

What happened to Cherokees, Seminoles, and western tribes during removals?

Chapter

5

Who were the “Old Settlers?” Although most of the southeastern tribes had a few members who had moved west long before Indian removal became a government project, the Cherokees had the largest number. Traveling west of the Mississippi River to hunt, some had decided to stay there, away from the influence of white people. They sent for their families or returned home and accompanied them west to establish their new homes in the 1790s. They grew in number, and when the eastern tribe moved west in the 1830s, the first group was known as the Old Settlers.

The Treaty of 1817 was the first treaty with any of the southeastern Indians that referred to removal. A handful of minor Cherokee leaders signed the treaty and moved their followers to the West, hoping for a peaceful existence. When they arrived in the West, however, they found their tribesmen at war with the Osages. By this time, almost one-third of the Cherokee Nation lived in the West.

How did Cherokees in the East try to adapt? The Cherokees who remained in the East were determined to remain there forever. In 1819, the federal government promised them it would not ask for any more land. Between 1819 and 1827, Cherokee leaders launched a deliberate program to make the Cherokees acceptable to whites. The white people had always referred to them as “savages” and “uncivilized.” So the Cherokees welcomed missionaries, who had previously been kept out. They set up a judicial system, a legislative system, and a permanent capital. They adopted a constitution based on the U.S. Constitution. After Sequoyah invented the Cherokee syllabary, they published books and newspapers in their own language. They also learned English and organized schools. They became the most literate of all the eastern tribes. In addition, they wore white fashions and set up farms and businesses like those of their white neighbors.



How did Georgia laws conflict with federal laws? In 1829, in his first address to Congress, President Jackson called for removal of all the Indians in the Southeast. He wanted to move them west of the Mississippi River. It was obvious whites were not interested in Indian *assimilation*. They were interested only in Indian land. The state of Georgia began passing laws prohibiting the Cherokee government from functioning.

Also in 1829, gold was discovered in northern Georgia. During the gold rush, Cherokees were literally routed from their homes, their women raped, their men beaten, and their homes looted. The Georgia Guard was sent in to protect the Cherokees but, instead, committed cruel or evil acts of their own.

In 1831, Georgia sent its state guard to arrest 11 missionaries who they believed had been working with the Indians against removal. The Georgia Guard arrested the missionaries on charges of failure to take a required oath of allegiance to the state. All but two, Samuel Worcester and Elizur Butler, took the oath and were dismissed. The court sentenced Worcester and Butler to four years in the Georgia penitentiary.

The Cherokees funded an appeal. The U.S. Supreme Court ruled that “the state laws of Georgia, when applied to Indian affairs, were null and void and must give way to federal law.” The state, backed by President Jackson, ignored the court’s ruling. The missionaries remained in prison.

What was the Treaty of New Echota? Back in 1819, the federal government had promised the Cherokees they could keep their land. Until 1835, four Cherokee leaders held firm that government should honor its promise. Elias Boudinot, Major Ridge, John Ridge, and Principal Chief John Ross had maintained a steadfast front against removal. On December 29, 1835, however, at New Echota, three of them – Boudinot and the two Ridges – signed a treaty agreeing to remove to the West. John Ross did not sign.

Some historians have hinted that they were tricked or bribed into it. Others hold that they could no longer endure their people’s suffering in the East and decided that removal would be better. It is even possible these men came to believe that staying in the East would mean eventual extinction.

