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**The Indian Removal Beyond the Mississippi: An Episode in the American Attitude Toward the Aborigines**

M. Alacoque

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THE INDIAN REMOVAL BEYOND THE MISSISSIPPI

An Episode in the American Attitude toward the Aborigines

by

Sister M. Alacoque, Sor. D. S.

Chapter II. The Delaware removal

Early history of the Delawares

Treaty policy leading to settling

Chapter III. Removal of the Cherokees

The Cherokees East of the Mississippi

Differences

La Flora's unorganized removal plan

Removal conducted by Indian Government

Milwaukee, Wisconsin

July 1938
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This paper deals with three types of removals. First the gradual, peaceful, far distant removal, which will be illustrated by considering the fate of the Delaware, who originally were found by colonizers in what is now New Jersey. Second the Choc-taw, who sought the fertile land beyond the Mississippi before the government forced them to leave their territory east of the Mississippi, which will be dealt with as typical of what may be called a voluntary Indian removal. Lastly the Cherokee Indian Nation, which had established homesteads, organized its own
INTRODUCTION

The Indian Question has been and still is a problem in the minds of many people. Books condoling the treatment Indians received at the hands of the whites and books censuring their treatment of the settlers have been written and read by the public. There are two sides to every question. The fact is that wrongs were perpetrated, tolerated, and executed on both sides. In most cases the fact also has been discovered that the whites were the cause of friction or the unjust aggressors. This holds true especially in regard to the land grabbing policy of the settlers. Treaties setting the boundary between the hunting grounds of the Indians and the settlements of the whites were made and broken, almost at will, until finally they were put aside altogether by ridding the country entirely of Indians. This was accomplished by so-called "removals" of the Indians to unsettled areas of the continent.

This paper deals with three types of removals. First the gradual, peaceful, far distant removal, which will be illustrated by considering the fate of the Delewares, who originally were found by colonizers in what is now New Jersey. Second the Choctaws, who sought the fertile land beyond the Mississippi before the government forced them to leave their territory east of the Mississippi, which will be dealt with as typical of what may be called a voluntary Indian removal. Lastly the Cherokee Indian Nation, which had established homesteads, organized its own
government, established schools and set up business, only to be deprived of all this by forceful removal, which will afford an example of the worst sort of treatment allotted many of the tribes. The Cherokees, when they were left the choice of getting out or submitting to the State laws of Georgia when this same State denied them protection by her laws, were forced from their territory.

CHAPTER I.
THE EUROPEANS AND ABORIGINES MEET

To form some conclusion as to whether the attitude taken by the government in the matter of removal was just, it is necessary to understand the policy the whites adopted from the very beginning of colonization. Moreover, it will also be well to have some knowledge of the Indians first contact with Europeans. The discoverers and explorers were the first to meet the Indians. We know that Columbus was welcomed by them. Ponce de Leon, too, secured their friendship and also their help in seeking the fountain of youth. The attitude of the Indians towards the foreigners toward the end of the fifteenth and the beginning of the sixteenth century was friendly.

"All historians agree that the first contact of the Indians with the white men was not only amiable but cordial." (1)

1. Linguist: The Red Man in the United States p. 30
Indians to their mother country as slaves. They would either invite the Indians to a feast and hold some captive, or invite them on board ship, treat them in a friendly manner, and then cut off all possibility of escape. Seeing such treachery, the Indians began mistrusting the pale faces. Mc Nichols, writing of the early settlers in Brazil, tells how they lost the confidence of the natives. He relates that the Portuguese were successful in establishing friendly relations with the natives. About to return, they captured fifty-seven natives, whom they sold in the European market. It was out of the early experiences with the pale faces that grew the distrust, suspicion, and resentment which culminated in organized, armed resistance on the part of the Indians, which, in its fury and result, cost the later settlers many millions of dollars.

The governor of Virginia is said to have made vigorous attempts in the direction of slave trade.

"Countless Indians were forcibly enslaved and many were shipped to Europe to be sold as slaves." (2)

(2) Mc Nichols: The Amerindians, p. Intro XVII.

Spain likewise found profit in the trade.

"In Spain the enthusiasm for the Indies developed largely as a result of envisioned profit from the acquisition of gold and precious stones, and from the procurement of the sale of slaves". (3)

If the foreign powers had recognized the rights of the Indians and had adhered to the principles of justice, they could never have treated the Indians as having no right to their liberty, property, or lives. Their rights as human beings were overlooked by the very fact of their being sold into slavery.

Little regard was shown for their right of occupancy to the American soil. English, French, and Spanish colonists secured from their respective rulers the right to inhabit land in the New World. These countries claimed the right to occupancy upon the right of priority of discovery. The Indians' original title to occupancy was not questioned or considered. The countries seemed convinced that once discovered the territory belonged to the discoverer.

"Spanish explorers assumed that all the lands found by them in the New World became the possession of the rulers of Spain. Slight consideration if any was given to any theory as to the legal rights of the inhabitants to determine the use to be made of the soil of America. From the first it seems to have been taken as a matter of fact that the discovery of land in America resulted in the attachment of the land of the rights of sovereignty for the nation of which the discovery was made, and that as soon as possession of land was taken the ownership and control of the nation was complete and unassailable except by right of conquest." (4)


"...those governments (he means England, France and Spain) conceded discovery, followed by occupation, gave indisputable title to the country and exclusive control of the Indian population which inhabited it." (5)

(5) Elwell, S. Otis: The Indian Question: p. 49
European Policy toward Indian Land Title

What then in general was the policy followed by European nations? Did these countries recognize the Indian right of occupancy? How did they deal with the Indians? The Spanish did not admit the Indians' right of occupancy; yet their rulers allowed them the use of the territory they needed for their subsistence. The Spanish did not buy the land from the Indians, but they satisfied them for it by presenting them gifts.

Neither did France recognize the Indian land title. Neither did she treat them as wards or as a conquered nation. The French traders and missionaries intermingled with the Indians, adopted their ways, learned their language, almost became one of them. The French treated the Red Man as a brother. The Indian and the French got along quite well.

"The French never recognized the legal title of the American Indians to their hunting grounds. It appears to have been the theory of the French that when a tribe or nation agreed to come under the French dominion, this agreement carried with it the right of the French to full ownership and political control. The French seem to have had less trouble than the citizens of the United States in carrying out the policy of fraternizing with the Indians. The Frenchmen displayed a genius in dealing with the Indians, the untutored representatives of the Stone Age. French priests, "The Blackrobes" treded forest trails to the villages in the heart of the continent, seeking to bring the red skins into the kingdom of God. If the Blackrobes largely failed to make the light of the gospel penetrate the darkness of barbarism, they at least warmed the hearts of the Indians toward the French. This friendship between the races was strengthened and put on a sound basis of mutually profitable cooperation by the fur trader." (6)

England did not recognize the legal right of the American Indians to the land occupied by them. They indeed made treaties regarding territory. These treaties did not recognize the right of occupancy. These agreements made by the government directly with the Indians covered only rights of sovereignty, but not any property rights. The English granted charters and patents to groups of settlers. These documents entitled the colonists to certain limited territory; they did not convey sovereignty rights to the colonists. Since they did not do this, these documents must have been meant to convey property rights to the land on which the Indians were living. Thus, in the view of England, Indians were not considered as possessing a title to the land. England, like the other European countries, believed that the discovery of land in America entitled the discovering nation to that land.

England's policy was different from the Spanish in that it did not try to subjugate the Indians. The Spanish conquered and ruled the Indians and tried to civilize and educate them in exchange for their liberty. The English never tried to subject these nations, but she tried to get them out of the territory she coveted. England traded with them, but her people did not intermingle with them. England's policy was that of exploitation.

"The English who migrated to the New World quickly learned to imitate the red man's adjustment to his forest environment. They also took over the cultivation of the maize plant. Having acquired from the red skins whatever aspects of his culture proved useful to them, they turned upon the natives and began the task of expelling them from their original home". (7)
Originally the English colonists pursued the policy inaugurated and developed by the British. They soon were forced to modify this theory to the extent of considering the Indian as a quasi-independent nation.

