

GET TO KNOW :

- Major Ridge
- John Ridge
- Elias Boudinot
- John Ross
- Treaty of New Echota
- Cherokee removal
- Trail of Tears
- Treaty of Camp Moultrie
- Osceola
- Seminole removal

OBJECTIVES :

- Understand the Cherokee and Seminole removals;
- Examine legal challenges to removal;
- Look at the conflict created by removal; and
- Discuss the Trail of Tears.

How were whites able to justify the removal of Indians?

How might Native Americans have viewed the doctrine of Manifest Destiny?

Why do you think Cherokee efforts to assimilate to white ways failed?

How were whites able to justify the removal of Indians?

1825

1830

1835

1823 Treaty of Camp Moultrie

1832 Treaty at Payne's Landing

1833 Treaty at Fort Gibson

1835 Treaty of New Echota

1835 Great Seminole War

CHAPTER 5

Later Removals

The Ozark Plateau of Arkansas and Eastern Oklahoma was familiar territory for the southeast tribes long before Removal. When game was scarce, hunting parties would raid the areas of rivals, sometimes proceeding west of the Mississippi River and taking them as far as Oklahoma.

By as early as 1875, with settlers seeking their lands, some Cherokees moved to Arkansas to avoid conflict and to continue their traditions without interference. In the early 1800s, the U.S. government offered — to the Cherokee — land trades in Arkansas as well. The Cherokee who remained in the Southeast broke into factions of those who wanted to stay and those who thought it best to move.

THE INDEPENDENCE THAT HAD BEEN WON in the Revolution was reaffirmed in the War of 1812. The spirit of nationalism that swept the country in the next two decades demanded more territory. Expansion westward seemed perfectly natural to many Americans in the mid-nineteenth century. Courageous pioneers believed that America had a divine obligation to stretch the boundaries of their noble republic to the Pacific Ocean. The “every man is equal” mentality of the Jacksonian Era fueled this optimism.

Many settlers believed that God Himself blessed the growth of the American nation. Native Americans were considered heathens. Newspaper editor John O’Sullivan coined the term **MANIFEST DESTINY** in 1845 with the declaration that it is:

“. . . our manifest destiny to overspread the continent allotted by Providence for the free development of our yearly multiplying millions”

1840

1845

1850

1838–39 Cherokee removal

1839 Cherokee Constitution adopted

1842–59 Seminole removal

1844 *The Cherokee Advocate*, first newspaper published in Indian Territory

1848 Chickasaw Constitution adopted



Before his election as President, Andrew Jackson had been involved with the issue of Indian removal for more than ten years. The removal of the Native Americans to west of the Mississippi River had been a major part of his political agenda in the 1828 presidential elections. After his election, he signed the Indian Removal Act into law in 1830. The Act authorized the President to negotiate treaties to buy tribal lands in the East in exchange for lands further west, outside existing U.S. state borders.

Although most southeastern tribes had a few members who had moved west long before Indian removal became a government project, the Cherokee 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. In the 1790s, they sent for their families or returned home and accompanied their family members west to establish their new homes. They grew in number, and when the eastern tribe moved west in the 1830s, the first group was known as the “Old Settlers.”

Who were 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 Osage. By this time, almost one-third of the Cherokee Nation lived in the West.

How did Cherokees in the East try to adapt?

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 Cherokee acceptable to whites. The white people had always referred to them as “savages” and “uncivilized.” So the Cherokee 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.



JOHN RIDGE, the eldest son of Major Ridge, was educated at Springplace, Georgia, and the Foreign Mission School at Cornwall, Connecticut. In 1823, he was an interpreter at the national council. He accompanied the Cherokee delegation led by his father, Major Ridge, to Washington, D.C., in 1824. This exposed him to national politics and the growing specter of removal. He also served as secretary and advisor to the Creek delegation opposed to the Indian Springs Treaty.

Ridge also developed a plantation at Running Waters, Georgia, near the Oostanaula River and owned twenty-one slaves prior to removal. He became one of the first lawyers in the Cherokee nation.

He negotiated the Treaty of New Echota in 1835 and moved west in 1837. He was brutally murdered on June 22, 1839, along with his father and Elias Boudinot for their role in Cherokee removal.



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

looted. The Georgia Guard was sent in to protect the Cherokees but, instead, committed cruel or evil acts of its 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 Cherokee 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 Cherokee they could keep their land. Until 1835, four Cherokee leaders maintained that the 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 signing, most Cherokees still opposed removal. Principal Chief John Ross was one-eighth Cherokee and well-educated in white schools. He lobbied 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 Cherokee, to move to the West. Because of his efforts, fourteen thousand of the sixteen thousand Cherokee citizens stayed in Georgia.