Regardless of the change of heart of these leaders or their reasons for it, most Cherokees still opposed removal. Principal Chief John Ross was one-eighth Cherokee and well-educated in white schools. He lob-

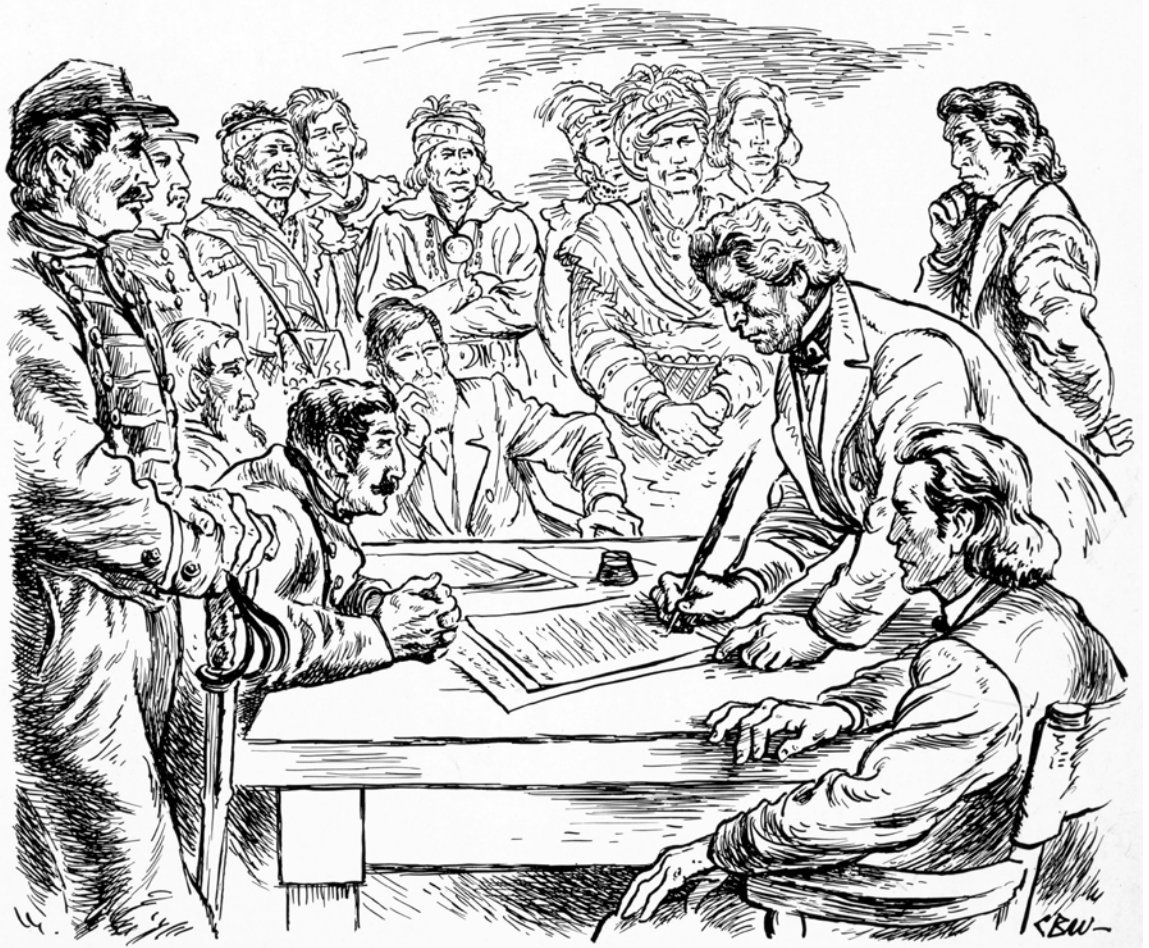
bied in Washington against the treaty. He bargained for time and tried to make new *concessions*. The treaty had been ratified, however, and authorities did not listen to him. Ultimately, he abandoned all legal efforts and refused, along with most of the Cherokees, to move to the West. Because of his efforts, fourteen thousand of the sixteen thousand Cherokee citizens stayed in Georgia.

How were the Cherokee removals handled? The federal troops assisted in the removal of the two thousand who went west. They would not disarm the other Cherokees and herd women and children

into detention camps. The Georgia Guard, then, rode into the countryside capturing Cherokees and bringing them to detention camps.

