

America's Indian Removal Policies

*“They have neither the intelligence, the industry, the moral habits, nor the desire of improvement...
Established in the midst of another and superior race...they must necessarily yield...and ere long disappear.”*
~General Andrew Jackson, US Army



Power Point accompaniment for the Consortium's lesson, "America's Indian Removal Policies: Tales & Trails of Betrayal: "

- ➡ *To view this PDF as a projectable presentation, save the file, click "View" in the top menu bar of the file, and select "Full Screen Mode"*
- ➡ *To request an editable PPT version of this presentation, send a request to cnorris@unc.edu*

Examine the art provided to you. With your partner, discuss:

- What do you see? What first stands out to you in this painting?
- What time period do you think is represented and why?
- What appears to be happening? What evidence makes you think this?
- Look closely at the image once more. What can you point out that most people may not notice upon viewing this art for the first time?
- If you were to give this painting a title, what would you call it and why?

After each group member has shared their image, further discuss:

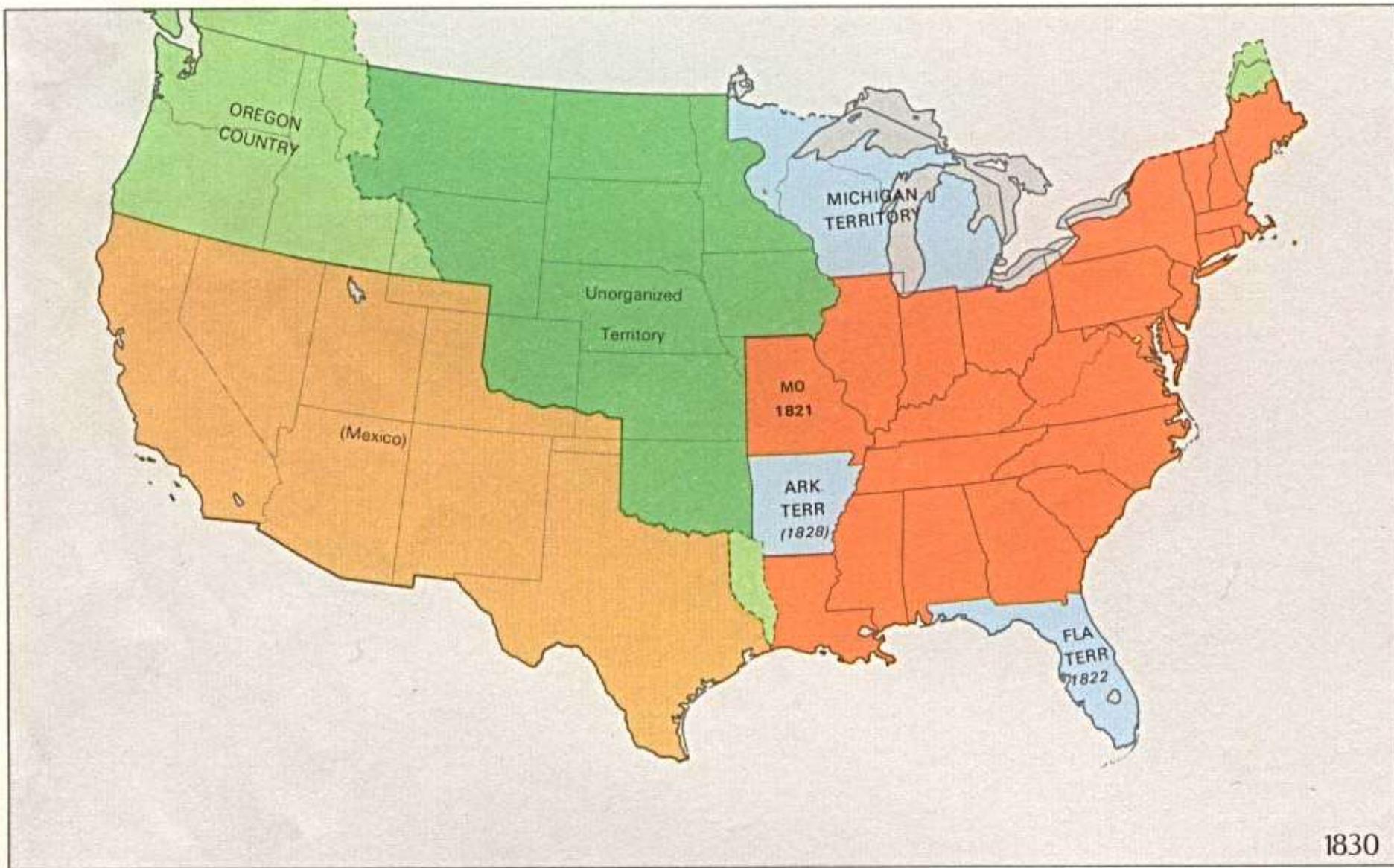
- In what ways are all of these images (#1-#5) similar? In what ways they different?
- How might all of these images connect to one another? If they were all part of the same painting, what story might the painting be telling?
- What might you title a painting containing all of these images?



