 1991), pp. 75-95.

well known that he believed that Native Americans had no legitimate titles to their lands and should be removed from all of their lands east of the Mississippi River to make way for white settlement. And although he was not known as an accomplished speaker or writer (his spelling was nearly as poor as that of George Washington), in his First Annual Message to Congress (Source 4 in the Evidence section), Jackson almost surely was one of the most articulate voices in favor of removal.⁵

The major difficulty, however, involved the Cherokee lands in the state of Georgia, roughly five million acres. In 1802, the U.S. government and the state of Georgia had reached an agreement whereby the federal government had promised to “extinguish, for the use of Georgia, as early as the same can be peaceably obtained upon reasonable terms . . . the Indian titles to all lands lying within the limits of the state.” The state of Georgia was becoming more insistent that the federal government honor its 1802 promise. At the same time, having already ceded portions of their lands in Georgia in treaties of 1785, 1791, 1794, 1798, 1817, and 1819, the Cherokee National Council reached “a decisive and unalterable conclusion not to cede away any more lands.”⁶

5. For Jackson's early opinions, see Joseph McMinn to Secretary of War William Crawford, October 25, 1816, in *American State Papers: Indian Affairs* (Washington, DC: Gales and Seaton, 1834), vol. 2, p. 115.

6. For the 1802 agreement, see *American State Papers: Public Lands* (Washington: Gales and Seaton, 1834), vol. 1, p. 114. For the Cherokee decision, see Joseph McMinn to Secretary of War John C. Calhoun, June 24, 1823, in W. Edwin Hemphill, ed., *The Papers of John C. Calhoun* (Columbia, SC: Univ. of

The hardening of attitudes of both white Georgians and Cherokees presented the federal government with a serious dilemma. Although President Jackson was not the only white person to argue in favor of removal, whites both in and out of the government advocated several alternatives to removal, and these alternatives were debated—sometimes fiercely—both in Congress and among the white population at large.

Of course, the Cherokees themselves were deeply divided as to what response they should make if the federal government ultimately decided to remove them. Here again several possible alternatives were offered and, as with whites, they were debated with considerable ferocity.

In this chapter, you will be analyzing the two debates, the first among whites, who in the end would determine the fate of the Cherokees, and the second, among the Cherokees as to how they would respond to the whites' final decision. **What alternatives did whites consider? What were the strengths and weaknesses of each alternative? Then, what alternatives did the Cherokees consider? What were the strengths and weaknesses of each position?**

For both whites and Cherokees, significant segments of both populations did not view removal as inevitable. Many years later, people look back

South Carolina Press, 1975), vol. 8, pp. 129–130; Cherokee National Council to Cherokee National Committee, October 25, 1823, in *American State Papers: Indian Affairs*, vol. 2, pp. 470–471; and Cherokee Delegation to the President of the United States, January 19, 1824, in *ibid.*, vol. 2, p. 473.

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on a particular decision (to fire on Fort Sumter, for instance, or to support the Civil Rights Movement of the twentieth century) as inevitable. Most

contemporaries, however, did not see it that way. As a historian, you should avoid the concept of “inevitability” as well.

◆ Background

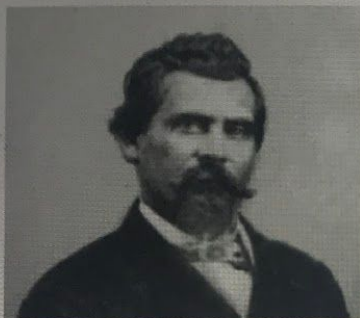
Sometime before their regular contact with Europeans, the Cherokees became sedentary. Women performed most of the farm duties, raising corn and beans, whereas men hunted deer and turkey and caught fish to complete their diet. The Cherokees built towns organized around extended families. Society was *matrilineal*, meaning that property and position passed from generation to generation through the mother's side of the family. Each town theoretically was autonomous, and there were no leaders (or chiefs, in European parlance) who ruled over all the towns. Local leaders led by persuasion and example, and all adults, including women, could speak in town councils. Indeed, Cherokee governing practices were considerably more democratic and consensual than the Europeans' hierarchical ways.

Initial contacts with Europeans were devastating. Europeans brought with them measles and smallpox, against which Native Americans were not immune. Also, Cherokees were attracted to European goods, such as fabrics, metal hoes and hatchets, firearms, and (tragically) alcohol. To acquire these goods, Cherokees traded deerskins for them. By the early 1700s,

Cherokees were killing an average of fifty thousand deer each year to secure their hides for barter, and estimates are that by 1735 over one million deer had been killed, almost certainly depleting the herds. Gradually, the Cherokees were losing their self-sufficiency and becoming increasingly dependent on European goods.

With European colonization and expansion in North America, the Cherokees became swept up into European peoples' wars. Initially siding with the British against the French, the Cherokees turned against the British when the colonial governor of South Carolina called thirty-two chieftains to a conference and then killed twenty-nine of them. The British retaliated against a Cherokee outburst by destroying the Lower Towns, killing over one hundred Cherokee warriors, and driving the survivors into the mountains. In the American Revolution, the Cherokees, hoping to stem white western expansion, again sided with the British. American Patriots destroyed over fifty Cherokee towns, scalping men and women indiscriminately.

After the American Revolution, the new U.S. government pursued a policy of attempting to “civilize” the Cherokees.



Aric/Hulton Archive/Getty Images

John Ridge (left) and Elias Boudinot (right), two of the Cherokee Nation's leaders, educated in the mission school in Cornwall, Connecticut.

For their part, some Cherokee leaders recognized that less land and fewer deer demanded major changes in their way of life, and they accepted "civilization." As Chief ESKAQUA explained to President Washington, "Game is going fast away from us. We must plant corn and raise cattle."⁷ Aided by government Indian agent Return J. Meigs (who lived with the Cherokees from 1801 to 1823) and a number of missionaries (sent by the American Board of Commissioners for Foreign Mission), several Cherokees were able to embrace many of the "white man's ways." Many men gave up hunting and took over agriculture from women. Plows, spinning wheels, and looms were introduced, and many Cherokee women took up the making of cloth and clothing. As it did with white settlers, land ownership and agriculture produced a class system. By 1824, the most affluent

Cherokees lived in stately homes and owned 1,277 African American slaves. For some, therefore, the "civilization" process led to a vastly improved standard of living.

Mission boarding schools, supported by white contributions, dotted the landscape. For some of the most promising young boys, the American Board of Commissioners for Foreign Missions founded a school in Cornwall, Connecticut, where two of the Cherokee Nation's most prominent future leaders, John Ridge and Elias Boudinot, were educated.⁸ At the same time, a Native American man, Sequoyah, began devising a Cherokee alphabet (he called

7. Chief ESKAQUA to Washington, 1792, quoted in William G. McLoughlin, *Cherokee Renaissance in the New Republic* (Princeton: Princeton Univ. Press, 1986), p. 3.