The President sent Major General Winfield to the Georgia-Tennessee area to take charge of the seven thousand troops in the field and to speed Cherokee removal. A compassionate man, Scott threatened severe punishment for any man who committed the slightest indiscretion (an act lacking fact or fairness). The Cherokee country was a big place, though, and reports of rape, robbery, and murder were repeatedly heard throughout the area.

Even though a great number of whites mistreated the Indians or connived to take Indian lands, many others were horrified at the treatment of the Cherokees. They wrote to the government objecting to the treatment of the Indians by the military and, especially, objecting to their



The Treaty of New Echota was signed by Elias Boudinot, Major Ridge, and John Ridge on December 29, 1835.

Illustration by Charles Banks Wilson

being driven from their homes.

It is not known who first gave orders to drive Cherokees from their homes. Perhaps Georgia guardsmen followed no orders except those given in the field. When Jackson sent Scott into Tennessee and Georgia, however, his intentions were clear: Move the Cherokees by force.

Scott did his best to see that the removal was humane, but he had too little control over too large an area.

The Cherokee people were removed in several parties during the winter of 1838-1839. They had only the clothes they were wearing when driven out of their homes. There were few blankets, inadequate shelter, and insufficient food. Diseases such as cholera, measles, consumption, pneumonia, and diphtheria ran rampant through the parties. No one knows the exact number of lives lost, but it is estimated that one-fourth of those removed died either in the *stockades* or on the trail west.

What was the Trail of Tears? The Cherokees were the first to give the western journey a name: The Trail Where They Cried, later shortened to the Trail of Tears. Eventually, this name came to refer to all the removals of the five southeastern tribes because of their sufferings



John Ross
Cherokee chief
Library of Congress,
Prints and
Photographs Division:
LC-USZC4-3156

and mortality rate.

What happened to Cherokees in Indian Territory? When they arrived in Indian Territory, the Cherokees had become three distinct groups — the Old Settlers, the Treaty party (those removed after the Treaty of New Echota), and the Ross party. There was much bitterness between the Treaty group and the Ross group.

On June 22, 1839, the three leaders who had signed the Treaty of New Echota were killed in separate incidents. Elias Boudinot was killed with knives and hatchets near Samuel Worcester's home. Major Ridge was shot in an ambush. John Ridge was dragged from his house and stabbed. Although these assassinations occurred miles apart, they happened at almost exactly the same moment. They were the first of many incidents in the fight between the separate Cherokee factions.

Chief John Ross, sincerely saddened by the in-fighting, tried to pro-

tect leaders from both sides. Finally, in 1846, Indian agents helped settle disagreements and united the Cherokees as a single nation. Despite resentments, the Cherokees became a prosperous nation again. But the *dissension* was not buried. It reared itself again fifteen years later with the beginning of the War Between the States.

Who were the Seminoles? The Seminoles, relatives of the Creeks, were originally called the Oconee tribe. They were first called Seminoles by British agent John Stuart in Florida in about 1762. They had been a part of the Creek Nation, which, in fact, was a confederacy. Oconee was only one faction of that confederacy.

The Seminoles moved south in the late 1700s and severed all connections with the Creek tribes. They formed a separate tribe with their own government. By the early 1800s, they even had separate world powers ruling them. Spain ruled Florida at that time. England had ruled Alabama and Georgia earlier, but the U.S. ruled them since the Revolution.

What was the first Seminole War? The first Seminole War was only a *skirmish*, or a brief fight, in 1818. It gave an excuse for Andrew Jackson to march on Pensacola, the Spanish seat of government. The Spanish governor fled, and in 1819, Spain ceded Florida to the United States. No treaty was ever signed ending the First Seminole War. The Indians were uncertain of their relationship with the new government.

Many slaves had fled into Florida during its Spanish rule. Some of them lived with the Seminoles. When American commissioners or Georgian slave-owners ventured into Florida to look for the runaways, both slaves and Seminoles retreated further into the interior. Thus, the Seminoles became well-acquainted with the area today known as the Everglades, a swampland in the lower Florida peninsula.