The Story Behind the Paintings- Indian Removal Act of 1830 Results in the Trail of Tears

- The Indian Removal Act was signed into law by President Andrew Jackson on May 28, 1830.
- This act authorized the President to grant unsettled lands west of the Mississippi to Native Americans in exchange for the land they resided on within existing state borders.
- A few tribes went peacefully, but many resisted the relocation policy and wanted to remain in their homes.
- During the fall and winter of 1838 and 1839, the Cherokees were forcibly moved west by the United States government.
- Approximately 4,000 Cherokees died on this forced march, which became known as the "Trail of Tears."

America in the 1830s

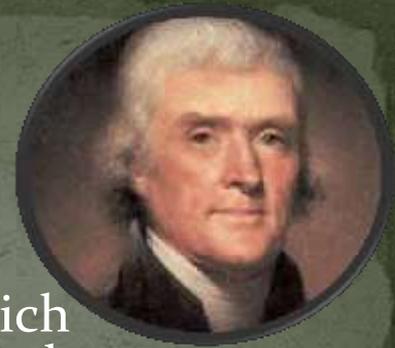


A Look Back at Jefferson's Presidency, 1801-1809

- During the early 1800s, America's policy under President Jefferson allowed Native Americans to remain east of the Mississippi as long as they became assimilated or "civilized."
- Jefferson's original plan was to guide the Natives towards adopting a **sedentary agricultural lifestyle**.
- He thought that by assimilating Natives into an agricultural lifestyle, they would become economically dependent on trade with white Americans, and
- He hoped they would then be willing to give up their land (which they would otherwise not part with) in exchange for trade goods.



- In an 1803 letter to William Henry Harrison, Jefferson wrote:



To promote this disposition to exchange lands, which they have to spare and we want, for necessaries, which we have to spare and they want, we shall push our trading uses, and be glad to see the good and influential individuals among them run in debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of lands.... In this way our settlements will gradually circumscribe and approach the Indians, and they will in time either incorporate with us as citizens of the United States, or remove beyond the Mississippi. The former is certainly the termination of their history most happy for themselves; but, in the whole course of this, it is essential to cultivate their love. As to their fear, we presume that our strength and their weakness is now so visible that they must see we have only to shut our hand to crush them, and that all our liberalities to them proceed from motives of pure humanity only. Should any tribe be foolhardy enough to take up the hatchet at any time, the seizing the whole country of that tribe, and driving them across the Mississippi, as the only condition of peace, would be an example to others, and a furtherance of our final consolidation.