Colonial Attitude toward the Red Man

At first the colonists and Indians managed to get along in a friendly manner. After the possibilities of gain and advancement in the New World became better known in Europe, the number of immigrants increased. Many of these were adventurers and seekers of fortune. They pushed beyond the borders that had been agreed upon by previous friendly arrangements and agreements. The frequent violations of such contracts and often the violence and outrage committed by the settlers upon the Indians gave rise to serious misunderstandings and trouble. Certain boundaries had to be definite and determined so as to avoid annoyances. The need of a treaty was felt. The Indians were too strong for the small population of settlers to force them from their hunting ground. The colonists had to concede to treaties, in which to satisfy the Indian, they practically recognized the land title by promising the Indians a fee for the land they wished for settlement. Apparently the Indians were treated as an independent nation. For the benefit of the colonists the idea of ownership of land was changed.

"The English tended to look upon the tribes as an independent nation.... With the tribal sachems the English early found it expedient to enter into formal treaties. Some of these were
arrangements of friendship, others had to do with land cessions. At first the English settlers had considered the king the sole disposer of titles... but by the middle of the eighteenth century both colonists and mother country had recognized the necessity of quieting the Indian title as a prelude to the advance of settlement". (8)

(8) Gabriel: Pageant of America, Vol. 2, P. 2

One of the very important treaties with the Indians was that of Fort Stanwix in 1768. The five great Indian nations relinquished the title by treaty to the English or colonists of the land south and east of the Ohio.

The colonial governments regulated trade with the Indians and land contracts, so that no individual could purchase land from the Indians without a government license. Historians seem to agree that the purpose of this was to protect the Indians against the cupidty and schemes of the whites. The Indians did not and could not appreciate the value of their land. Unscrupulous whites took advantage of them wherever they could.

"Laws enacted in the various colonies were directed for the protection of the Indians, but there is abundant evidence that they were not vigorously enforced. Conditions were such as to make their enforcement extremely difficult." (9)

(9) Kinney: A Continent Lost- A Civilization Won, p. 15

During the Revolutionary War each colony tried its utmost to secure the allegiance of the Indians. The frontiers of the various colonies extended to the Mississippi. That fact meant a wide territory to be controlled.
Efforts of the Colonial Government to protect the Indians

Such laws surely indicate two facts. First, that the colonial government endeavored to protect the Indians, and second, that abuses crept in. Bartering and giving strong liquor to an Indian was punished severely by Connecticut. An Act of Maryland passed in 1623 clearly indicated the fact that some land agreements had been obtained while the Indians were under the influence of liquor.

The government was active in legislating, but positively failed in enforcing laws. When the aggressive class of adventurers who held no regard or respect for the rights of others arrived, they pushed the Indian aside, ignored his hunting rights, and forgot his treaties. Referring to the Pilgrims, Rufus Choate wittily put it, "they first landed on their knees and then on the aborigines". What then was the status of the Indian during the colonial and constitutional period? He was not a citizen, neither was he a foreigner.

During the Revolutionary War each colony tried its utmost to secure the alliance of the Indian tribes against the English. The frontier could not advance. The men were at war. The Indians were not harassed by impeding whites. The Indians were fighting either with the colonists against Great Britain or vice versa. During this period the Indian question had to be handled by each colony. Most claims of the colonies extended to the Mississippi. That fact meant a wide territory to be controlled.
From the time the colonies declared their independence until the adoption of the Constitution, government affairs were controlled by the Continental Congress and Articles of Confederation. As already stated, during the Revolutionary war the attention was drawn from advancing the frontier. Although settlers did find their way beyond the white man's territory, no immediate trouble resulted. After the war the government either had to make a new treaty with the Indians, or order the settlers back from their settlement. Instead of these receding, both settlers increased and surveyors continued mapping out territory. Such action was in direct violation of the Treaty of Fort Stanwix. The Indians then sent the following message to Congress: "We beg you will prevent your surveyors and other people from among them from coming upon our side of the Ohio River......We have told you before we wished to pursue just steps.......This is the determination of all the chiefs of the confederacy now assembled here, notwithstanding the accidents that have happened in our villages, even when in council several innocent chiefs were killed".

In answer to this plea the Articles of Confederation in the Ordinance of 1787 promised "that the utmost good faith should be observed towards the Indians and that their lands and property should never be taken from them without their consent".

But how inconsistent was the action of the President of the Confederation with the good will put forth in the Ordinance. He instructed the governor of the Northwest Territory to examine carefully into the real temper of the Indian tribes. He
He said that the treaties which were made could be examined, but could not be departed from unless a change of boundary would be beneficial to the United States. He was not to neglect any opportunity that would offer of extinguishing the Indian rights to the west as far as the Mississippi.

The Settlers disregard of the Treaty Stipulations

The settlers kept advancing regardless of treaties or promises of the government. Trouble resulted. Again the Articles of Confederation and the Indians came to an agreement. The Six Nations west of New York and Pennsylvania conveyed by treaty their entire interest in the land. The Delaware and confederated nations gave up all their claims to all lands near the Pennsylvania line and accepted territory in what is now the State of Ohio. The Cherokee gave up part of their territory and agreed to keep peace. In return the United States promised these Indians protection from intruding white men, assured them of the possession of their land, and arranged that the management of the trade would be in the hands of persons legally licensed. Under these conditions the Indians agreed to refrain from hostilities and to turn over to the general government any of their members who should rob or murder any of its citizens. In 1789 the new government under the Constitution had to handle the Indian problem.

A word is necessary here about the powers concerning the Indian affairs contained in the Constitution. All existing
treaties were made binding on the Constitution. Therefore those
treaties already mentioned carried over to the new form of
government. The only power in the Constitution granted the
President and Congress concerning the Indians is contained in
the constitution in Section 8, Article I. which reads: "To
regulate commerce with Foreign Nations, and among the several
states and with Indian Tribes, Congress shall have the power".

Acting on this right Congress in 1793 declared that all
purchases of land from the Indians must be by treaty entered
into pursuant of the Constitution. Due to the agitation of the
period the government failed to keep the whites from settling
west of the Appalachians. The government gave the Indians the
right to treat all intruders as they saw fit. It is most pro-
bable, judging from accounts of Indian hostilities on the
Northwestern frontier, that the whites were unaware of the fact
that the Indians had either provocation or right to kill in-
truders on their land. Is it a wonder that the frontier was a
scene of devastation and bloodshed, that the terror and hatred
toward the Indians increased, and that the Indians grew more and
more to hate and distrust the whites?

When the settlers, beyond the line set by agreement, were
bothered by the Indians, they asked the latter to concede some
of their territory. The Indians felt that they were only pro-
tecting their rights by using the means of punishing the ad-
vancing whites. The settlers expected the Indians to cease
attacks or to recede, which the Indians did not think they should.
The Delaware chief pleads the Indians' cause in the following
words:
"You have talked to us about concessions. It appears strange that you should expect any from us, who have only been defending our just rights against your invasions. We want peace. Restore to us our country and we shall be enemies no longer." (10)

(10) Jackson, Helen Hunt: Century of Dishonor, p. 42

But the advance guard of civilization, the pioneer and fur trader, did not heed the rights of the Indians or their threats. Imbued with the common opinion that the Indian owns no title to the land they pushed forward to grasp every opportunity of gain. We might almost presume that the government found the task of making new treaties with the Indians easier than the task of enforcing the old treaties by restraining the whites from violation of them. The fact that a great number of treaties were made and broken verify this statement.