What was the Treaty of Camp Moultrie? Government officials tried to remove the Seminoles to the West or re-attach them to the Creek tribe. Seminoles opposed both ideas vigorously. Then in 1823, the U.S. government succeeded in making the first signed agreement, the Treaty of Camp Moultrie, with the Seminoles. Whether by trickery or bribery, the tribe agreed to move to a reservation south of Tampa Bay. They ceded their tribal lands to move to this swampy location. They further promised to keep runaway slaves out of their area. In return, they were to receive livestock, farming equipment, and annuities for twenty years. The Seminoles thought this meant that the treaty was in effect for at least twenty years. They were certain that the reservation was theirs for

Do You Know?

Originally the Normal School, the University of Central Oklahoma was Oklahoma's first public school of higher education.

that time.

Rather than being solved, however, the runaway slave problem became worse. Further, the land given the Seminoles was not suitable for agriculture, and a drought worsened conditions. The Seminoles had to violate the boundaries of the treaty to keep from starving. Whites continually forced their way into the reservation to look for slaves. They often mistreated the Indians and the African-Americans. They even captured blacks who had lived free and were born of free parents.

How was Seminole removal accomplished? When Andrew Jackson was elected President, the *demand* for removal was stepped up. It included the Seminoles, even though the land they occupied was pronounced by the government as unfit for cultivation.

In addition, the government was demanding that the Seminoles join the Creek tribe and move with them. This was not at all acceptable to the Seminoles. In the first place, the Creeks had often teamed with the whites to fight the Seminoles. In the second place, Creeks had been involved in the slave raids, which the Seminoles greatly resented. The Seminole/slave relationship was a close one. Not only did Seminole slaves fear transfer to new masters, but their masters feared it for them.

What was the Treaty at Payne's Landing? In 1832, Colonel James Gadsden and the Seminoles met at Payne's Landing. They signed a controversial treaty for removal. Chief Micanopy said later that his mark had been forged. Chief Charley Emathla claimed they were forced to sign. Today, no one knows how Gadsden settled the treaty. It is clear, however, that the Seminoles were starving and he promised them food if they would sign. One condition was that the government would only pay annuities to the Creek tribe — so the Seminoles could collect their payments only by rejoining the Creeks.

The Seminoles made a condition of their own: A scouting party would explore the western land and report on it and on the attitudes of the Creeks. The majority of the tribe had to approve the situation before the Seminoles would move. If they agreed, then they would honor the rest of the treaty. Otherwise, it became void.

All agreed on the treaty going into effect in 1833 with the first of three removals. However, Congress didn't ratify the treaty until 1834. The Seminoles felt that they should not be bound by its terms, but the government insisted that the Indians should conform to them.

What was the Treaty at Fort Gibson? The Seminoles sent scouts west, and they did not like what they found. The land was satisfactory,

but they objected to living so near the western tribes, who, they claimed, stole horses. Yet they signed the Treaty of Fort Gibson, agreeing to move to the western part of the Creek Nation.

Why did they sign? It has been suggested that the government officials may have threatened to not escort the party back to Florida. Some Seminoles thought the document merely stated that they found the land satisfactory.

The most significant problem with the Fort Gibson treaty was that it changed the wording from the Payne's Landing Treaty. The new one stated that only the scouts, not the majority, had to approve the land. When the Seminoles in Florida heard of this treaty, they rejected it. They considered the Payne's Landing Treaty void and the Treaty of Camp Moultrie still effective until 1843. They had no intention of moving from the reservation until that date. However, when they called for a general council on the treaty, the government agent told them it was "out of his hands." He said he must carry out the terms from Fort Gibson. In other words, the Seminoles had to move to the West.

Who was Osceola and what was the Great Seminole War? By April 1835, the Seminoles were still *staunchly* refusing to leave Florida. Colonel Duncan L. Clinch advised them that the government would use force to move them, if necessary. Indian agent Wiley Thompson tried to oust leaders who refused removal. One such leader was Osceola. At one meeting, the story goes, Osceola, who was not a chief, was not entitled to speak. But he moved to the front of the room, thrust his knife through the agreement paper, and said to Thompson, "That is your heart and my work!"