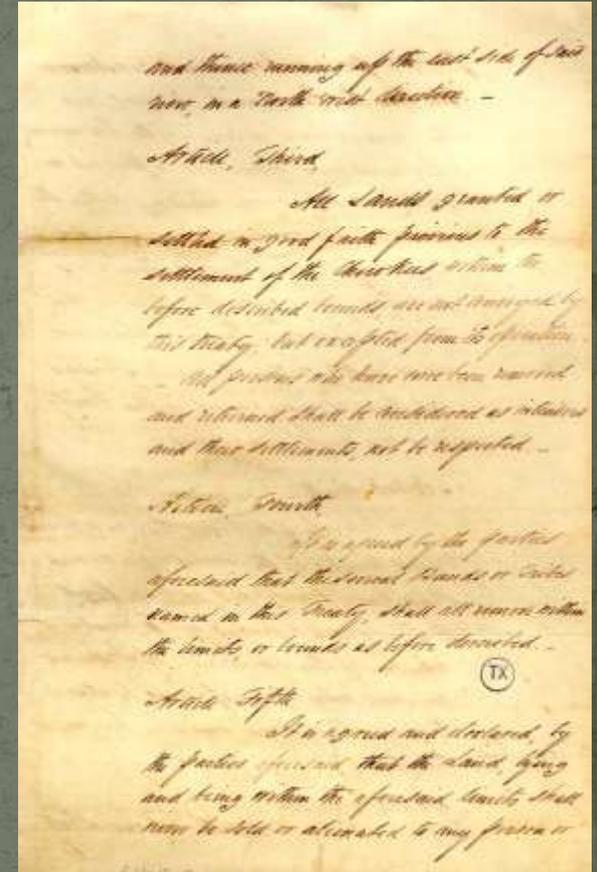
The Early 1800s...

- Our nation has a long history of taking Native American land. At times it was being purchased, usually by treaty but sometimes under coercion.
- In the early 19th century the notion of "land exchange" developed and began to be incorporated into land cession treaties.
- Native Americans would relinquish land in the east in exchange for "equal" or "comparable" land west of the Mississippi River.
- This idea was proposed as early as 1803, by Jefferson, but was not used in actual treaties until 1817, when the Cherokee agreed to cede two large tracts of land in the east for one of equal size in present-day Arkansas.



Treaty of Cherokee Agency (1817)

"The United States, my children, are the friends of both parties, and, as far as can be reasonably asked, they are willing to satisfy the wishes of both. Those who remain may be assured of our patronage, our aid, and good neighborhood. Those who wish to remove, are permitted to send an exploring party to reconnoiter the country on the waters of the Arkansas and White rivers, and the higher up the better, as they will be the longer unapproached by our settlements, which will begin at the mouths of those rivers."



Treaty of Cherokee Agency (1817)

- This treaty marked the beginnings of a new campaign designed to divide the Cherokee nation, with an ultimate goal of mass removal.
- In 1819 North Carolina, the federal government forced North Carolina Cherokee living in Henderson, Transylvania, and Jackson Counties to give up their land.
- Some Cherokee were permitted to own land for a while under specific grants, but a later treaty in 1835 with the Cherokee ended all claims by Native Americans to land east of the Mississippi River.
- The campaign of treaties (often unfair and misleading) culminated in the idea of exchanging all Native American land in the east for land in the west (which became law when the **Indian Removal Act** passed in 1830.)

The “Five Civilized Tribes”

- In 1830, some of the "Five Civilized Tribes" — the **Chickasaw**, **Choctaw**, **Creek**, **Seminole**, and **Cherokee** — were still living east of the Mississippi, while others had already moved to the Native American territory.
- They were called "civilized" because many tribesmen had adopted various aspects of European-American culture, including Christianity.
 - The Cherokees had a system of writing their own language, developed by Sequoyah, and published a newspaper in Cherokee and English.
 - They had also formed a Constitution based on that of the US Constitution.



Preamble to the Cherokee Constitution of 1827

We the Representatives of the people of the Cherokee Nation, in Convention assembled in order to establish justice ensure tranquility, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty, acknowledging with humility and gratitude the goodness of the sovereign ruler of the Universe affording us an opportunity so favorable to the design and imploring his aid and direction in its accomplishments do ordain and establish this Constitution for the Government of the Cherokee Nation....

Religion, Morality, and knowledge being necessary to good government and the preservation of liberty and the happiness of mankind schools and the means of education, shall forever, be encouraged in this nation....All Laws in force in this nation at the passing of this constitution shall so continue until altered or repealed by the Legislature except when they are temporary in which case they shall expire at the times respectively limited for their duration if not continued by acts of the Legislature....