"The government always claimed it could not keep the traders and pioneers out of the Indian country, but it always found it an easy task to move the entire tribe or band of Indians out of the country. The reason for this is the following: The traders and pioneers were the advance guard of civilization. It was the purpose of the government to possess the country the Indians inhabited, and it was against its purpose to remove the forerunners of civilization." (11)

(11) Waddell, The Red Man, P. 20

Brooks, in "The Story of the American Indian" says it was due entirely to misunderstandings of conflicting natures, the brutalities of the border life, and the soulless policy of trade that ignored every virtue for the sake of profitable barter,
were Indian wars fostered upon the red man and the white alike. As early colonial wars were the offspring of white aggression, tyranny and greed, so that latter disturbances - from those Revolutionary days to the Minnesota, Black Hills, and Apache outbreaks of today - have the same basis of unstable methods of broken faith on the part of the white men.

The Indians, by reason of the provisions in the Treaty of Fort Stanwix, thought themselves quite secure in the region north and west of the Ohio River. But Mad Anthony Wayne surprised them with a troop of soldiers, drove them away from their homes and villages, burned their property, and destroyed their crops. This in punishment for attacks on whites in retaliation for injustices first committed by the whites.

By another treaty with the government the Indians gave up part of their territory in the Northwest to the whites, but they kept with them the distrust and discontent that such treatment as that received from Mad Anthony, was bound to produce. These feelings were augmented by every succeeding injustice and ultimately led to bloodshed.

There was continual conflict along the border. The cause being the Indians' conviction on the one hand that he was the rightful owner, and the determination on the part of the whites to possess the land granted them by charter from the king of England and transferred to them by the treaty at the close of the Revolutionary war. The Indians witnessed their lands occupied by settlers. The government had its army to protect the border lands. Although the tribes fought to keep their
lands they were bound to give up their territory now, by a
treaty, setting the Appalachians as the limitation; then later
placing the dividing line further west along the Ohio. Such was
the pioneer situation in the Northwest.

The Southwest territory passed through the same process
as the Northwest territory. The settlers advanced. Treaties
were made, granting land sessions to the whites and to the
Indians, the promise of protection, new boundaries were estab-
lished; renewed violation of treaties frequently occurred. The
Indians resented the intrusion, used violence to drive them back;
pioneers sought protection from the government; the government
in turn either formed a new treaty with the Indians, which al-
ways meant a land cession, or stationed an army along the bor-
der for protection.

Agitation for Removal

Hostilities increased. Both Indians and whites hated and
feared each other and both hindered the other in the pursuit of
happiness and seeking a successful career. Therefore, the best
solution to the difficulty was thought to be the removal of the
Indians to the west of the Mississippi river. There the Indians
could follow their hunting career. They would be away from the
demoralizing influence of the unscrupulous and unsympathetic
settlers. The white man would be unhindered in his development
of the natural resources east of the river, and could build up
flourishing industries.
The movement increased in strength with the purchase of the Louisiana territory. General Knox, first Secretary of War, advocated it. The only drawback was the cost, lack of sufficient need, and the thought that it was an injustice to the Indian. After the War of 1812 the matter was seriously considered. Those favoring the proposition claimed, as a result, great benefit for the Indians and the whites. Removal would allow expansion and development of great tracts of land; it would remove the cause of conflict between the State and the United States authorities; it would eliminate the difficulty of controlling and hindering outbreaks and attacks on the settlers; it would shield the Indians from the bad influence of the lower class of society of the whites; they would benefit under the direction of faithful and competent instructors. The main objections were that the Indians would not benefit by removal. It would cost too much. It was unjust to take their land away from them.

The movement taken aroused ardent discussion among the Indians especially among the Cherokee as early as 1803. President Jefferson does not seem to have advocated the removal. During the war of 1812 the Nation's attention was directed to protect and guarantee her rights on the sea. During this time those tribes, won over to England's favor, menaced the border. The period following the war is marked by strong agitation to remove the Indians from the proximity of the white settlements. John C. Calhoun, Secretary of War, during Monroe's administration, and his assistants, General Jackson and the Southwest, and Gov.
Cass of the Northwest Territory, were strong advocates of removal, to the West of the Mississippi. By the efforts of these leaders and other advocates a number of Indian tribes were influenced to go beyond the Mississippi.

In 1818 the Delaware Nation signed a treaty with Governor Cass of the Northwest Territory by which they ceded their land east of the Mississippi, and agreed to move west of the river. In 1820 the Choctaw agreed with General Jackson and Thomas Hinds to go west of the Mississippi. In 1821 the Creek agreed to cede most of their land and go beyond the river.

President Monroe, during whose administration these agreements were concluded, was convinced that removal was of great importance to the Union and to promote the interest and happiness of the tribes. This removal was to be accomplished peaceably and on reasonable terms. He advocated for the Indians adequate lands, secure title, and a system of internal government. To carry out this scheme would require the transportation of thirteen thousand five hundred Indians in Northern Indians and Illinois, three thousand comprising the remnants of various tribes living in the eastern States, one thousand three hundred from Louisiana, thirteen thousand from New York. The Secretary of War estimated the Indian population east of the Mississippi at ninety seven thousand. What would it cost the government to remunerate these Indians for their land, purchase land for them in the west, employ efficient men to manage the deportation, secure adequate provision for suitable conveyance, and provide means for their livelihood as prescribed in their removal treaties?
No one solved the problem, but all advocated their removal. Reading today about their treatment gives evidence of inadequate preparation and gross mismanagement of this important undertaking.

President Monroe's message to Congress advocated the removal by making this statement: "Experience has demonstrated that in their present state it is impossible to incorporate them in such masses in any form whatever into our system. It has also been demonstrated with equal certainty that without a timely anticipation of and provisions against the danger to which they are exposed under causes, which it would be difficult, if not impossible, to control, their degredation and extermination will be inevitable."

The work of removal was now increased especially due to Georgia's urging of Congress to carry out the treaty stipulations of 1802 in which the Federal Government promised to extinguish the Indian land title in Georgia. This Congress could do either by purchase or treaty. Unsuccessful attempts were made in both. It was only by the treaty of 1835 that the Cherokee were forced to leave their territory in Georgia.

Before Jackson became President his convictions as to removal were well known. Still the Indians were not over alarmed when he was elected because they had great confidence in his sense of fairness.

The Cherokee Nation in Georgia had its own government. By an act of 1829 the Georgia legislature purported to extend State jurisdiction over all Indian lands within the state, and
to make the Indians subject to State jurisdiction. The Indians continued to assert their rights. The difficulties of peaceful living increased. In 1830 President Jackson approved the act to provide for an exchange of lands with the Indians residing in any of the States or territories and for their removal west of the Mississippi. This act provided for assistance to the removing Indians and for one year after the removal, protection against other tribes or persons, and Five hundred thousand Dollars for carrying out the act.

Indian removal, operated for some years in a haphazard manner, became established as a national policy with the election as President of its most powerful exponent, General Andrew Jackson. From the Lakes to the Gulf the movement took form. Agents and commissioners scattered through the country with reams of paper, quills, and ink with which to bind the red man. Indians were called into councils and gorged with pork and beef, and plied with whiskey. Chiefs, warriors, and other influential men of the tribes, by argument, cajolery, threats, or bribes, the means depending on the exigencies of the occasion, were induced to agree to terms, set down on paper called treaties.

Indian removal by the government was thus formally inaugurated.
At the time of the discovery of the Hudson River the Delaware Nation, then known as the Lenape Nation, were in the known region of New Jersey along the Atlantic coast. Helen Hunt Jackson states that the United States first treaty with the Delawares was the treaty of Fort Pitt, 1778 by which the Indians allowed the Revolutionary Army to pass through their territory, and the Continental Congress guaranteed to the Indians all their territorial rights.

McNichol speaks of "the Walking Purchase" treaty of 1737 with the Delawares. By this treaty "was ceded to the proprietors of Pennsylvania an extensive tract of land stretching along the Delaware River....westward as far as a man could walk in a day and a half." The white men performed the walking task at a pace of which the Indian loudly complained. Perhaps the walk was performed at a Marathon pace, and the guileless Indians learned a new trick.

The treaty was not the first movement from east to west. In the year 1724 the Delawares, weary of warfare with the settlers, moved their lodges to the beautiful tributaries of the Ohio River. The Shawnees joined them. It is probable that these were the first Indian mass migrations westward.