Osceola became more powerful and more opposed to removal. He and Thompson became dire enemies. While Thompson arranged for removal, Osceola and the Seminoles made plans to remain. In Decem-



Osceola, the most celebrated character in the Indian Wars of Florida.

From a lithograph in McKenney and Hall, History of the Indian Tribes of North America, Philadelphia, 1838

ber 1835, Osceola's band began their active resistance and launched the Second (or Great) Seminole War. They made two surprise attacks on companies of soldiers, ambushing them on the trail and then disappearing into the woodlands. During the second attack, Osceola killed and scalped Thompson, giving the blood-curdling war-whoop for which he later became famous.

After a third attack on December 31, Osceola sent a message to Colonel Clinch:

You have guns and so do we; you have powder and lead and so do we; you have men and so have we; your men will fight, and so will ours until the last drop of the Seminoles' blood has moistened the dust of his hunting ground.

In March 1836, Osceola and Jumper, a Seminole warrior, asked to meet with the army. They suggested enough men had died and enough blood had been shed. Captain Ethan Allen Hitchcock believed in their sincerity. He met with them and made headway toward declaring peace. Just as their meeting ended, however, Colonel Clinch's men arrived to "aid" the troops "trapped" by the Seminoles. They attacked the Indians and peace negotiations halted.

In the summer of 1837, Brigadier General Thomas S. Jesup went to Florida to stop the Great Seminole War. Several times Jesup violated truce flags and arrested Seminole leaders who had gathered to talk peace. He rounded up Seminoles in small bands and forcibly moved to them west, but they still fought. Jesup put Osceola in prison, where he died from malaria the next year.

In May 1841, the army sent Colonel William J. Worth to Florida to subdue the Seminole tribe. He engaged in less warfare but more destruction than other commanders, destroying Seminole crops, cabins, and supplies. He captured the current Seminole leader, Wild Cat. By February, 1842, Worth estimated that only three hundred Seminoles were left in Florida and recommended they be allowed to stay there. The government declined. Worth continued the war until August, when the government declared it ended.

What was the special tragedy of the Seminoles? An 1844 *census* declared that there were 3,136 Seminoles in Indian Territory. Most of those were moved forcibly, captured by the army and transferred in chains. In the Seminole removal, more than 40 percent of their num-

ber died; fifteen hundred soldiers were killed and many others disabled. There is no record of how many Seminoles remained in Florida

The Seminoles received a portion of the Creek lands, and they were at first under Creek rule. Like the Chickasaws, however, they were a proud and independent people. After a number of years, they negotiated to establish their own government and rule themselves. This occurred in 1856.



Meanwhile, in Florida, the murder of a white man started the Third Seminole War in 1849. Removal cries were heard again, and the war lasted until 1859 when government officials finally abandoned the efforts to drive the remaining Seminoles from the Everglades. Thus, the government fought the Florida Seminoles from 1835 to 1859 over a piece of land that most white people didn't want. The cost to the government for removing the Seminoles, not counting lives lost, was \$6,500 per Indian. That was a real fortune then, and far more than the value of the Florida swamps.

What progress and challenges did the tribes achieve? The spirit of the Indians, temporarily subdued, revived in the West. Four of the Five Civilized Tribes wrote constitutions similar to that of the United States. (The Seminoles, though working with the same form of government, did not commit it to writing.) Schools, churches, farms, and businesses took root on the prairie. Life in the West became much like life in the East had been for most of the removed Indians. They continued their lives and many of them prospered, but none of them ever forgot the trauma of the Trail of Tears.

What happened to other western tribes? The Five Civilized

*Early Ranch in
No Man's Land
Oklahoma Historical
Society*

Tribes were not the only Indians to be removed to Indian Territory. Many western tribes were given land there in exchange for the land they had previously called home. Some of them had claimed Indian territorial lands as their hunting grounds for decades. They found themselves without hunting grounds because the U.S. had given those lands to Eastern tribes.