Success of the “Civilizing” Project Among the Cherokee

Written by Chief John Ridge in 1826

About the year 1795 missionaries were sent by... Gen. Washington who from the Indian Testimony itself laboured indefatigably to induce the Indians to lead a domestic life... Here they were first taught to sing and pray to their Creator, and here Gospel Worship was first established in our nation...

It was for Strangers to effect this, and necessity now compels the last remnant to look for it for protection. It is true, we enjoy self Government, but we live in fear,...

Strangers urge our removal [to make room for their settlements], they point to the West and there they say we can live happy. Our National existence is suspended on the faith and honor of the United States alone....

In the lapse of half a Century if Cherokee blood is not destroyed it will run its courses in the veins of fair complexions who will read that their Ancestors under the Stars of adversity, and curses of their enemies became a civilized Nation.

Indian Policy During Andrew Jackson's Presidency – 1829-1837

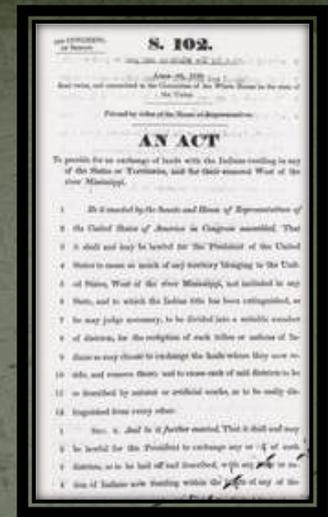
- In spite of this acculturation and acceptance of the law, the position of the “five civilized tribes” was not secure.
 - Many white settlers and land speculators simply desired the land that was occupied by the tribes and would do anything to get it.
 - Others believed that the presence of the tribes was a threat to peace and security, based on previous wars waged between the United States and Native Americans, some of whom had been armed by enemies of the United States, such as Great Britain and Spain
- Governments of several US states desired that all tribal lands within their boundaries be placed under state jurisdiction.

Andrew Jackson's First Annual Message to Congress, Dec. 8, 1829

“Our conduct toward these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river and from mountain to mountain, until some of the tribes have become extinct and others have left but remnants to preserve for awhile their once terrible names. Surrounded by the whites with their arts of civilization, which by destroying the resources of the savage doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them if they remain within the limits of the states does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity.”

The Indian Removal Act, 1830

- Andrew Jackson and other candidates of the new Democratic Party had made Native American Removal a major goal in the campaign of 1828.
- In the closing paragraphs of his First Annual Message to Congress, Jackson laid out his policy for relocating Indians of the east to territories west of the Mississippi.
- This policy becomes law as the Indian Removal Act by his next annual address, passed by Congress in 1830.
 - The Removal Act provided for the government to negotiate removal treaties with the various tribes.
 - Many of the treaties were misleading, and resulted in Natives being forced from their homes and deported to lands west of the Mississippi.
 - The **Treaty of Dancing Rabbit Creek** with the **Choctaw** was the first such removal treaty implemented; while around 7,000 Choctaws ultimately stayed in Mississippi, about 14,000 moved along the Red River.



...it never occurred to us for a moment, that without any new treaty, without any assent of our rulers and people, without even a pretended compact, and against our vehement and unanimous protestations, we should be delivered over to the discretion of those, who had declared by a legislative act, that they wanted to Cherokee lands and would have them.