8. The American Board of Commissioners for Foreign Missions was chartered in 1812. The purpose of the school was to train Native Americans to become Christian missionaries. Elias Boudinot's Cherokee name was (anglicized) Buck Watie. When traveling to the school in Cornwall, he stayed with Elias Boudinot (1740–1821), a former member of the Continental Congress, Director of the United States Mint (1795–1805), and a sponsor of the Board School for Indians in Cornwall. The young student then took Boudinot's name.

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Portrait of Sequoyah Displaying His Cherokee Syllabary, c. 1838.

it a syllabary) of eighty-five phonetic symbols that allowed Cherokees to write what previously had been their oral language. In 1828, the first edition of the bilingual newspaper the *Cherokee Phoenix and Indians' Advocate* appeared, edited by Elias Boudinot.

Governmental and political forms were also modeled after Anglo-European institutions. A Native American police force was instituted in 1808, and in the following year a detailed census was taken. In 1827, a formal constitution was adopted, modeled on the United States Constitution, setting up a representative government and courts for the Cherokee Nation. Women, who were more nearly equal to men in traditional Cherokee society, saw their position deteriorate, as they were prohibited from voting or serving as representatives by the new constitution. In many

ways, then, Cherokees remade their economy, society, culture, and government.

Yet, in the eyes of some whites, the Cherokees' progress toward "civilization" was frustratingly slow. Several Cherokees, perhaps a majority, resisted the new ways, refused to adopt Anglo-European gender roles, ignored the mission schools, and opposed efforts to teach them the English language or convert them to Christianity. Moreover, those who interacted with whites realized that no matter how "civilized" they had become, they were still looked down upon, often abused, and generally referred to as "savages." Indeed, the school in Connecticut was forced to close its doors when two of its students (John Ridge and Elias Boudinot) planned to marry two local white girls, as this news very nearly

caused a riot. Angered, John Ridge wrote:

If an Indian is educated in the sciences, has a good knowledge of the classics, astronomy, mathematics, moral and natural philosophy, and his conduct [is] equally modest and polite, yet he is an Indian, and the most stupid and illiterate white man will disdain and triumph over this worthy individual.⁹

For those who had lost confidence in the Cherokees' abilities to embrace "white men's civilization," a powerful alternative was removal. Even Indian agent Return J. Meigs had given up hope and advocated it, even though he remained with the Cherokees for the rest of his life.¹⁰

The Louisiana Purchase (1803) acquired roughly 500 million acres, some of which theoretically could be used for the relocation of the eastern Native Americans. The emergence of harsher white attitudes about Native Americans undoubtedly increased public opinion in favor of removal. The major question, therefore, was how to induce Cherokees and other Native American peoples to cede their lands and accept relocation. Since the founding of the nation, it was generally agreed that no Native American lands could be acquired except by treaty. (see the 1790

Intercourse Act, Source 1). General Andrew Jackson, however, believed that no such land agreements were necessary and therefore the United States could take these lands by eminent domain, a notion that in 1818 was rejected by the House Committee on Public Lands. But when President James Monroe stated that "there is no obligation on the United States to remove the Indians by force," a showdown had become very nearly unavoidable. In an effort to avoid violence, in 1818, a trickle of Cherokees began to migrate to lands west of the Mississippi River.¹¹

The vast majority of Cherokees, however, refused to move. They had built farms, sawmills, tanneries, ferries, stores, and towns. The Treaty of Hopewell (1785) had promised that they would be able to hold onto their lands "forever." In addition, Christian missionaries who lived among the Cherokees strengthened their resolve to resist removal, believing that the Cherokees were making great strides at becoming "civilized" right where they were. Yet one Cherokee chieftain's 1775 statement turned out to be prophetic: "Indian Nations before the Whites are like balls of snow before the sun."¹²

The conclusion of the War of 1812 touched off a tremendous white population boom in the West, thereby

9. *Christian Herald*, December 20, 1823, quoted in Thurman Wilkins, *Cherokee Tragedy: The Story of the Ridge Family and of the Decimation of a People* (New York: Macmillan, 1970), p. 145.

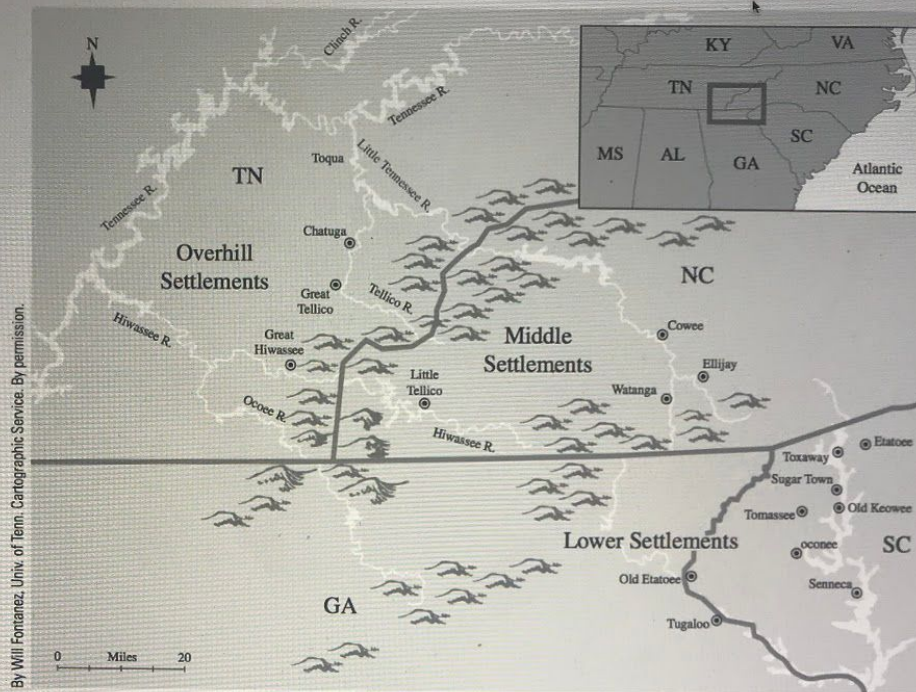
10. Meigs to Secretary of War Henry Dearborn, June 11, 1808, quoted in Theda Perdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears* (New York: Viking Books, 2007), p. 38.

11. *Ibid.*, p. 92. for Jackson's opinion, see Jackson to Monroe, March 4, 1817, in *ibid.*, p. 50. For Monroe's view, see Wilkins, *Cherokee Tragedy*, p. 155. The early migrants initially moved to the Arkansas Territory but were forced to relocate to the Indian Territory (Oklahoma) in 1836 when Arkansas became a state. Those who migrated prior to the Trail of Tears became known as the Old Settlers.