Western tribes stopped fighting each other and began fighting whites with great vigor. They found their country invaded by long wagon trains of settlers and supplies. Larger and more *numerous* units of soldiers patrolled their lands. Poachers took whatever they could.

The greatest disadvantage the Indians faced was what appeared to be an unlimited population of whites. Their own numbers were limited and grew smaller every year. As they tired of fighting, small groups of Kiowas, Southern Cheyennes, and Comanches signed peace treaties and moved into the land designated for them — Indian Territory. Other Plains tribes began forming *alliances* to protect themselves from the onslaught of white settlement.

What encouraged whites to move west? Two events escalated the westward movement of whites: the Mexican War of 1846-1848 and the discovery of gold in California in 1848. Both of these events brought whites across Indian country. This was also the era of Manifest Destiny, a belief that America had a kind of duty to expand its borders.

All the Five Civilized Tribes had effective police forces who patrolled their own borders, thus also protecting the borders of the United States. But they were unable to control the constant illegal traffic of liquor. Nor could they *evict* all of the lawless people who chose to hide from their own government by slipping into Indian Territory.

The region became home to removed southeastern Indians, a few western tribes who had tired of fighting for their homelands, frontier troops and traders, and a few poaching settlers. There were also the government agents and other government workers. They provided various services to the Indians and worked to fulfill the agreements in the removal treaties.

What was No Man's Land? The most lawless area was attached neither to the United States nor to Indian Territory. It was No Man's Land, now the Panhandle of the state of Oklahoma. When boundaries of Texas were fixed at the close of the Mexican War, the Texas Panhandle claimed Parallel 36°30' as its northernmost border. No state claimed the property between Texas and the 37th Parallel. During the 1850s, the

Do You Know?

Manifest Destiny was an idea, not a political policy. A journalist coined the term in 1845 and it became popular in justifying westward expansion.

federal government was so enmeshed in the slavery *controversy* that no one noticed this orphaned area. For years, the only people there were travelers — traders going to and from Santa Fe, Indians following the buffalo herds, gold-seekers on their way to the West Coast, or pioneers on their way to Oregon.

Thus, there was little law in No Man’s Land. No state law ruled it, and there was no immediate cause to exercise federal law. It became a haven for outlaws. Those who could tolerate the *arid* barrenness of the land *established* their headquarters in that district, safe from the hands of territorial lawmen.

What effect did the Civil War have on Indians? Like the whites, most Indians did not own slaves. There were several thousand slaves in Indian Territory, but they belonged to a small number of Indian planters. Even then, the majority of farmers owned only one or two slaves, while a few owned hundreds. The same conditions existed in the southern states among the whites.

As the slavery *controversy* worsened in the eastern part of the nation, the Indian tribes began to fear that another white man’s war would invade tribal life. The Indians had learned that, regardless of how hard they tried, they could not remain neutral in a white man’s war.

DISCUSSION QUESTIONS

1. Discuss the early, voluntary removal of the Western Cherokees.
2. Who were the leaders of the Eastern Cherokees, and how did the signing of the Treaty of New Echota affect the leadership?
3. Discuss the removal of the Cherokees under the command of General Winfield Scott.
4. How did the issue of slavery play a role in the demands to remove the Seminoles?
5. Explain the separation of the Seminoles from the Creeks and why they opposed a reunion.
6. What were the provisions of the Treaty of Camp Moultrie?
7. What was the Treaty of Fort Gibson?
8. Briefly describe the removal of the Seminoles.
9. Describe “No Man’s Land” by telling where it was and what happened there.
10. When was Andrew Jackson President?

Do You Know?

In Guthrie, nearly 20,000 lighters and “fire starters” are displayed at the National Lighter Museum. This is the nation’s only museum devoted to the collection of cigarette lighters.