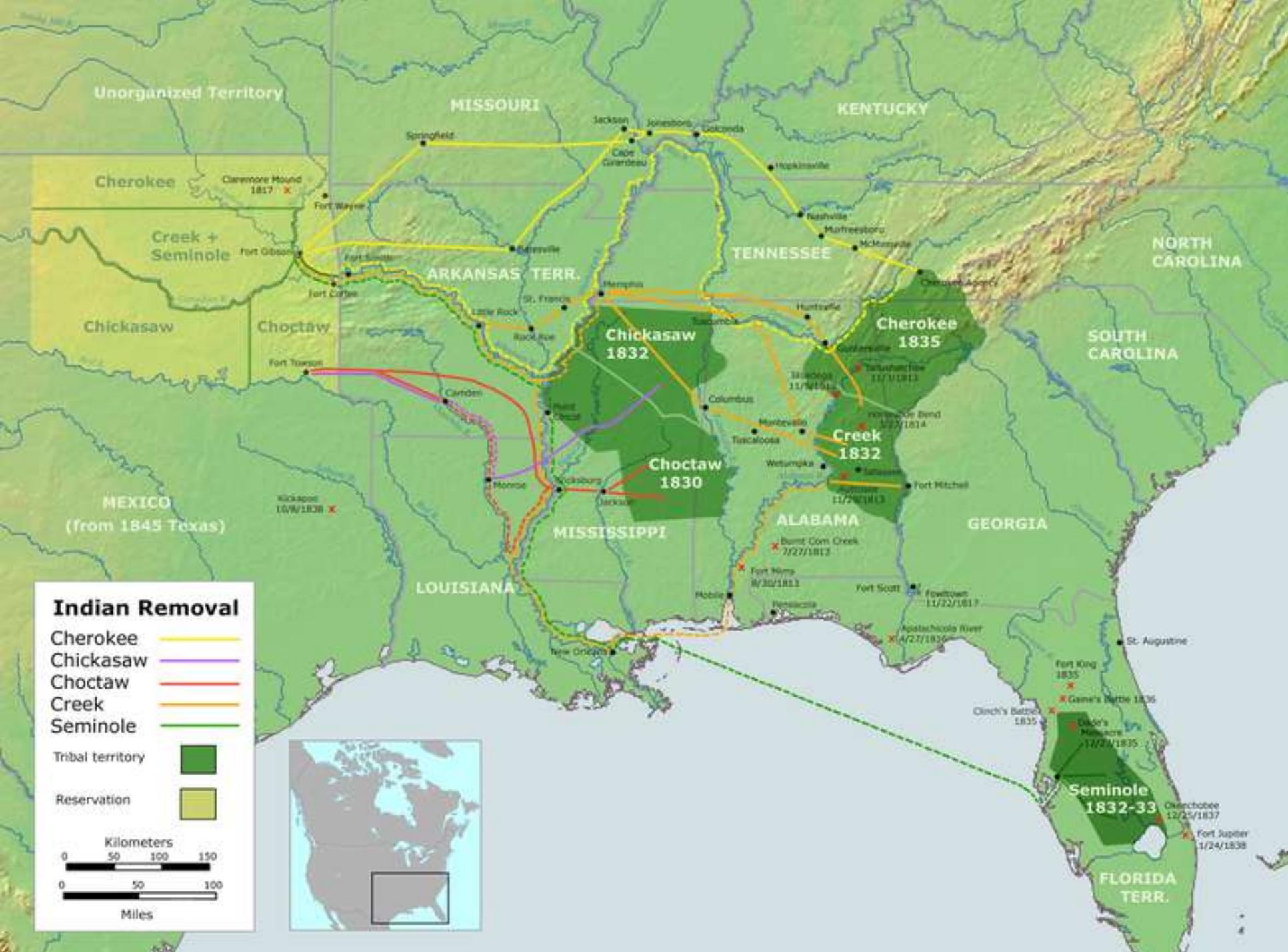
~Cherokee Council



Indian Removal Act - Treaty of New Echota (1835)

- Following a winding trail of treaties designed to dispossess the Cherokee Nation of various parts of their land, the Treaty of New Echota represented the final blow to traditional Cherokee land rights by providing Jackson the legal document he needed to remove them.
- Dripping with paternalism, New Echota ceded all land possessed by the Cherokee Nation east of the Mississippi to the United States.
- In an impassioned letter to Congress, Chief John Ross exposed the illegitimacy of the Treaty of New Echota and described its consequences on the people of the Cherokee Nation.
- His words echo through the history of treaty negotiations between Native Americans and the government of the United States:

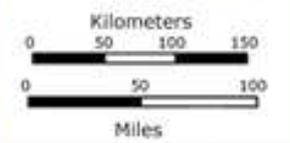
“We are overwhelmed! Our hearts are sickened, our utterance is paralyzed, when we reflect on the condition in which we are placed, by the audacious practices of unprincipled men, who have managed their stratagems with so much dexterity as to impose on the Government of the United States, in the face of our earnest, solemn, and reiterated protestations. The instrument in question is not the act of our Nation; we are not parties to its covenants; it has not received the sanction of our people.”