A quotation from "The Pageant of America" coincides with McNichols statement, that the treatment of the settlers drove
the Indians west.

"The pressure of the whites had driven them from their original home, and with the permission of the Iroquois they had retreated up the Susquehanna region. . . . Again the whites had crowded them out, and they had crossed the mountain countries to the head water of the Allegheny. From there they went to the eastern Ohio." (12)

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Treaty Policy

applied to settling the boundary questions.

The treaty of 1785 settled the boundary between Big Miami and the Ohio Rivers and their branches. It fronted on Lake Erie. This treaty prohibited settlers in that territory. If any citizen of the United States attempted to settle on the lands allotted to the Delawares and Wyandotte Nations, the Indians could punish him as they pleased.

Five years later, 1790, in the treaty of Fort Harmar, the boundary was somewhat changed; but the stipulations regarding white intruders remained in force, -- "white men committing offences or murders on Indians should be punished in the same way as Indians committing such offences." The sad part of all is the fact that the intruding whites were not instructed or informed of the danger they were exposing themselves to by settling on Indian territory.
Unfriendly Attitude
developing between the settlers and Natives.

In 1791, Secretary of War, Knox, could say of the Delawares that these tribes were their friends. But the relation between the settlers and the red men changed within a year to a hostile one. The President of the United States entertained the opinion that the war which existed was an error and a mistake on their part. "Furthermore," he said, "that the United States wants to deprive you of your lands, and drive you off the country. Be assured that this is not so. On the contrary, we should be greatly gratified with the opportunity of imparting to you all the blessings of civilized life. Remember that no additional lands will be required of you, or any other tribe, to those that have been ceded by former treaties."

In 1792, the chiefs and head men of the Delaware and twelve other tribes met in council with the United States commissioners to settle the vexed boundary question. The Commissioners would not agree to reiterate statements for the provisions of the old treaties which had established the Ohio River as a boundary. The Indians said, "we can retreat no farther because the country behind hardly affords food for its present inhabitants and we have resolved to leave our bones in this small space to which we are now confined." The Commissioners notified the Governor that the Indians refused to make peace.
Then what happened? General Anthony Wayne wrote to the Secretary of War the following: "The safety of the western frontiers, the reputation of the legion, the dignity and interest of the nation, all forbid a retrograde maneuver, or giving up one inch of ground we now possess, until the enemy are compelled to sue for peace." Who was the unjust aggressor? General Anthony Wayne was given the task of reorganizing the regular army. Secretary of War, Knox, informed him that another retreat would be inexpressibly ruinous to the reputation of the government. The Battle of Fallen Timbers was then fought. The Indians were crushed. The army was employed in relentless destruction of the town and crops of the hostiles.

The summer of 1795 following a winter of dreadful hunger and suffering witnessed another council with the Indians on July 30th. After long days of speeches and explanations, the treaty was read, as General Wayne had originally prepared it. He had refused to concede a point. When the reading was done he asked: "Do you approve the articles?" One by one the spokesmen of the beaten tribes answered "Yes". When Little Turtle signed, he remarked, "I am the last to sign it, and I will be the last to break it".

Agitation for Removal Begins

By the terms of the above mentioned treaty nearly two thirds of the present State of Ohio which had belonged to the Delaware were ceded to the United States. The United States renewed
all its promises of protection and agreed to pay Twenty Thousand Dollars worth of goods at once; and henceforward every year, forever, useful goods to the value of Nine Thousand Five Hundred Dollars. Peace was declared to be "established and perpetual".

In 1809 General Harrison was instructed by the President to take advantage of the most honorable moment for extinguishing the Indian title to the lands lying east of the Wabash adjoining the South. This title was extinguished by the Treaty of Fort Wayne.

Treaty for relinquishment followed upon treaty. In 1813 that of Vincennes gave up the great salt spring on the Saline Creek. The next year extinguished the title of the land between the Ohio and the Wabash. Early in the autumn of 1817 a treaty, concluded with the Indians, ceded to the United States nearly all the land to which the Indians had claim in Ohio, a part of Indiana, and a part of Michigan. In 1819 the Indians gave up their claim to all their lands in Indiana for territory west of the Mississippi. The government agreed to pay Four Thousand Dollars a year in addition to the sum promised them in previous treaties. The territory in the fork of the Kansas and Missouri Rivers was secured for the Delawares as their permanent residence. In this treaty the United States pledged "the faith of the government to guarantee to the said Delaware Nation, forever, the quiet and peaceable and undisturbed enjoyment of the same against the claims and assaults of all and any other people whatever."
Insecurity West of the Mississippi

Even beyond the Mississippi their promised security was molested by white homesteaders who appreciated the value of the fertile plains of their Kansas reservation. The Indians, due to the influx of white settlers into Kansas, made another treaty in 1854, in which the Delawares made a large cession of their land back to the United States. Part of their permanent home was given up. The following year the Delaware agent writes, "the Indians have experienced enough to shake their confidence in the white race...... Numerous wrongs have been perpetrated on many parts of the reserve; the white men have wasted their most valuable timber, with an unsparing hand; The trust lands have been greatly injured in consequence of the settlements made thereon. The Indians have complained, but to no purpose. I have found it useless to threaten legal proceedings...... The government is bound in good faith to protect these people."

The western railroad company wanted right of way and certain lands in reserve. By a treaty of 1860 they got it. In 1861 the Western Railway Company, not being able to pay the Two Hundred and Eighty-Six Thousand seven hundred and forty-two Dollars, the Commissioner of the Indian affairs was directed to take the bonds of the Railway Company and mortgage on one hundred thousand acres of land which the Indians had sold to the railroad company.
The onrush of settlers did not hinder the Delaware progress in agricultural pursuits and establishment of their homes. In spite of the fact that the average personal property amounted to one thousand acres; each family cultivated only from fifty to one hundred acres of land; the children were nearly all of them in schools, and nearly every family had a sufficiency of its own consumption and some surplus; the Commissioner held that it was for the Indians' own interest and advantage that they should be removed from Kansas. The Commissioner gives his reasons, namely, that they are circumscribed and closely surrounded by white settlements, and that nothing for them but destruction would be left.

During the Civil War some of the tribe joined the Confederates. In 1862 one hundred seventy out of a population of two hundred males joined the Union army. Delaware Indians on the Kansas Reservation in 1863 volunteered their services to the number of half their population. They made the best of soldiers and were highly valued by their officers. No State in the Union furnished so many men for the Union Army from the same ratio of population as has the Delaware tribe.

(13) Jackson, Helen Hunt: Century of Dishonor, P. 51
In 1864 their agent wrote that most of the Indians personal property was in stock which was constantly being preyed upon by the whites, until it had become so reduced that it was difficult to obtain a good animal in the Nation. He estimated the loss to the extent of Twenty Thousand Dollars. Considering the fact that one half the men were away to war, the children and women working the farms, and twenty-thousand dollars worth of stock stolen in one year, did the agent err in judging that it would be for the interest of the Indians that they be removed to some other locality as soon as possible? But did not the government by treaty guarantee them "peaceable and undisturbed enjoyment of the land against the claims and assaults of all and every people?"

An excerpt from an Agent's report on the Delaware situation pictures the dreadful condition on that reservation in Kansas.

"Most of the Indians are anxious to move to the Indian country south of the Kansas, where white settlers cannot interfere with them. Intermingled as the Kansas reservations are with the public lands, and surrounded in most cases by white settlers who too often act on the principle that an Indian has no rights that a white man is bound to respect, they are injured and annoyed in many ways. Their stock is stolen, their fences broken down, their timber destroyed, their young men plied with whiskey, their women debauched; so that while the uncivilized are kept in worse than a savage condition, having the crimes of civilization forced upon them, those farther advanced and disposed to industry are discouraged beyond endurance."

