

TEACHING AMERICAN HISTORY PROJECT – 2009-2012

Lesson Title – Trail of Tears from Robert Gamache

Grade -7-12

Length of class period –60 minutes

Inquiry – (What essential question are students answering, what problem are they solving, or what decision are they making?)

What was the Trail of Tears? What did the Native American’s experience during the Trail of Tears?

Objectives (What content and skills do you expect students to learn from this lesson?)

Students will learn about the “Trail of Tears”.

Students will work on reading and writing skills, while also developing the skill of empathy.

Students will analyze primary source documents.

Materials (What primary sources or local resources are the basis for this lesson?) – (please attach)

Cherokee Removal," *New Georgia Encyclopedia*

Letter from Ross defending the Cherokees' right to their land (letter, 1836)

“The Never Ending Trail” by Abe Del Jones (below)

Activities (What will you and your students do during the lesson to promote learning?)

Initiation: We will begin the class with a discussion about Andrew Jackson. I recommend showing a 20 dollar bill and follow that by asking the class if they know who is portrayed in image on the bill. Discuss some of Jackson’s notorious exploits (inauguration party, fights, shootouts, etc). This conversation will be interrupted by a representative of the United States government. This “government representative” will read the class the “Classroom removal Act”. The classroom removal act will be written in the language of the Indian Removal Act and should be in the form of a scroll.

The removal act will designate a place for the class to walk to. Hopefully somewhere outside. This walking time allows the instructor to talk about how the Native American’s must have felt on their forced journey. You can talk about the distance of the journey, time spent, nature/animals encountered, weather, sickness, hunger, etc. The goal of the walk is to allow the students to empathize with the Native American’s who were forced to travel the Trail of Tears.

Once you have arrived at your destination (a good place would be on bleachers or somewhere where students can sit down) hand out the *Cherokee Removal Overview*, *Letter from Chief Ross*, and *The Never Ending Trail* handouts from the material section. Read the overview, letter (due to the length of the letter you will have to pick the parts of the letter which you find most pertinent for your particular class) and poems as a class. Then ask students to write a quick reflection on what they just learned and experienced. How would they have felt if they were in the Native's shoes? Once students have had 7-10 minutes to reflect in writing it will be about time to walk back to the classroom in time for dismissal.

How will you assess what student learned during this lesson?

Students will be assessed by their journal entry. The entry should show some understanding of what the Native American's were forced to endure, who forced them to endure it and hopefully show some empathy towards their plight.

Connecticut Grade Level Expectations-

Students will be able to describe patterns of human movement across time and place.

The Never ending Trail

-Abe del Jones

We whites honor the "Hermitage"
And the man who once lived there -
But, that leader of our Nation
Was cruel, unjust, unfair -

He ordered the removal
Of the Cherokee from their land
And forced them on a trek
That the Devil must have planned -

One thousand miles of misery -
Of pain and suffering -
Because greed of the white man
Could not even wait till spring -

We should bow our heads in shame
Even unto this day
About "The Trail Of Tears"
And those who died along the way.

It was October, eighteen thirty-eight
When seven thousand troops in blue
Began the story of the "Trail"
Which, so sadly, is so true -

Jackson ordered General Scott
To rout the Indian from their home -
The "Center Of The World" they loved -
The only one they'd known -

The Braves working in the fields
Arrested, placed in a stockade -
Women and children dragged from home
In the bluecoats shameful raid -

Some were prodded with bayonets
When, they were deemed to move too slow
To where the Sky was their blanket
And the cold Earth, their pillow -

In one home a Babe had died
Sometime in the night before -
And women mourning, planning burial
Were cruelly herded out the door -

In another, a frail Mother -
Papoose on back and two in tow
Was told she must leave her home
Was told that she must go -

She uttered a quiet prayer -
Told the old family dog good-bye -
Then, her broken heart gave out
And she sank slowly down to die -

Chief Junaluska witnessed this -
Tears streaming down his face -
Said if he could have known this
It would have never taken place -

For, at the battle of Horse Shoe
With five hundred Warriors, his best -
Helped Andrew Jackson win that battle
And lay thirty-three Braves to rest -

And the Chief drove his tomahawk
Through a Creek Warrior's head
Who was about to kill Jackson -
But whose life was saved, instead -

Chief John Ross knew this story
And once sent Junaluska to plead -
Thinking Jackson would listen to
This Chief who did that deed -

But, Jackson was cold, indifferent
To the one he owed his life to
Said, "The Cherokee's fate is sealed -
There's nothing, I can do."

Washington, D.C. had decreed
They must be moved Westward -
And all their pleas and protests
To this day still go unheard.

On November, the seventeenth
Old Man Winter reared his head -
And freezing cold, sleet and snow
Littered that trail with the dead

On one night, at least twenty-two

Were released from their torment
To join that Great Spirit in the Sky
Where all good souls are sent -

Many humane, heroic stories
Were written 'long the way -
A monument, for one of them -
Still stands until this day -

It seems one noble woman
It was Chief Ross' wife -
Gave her blanket to a sick child
And in so doing, gave her life -

She is buried in an unmarked grave -
Dug shallow near the "Trail" -
Just one more tragic ending
In this tragic, shameful tale -

Mother Nature showed no mercy
Till they reached the end of the line
When that fateful journey ended
On March twenty-sixth, eighteen thirty-nine.