12. J.G.M. Ramsey, *Annals of Tennessee* (Charleston, S.C.: Walker and James, 1853), pp. 117–118.

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Map 2. Principal Cherokee Village Settlements, c. 1830.

increasing the difficulty of Native Americans holding onto their lands. From 1810 to 1830, the white population of the area that comprised the states of Georgia, Tennessee, Mississippi, and Alabama more than tripled, and the white population of Georgia alone more than doubled. Ignoring treaty lines, whites began drifting into Cherokee country. Cherokees retaliated by attacking and burning the buildings and crops of the white settlers, and federal troops had to be dispatched to restore order. In the past, the federal government had been able to restore order by negotiating treaties to obtain lands that whites had overrun. But the decision by Cherokee

leaders not to give up any more lands heightened an already tense situation. For its part, Georgia increased its demands that the federal government honor its 1802 agreement and remove the Cherokees immediately.

The election of Andrew Jackson in 1828 was a signal to Georgians that they now could move with impunity. In December 1828, over three months before Jackson's inauguration, the Georgia legislature passed an act declaring that as of June 1, 1830, all Cherokee territory would be subject to Georgia laws, and Cherokee laws (including their constitution) would be null and void. At roughly the same time, the Georgia legislature also made

provisions for a lottery to be used to distribute Cherokee lands to whites. The discovery of gold in Cherokee territory touched off another land rush of around four thousand whites, accompanied by predictable violence.¹³

Against almost insurmountable odds, the Cherokees continued to resist, supported by a number of white missionaries who had built churches and schools throughout the territory. Here again, the American Board of Commissioners for Foreign Missions was at the center of missionary activity as well as efforts to strengthen Cherokee resolve to stand firm against the Georgia state government and white encroachment. As a result, Georgia passed an act requiring all whites living in Cherokee territory to secure licenses, an obvious attempt to expel the missionaries. When the missionaries refused to apply for the required licenses, eleven of them were arrested and sentenced to terms of four years in the Milledgeville state penitentiary. When the Georgia governor offered executive clemency to all those who would leave voluntarily, only two (Samuel Worcester and Elizur Butler) refused. Worcester appealed to the United States Supreme Court and in *Worcester v. Georgia* (6 Peters 515) Chief Justice John Marshall declared that the Cherokee territory was a distinct, independent political community in which Georgia laws did not apply.

13. Some of those who made a great deal of money from the Georgia gold rush included the South Carolina political leader John C. Calhoun, his son-in-law Thomas G. Clemson (who used some of the profits to found Clemson College in South Carolina), and future governor of New York and Democratic presidential candidate Samuel J. Tilden.

President Jackson ignored Marshall's decision, and Worcester served out his term of four years, then moved to the West to establish a mission among the Cherokees. Before his death in 1859, he had translated the Bible into the Cherokee language.¹⁴

By the time Worcester was released from prison, however, the conflict was almost over. In his First Annual Message to Congress of December 8, 1829 (see Source 4), President Jackson made his case for the "voluntary" removal of all Native Americans east of the Mississippi River. Responding to the president's message in February 1830, the House of Representatives took up the Indian Removal Bill. The bill, however, reignited a furious debate both in Congress and among the general public. Hundreds of petitions were sent to Congress, the majority from religious groups and benevolent societies opposed to removal. Many congressional opponents of the bill were genuinely concerned about the welfare of Native Americans, but at least an equal number were Jackson's political opponents, seeking to embarrass the president. On April 23, 1830, the Senate approved the Indian Removal Bill by a vote of 28–19, the House following

14. Both Worcester and Butler were American Board missionaries. For their difficulties, see Jack Frederick Kilpatrick and Anna Gritts Kilpatrick, *New Echota Letters: Contributions of Samuel A. Worcester to the Cherokee Phoenix* (Dallas: Southern Methodist University Press, 1968), p. 113. Worcester, one of the American Board's original commissioners, corresponded with the Rev. Ezra Stiles Ely, another officer of the American Board. Worcester to Ely, March 10, 1830, in *ibid.*, pp. 74–77. For Ely, see Chapter 6.

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suit on May 24 by the close margin of 102–97. Jackson signed the bill on May 28, 1830.¹⁵ The act empowered the president to trade land in the West for lands on which Native Americans east of the Mississippi then resided, to pay Native Americans for improvements they had made to lands they were giving up, to assist and protect Native Americans during their migration, and to superintend and care for them once they had reached their destinations.

The Removal Act, however, only *authorized* removal, and longstanding U.S. policy still required that all land cessions or sales of Native American lands must be completed by treaty. Therefore, while Cherokees debated over how to respond to the Removal Act, the federal government began to search for pliable Cherokee leaders who would approve a removal treaty.

By 1835, the Ridge-Watie-Boudinot extended family provided the core of a small minority of Cherokees that originally had vehemently opposed relocation but had come to see it as the only realistic alternative. President Jackson then named John F. Schermerhorn, a retired Dutch Reformed minister, to negotiate a treaty. The Treaty of New Echota finally was approved, in late 1835, by a “council” of twenty and a committee of eighty-six Cherokees. Neither group, however, had the authority to negotiate such an agreement

and had no legal standing with the Cherokees’ National Council.¹⁶

Meanwhile, the state of Georgia instituted its lottery. In late 1832, surveying had begun and some lottery winners began to move into Cherokee territory to claim their prizes, resulting in more violence. In the same month that the Treaty of New Echota was approved by the “Treaty Party,” the Georgia legislature authorized all lottery winners to take possession of their lands by November 1836, an obvious ploy to induce Cherokees to leave the state.

Outraged by the actions of both the “Treaty Party” (as they had been derisively labeled) and the state of Georgia, Principal Chief John Ross and the National Council circulated a petition to the U.S. Congress that was purportedly signed by 15,665 Cherokees. The petition maintained that the Treaty of New Echota was invalid because it never had been approved by the National Council, and begged that Congress would reverse its position on removal and protect the Cherokees from the incursions of white Georgians. At last, on April 9,

15. For the full text of the Removal Act, see Wilcomb E. Washburn, ed., *The American Indian and the United States: A Documentary History* (New York: Random House, 1973), Vol. III, pp. 2169–2171.

16. For biographies of the principal “Treaty Party” leaders, see Edward Everett Dale and Gaston Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History As Told in the Correspondence of the Ridge-Watie-Boudinot Family* (Norman: Univ. of Oklahoma Press, 1939). Most of the Treaty Party leaders were well-educated Cherokees, had numerous white ancestors, and in some cases had married white women. For his part, Schermerhorn was nicknamed the “Devil’s Horn” by Cherokees because of his reputation as a “notorious womanizer.” Perdue and Green, *Cherokee Nation*, p. 111.

1838, the U.S. Senate, which earlier had ratified the Treaty of New Echota by a single vote, voted to table the petition, and General Winfield Scott was given his orders.

About eleven hundred Cherokees remained in North Carolina, principally because these Cherokees convinced a white merchant named William Holland Thomas to use money from the Treaty of New Echota to purchase thousands of acres in western North Carolina on which these Cherokees settled (he kept the land title in his own name). In 1837, the North Carolina General Assembly acknowledged the Cherokees' right to remain in North Carolina. The fact that the land Thomas purchased for the Cherokees was land that virtually no one else wanted probably was a factor in the legislature's decision. In addition to the eleven hundred Cherokees who were allowed to stay in North Carolina, an additional three hundred remained scattered throughout

Georgia, Alabama, and Tennessee. Some had hidden themselves from Scott's soldiers; others were related by blood and marriage to their white neighbors.