(13) Jackson, Helen Hunt: Century of Dishonor, P. 51
The Delawares Last Removal

No wonder the Delawares were prepared to move. A treaty was made with them in 1866 providing for the removal to the Indian territory of all who should not decide to become citizens. In the autumn of 1867 the Delawares left their homes in Kansas to go south - there to find protection. The official reports that they were well pleased with their new homes. By the year 1870 nearly all the Delawares were settled in this Indian Territory - now Oklahoma - on the Cherokee reservation, excepting three hundred who had, owing to careless surveying, settled outside the Cherokee allotment, and were therefore assigned to the Osages. Eighty-one Indians remained in Kansas.

Conclusion

The migration of the Delaware tribe covered a period of nearly a century and a half. The country traveled was the territory from New Jersey to Pennsylvania, thence beyond the Alleghenies to the Ohio River Valley. There by degrees the hunting grounds were diminished. Finally the much sought peace expected in possession of their territory beyond the Mississippi, was gradually infringed upon. The Indian territory - now prosperous Oklahoma - but at that time considered the least resourceful, was their final stopping place. There, starting all over again, they built their homes and schools. No one kept record of the sickness, deaths, loss of property entailed on the migration, but it does not take a vivid imagination to picture the disadvantages, inconveniences,
hardships, and difficulties this tribe encountered on its long journey to the setting sun.

As a result the Choctaws ceded to the United States the entire country east of the Mississippi River for the territory west of the Mississippi, beginning near Fort Smith, where the Arkansas boundary proceeds to Arkansas River, running thence to the source of the Canadian Fork, thence south to the Red River, and down Red River to the west boundary of Arkansas. The treaty was opposed by the majority of Indians because most of the leaders of the tribe were dissatisfied with it.

CHAPTER III

THE REMOVAL OF THE CHOCTAWS

The Choctaws east of the Mississippi

The habitation of the Choctaws was along the southern Mississippi. This tribe was friendly toward the French. After the French and Indian War 1763 some of the Choctaws began retreating across the Mississippi into what is now the State of Oklahoma. They went as individuals and not as a tribe. As a nation governed by their chief they remained east of the Mississippi until 1830. That year the State of Mississippi enacted measured extending its criminal laws over the State. The Indians sent a delegation to Washington to plea for protection in their treaty rights against the State. The government only urged them to move west.

A council was held with three chiefs. They signed the treaty known as "The Treaty of Dancing Creek." The preamble of the treaty gave their reason in the following statements, namely - "the general assembly of the State of Mississippi has extended the laws of said state to persons and property within
the charter limits of the same and the President of the United States has said, that he cannot protect the Choctaw people. " As a result the Choctaws ceded to the United States the entire country east of the Mississippi River for the territory west of the Mississippi, beginning near Fort Smith, where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian Fork, thence south to the Red River, and down Red River to the west boundary of Arkansas. The treaty was opposed by the majority of Indians because most of the leaders of the tribe had been bribed.

Differences of Opinion

As soon as the treaty was signed, long even before its ratification, white people began moving into the Choctaw country, in direct violation of the laws, by which the lands were secured to the Indians. Confusion reigned in the nation during the fall and winter of the year 1830 pending determination of the question whether the treaty would be ratified by the Senate. The tribe was torn by dissension; crops had been bad and some wished to go at once to the west; others preferred to stay and be incorporated into the state. Jealousy existed among the leaders of the tribe. They distrusted each other; everybody was under suspicion. Numbers left and traveled independently of the government to their new home in the West, others refused to go, and rallied around leaders of like inclination.
An exploring expedition set out to find a suitable track wherein to settle. Gaines Le Flore and Eaton were to go on the tour. But Le Flore was occupied with other affairs more directly concerned with his own personal interest, and had no time to waste in making an investigation concerning the western country. Pending ratification of the treaty, he was engaged on a considerable scale in negotiating with Indians, whom he could induce to remove at once, for the sale of their improvements to the white men, whom he immediately put in possession of the land and improvements.

Le Flores Unorganized

Removal Party

In this manner although the treaty had not been ratified, he collected and started west a number of ill organized and inadequately provisioned parties. Le Flore reported that seven or eight hundred immigrants were on their way "to escape the evils of intemperance which are flowing upon the country from all sides and have caused the death of a considerable number since the administration of the Choctaw law had been suspended."

Bits from a letter written by Mr. Talley will convey some idea of the hardships of the journey:

"One of the party perished with cold and hunger... Imagine a man and his companions in a deep and extensive forest, within two hundred yards of a dense cane break, in which the tracks of the largest size panthers are found; living in a linen tent covered with ice and snow for a week;
In December President Jackson ordered Lieutenant J. R. Stephenson to meet Le Flore's emigrants, who were in a starving condition. He reports that eighty-eight had arrived at the Kiamichi. This was in March. After July 1, 1831, two small parties of emigrants arrived. By October 1st, a total of four hundred and twenty-seven out of eight hundred emigrants that had started west had arrived of Le Flore's unauthorized removal conducted by the government.

The removal under government supervision began in 1831. The department controlled it on the eastern part of the Mississippi; the government agencies received them on the west bank and conveyed them to Little Rock, then through Washington, Hempstead County, Arkansas, and on the Red River. Pork, flour, and bacon had been deposited at different places on the route. Mr. Gaines was to superintend the removal of the Choctaw Indians as far as the west bank of the Mississippi. From there on they were in charge of Captain Clark.
In November of 1831 nearly four thousand Indians gathered at Vicksburg. Before the end of the month two thousand five hundred had embarked on four steam boats. Four hundred and six left under the direction of Pitchlynn. Another party of five hundred and ninety four boarded in November at Vicksburg the steamboat bound for Little Rock. Their arrival at the Arkansas Post numbering two thousand five hundred emigrants with one thousand horses completely swamped the facilities provided for them. Upon their arrival many were sick. After excessive suffering from cold they later arrived at Little Rock. Several days were consumed in transporting the Indians and their baggage and horses across the Arkansas River. Here they went into Camp where they were organized for their long and wretched journey to Red River.

These Indians were in a desperate plight, they had left home in comparatively warm weather and were thinly clad; few of them wore moccasins. The thermometer reached zero on December 10th, and for a week had averaged twelve below; six inches of snow fell and for some days the river was impassable on account of ice.

On December 29th, they began their march. A group had to precede to prepare the road. Between Washington and the Choctaw line on the military road they had to construct eight hundred and fifteen yards of causeway through a particularly boggy stretch near the Choctaw line. Rude bridges were built.
a ferry boat was constructed. At a number of streams they had to wait for high water to subside. After four weeks of labor and hardships they reached the Red River country and were discharged by Ryan January 29th, 1832.

While yet on their journey the emigrants were given corn at places called "stands". Meat was issued every other day. A herd of cattle was driven along to provide fresh meat. The driving and managing of the cattle very much delayed the progress of the journey. They were wild and most difficult to keep from plunging into the timber, and the brush, and dense cane breaks. There were also other inconveniences that increased the difficulties of locomotion. Such were stragglers staying behind to hunt for their horses; wagons sinking to the almost seeming bottomless mire; oxen becoming tender-footed and crippled. Other hardships accompanied them. We read of the loss of two hundred horses out of four hundred dying within a forty day journey across the swamps, of the Arkansas. Of course this occurrence is not just so surprising in view of the fact that the one in charge was allowed one hundred Dollars for the purchase of forage for the horses, and the subsistence for the accompanying Indians. Corn was sold at One Dollar a bushel, sometimes at Two Dollars.

Conclusion

The foregoing account is an example of the procedure followed, the difficulties encountered, and the hardships entailed in removing the Indians across the territory and the
river. It is not a detailed account. Such would be more than
difficult to give, because no accurate records of the journey
were kept. There were no statistics as to the numbers emigrat­
ing and the total cost entailed.

CHAPTER IV.
THE CHEROKEE REMOVAL
Location and Traits of the Cherokee

The Cherokee Nation lived in the fastness of the Southern
Appalachian. In April 1673 two English scouts were sent to the
Cherokee village which stood on a high bluff and was strongly
fortified by a twelve-foot palisade and a parapet on the land­
ward side. A hundred and fifty large canoes and a magazine
stored with dried fish was on the water side.