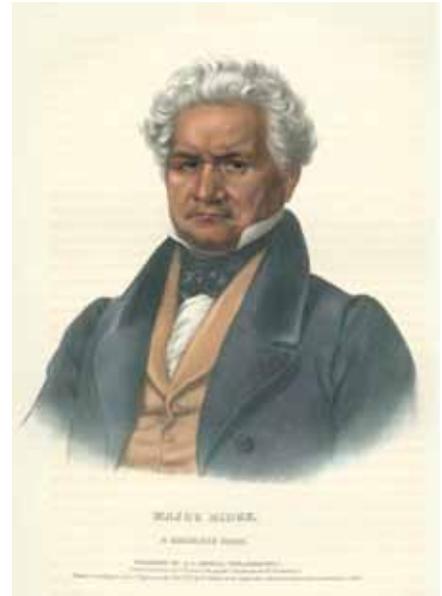
How were the Cherokee removals handled?

Federal troops assisted in the removal of the two thousand Cherokees who went west. The federal troops would not disarm the Cherokees who remained nor would they herd women and children into detention camps. However, the Georgia Guard rode into the countryside, capturing Cherokees and bringing them to the detention camps.

The President sent Major General Winfield Scott 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). Cherokee country was a big place, however, and reports of rape, robbery, and murder were repeatedly heard throughout the area.

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

It is not known who first gave orders to drive Cherokees from their homes. Perhaps Georgia guardsmen followed no



MAJOR RIDGE was a forceful leader of his people and at the forefront of the Cherokee “civilization” movement. In many ways, he represents the transition of the Cherokee Nation from that of hunters and warriors to one of a market economy. He educated his children at mission schools, and although he dressed and lived like his white neighbors, he was very much a Cherokee.

He was a successful businessman, operating a ferry, a trading post, and a plantation with thirty slaves. Due to the influence of his son, John Ridge, he reversed his stand and became an advocate for removal in 1832. Convinced that his people faced destruction, Ridge openly opposed John Ross's leadership and signed the removal treaty of New Echota in 1835. He removed to the West in 1837, resumed farming, and opened a mercantile business. Because of his role in removal, Ross supporters assassinated him, his son, and his nephew, Elias Boudinot, on 22 June 1839.



SEALED FATE: TREATY OF NEW ECHOTA

Shan Goshorn, 2010

The Cherokees are master basket weavers. The tradition continues today with this lidded double-weave protest basket printed with the Treaty of New Echota on the exterior splints. The interior is from more than ninety-five pages of Cherokee signatures protesting the legality of the document. The design on the lid is a traditional Cherokee pattern called “man-in-a-coffin” and is created from President Andrew Jackson’s signature because it was he who authorized the removal of Cherokees from their homeland to Indian Territory, Oklahoma.

orders except those given in the field. When Jackson sent Scott into Tennessee and Georgia, however, his intentions were clear: Move the Cherokee 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 1838-39. They had only the clothes they were wearing when driven out of their homes. There were few blankets, and they were provided 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 Cherokee were the first to give the western journey a name: “The Trail Where They Cried,” later shortened to the Trail of Tears. Eventually, because of the Native American’s sufferings and mortality rates, this name came to refer to all the removals of the five southeastern tribes.

What happened to Cherokees in Indian Territory?

When they arrived in Indian Territory, the Cherokee 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 protect leaders from both sides. Finally, in 1846, Indian agents helped settle disagreements and united the Cherokee as a single nation. Despite resentments, the Cherokee 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 Seminole, relatives of the Creek, were originally called the Oconee tribe. They were first called Seminole 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 Seminole 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 Seminole. 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 Seminole 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 Seminole 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



Maggie Narcomey (on the right) is standing with her granddaughters and W.L. Coker in a photo taken in Indian Territory. The young women seated in front wearing traditional Seminole clothing were possibly relatives visiting from the Florida homeland where they were able to maintain their traditional lifestyle.

Camp Moultrie, with the Seminole. 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 Seminole thought this meant that the treaty was in effect for at least twenty years. They were certain that the reservation was theirs for that time.

Rather than being solved, however, the runaway slave problem became worse. Further, the land given the Seminole was not suitable for agriculture, and a drought worsened conditions. The Seminole 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 Seminole, even though the land they occupied was pronounced by the government as unfit for cultivation.