Eyewitness accounts of the Trail of Tears, by both Native Americans and U.S. Army escorts, make for grim reading. As many as twenty-five hundred or more died in the makeshift stockades prior to the journey. And of the 13,149 (cited by army records) who began the trip, only 11,504 arrived in Indian Territory. In addition, several hundred died soon after their arrival, by either disease or violence between the new arrivals and earlier migrants or between the "accommodationists" and the last-ditch resisters.¹⁷

What alternatives did whites consider? What were the strengths and weaknesses of each alternative? For the Cherokees, answer the same two questions. Note that some Cherokees actually favored relocation. What were their reasons for doing so?

◆ The Method

As you examine and analyze the principal arguments both in favor of and opposed to Cherokee removal, almost immediately you will see that some of the speakers and writers chose to *rephrase* the question. For example, instead of listing the reasons the Cherokees should be removed, President Jackson preferred to discuss *why*

the Cherokees could not remain where they were (Source 4). By carefully reading his answers (there were several) to that question, you will be able to infer

17. Burnett, "The Cherokee Removal Through the Eyes of a Private Soldier," pp. 180-185; Vicki Rozema, ed., *Voices from the Trail of Tears* (Winston-Salem, N.C.: John F. Blair, 2003); and

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what his answers would have been to the question of *why the Cherokees ought to be removed*.

The same holds true for speakers and writers opposed to Cherokee removal. In some cases, they offered what they thought were alternatives that would have been superior to that of removal. As with Jackson's message, you will have to infer from what opponents said or wrote what they *would have said* or written regarding why the Cherokees ought *not to have been removed*.

Similarly to Jackson, many other speakers and writers offered more than one answer to the question. Therefore, as you examine and analyze the evidence, be sure to take notes carefully.

The second central question in this chapter regards the strengths and weaknesses of the principal points both in favor of and opposed to Cherokee removal. This is not nearly so easy as it may first appear. For one thing, you may not be able to uncover the real reasons a speaker or writer took a particular position. For example, almost no one in favor of removal said that Cherokees should be removed because whites wanted their lands. Even Georgia Governor Wilson Lumpkin (Source 9), who allowed whites to begin settling on Cherokee lands before any treaty was negotiated and who wanted to speed up the process so that he would still be in office when the issue was finally settled, was not willing to be so obvious. Similarly, no opponent of removal would have been crass enough

to say that the opponent's true motive was to embarrass President Jackson politically. Without considerably more information than is available here, you will have to take the speaker's or writer's comments at face value. Jackson, for example, always claimed that removal was the most humane policy for the Cherokees themselves. Is there any evidence to the contrary?

Moreover, as you assess the strengths and weaknesses of each speaker's or writer's position, you will almost inevitably be drawn into the interesting but highly dangerous process of evaluating the alternatives to removal. Typically, historians concern themselves with what *actually did* happen rather than what *might have* happened. To be sure, some of the opponents of removal did advocate alternatives to removal, and in some cases you may have to deal with such alternatives as you determine the strengths and weaknesses of a particular position. If you plan to do this, however, use the actual facts at your disposal to assess a particular alternative. Do not *create* facts to fit your hypothesis—perhaps the worst charge that can be made against a historian. Also remember that you are dealing with people from the early 1800s, *not* the twenty-first century. Avoid putting ideas and thought processes contemporary to you into their minds.

The process of removing Cherokees from the East took decades. During that period, several principal figures in this drama actually changed their minds regarding removal. For example, several members of the Treaty Party at first had vehemently opposed relocation but in the end came to embrace it. Is there any clue in the

Theda Perdue and Michael D. Green, eds., *The Cherokee Removal: A Brief History with Documents* (Boston: Bedford St. Martin's, 2005).

evidence as to why they might have done so? What arguments did they use?

Let us offer a final note of caution. As you examine each piece of evidence, avoid the temptation to “take sides” in the debate or to make the historical individuals into one-dimensional heroes or villains. Analyze the logic of each of the arguments, even when you find the conclusions of a speaker or writer to be reprehensible.

Beneath the surface of all the arguments is the *image* of Native Americans, both in the eyes of European Americans and in those of Native Americans. What underlying assumptions regarding Cherokees can you detect in both the white and Cherokee evidence?

Now proceed to the Evidence section of the chapter. Take notes as you read each selection. Once again, a chart may prove helpful.

♦ The Evidence

WHITE SOURCES

Source 1 from Intercourse Act of July 22, 1790, in Wilcomb Washburn, ed., *The American Indian and the United States: A Documentary History* (New York: Random House, 1973), vol. 4, p. 2152.

1. Section IV of Intercourse Act of 1790.

And be it enacted and declared. That no sale of lands made by any Indians or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States.

Source 2 from Jefferson to Hawkins, Feb. 18, 1803, in Paul Leicester Ford., ed., *The Works of Thomas Jefferson* (New York: G. P. Putnam's Sons, 1905) vol. 9, pp. 446–448.

2. President Jefferson to Benjamin Hawkins,¹⁸ February 18, 1803.

Altho' you will receive, thro' the official channel of the War Office, every communication necessary to develop to you our views respecting the Indians, and to direct your conduct, yet, supposing it will be satisfactory

18. Benjamin Hawkins (1754–1816), negotiated the Treaty of Hopewell with the Cherokees in 1785 and in 1803 was the agent to the Creeks.

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to you, and to those with whom you are placed, to understand my personal dispositions and opinions in this particular, I shall avail myself of this private letter to state them generally. I consider the business of hunting as already become insufficient to furnish clothing and subsistence to the Indians. The promotion of agriculture, therefore, and household manufacture, are essential in their preservation, and I am disposed to aid and encourage it liberally. This will enable them to live on much smaller portions of land, and indeed will render their vast forests useless but for the range of cattle; for which purpose, also, as they become better farmers, they will be found useless, and even disadvantageous. While they are learning to do better on less land, our increasing numbers will be calling for more land, and thus a coincidence of interest will be produced between those who have lands to spare, and want other necessities, and those who have such necessities to spare, and want lands. This commerce, then, will be for the good of both, and those who are friends to both ought to encourage it. . . . In truth, the ultimate point of rest & happiness for them is to let our settlements and theirs meet and blend together, to intermix, and become one people. Incorporating themselves with us as citizens of the U.S., this is what the natural progress of things will of course bring on, and it will be better to promote than to retard it. Surely it will be better for them to be identified with us, and preserved in the occupation of their lands, than be exposed to the many casualties which may endanger them while a separate people. I have little doubt but that your reflections must have led you to view the various ways in which their history may terminate, and to see that this is the one most for their happiness. . . .