The two forerunners of the fur traders were not the first
of the white race to communicate with these Indians. Spaniards
from Florida had traded with them in previous years. At this
particular time Spanish intercourse with them had ceased due to
a treachery perpetrated by the Spanish.

"A party of Indians which had gone to Florida
to trade had been half murdered, half enslaved.
After a period of captivity two had succeeded
in making their escape and brought word to the
tribe of their barbarous treatment. Since
then the Cherokee had nursed a deadly enmity
for the Spaniards". (15)

(15) Alvord and Bigwood: First Exploration of the Tran-Allegheny
Region, pp. 20-23.
The whites found the Cherokee territory in the region of eastern Tennessee, a small part of North Carolina, and the remainder between Georgia and Alabama. Their population was estimated at Sixteen thousand. They were governed by a council and owned property in common. They were an agricultural people, raising such crops as maize, beans, and squash. They were honest, dignified, brave and just. The following description of an English traveler expresses their characteristics:

"In these peoples manner and disposition are grave and steady; dignified and circumspect in their deportment; rather slow and reserved in their conversation, yet frank, cheerful, and human; tenacious of liberties and rights of man, secret, deliberate, and determined in their councils; honest, just and liberal, and ready always to sacrifice any pleasure and gratification, even their blood and life itself to defend their territory and maintain their rights". (16)

(16) Bertram, William: Travels through North and South Carolina - p. 366

With this nation the government undertook a forced removal in 1835. In their struggle to maintain their lands and homes these Indians surely proved that they possessed the above mentioned traits.

The English fur traders bartered with the Indians, exchanging knives, blankets and the like for cooking utensils, guns for
hunting, tawdry trinkets, and rum (the curse of the American aborigines) for furs. The murderous weapons and the rum were dangerous articles to entrust to the savage. Grave difficulties occurred between the traders and the Cherokee. It was necessary to hold a council or conference in 1721 at Charleston to settle complaints of Indians regarding the abuses suffered at the hands of the trader. In order to impress this tribe with the power of the English people, seven of their chiefs were taken to the King of England. The point of gaining their awe and bringing home to them in a striking manner the great power of the king was achieved. This undertaking resulted in the chiefs signing the Treaty of Dover in 1730 by which they pledged themselves to trade with no other nation but England and to allow no other nation but England to build forts and cabins on their territory.

How long did this friendly term last? Just as long as Adair's honest traders exerted their influence. Friendship with the Indians waned when the honest trader was replaced by a conscienceless rabble. The French also tried to get the Indians' good will away from the English. In this task they succeeded very well. The many Cherokee taking up arms with the French during the French and Indian War verify the statement. The Cherokee defied the English during this war. In the Revolutionary war the Cherokee joined with England.

The Cherokee's Management of their own affairs

These preliminary remarks furnish the background for our present discussion of the events that led up to the forced re-
removal of this civilized Indian nation. A very small number compared to the large number of this tribe voluntarily moved to the west of the Mississippi for reasons of their own. Enough has been written in the foregoing account so that the reader can understand the helpless condition the Indians found themselves in when the whites constantly bothered them to give up their land. The Indians had done very well. Grist mills, cotton mills, saw mills and looms were in general use. Civil and criminal cases were tried before well organized courts. Trade schools as well as those whose aim was the teaching of academic subjects, were established and very well frequented. Sequoia's invention of the Cherokee Syllabary gave even to those who did not know English the opportunity to educate themselves in their own tongue. Education and progress seemed to be the natural birthright of the Cherokee in preference to their other less civilized Indian brethren.

However, just this spirit of progress, this desire for cultural improvement, may have been the cause of part of their undoing. May not the whites, anxiously covetous of their lands, have viewed each new adoption of white men's civilization as one more obstacle to their peaceful removal?

Agitation for Removal Begins

The afore mentioned removal concerns those who had migrated west to seek advantages. As far back as 1802 the Federal government assumed the obligation to remove the Indians from Georgia.
This Congress promised to do on condition that Georgia would give up her claim to the territory lying beyond her state. But by a previous treaty congress promised to protect the Indians. An attempt was made to purchase the land from the Cherokee tribe. In 1822 Congress voted Thirty Thousand Dollars to extinguish the Indian title in the State of Georgia. The Cherokee Council's statement refusing to cede any more land, was answered by the appointment of two commissioners, Meriwether and Campbell, who were to negotiate by fair or foul means, for the cession of the Cherokee lands. Their act in trying to bribe John Ross, a powerful Indian leader, by Mac Intosh, a headman of the Creeks, who was highly esteemed by the Cherokees, met with dismal failure. Ross was too noble a character to accept a bribe. Instead he caused the letter in which he and two other council chiefs were offered Two Thousand Dollars each for a treaty of which "no one would know it" to be read before the council. The attempted bribery was condemned and Mac Intosh sentenced to death. He escaped. Needless to say, the commissioners went back to Calhoun with no treaty.

Small wonder that the Indians refused to make further treaties after the flagrant and well nigh continual violation to which the treaties were subject. From the treaty of November 28, 1785 down to the Treaty of Removal December 1835, there had been more faithlessness than faithfulness in keeping treaty agreements. And the fault did not always lie with the Indians.
Regarding the Treaty of 1785, General Knox writes:

"By a variety of evidences which have been submitted to the last congress it has been proved that the said treaty had been entirely disregarded by the whites in inhabiting the frontier, styling themselves the State of Franklin. The proceedings of Congress will show their sense of the many unprompted outrages committed against the Cherokees". (16)

(16) Jackson, Helen Hunt: Century of Dishonor- p. 264

The treaty of Holston made in July 1791 in which the boundaries were established and the Indians were promised One Thousand Dollars a year for the lands relinquished, suffered a similar fate. Its agreements were not carried out by reason of misunderstandings. Then there were the treaties of 1805 and 1816 in which important cessions of land were made; the treaty of 1817 with its promise of protection to those who wished to become citizens. These treaties fared as well as their predecessors. All their promises were annulled, if not in practice, in theory.

But the crowning injustice came when in December 1829 Georgia outlawed all Cherokees and Creeks by passing a law "to annul all laws and ordinances made by the Cherokee nation of Indians", declaring, "all laws, ordinances, orders and regulations of any kind made, passed or enacted by the Cherokee Indians, either in general council or in any other way whatever, or by any authority whatever, null and void, and of no effect, as if the same had never existed; also that no Indian or descendant of Indians residing within the Creek or Cherokee nations of Indians shall be deemed competent witness in any court
of the state to which a white man may be made a party".

And this in the face of the government treaties to guarantee and safeguard the rights of the Indians!

The Cherokee Resistance to Georgia's Act.

The Cherokees as well as they might, resisted these injustices. Time and time again they met in councils to find and discuss ways of righting their wrongs, even carrying their grievances to the Supreme Court. The case was decided against the Indians on the grounds that the Cherokee Nation was not a foreign nation within the meaning of the Constitution and therefore could not bring a suit in the Supreme Court. Chief Justice Marshall in announcing the opinion of the court said that if "courts were permitted to indulge their sympathies, a case better calculated to excite them could hardly be imagined".

The case of Corntassel shows the bad effect of the decision of the Supreme Court and how Georgia interpreted it. Corntassel, a Cherokee, who had been sentenced to death to be hanged, sued out a writ of error to the United States Supreme Court. The Chief Justice issued the writ to the proper authorities in Georgia where the legislature, to whom it was submitted by the governor, resolved that the Supreme Court had no jurisdiction over the subject. Consequently Corntassel was hanged.
Apparently this process hinged on the Supreme Court's decision in the case of the Cherokee vs. Georgia.