Indian Removal

- Cherokee — Yellow line
- Chickasaw — Purple line
- Choctaw — Red line
- Creek — Orange line
- Seminole — Green line

- Tribal territory — Dark Green box
- Reservation — Light Green box



Unorganized Territory

MISSOURI

KENTUCKY

Cherokee

Clemmons Mound 1817 X

Creek + Seminole

Fort Gibson

Chickasaw

Choctaw

ARKANSAS TERR.

Chickasaw 1832

TENNESSEE

Cherokee 1835

NORTH CAROLINA

SOUTH CAROLINA

MEXICO (from 1845 Texas)

Kickapoo 10/1/1838 X

MISSISSIPPI

Choctaw 1830

ALABAMA

Creek 1832

GEORGIA

LOUISIANA

MISSISSIPPI

Fort Mims 8/30/1813

Fort Scott 11/22/1817

FLORIDA

Seminole 1832-33

FLORIDA TERR.

Fort King 1835

Game's Battle 1836

Dick's Massacre 12/21/1835

Okechobee 12/25/1837

Fort Jupiter 1/24/1838

St. Augustine

Clinch's Battle 1835

Fort Mifflin 11/24/1813

Fort Mitchell 11/24/1813

Fort Mifflin 11/24/1813

Effects on Native Americans

- In 1838 and 1839, the Cherokee Nation was finally forced to give up its lands east of the Mississippi River for an area in present-day Oklahoma.
 - With the treaty signed, the US Army was ordered to begin the process of removing the Cherokee .
 - General John Wool resigned his command in protest, delaying the action.
 - His replacement, General Winfield Scott, arrived at New Echota on May 17, 1838 with 7000 men. Early that summer General Scott and the United States Army had began the invasion of the Cherokee Nation.
- Men, women, and children were taken from their land, herded into makeshift forts with minimal facilities and food. Many suffered from hunger, disease, and exhaustion on the forced march.
 - They were then forced up to march a thousand miles; some made part of the trip by boat in equally horrible conditions.



Effects on Native Americans

- Under the generally indifferent army commanders, human losses for the first groups of Cherokee removed were extremely high.
 - Cherokee Chief John Ross made an urgent appeal to Scott, requesting that the general let his people lead the tribe west. General Scott agreed.
 - Ross organized the Cherokee into smaller groups and let them move separately through the wilderness so they could forage for food.
 - Although the parties under Ross left in early fall and arrived in Oklahoma during the brutal winter of 1838-39, he significantly reduced the loss of life among his people.
- About 4000 Cherokee died as a result of the removal.
- The route they traversed and the journey itself became known as "The Trail of Tears" or, as a direct translation from Cherokee, "The Trail Where They Cried" ("*Nunna daul Tsuny*").
- Over 4,000 out of 15,000 of the Cherokees died.



“Murder is murder and somebody must answer, somebody must explain the streams of blood that flowed in the Indian country... Somebody must explain the four thousand silent graves that mark the trail of the Cherokees to their exile. Let the Historian of a future day tell the sad story with its sighs, its tears and dying groans. Let the Judge of all the earth weigh our actions and reward us according to our work.”

~ John Burnett, US Army



Effects on Native Americans

- Some Native Americans eluded removal, and many risked their lives to defend their homelands. Those who lived on individually owned land (rather than tribal domains) were not subject to removal.
- Those who stayed behind eventually formed tribal groups including the Eastern Band Cherokee, based in North Carolina.
- In 1835, the Seminoles refused to leave Florida, leading to the **Second Seminole War**.
 - The most important leader in the war was **Osceola**, who led the Seminoles in their fight against removal.
 - While based in the Everglades of Florida, Osceola and his band used surprise attacks to defeat the U.S. Army in many battles.
 - In 1837, Osceola was seized by deceit upon the orders of U.S. General T.S. Jesup when Osceola came under a flag of truce to negotiate peace. He died in prison.
 - The Seminoles continued to fight. Some traveled deeper into the Everglades, while others moved west. The Second Seminole War ended in 1842.