It is possible, perhaps probable, that this idea may be so novel as that it might shock the Indians, were it even hinted to them. Of course, you will keep it for your own reflection; but, convinced of its soundness, I feel it consistent with pure morality to lead them towards it, to familiarize them to the idea that it is for their interest to cede lands at times to the U.S., and for us thus to procure gratifications to our citizens, from time to time, by new acquisitions of land.

Source 3 from Theda Perdue and Michael D. Green, eds., "A Brief View of the Present Relations Between the Government and People of the United States and the Indians Within Our National Limits," from *The Cherokee Removal: A Brief History with Documents* (Boston, MA: Bedford Books, 1995).

3. Excerpt from William Penn (pseudonym for Jeremiah Evarts of the American Board of Commissioners for Foreign Missions), "A Brief View of the Present Relations between the Government and People of the United States and the Indians Within Our National Limits," November 1829.

The positions here recited are deemed to be incontrovertible. It follows, therefore,

That the removal of any nation of Indians from their country by force would be an instance of gross and cruel oppression:

That all attempts to accomplish this removal of the Indians by bribery or fraud, by intimidation and threats, by withholding from them a knowledge of the strength of their cause, by practising upon their ignorance, and their fears, or by vexatious opportunities, interpreted by them to mean nearly the same thing as a command;—all such attempts are acts of oppression, and therefore entirely unjustifiable:

That the United States are firmly bound by treaty to protect the Indians from force and encroachments on the part of a State; and a refusal thus to protect them would be equally an act of bad faith as a refusal to protect them against individuals: and

That the Cherokees have therefore the guaranty of the United States, solemnly and repeatedly given, as a security against encroachments from Georgia and the neighboring States. By virtue of this guaranty the Cherokees may rightfully demand, that the United States shall keep all intruders at a distance, from whatever quarter, or in whatever character, they may come. Thus secured and defended in the possession of their country, the Cherokees have a perfect right to retain that possession as long as they please. Such a retention of their country is no just cause of complaint or offence to any State, or to any individual. It is merely an exercise of natural rights, which rights have been not only acknowledged but repeatedly and solemnly confirmed by the United States.

Although these principles are clear and incontrovertible, yet many persons feel an embarrassment from considering the Cherokees as *living in the State of Georgia*. All this embarrassment may be removed at once by bearing in mind, that the Cherokee country is not in Georgia. . . .

[Here Penn argued that the Cherokees owned their land by treaty with the U.S. government, that in 1825 the state of Georgia made a treaty with the Creek Nation to acquire their land, and hence would have to do so with the Cherokees as well.]

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If the separate existence of the Indian tribes *were* an inconvenience to their neighbours, this would be but a slender reason for breaking down all the barriers of justice and good faith. Many a rich man has thought it very inconvenient, that he could not add the farm of a poor neighbour to his possessions. Many a powerful nation has felt it to be inconvenient to have a weak and dependent state in its neighbourhood, and has therefore forcibly joined the territory of such state to its own extensive domains. But this is done at the expense of honour and character, and is visited by the historian with his severest reprobation.

[Here Penn stated that the Cherokees already have ceded their best lands and what is left is "almost inaccessible" and mostly "utterly worthless." Penn claimed that Georgia already was the second largest state (the largest being Virginia) and had "but six or seven souls to a square mile." Why does Georgia want more?]

There is one remaining topic, on which the minds of many benevolent men are hesitating; and that is, *whether the welfare of the Indians would not be promoted by a removal*. Though they have a right to remain where they are; though the whole power of the United States is pledged to defend them in their possessions; yet it is supposed by some, that they would act wisely, if they would yield to the pressure, quietly surrender their territory to the United States, and accept a new country beyond the Mississippi, with a new guaranty.

In support of this supposition, it is argued, that they can never remain quiet where they are; that they will always be infested by troublesome whites; and that the states, which lay claim to their territory, will persevere in measures to vex and annoy them.

Let us look a moment at this statement. Is it indeed true, that, in the very prime and vigour of our republican government, and with all our boasted reliance upon constitutions and laws, we cannot enforce as plain an act of Congress as is to be found in our national statute-book? Is it true, that while treaties are declared in the constitution to be the supreme law of the land, a whole volume of these supreme laws is to be at once avowedly and utterly disregarded? Is the Senate of the United States, that august body, as our newspapers have called it a thousand times, to march in solemn procession, and burn a volume of treaties? Are the archives of state to be searched, and a hundred and fifty rolls, containing treaties with the Indians, to be brought forth and consigned to the flames on Capitol Hill, in the presence of the representatives of the people, and all the dignitaries of our national government? When ambassadors from foreign nations inquire, *What is the cause of all this burning?* are we to say, "Forty years ago President Washington and the Senate made treaties

with the Indians, which have been repeated and confirmed by successive administrations. The treaties are plain, and the terms reasonable. But the Indians are weak, and their white neighbors will be lawless. The way to please these white neighbours is, therefore, to burn the treaties, and then call the Indians our dear children, and deal with them precisely as if no treaties had ever been made?" Is this answer to be given to the honest inquires of intelligent foreigners? Are we to declare to mankind, that in our country law is totally inadequate to answer the great end for which human laws are made, that is, the protection of the weak against the strong? And is this confession to be made without feeling and without shame? It cannot be. The people of the United States will never subject themselves to so foul a reproach.

Source 4 from James D. Richardson, *A Compilation of the Messages and Papers of the Presidents* (New York: Bureau of National Literature, 1897).

4. Excerpt from President Andrew Jackson's First Annual Message to Congress, December 8, 1829.¹⁹

The condition and ulterior destiny of the Indian Tribes within the limits of some of our States, have become objects of much interest and importance. It has long been the policy of Government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another, wholly incompatible with its success. Professing a desire to civilize and settle them, we have, at the same time, lost no opportunity to purchase their lands, and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, Government has constantly defeated its own policy; and the Indians, in general, receding further and further to the West, have retained their savage habits. A portion, however, of the Southern tribes, having mingled much with the whites, and made some progress in the arts of civilized life, have lately attempted to erect an independent government, within the limits of Georgia and Alabama. These States, claiming to be the only sovereigns within their territories, extended their laws over the Indians; which induced the latter to call upon the United States for protection. . . .

19. From George Washington to Woodrow Wilson, no president of the United States appeared in person before Congress. All communications between the president and Congress were conducted in writing.

Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama, that their attempt to establish an independent government would not be countenanced by the Executive of the United States; and advised them to emigrate beyond the Mississippi, or submit to the laws of those States.

Our conduct towards these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force, they have been made to retire from river to river, and from mountain to mountain; until some of the tribes have become extinct, and others have left but remnants, to preserve, for a while, their once terrible names. Surrounded by the whites, with their arts of civilization, which, by destroying the resources of the savage, doom him to weakness and decay; the fate of the Mohegan, the Narragansett, and the Delaware, is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them, if they remain within the limits of the States, does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new States whose limits they could control. That step cannot be retraced. A State cannot be dismembered by Congress, or restricted in the exercise of her constitutional power. But the people of those States, and of every State, actuated by feelings of justice and a regard for our national honor, submit to you the interesting question, whether something cannot be done, consistently with the rights of the States, to preserve this much injured race?