Each mile of this infamous "Trail"
Marks the graves of four who died -
Four thousand poor souls in all
Marks the shame we try to hide -

You still can hear them crying
Along "*The Trail Of Tears*"
If you listen with your heart
And not with just your ears.

Letter from Ross defending the Cherokees' right to their land

Washington City, July 2, 1836

My Dear Sir,

Your interest in relation to our fortunes is very kind and liberal, and I sincerely thank you for it. You say you hope I shall not be offended at your questions, and that I will believe you have no sinister views in writing to me, to clear up certain doubts which have been forced upon you, concerning my movements in Cherokee affairs. Instead of being annoyed, I thank you for the opportunity which you have given me, through these doubts,

of endeavouring, briefly, to explain, not only our position, but some portions of my own conduct connected with it, which have been grossly, but purposely, misrepresented.

I wish I could acquiesce in your impression, that a Treaty has been made, by which every difficulty between the Cherokees and the United States has been set at rest; but I must candidly say, that I know of no such Treaty. I do not mean to prophesy any similar troubles to those which have, in other cases, followed the failure to adjust disputed points with Indians; the Cherokees act on a principle preventing apprehensions of that nature—their principle is, “endure and forbear,” but I must distinctly declare to you that I believe, the document [Treat of New Echota] signed by unauthorized individuals at Washington, will never be regarded by the Cherokee nation as a Treaty. The delegation appointed by the people to make a Treaty, have protested against that instrument “as deceptive to the world and a fraud upon the Cherokee people.” You say you do *not* see my name appended to the paper in question, but that you regard the omission as a typographical mistake, because you *do* find my name among those who are mentioned in it as the future directors of Cherokee affairs.

I will answer these points separately: and first,

My name is not, by mistake, omitted among the signers of the paper in question; and the reasons why it is not affixed to that paper, are the following:

Neither myself nor any other member of the regular delegation to Washington, can, without violating our most sacred engagements, ever recognize that paper as a Treaty, by assenting to its terms, or the mode of its execution. They are entirely inconsistent with the views of the Cherokee people. Three times have the Cherokee people formally and openly rejected conditions substantially the same as these. We were commissioned by the people, under express injunctions, not to bind the nation to any such conditions. The delegation representing the Cherokees, have, therefore, officially rejected these conditions themselves, and have regularly protested before the Senate and House of Representatives, against their ratification. The Cherokee people, in two protests, the one signed by twelve thousand seven hundred and fourteen persons, and the other by three thousand two hundred and fifty persons, spoke for themselves against the Treaty, even previous to its rejection by those whom they had selected to speak for them.

With your impressions concerning the advantages secured by the subtle instrument in question, you will, no doubt, wonder at this opposition. But it possesses not the advantages you and others imagine; and that is the reason why it has encountered, and ever will encounter opposition. You suppose we are to be removed through it from a home, by circumstances rendered disagreeable and even untenable, to be secured in a better home, where nothing can disturb or dispossess us. *Here is the great mystification.*

We are not secured in the new home promised to us. We are exposed to precisely the same miseries, from which, if this measure is enforced, the United States' power professes to relieve us, but does so entirely by the exercise of that power, against our will.

If we really had the security you and others suppose we have, we would not thus complain. But mark the truth and judge for yourself.

White men obtain their title to property, between one and another, by what is called *fee simple*. I have discovered that many of those who have voted in favour of this pretended Treaty, have done so under the impression that they were voting lands to us in *fee simple*—especially as we are to be compelled to pay for those lands the sum of five hundred thousand dollars—having already paid for a portion of them, by exchange, what is equivalent to the full amount of their intrinsic value. But the difference between the right by which the state of Georgia and other states hold lands, is a very, very material difference from that for which we Cherokees shall have paid, according to this arrangement, at the smallest estimate, calculating the valuation of the exchange at government prices, and adding to the sum to be paid in money—*seven millions of dollars!* Seven millions for lands without a real title! For this sum, I admit, the United States do promise that they will “cause a patent, or grant, to be made and executed” to us for the aforesaid tract of land, but it is always on the proviso, “that such land shall *revert* to the United States, if the Indians become extinct, or abandon the same.” Now, the use of this very phrase, *revert*, is an evidence that the United States do not consider that there is an absolute property given in the soil allotted to the Indians, in payment for their valuable country; the United State retains the absolute property in her own hands, only allowing to the Indians a far inferior right of occupancy to that which they have ever been admitted to possess where they now are, and where they were born. The pretended Treaty expressly avows that it is under the law containing the clause above quoted, and other similar laws, that the transfer is made; and the Indian title is to be subject, not only to these laws already existing, but to such laws as may be made hereafter; and to which laws, present and prospective, the Indian regulations for self-government must be equally subordinate. Now, in addition to the inconveniences and insecurity inevitable, from the vagueness of the laws already in operation, those future ones, to which this pretended Treaty makes the Indians blindly promise submission, may entirely extinguish, not only the right of occupancy, but of self-government. For example. Suppose it should suit the policy of the United States, hereafter, to pass a law organizing a territorial government upon the Cherokee lands, west? That law necessarily destroys the character of the Cherokee nation as a distinct community; the nation becomes legally extinct; the lands revert to the United States, and the Cherokee people are bound, by assenting to the conditions of the pretended Treaty, to acquiesce in this law providing a plausible pretext for their annihilation. And should they demur, what is the result? An article in the pretended Treaty expressly stipulates, that military posts, and military roads may, anywhere, and at