All appeal on the part of the Cherokee for justice against the law which Georgia had passed was in vain. In December 1835 the treaty of Removal was made and the fate of the Cherokee Nation seemed sealed. The treaty was made but the greater majority of the Indians would not submit to it because not even one fourth of the Indians had signed it. Moreover those that signed it were a very small minority who had been intimidated or bribed. The majority held to the fact that the minority had not the right to sign away the homes of all the Indians. Indian councils were held denouncing the treaty and declaring it null and void. It drew up a set of resolutions, which were forwarded to the President. He, however, sternly rebuked the general who sent the message. He made clear his intention that the treaty was to be carried out to the letter and that no more matters concerning the treaty should be referred to him. The general was to inform Ross that any attempt on his part to have the treaty annulled would be suppressed. Nevertheless, John Ross, the leader of the opposition party, toured the west to arouse sentiment against removal. General Wool commanded the troops in the Cherokee country to prevent the opposition party from hindering those who removed.

Not only did the Indians claim the injustice of the act, but many generals recognized the unfairness of the treaty and were loath to carry out their duty of enforcing it. General Wool was one of these. In one of his letters he wrote:
The whole scene since I have been in this country has been nothing but a heart-rending one, and such a one as I would be glad to get rid of as soon as circumstances will permit. If I could, (and I could not do them a greater kindness,) I would remove every Indian tomorrow beyond the reach of the white man, who like vultures are watching, ready to pounce upon their prey and ready to strip them of everything they have or expect from the government of the United States. Yes, sir, nineteen-twentieths, if not ninety-nine out of every hundred, will go penniless to the West". (17)

(17) Foreman, Grant: Indian Removal, p. 272

Even the Governor of Tennessee who was to put down the Cherokee uprising, after learning the true situation remarked that he would not dishonor Tennessee by forcing at the point of the bayonet a treaty which was signed by a minority.

In spite of all efforts made, the Cherokee had to go. Councils, pleadings, uprisings, - nothing stayed the action of the removal.

(18) Jackson, Helen Hunt: A Century of Dishonor: p. 277)
And so the removal, the enforced migration began. The Cherokee nation split into factions fiercely fighting each other, and individual groups availed themselves of the provisions of the treaty which authorized themselves and their families to emigrate. Those who were willing (they were about a thousand out of fifteen thousand) to leave the country were held back by powerful chiefs who insisted on fighting for the Indian rights. Of those who were willing to leave, there were very few full-bloods. Those unwilling devised various schemes to prevent the former. Curry, who was enrolling Cherokees for removal to the West, reported thus to Herring, Commissioner of Indian affairs:

"Unjust claims of long standing have been placed in the Cherokee Sheriff's hands, and the property of emigrants seized on the high road, to extort money from or annoy them in their passage. . . . . They have been decoyed by the use of ardent spirits and there induced to incur debts without the prospect of advantage to themselves and their families". (19)

(19) Foreman, Grant: Indian Removal; p. 242.

In this way the Cherokee tried to dissuade their own people. Those Cherokees who after the passage of the forced removal left for the West, were not welcomed to the western land set aside for the Cherokees by the Treaty of 1828. The early emigrants took the stand that all the land granted by that treaty was exclusively theirs.
Some Indians thinking it safer and wiser to travel in individual groups availed themselves of the provisions of the treaty which authorized themselves and their families to emigrate. The treaty of 1835 allowed the Indians three years time within which to remove west.

The first party to leave after the treaty was in charge of Dr. S. Young. He had with him Doctor Lillybridge, a physician, and three interpreters. The party numbered about four hundred and sixty-six Indians - half this number were estimated to be children -. They traveled on eleven flat boats in three sections. Doctor Lillybridge reported considerable intoxication and disorder among them. Due to the exposure on the flat boats he had to treat a number of the Indians for colds. At Gunter's Landing they boarded the steamer Knoxville, and fastened the flat boats to her. They arrived at Decatur where in open cars they had to wait from three o'clock until dark. From here they had to travel overland by train to Tuscarawas, where they again boarded a boat. The keel boats were very damp, the weather was cold, and they had no fire. During the night the boat ran foul a snag. This caused a delay. After a few days of their journey Doctor Lillybridge found an increase in cold, influenza, sore throats, coughs, pleurisy, measles, fevers, toothaches, wounds from accidents and fighting.
They went through Memphis, then to Montgomery's point, at which place they started up the Arkansas River. This body of emigrants advanced to Little Rock and then to Fort Smith, where contrary to the advice of the agent, a large proportion landed their effects.

In short, the above was the course carried out by the first government removal of the Cherokees. Hardships, abuses and difficulties were inseparable on such a huge undertaking in spite of the watchful solicitude of their sympathetic leader, Doctor S. Young.

The Second Government Organized Removal.

The second emigrating party set out under B. B. Cannon, as conductor, on October 1837, traversing the states of Kentucky, Illinois and Missouri. The party had great difficulty in passing the Cumberland Mountains. On the average they covered twelve miles a day. Their ration consisted mainly of corn meal, bacon, sugar, coffee, and flour. Deaths occurred frequently.

November 12th the emigrants reached the Mississippi. Sickness caused by the unwholesome, stagnant waters of the Illinois and the wild grapes along its banks, increased among the group. The drivers became ill and others substituted for them. Sixty of the emigrants were too ill to travel. Within ten days four died. By the time they reached their destination
fifteen deaths occurred. More deaths were recorded on this second supervised government removal than on any previous removal. Perhaps it was due to the use of crowded conditions and the forced marches.

Removal of those Bound and Determined to Stay

Reports of the discomfort and disaster of those removed were no encouragement or incentive for those who were bound and determined to stay in Georgia. But the year 1838 was drawing near. That year marked the time limit for the Cherokee to get out. By January 1839 all Georgia was to be cleared of the red man. Ross, the intrepid red leader, still entertained hopes of having the treaty annulled.

"In spite of threats, arrests, and punishment Ross still continued active effort in behalf of his people. In the spring of 1838 two months before the time fixed for the removal, he presented to Congress another protest and memorial, dated February 22, and signed by fifteen thousand six hundred and sixty-five Cherokees, which like the others, was tabled by the Senate." (20)

(20) Foreman, Grant: Indian Removal, p. 283

Compare the number of signers of this treaty protesting the removal and the number of three hundred that signed the removal treaty of New Echota in 1835. Within the two years following the treaty, one thousand were induced to migrate...
beyond the Mississippi and Missouri Rivers. Over fifteen thousand remained for the government to force away from their homes and graves of their fathers. Such procedure was actually contrary to one of the stipulations of the treaty which stated explicitly that the Cherokee were not to be removed without their consent. The fraudulent signing of the treaty did not and could not justify the action.

The hopes cherished by Ross were in vain. His efforts in getting President Van Buren's permission to extend the time to prepare for the undertaking did not succeed. This permission was frustrated by Georgia's insistence. Their government claimed that a prolongation would infringe on the rights of that State and if the government troops would protect the Indians, the State would cause trouble for the Federal government.

There was no alternative. Since they had to go, they went. But they asked permission to manage the migration themselves. These Indians were well aware of the miseries, hunger, sickness, and deaths that resulted from unskillful management.

The Indians estimated the cost for one thousand Indians at Sixty-five Thousand eight hundred and eighty Dollars. This General Scott, who was in control of the removal, considered too high. He figured that out of every thousand, five hundred could walk. That would lessen the number of wagons, oxen, and drivers. Were the Indians too extravagant when they allowed Sixteen Cents a day for ration per Indian? Hardly, when the border schemers charged Two Dollars per bushel for corn, knowing that hunger necessitated the purchase.
The Commissioners reported to the Government that the cost estimated by the Indians was high; but, since it was taken from the Indians' own funds, their demands could not be rejected. The money in payment for the cost of transportation could undoubtedly be taken from the Five Million Dollar payment the Cherokee demanded for their country which was as large as Massachusetts, Rhode Island, and Connecticut combined.