As a means of effecting this end, I suggest, for your consideration, the propriety of setting apart an ample district West of the Mississippi, and without the limits of any State or Territory, now formed, to be guarantied to the Indian tribes, as long as they shall occupy it: each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier, and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization; and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race, and to attest the humanity and justice of this Government.

This emigration should be voluntary: for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers, and seek a

home in a distant land.²⁰ But they should be distinctly informed that, if they remain within the limits of the States, they must be subject to their laws. In return for their obedience, as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose, that, in this state of things, claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain, or passed them in the chace [*sic*]. Submitting to the laws of the States, and receiving, like other citizens, protection in their persons and property, they will, ere long, become merged in the mass of our population.

Sources 5, 6, and 7 are from *Speeches on the Passage of the Bill for the Removal of the Indians, Delivered in the Congress of the United States, April and May, 1830* (Boston, MA: Perkins and Marvin, 1830).

5. Excerpt from Speech of Senator Theodore Frelinghuysen.²¹

It is alleged, that the Indians cannot flourish in the neighborhood of a white population—that whole tribes have disappeared under the influence of this propinquity. As an abstract proposition, it implies reproach somewhere. Our virtues certainly have not such deadly and depopulating power. It must, then, be our vices that possess these destructive energies—and shall we commit injustice, and put in, as our plea for it, that our intercourse with the Indians has been so demoralizing that we must drive them from it, to save them? True, Sir, many tribes have melted away—they have sunk lower and lower—and what people could rise from a condition to which policy, selfishness, and cupidity, conspired to depress them?

Sir, had we devoted the same care to elevate their moral condition, that we have to degrade them, the removal of the Indians would not now seek for an apology in the suggestions of humanity. But I ask, as to the matter of fact, how stands the account? Wherever a fair experiment has been made, the Indians have readily yielded to the influences of moral cultivation. Yes, Sir, they flourish under this culture, and rise in the scale of being. They have shown themselves to be highly susceptible of improvement, and the ferocious feelings and habits of the savage are soothed and reformed by the

20. Jackson believed, perhaps naively, that a majority of Cherokees would move to the West voluntarily. See his Third Annual Message to Congress, December 6, 1831, in Richardson, *Messages and Papers of the Presidents*, vol. III, p. 1117.

21. Theodore Frelinghuysen (1787–1862) was president of the American Board of Commissioners for Foreign Missions from 1841 to 1857. For more on Frelinghuysen, see Chapter 6.

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mild charities of religion. They can very soon be taught to understand and appreciate the blessings of civilization and regular government.

Prompted and encouraged by our counsels, they have in good earnest resolved to become men, rational, educated, Christian men; and they have succeeded beyond our most sanguine hopes. They have established a regular constitution of civil government, republican in its principles. Wise and beneficent laws are enacted. The people acknowledge their authority, and feel their obligation. A printing press, conducted by one of the nation, circulates a weekly newspaper, printed partly in English, and partly in the Cherokee language. Schools flourish in many of their settlements. Christian temples, to the God of the Bible, are frequented by respectful, devout, and many sincere worshippers. God, as we believe, has many people among them, whom he regards as the "apple of his eye." They have become better neighbors to Georgia. . . .

Let the general government come out, as it should, with decided and temperate firmness, and officially announce to Georgia, and the other States, that if the Indian tribes choose to remain, they will be protected against all interference and encroachment; and such is my confidence in the sense of justice, in the respect for law, prevailing in the great body of this portion of our fellow-citizens, that I believe they would submit to the authority of the nation. I can expect no other issue.

6. Excerpt from 50-Page Speech of Representative Henry R. Storrs of New York.

Mr. Chairman: If I believed that the real object and only effect of the bill were to further the policy of providing a country beyond the Mississippi for such of the Indian tribes as might be inclined, of their own free choice, to remove there, I should have cheerfully given my support to the measure; for I heartily respond to the opinion expressed by the honorable member at the head of the committee on Indian affairs, who spoke yesterday, (Mr. Bell), that no philanthropic man can look at the condition to which these unfortunate people have become reduced by a combination of circumstances, which now press upon them in some quarters with intolerable severity, without fervently wishing that they were already removed far beyond the reach of the oppression, and—I was about to say—the example of the white man. I hope that I am too well aware of the responsibility of the country to the opinion of the world, and too sensible of the duties we owe to these people, to be found resisting any measure here, which may really improve their condition, or encouraging them to reject any propositions of the government, which may be offered

to them for their free acceptance or refusal. But, Sir, although the bill now before you presents nothing on its face, which, on a superficial examination, appears to be objectionable, yet we cannot shut our eyes, if we would, to the circumstances which have brought this subject before us at the present session. The papers before the house have convinced me, that it is chiefly intended and expected to come in aid of the measures recently taken by the States along the southern line of the Union, for removing the Indian nations within their limits from the country which they now occupy; and finding a purpose so unjust to these people, and so mischievous to the reputation of the country, lurking under it, I cannot give it my countenance or support.

7. Transcript from Speech of Representative David Crockett of Tennessee.

Mr. Crockett said, that, considering his very humble abilities, it might be expected that he should content himself with a silent vote; but, situated as he was, in relation to his colleagues, he felt it to be a duty to himself to explain the motives which governed him in the vote he should give on this bill. Gentlemen had already discussed the treaty-making power; and had done it much more ably than he could pretend to do. He should not therefore enter on that subject, but would merely make an explanation as to the reasons of his vote. He did not know whether a man within 500 miles of his residence would give a similar vote; but he knew, at the same time, that he should give that vote with a clear conscience. He had his constituents to settle with, he was aware; and should like to please them as well as other gentlemen; but he had also a settlement to make at the bar of his God; and what his conscience dictated to be just and right he would do, be the consequences what they might. He believed that the people who had been kind enough to give him their suffrages, supposed him to be an honest man, or they would not have chosen him. If so, they could not but expect that he should act in the way he thought honest and right. He had always viewed the native Indian tribes of this country as a sovereign people. He believed they had been recognised as such from the very foundation of this government, and the United States were bound by treaty to protect them; it was their duty to do so. And as to giving the money of the American people for the purpose of removing them in the manner proposed, he would not do it. He would do that only for which he could answer to his God. Whether he could answer it before the people was comparatively nothing, though it was a great satisfaction to him to have the approbation of his constituents.

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Source 8 from United States Statutes at Large. *Removal Act* of May 28, 1830, ch. 148, Stat. 1.

8. Sections 3 and 6 from the Removal Act of May 28, 1830.

III. That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation . . . that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged. . . .

VI. And be it further enacted. That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

Source 9 from Wilson Lumpkin, *The Removal of the Cherokee Indians from Georgia* (New York: Dodd, Mead & Co., 1907).