In addition, the government was demanding that the Seminole join the Creek tribe and move with them. This was not at all acceptable to the Seminole. In the first place, the Creek had often teamed with the whites to fight the Seminole. In the second place, Creeks had been involved in the slave raids, which the Seminole 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 Seminole 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 Seminole were starving, and Gadsden promised them food if they would sign. One condition was that the government would only pay annuities to the Creek tribe — so the Seminole could collect their payments only by rejoining the Creeks.

The Seminole made a condition of their own: A scouting party would explore the western land and report on it and on the attitudes of the Creek. The majority of the tribe had to approve the situation

before the Seminole 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 Seminole 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 Seminole 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 government officials may have threatened not to 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 Seminole 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 Seminole had to move to the West.

Who was Osceola and what was the Great Seminole War?

By April 1835, the Seminole were still **staunchly** refusing to leave Florida. Colonel Duncan L. Clinch advised them that the government would use force, if necessary, to move them. 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 bitter enemies. While Thompson arranged for removal, Osceola and the Seminole made plans to remain. In December 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 Seminole. 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



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.

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 Seminole?

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

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

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 their 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 Seminole, 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 did the tribes achieve and what challenges did they overcome?

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 Seminole, 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 encouraged whites to move west?

Two events escalated the westward movement of whites: the Mexican War of 1846-48 and the discovery of gold in California in 1848. Both 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 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 government agents and other government workers. They provided various services to the Indians and worked to fulfill the agreements in the removal treaties.

LATER REMOVALS



CHOCTAW LIGHTHORSEMEN. The Five Civilized Tribes had effective police forces called Lighthorsemen. Seated left to right are Ellis Austin and Stanley Benton. Standing on the left is Peter Conser, and, on the right, an unknown Lighthorseman. C. 1928.

Chapter Summary

The long and terrible process of removal continued with the Cherokee and Seminole tribes. Despite the Cherokee tribe's significant Eastern population, assimilation, and legal challenges, they were not able to resist the removal process. While some left earlier and became known as the Western Cherokee, the tribe as a whole was forced to move to Oklahoma. The Seminole were the last and fought the hardest to resist removal; they fought several wars with the United States government, finally being defeated in 1859.

VOCABULARY

Write a short definition of each word below, as it is used in the textbook.

evict
 forge (verb)
 formidable
 census
 alliance

DATES TO EVENTS

Match dates with events. One date should be used twice. **A.** 1838-1839 winter **B.** 1817 **C.** 1846
D. 1819 **E.** 1823 **F.** 1835 **G.** 1859

1. Minor Cherokee leaders signed the first treaty that referred to their removal.
2. Cherokees were removed during the Trail of Tears.
3. Seminoles signed the Treaty of Camp Moultrie.
4. The Mexican War brought more whites to Indian lands.
5. Osceola led the beginning of the Great Seminole War.
6. The U.S. abandoned efforts to drive out the last Seminoles.
7. Spain ceded Florida to the United States.

REMEMBERING THE DETAILS

1. Discuss the early, voluntary removal of the Western Cherokee.
2. Who were the leaders of the Eastern Cherokee, and how did the signing of the Treaty of New Echota affect the leadership?
3. Discuss the removal of the Cherokee under the command of General Winfield Scott.
4. How did the issue of slavery play a role in the demands to remove the Seminole?
5. Explain the separation of the Seminole from the Creek and why the Seminole 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 Seminole.
9. When was Andrew Jackson President?

THINKING AND ASKING QUESTIONS

1. How would you have dealt with the increasing pressure from white settlers? Would you have left and gone west or tried to stay as long as possible? Why?
2. What do you think about the use of concentration camps during the Indian removals? Is this surprising to you? Why or why not?
3. There is a lot of speculation about the legitimacy of the removal treaties. Explain your thoughts on the issue.
4. Was the legal approach of the Cherokee or the violent approach of the Seminole a better attempt to avoid removal? Why?
5. Why do you think there was such a concerted effort to remove the Seminole from useless land?

LATER REMOVALS

TELL YOUR STORY

As if you were one of the individuals being removed, write a letter to someone left behind. Be sure to include information about what you are seeing and doing as you travel to your new homeland.

FINDING A ROUTE

Draw the different routes taken by the Five Civilized Tribes to their new homelands in Indian Territory. How did the geographic features affect the routes they took? Can you find a better route?