The forced removal began May 23, 1838. They were loath to go. General Wool in one of his reports wrote:

"The people uniformly declare that they never made the treaty in question......so determined are they in their opposition that not one of all those who were present and voted in the council, held but a day or two since at this place, however poor or destitute, would receive either rations or clothing from the United States, lest they might compromise themselves in regard to the treaty. These same people as well as those in the mountains of North Carolina, during the summer past preferred living on the roots and sap of trees rather than receive provisions from the United States. Thousands, I have been informed, have had no other food for weeks." (21)

Then in May 1838 General Scott at the head of the military force was ordered to compel the removal. Part of the General's proclamation reads thus:

"My troops occupy many positions in the country that you are to abandon, and thousands and thousands are approaching from every quarter, to render resistance and escape alike hopeless."

(21) Jackson, Helen Hunt: Century of Dishonor. p. 28
All these troops, regular and militia, are your friends........Obey them when they tell you that you can remain no longer in this country. Soldiers are as kind hearted as brave, and the desire of every one of us is toexecute our painful duty of mercy. Chiefs, headman, and warriors, will you then by resistance compel us to resort to arms..........The blood of the white man or the red man may be spilled........Spare me, I beseech you, this horror of witnessing the destruction of the Cherokee." (22)

(22) Jackson, Helen Hunt: Century of Progress, p. 282.

He asked them to go at once to Ross's Landing or Gunter's Landing where the officers would receive them kindly. The road, women were taken from their houses and children from their play. In many cases, following up some of the events occurring in preparation for the forced migration and on the way to the west, will either prove or disprove the truth of the words addressed to the Indians.

General Scott placed his troops in different sections. They erected stockade forts. Into these the unwilling Indians were forced and kept until all the Indians of that section were gathered and brought in by squads of troops who were sent to search them out with rifle and bayonet. Many Indian families were startled at table by the sudden appearance of the soldiers in the doorway. The whole affair was a tragedy. The most forceful exposition is given by James Mooney which is found in the book "Indian Removal". Direct quotation will convey the best idea of the terrible fight of the unfortunate Indians. Therefore it is given at length.
"The history of the Cherokee removal of 1838, as gleaned by the author from lips of the actors in the tragedy, may well exceed in weight of grief and pathos any other passage in American history. Even the much sung exile of the Acadians falls far behind it in its sum of death and misery. Under Scott's orders the troops were disposed at various points throughout the Cherokee country, where stockade forts were erected, for gathering in and holding the Indians preparatory to removal. From these, squads of troops were sent to search out with rifle and bayonet every small cabin hidden away in the coves or by the sides of mountain streams. Families at dinner were startled by the sudden gleam of bayonets in the doorway and rose up to be driven with blows and oaths along the weary miles of trail that led to the stockade. Men were seized in their fields or going along the road, women were taken from their wheels and children from their play. In many cases, on turning for one last look as they crossed the ridge, they saw their homes in flames, fired by the lawless rabble that followed on the heels of the soldiers, to loot and pillage. So keen were these outlaws on the scent that in some instances they were driving off the cattle and other stock of the Indians almost before the soldiers had fairly started the owners in the other direction. Systematic hunts were made by the same men for Indian graves, to rob them of the silver pendants and other valuables deposited with the dead. A Georgia volunteer, afterward a Colonel in the Confederate service said: 'I fought through the Civil War, and have seen men shot to pieces and slaughtered by the thousands, but the Cherokee was the cruelest work I ever knew.'

(23) Foreman, Grant: Indian Removal, p. 287

The foregoing is an account of the sufferings, hardships, cruelties and injustices the Indians underwent in congregating at the stockade. It was only a preliminary to the treatment evidently in store for them on their long journey during the summer months over hills, rivers, and through swamps.
When the seventeen thousand Cherokee were all gathered in the stockades they were started off in aggregates of five thousand persons accompanied by military officers. This large group was divided into three or four smaller groups and supervised by military assistants. The first party consisted of about eight hundred. They started on June 6th. We will note the adventures they encountered. Those facts will give us an insight as to the proceedings of the succeeding parties.

The eight hundred of the first party were forced on the boats which were latched together. The first day they went four miles and had serious difficulty in passing a rapid. At Decatur the Indians boarded the train to Tuscombria. About thirty-two cars were necessary to transport the party. At Tuscombria they went into camp while awaiting transportation by steamboat to Waterloo. They changed boats and went to Paducah, Kentucky. Here Deas, the commander of the emigrants, found his party numbered only four hundred and eighty-nine. The party passed through Memphis, and arrived at Montgomery's Point at the mouth of the White River. Their pilot took a cut-off and entered the Arkansas River. They passed up the river seventy miles, anchored, and the emigrants went ashore. The sandbars in Arkansas prohibited their traveling at night. It took them three days to reach Little Rock. In two days more they came to Fort Smith and Fort Coffee. The emigrants went ashore, where they were urged by their friends to stay and not to proceed to Fort Gibson. Here they decided to stay.
The second party followed the same route as the first. They met with more difficulties. They were delayed by want of boats and conveyances. More deaths occurred and sandbars impeded their progress. Wagons had to be secured to continue the journey for part of the way. The hot weather and drought increased the sick and death list. By the end of the first month between two and three hundred were ill. Some days the death rate was as high as six or seven. In three weeks exactly seventy had died.

The memoirs of each succeeding party would contain similar events as were noted about the first and second parties' removal. Some groups suffered more than others. Those that left late in June and had to travel through the heat of the summer suffered most and had the greatest mortality.

Louis Ross and other leading men petitioned General Scott to allow them to conduct their own removal in autumn. This he allowed under condition that they all would depart in September. In the meantime he kept them in concentration camps at the stockade. Because of the unprecedented drought it was impossible to start before October.

The Cherokee council organized the emigration of thirteen thousand into detachments of one thousand each, in charge of two leaders and a sufficient number of horses and wagons for each. Each party was under a police organization that had the power to punish infractions on regulations. Sickness and death accompanied these migrations also. Children and very old people
who could not stand the strain, succumbed to all manner of
diseases. The difficulties, distress and hardships can no better
be told than by George Hicks, who was in charge of the last
party that left on November 4th. Hicks sorrowfully reported
to chief Ross the following:

"We are now about to take our final leave
and kind farewell to our native land, the
country that the great spirit gave our
fathers; ........Since we have been on
our march many of us have been stopped and
our horses taken for the payment of unjust
demands; yet the government says we must
go, and its citizens say you must pay me,
and if the debtor has not the means, the
property of his next friend is levied on,
and yet the government has not given us our
spoilation as promised; our property has
been stolen and robbed from us by white men
and no means given us to pay our debts.....
The Indians were suffering extremely from
the fatigue of the journey and ill health,
consequent upon it.......Several were
then quite ill and one aged man we were
informed was in the last struggles of death.
The sick and feeble were carried in wagons-
even aged females apparently ready to drop
into the grave were traveling with heavy
burdens attached to their backs - on a
sometimes frozen ground, and sometimes muddy
streets, with no covering for the feet
except what nature had given them........
We learned from the inhabitants on the road
where the Indians passed that they buried
fourteen or fifteen at every stopping place,
and they make a journey of ten miles per day
on an average.........One lady passed on in
her hack, a mother, and her youngest child
of three years was sick in her arms.......All
she could do was make it comfortable as the
circumstances would permit.......She could only
carry her dying child in her arms a few miles
further, and then must stop in a stranger
land and consign her much loved babe to the
cold ground." (24)
Conclusion

Perhaps the account of the treatment of the Indians in this brief survey might initiate a strong feeling against the government for not hindering such injustice. That the Indians were wronged cannot be denied. That the whites suffered cruel treatment at the hands of the Indians was also true. The settlers and the Indians were the parties at variance. The government tried in different ways to avoid evident conflict or settle the difficulties. From the beginning of its policy it held the wrong attitude toward the Indians' right of land. It also had, no doubt, a false idea of the character and abilities of the natives. Due to the conditions of the times, lack of communication, and the pressure brought on the government by unscrupulous settlers, are some of the reasons that would account for the mismanagement of the whole affair and the mistakes made.

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