9. Georgia Governor Wilson Lumpkin to the Georgia Assembly, December 2, 1831.

Executive Department, Georgia, Milledgeville, December 2nd, 1831.

It is believed that a crisis has arrived, in which we cannot permit the course of our policy in relation to the Cherokee part of Georgia to remain in its present perplexed and extraordinary condition without jeopardizing the interest and prosperity, if not the peace and safety, of the State.

Circumstances within the recollection of our whole people emperiously demanded the extension of the laws and jurisdiction of our State over our entire population and territory.

This step has been taken, and cannot be retraced. The State cannot consent to be restricted in the exercise of her constitutional rights.²² It is now too late for us to theorize on this subject; we are called upon to act; the public functionaries of the State stand pledged to their constituents, and the world, to sustain the ground which they have taken. It is our constitutional

22. In his memoirs, Governor Lumpkin stated that "at the very threshold of my Executive administration it became my duty to resist Federal usurpation [and] . . . Federal encroachments." Lumpkin, *Removal of the Cherokee*, vol. 1, p. 94. What was Lumpkin referring to here?

right, and moral duty, forthwith [sic] to interpose and save that part of our State from confusion, anarchy, and perhaps from bloodshed. . . .

[Here Gov. Lumpkin asserted that a "few thousand half civilized men, both indisposed and incompetent," can never live peacefully under a civil government. Therefore, the territory cannot be governed "until we have a settled, freehold, white population" residing there. Otherwise, the Cherokees, he claimed, would be able to maintain a regular government only for a few months. Also, the gold mines would attract "the most abandoned portions of society." And yet, the Cherokees are being swayed by "impertinent intermeddling 'busy-bodies'" who have brought on the present crisis.]

Our true situation and motives on this question are still misunderstood, and often misrepresented, by those at a distance. In order to appreciate our policy, our true situation must be understood. I will not attempt to enumerate the wrongs, embarrassments, and perplexities, which this State has encountered, by what I am constrained to deem the impertinent intermeddling of "busy-bodies." Officious persons of various descriptions have unfortunately succeeded in inducing our Indian people to believe that we are their enemies and oppressors, and in alienating their affections from us. These various intermeddlings hastened the crisis which compelled the State to the course which she has taken; and the day must speedily arrive when all the heart-burnings on this subject must be put to final rest. The combined and combining influences now in operation against the character, interest, peace, and prosperity of the State, cannot be much longer deplored in silent inaction; nor ought we to place any reliance on inefficient measures. Unfounded calumny and prejudice, kept at a distance, may be endured; but domestic and household enemies produce unceasing disquietude and danger.

The unfortunate remnant of Cherokee Indians remaining in Georgia ought now to consider themselves the admitted charge of our peculiar care; and if possible we ought, as their friends and benefactors, to preserve and cherish them. They ought not forcibly to be dispossessed of their homes, or driven from the land of their fathers; they ought to be guarded and protected in the peaceable enjoyment of a sufficient portion of land to sustain them, with their families, in their present abodes, so long as they may choose to remain; and their rights and property should be as well secured from all lawless depredation as those of the white man. It would be as cruel as unjust, to compel the aborigines to abandon the graves of their fathers; but in the present extraordinary state of things it would be visionary to suppose, that the Indian claim can be allowed to this extensive

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tract of country—to lands on which they have neither dwelt, nor made improvements.²³

Principles of natural law and abstract justice have often been appealed to, to show that the Indian tribes within the territorial limits of the States ought to be regarded as the absolute owners and proprietors of the soil they occupy.

All civilized nations have acknowledged the validity of the principles appealed to, with such modifications and interpretations of these principles as the truth of history has verified, especially in the settlement of this country.

The foundations of the States which form this confederacy were laid by civilized and Christian nations who considered themselves instructed in the nature of their duties by the precepts and examples contained in the Sacred Volume which they acknowledged as the basis of their religious creed and obligations. To go forth, subdue, and replenish the earth, were considered Divine commands. . . .

The present state of things in the Cherokee country, it is believed, is strengthening the adversaries of Georgia, at home and abroad.

In order to secure and protect the Indians in their abodes, and their property of every kind under our laws, their individual and separate possessions ought to be defined by actual survey; in accomplishing which it will be least expensive and most compatible with the views of the State (as provided by the act of the Legislature at its last session), to survey the entire country.

Until we have a population planted upon the unoccupied portion of this territory, possessed of all the ordinary inducements of other communities to sustain our laws and government, our present laws providing for the government of this part of the State should not only be continued, but ample power should be afforded to enforce obedience to their requirements. to effect this object, the Executive should be vested with full power promptly to control the agents who have been, or may be, selected to maintain the authority of the laws in that portion of the State. . . .

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Source 10 from Treaty of Hopewell, Washburn, *The American Indian and the United States*, vol. 3, pp. 2272–2273.

10. Cherokees to President Washington, May 19, 1789.

. . . we gave up to our white brothers all the land we could anyhow spare, and have but little left to raise our women and children upon, and we hope you won't let any people take any more from us without our consent.

23. See similarity to Jackson's phrase in Source 4.

Sources 11 and 12 from Theda Perdue and Michael Green, *The Cherokee Removal: A Brief History with Documents* (Boston, MA: Bedford Books, 1995).

11. Petition of Cherokee Women, May 2, 1817.

The Cherokee ladys now being present at the meeting of the chiefs and warriors in council have thought it their duty as mothers to address their beloved chiefs and warriors now assembled.

Our beloved children and head men of the Cherokee Nation, we address you warriors in council. We have raised all of you on the land which we now have, which God gave us to inhabit and raise provisions. We know that our country has once been extensive, but by repeated sales has become circumscribed to a small track [*sic*], and [we] never have thought it our duty to interfere in the disposition of it till now. If a father or mother was to sell all their lands which they had to depend on, which their children had to raise their living on, which would be indeed bad & to be removed to another country. We do not wish to go to an unknown country [to] which we have understood some of our children wish to go over the Mississippi, but this act of our children would be like destroying your mothers.

Your mothers, your sisters ask and beg of you not to part with any more of our land. We say ours. You are our descendants; take pity on our request. But keep it for our growing children, for it was the good will of our creator to place us here, and you know our father, the great president,²⁴ will not allow his white children to take our country away. Only keep your hands off of paper talks for its our own country. for [if] it was not, they would not ask you to put your hands to paper, for it would be impossible to remove us all. For as soon as one child is raised, we have others in our arms, for such is our situation & will consider our circumstance.

Therefore, children, don't part with any more of our lands but continue on it & enlarge your farms. Cultivate and raise corn & cotton and your mothers and sisters will make clothing for you which our father the president has recommended to us all. We don't charge any body for selling any lands, but we have heard such intentions of our children. But your talks become true at last; it was our desire to forewarn you all not to part with our lands.²⁵

24. President James Monroe.

25. Despite the women's petition, Cherokees signed two more treaties, in 1817 and 1819, before deciding to cede no more land. See Cherokee Delegation to the U.S. Senate, April 16, 1824, "Views of the Cherokees in Relation to Further Cessions of Their Lands," *American State Papers: Indian Affairs*, vol. 2, p. 502.