Response of Natives to Removal

- While some Natives found compliance to be the safest choice regarding removal, other Natives refused to leave and willingly risked their lives in an attempt to defend their homes.
- Although destined to remain the darkest era in their history, the removals of the 1830s also produced many brave Native American heroes.
- Tecumseh, Osceola, Sitting Bull, Geronimo, Chief Joseph, Junaluska, and Tsali are just a few of the Native resistance leaders who fought to hold onto their ancestral homes and their cultures.
- Unfortunately, outnumbered and outgunned, Native Americans stood little chance against the surging White population. Eventually, the U.S. government would seize two billion acres of their territories.
- Some Natives fought injustice in America's court system.
 - The Cherokees attempted to fight removal legally by challenging the removal laws in the Supreme Court and by establishing an independent Cherokee Nation.
 - In 1832, the U.S. Supreme Court ruled in favor of the Cherokee in *Worcester v. Georgia*. In this case Chief Justice John Marshall ruled that the Cherokee Nation was sovereign, making the removal laws invalid.
 - However, regardless of the Court's decision and in one of the most unjust abuses of power throughout history, Andrew Jackson carried out his removal plans anyway.

Junaluska

- Junaluska was a Cherokee hero to Natives in western North Carolina.
- In the 1830s, when President Andrew Jackson was forcing the removal of the Cherokee, Junaluska made a political plea regarding the Cherokee's case.
 - Granted the opportunity to speak with President Jackson, he attempted to highlight the injustice experienced by Natives. Since Junaluska had saved Jackson's life years ago during the Battle of Horseshoe Bend, it was hoped he would listen to Junaluska's plea. Unfortunately, he did not.
- During the Trail of Tears in 1838, Junaluska was incarcerated along with his fellow Cherokee and held in stockades.
 - One stockade, known as Fort Montgomery, was located near present day Robbinsville, NC. From this stockade, Junaluska was forced to march to designated "Indian Territory" in present day Eastern Oklahoma.
- About seven weeks into the journey, Junaluska deserted and led approximately 50 other Cherokee to attempt an escape.
- Though he was soon captured and returned to Oklahoma, Junaluska had made an attempt to fight for his and other's rights.
- In 1842, Junaluska returned to the mountains of his birth, walking all the way from what is now Oklahoma.

Tsali

- Tsali is known as a great Cherokee leader and hero to the Eastern Band of Cherokee.
- When he and his family were seized by the American army for removal, Tsali urged other Cherokee to join him in opposing the soldiers and revolting against the cruel treatment.
- Speaking in Cherokee so that only the Natives could understand, he led his fellow Cherokee by instructing them to seize the weapons of the soldiers on his signal.
- The attack was so sudden that one soldier was killed, the remainder fled, and Tsali and the other Cherokee were able to escape into the mountains.
- Eventually, Tsali surrendered himself to the army in exchange for the freedom of the other Cherokee who had escaped.
- Tsali, his brother, and two eldest sons were shot near the mouth of the Tuckasegee upon turning themselves in.
- Due to their sacrifice, the other Cherokee who had escaped were allowed to stay in the mountains. They originated the present eastern band of Cherokee.



- One of you will take on the perspective of **Andrew Jackson** and the other will portray either **Junaluska** or **Tsali**. Based on the opposing perspectives of these men, construct a dialogue of the two men meeting. Consider:
- What might they discuss when face to face? What might they want from one another? What would they ask each other and how would they respond and react to one another? What might each man say to try and convince the other of his beliefs?
- Your dialogue should be approximately 2 minutes when spoken. Be prepared to share with your classmates!

Resources

- <http://cherokeehistory.com/samuel.html>
- <http://cherokeemuseum.org>
- www.cherokee-nc.com/unto_these_main.php
- www.aboutcherokee.com
- <http://www.learnnc.org/lp/editions/nchist-newnation/10.0>
- From the Heart, by Lee Miller