**12. John Ridge (a Cherokee leader) to Albert Gallatin,²⁶
February 27, 1826.**

[In this long letter, Ridge began by giving a geographic location of the Cherokee Nation, its population, its successful adoption of agriculture, its government, the status of women, its religious beliefs, and its educational institutions.]

Col. Silas Dinsmore was appointed by Genl. Washington as Agent of the Nation, who from the Indian Testimony itself labored indefatigably in Teaching the Cherokees the art of agriculture by distributing hoes & ploughs & giving to the women Spinning wheels, cards & Looms. It appears when this change of Hunter life to a civilized one was proposed by the Agent to the Chiefs in council, that he was unanimously laughed at by the Council for attempting [to] introduce white peoples' habits among the Indians, who were created to pursue the chase. Not discouraged here, the Agent turned to Individuals & succeeded to gain some to pay their attention to his plan by way of experiment, which succeeded. An anecdote is related of a Chief who was heartily opposed to the Agent's view. He came to Col. Dinsmore & said, "I don't want you to recommend these things to my people. They may suit white people, but will do [nothing] for the Indians. I am now going to hunt & shall be gone six moons & when I return, I shall expect to hear nothing of your talks made in [my] absence to induce my people to take hold of your plan." But in his absence the Agent induced his wife & daughters to spin & weave with so much assiduity as to make more cloth in value, than the Chief's Hunt of six months amounted to. He was astonished & came to the Agent with a smile, accusing him for making his wife & daughters better hunters than he & requested to be furnished a plough & went to work on his farm. In the meantime, the Moravians opened their School for the Indians, cleared a farm, cultivated a garden & planted an orchard. The Venerable Rev. John Gambold & his amiable Lady were a standing monument of Industry, Goodness & friendship. As far as they had means, they converted the "Wilderness to blossom as the Rose." There the boys & girls were taught to read & write, & occasionally labor in the Garden & in the field. There they were first taught to sing & pray to their Creator, & here Gospel Worship was first Established. Never shall I forget father Gambold & mother Mrs. Gambold. By them the clouds of ignorance which surrounded me on all sides were dispersed. My heart received the rays of civilization & my intellect expanded & took a wider range. My superstition vanished & I began to reason correctly. . . .

26. Albert Gallatin (1761–1849) was a congressman, secretary of the treasury, and diplomat. When Ridge wrote to Gallatin, Gallatin had just been nominated as U.S. minister to Great Britain.

Source 13 from Elias Boudinot, in *Cherokee Phoenix*, March 13, 1828, in Theda Perdue, ed., *Cherokee Editor: The Writings of Elias Boudinot* (Knoxville: Univ. of Tennessee Press, 1983), pp. 95–96.

13. Elias Boudinot in *Cherokee Phoenix*, March 13, 1828.

CONGRESS.—Our last Washington papers contain a debate which took place in the house of representatives, on the resolution, recommended by the Committee on Indian Affairs, published in the second Number of our paper. It appears that the advocates of this new system of civilizing the Indians are very strenuous in maintaining the novel opinion, that it is impossible to enlighten the Indians, surrounded as they are by the white population, and that they assuredly will become extinct, unless they are removed. It is a fact which we would not deny, that many tribes have perished away in consequence of white population, but we are yet to be convinced that this will always be the case, in spite of every measure taken to civilize them. We contend that suitable measures to a sufficient extent have never been employed. And how dare these men make an assertion without sufficient evidence? What proof have they that the system which they are now recommending, will succeed[?] Where have we an example in the whole history of man, of a nation or tribe, removing in a body, from a land of civil and religious means, to a perfect wilderness, *in order to be civilized*[?] We are fearful these men are building castles in the air, whose fall will crush those poor Indians who may be so blinded as to make the experiment. We are sorry to see that some of the advocates of this system speak so disrespectfully, if not contemptuously, of the present measure of improvement, now in successful operation among most of the Indians in the United States—the only measures too, which have been crowned with success, and bid fair to meliorate the condition of the Aborigines.

Source 14 from Speckled Snake's "Response to President Andrew Jackson's First Annual Message to Congress, December 8, 1829," Wayne Moquin and Charles Van Doren, eds., *Great Documents in American Indian History* (New York: Praeger, 1973), pp. 149–150.

14. Speckled Snake's "Response to President Andrew Jackson's First Annual Message to Congress, December 8, 1829," (1830).

Brothers! We have heard the talk of our great father; it is very kind. He says he loves his red children. *Brothers!* When the white man first came to these shores, the Muscogees gave him land, and kindled him a fire to make him comfortable; and when the pale faces of the south made war on him, their young men drew the tomahawk, and protected his head from the scalping

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knife. But when the white man had warmed himself before the Indian's fire, and filled himself with the Indian's hominy, he became very large; he stopped not for the mountain tops, and his feet covered the plains and the valleys. His hands grasped the eastern and the western sea. Then he became our great father. He loved his red children; but said, "You must move a little farther, lest I should, by accident, tread on you." With one foot he pushed the red man over the Oconee [River], and with the other he trampled down the graves of his fathers. But our great father still loved his red children, and he soon made them another talk. He said much; but it all meant nothing, but "move a little farther; you are too near me." I heard a great many talks from our great father, and they all begun and ended the same, *Brothers!* When he made us a talk on a former occasion, he said, "Get a little farther; go beyond the Oconee and the Oakmulgee [River]; there is a pleasant country." He also said, "It shall be yours forever." Now he says, "The land you live on is not yours; go beyond the Mississippi; there is game; there you may remain while the grass grows or the water runs." *Brothers!* Will not our great father come there also? He loves his red children, and his tongue is not forked.

Source 15 from Francis Paul Prucha, ed., *Cherokee Removal: The 'William Penn' Essays and Other Writings By Jeremiah Evarts* (Knoxville, TN: University of Tennessee Press, 1981).

15. Address of the Committee and Council of the Cherokee Nation . . . to the People of the United States, July 24, 1830.²⁷

We are aware that some persons suppose it will be for our advantage to remove beyond the Mississippi. We think otherwise. Our people universally think otherwise. Thinking that it would be fatal to their interest, they have almost to a man sent their memorial to Congress, deprecating the necessity of a removal. This question was distinctly before their minds when they signed their memorial. Not an adult person can be found, who has not an opinion on the subject; and if the people were to understand distinctly, that they could be protected against the laws of the neighboring States, there is probably not an adult person in the nation, who would think it best to remove; though possible [sic] a few might emigrate individually. There are doubtless

27. Although the address was issued by the General Council of the Cherokee Nation and published in the *Cherokee Phoenix* on July 24, 1830, it actually was written by Jeremiah Evarts (1781–1831), secretary of the American Board of Commissioners for Foreign Missions. See Source 3. The Council added the last paragraph in this excerpt.