any time, be established by the United States, in the new country, set apart for the Indians. Hence, any one who might complain of any act of the United States as unauthorized by the right construction of the pretended Treaty, would be as liable to ejection for the purpose of creating a military post at the malcontent's abode in the Cherokee country west—as now he actually is, and long has been, under similar circumstances, in the Cherokee part of Georgia—and were vexations to become universal, as they have in Georgia, the region might, in the same manner, be filled with soldiers, and the existence of the Cherokee nation become at once extinguished by laws to which the people will be said themselves to have assented. That there is no disposition ever to interfere thus, is attempted to be proved by reference to an article of the pretended Treaty, excluding intruders and white men; but this very article is clogged with a worse than neutralizing condition—a condition pregnant with sources of future disquiet—a condition that it is not to prevent the introduction of useful farmers, mechanics, and teachers, under which denomination some future Executive of the United States may find it convenient, hereafter, to overwhelm the original population, and bring about the Territorial Government, by which the Cherokees will be regarded as legally extinguished, and the country of their exile as *reverting* to its real proprietor, the United States. Thus will the favourite theory, which has been ascribed to the President [Andrew Jackson], be fully realized. This policy will *legislate the Indians off the land!*

That all these things are possible, is proved by the present posture of affairs in the region of our birth, our sacred inheritance from our fathers. It is but a few years, since the apprehension of scenes like those from which the United States acknowledges her incompetency to protect us, even under the pledge of Treaties, would have been regarded as a morbid dream. But a State has already been created on the boundary of the retreat set apart for the exile of the Indians—the State of Arkansas; another State, and an independent one—a new republic, made up of many of the old foes of the Indians—Texas, is rising on another boundary; and who shall say how soon these, and other new bordering states, may become as uneasy from the Indian neighbourhood, as the old ones are now? It was at one time thought that the United States never could declare she was unable to keep the Treaties of former days. It is less possible that she may hereafter experience the same difficulty in keeping those of the days in which we live? especially, as in the present instance, she may be called upon, not only to defend those Treaties from violation by her own citizens, but by the people, though of the same origin, belonging to a new, a warlike, an independent republic.

To proceed to your second remark: that you find my name among those enumerated in the pretended Treaty, who are to form a Committee for the Regulation, under that instrument, of Cherokee affairs.

It is true, my name is in that list, and at the head of the thirteen members named by the United States Government; but it was never placed there with my sanction. I disclaim the act, as I disclaim the instrument which contains the act. If ever I hold an office in the nation of my compatriots, it must be from *their* election, not the nomination of the Executive of another country; and the insertion of my name among the thirteen in question, ranks with the other unauthorized proceedings of an irresponsible and self-constituted opposition to the legalized authorities of the nation. If I have objected to the pretended Treaty, not only as made with persons whom the nation will not recognize as its representatives, but as exchanging relations in some degree defined, for those utterly and dangerously undefined; as rendering a distressed people entirely dependent upon the policy or the caprices of successors to a government which has not respected that people's dearest rights; I certainly would not render myself the accomplice of what I look upon as wronging those whose interests are more precious to me than my own.

I will now turn to the portions of your letter, more immediately touching my own character; and at the head of these I find what you call, on the misrepresentation of Mr [John F.] Schermerhorn, my having agreed to bind "my people" to sell the Cherokee nation, on certain terms, from which I afterwards capriciously departed.

I must here beg leave to observe that I have never yet been placed in a position which could render *my* individual decision conclusive upon any matters of this nature, nor could I ever wish for such responsibility. The Cherokee people are not "my people;" I am only one of their agents and their elected chief: It is I who serve under them, not they under me. At the time of the transaction to which you allude, the delegation, of which I was a member, had ample powers to make a treaty for a partial cession of the country, with security in the residue; but we had no authority for the extension of our discretionary power to any treaty for an entire sale of the country; such a suggestion was not contemplated by the people and it would consequently be impossible for us to decide upon such, without a reference to those who sent us. I myself was only one among many. I could not, by my single act, bind even my associates to any promise of an entire sale, nor of course to any *award*, even had such an *award* been made, for the amount to be paid for an entire sale; I could only, with them, submit such an offer, if made, to the people. The facts of the case to which you allude, however, are these:

During the congressional session of term before last, (1834-35) while the legally constituted delegation from the Cherokee nation was at Washington, an unauthorized delegation, consisting mostly of the same members who appeared there, equally unauthorized, last winter, and signed the paper pretending to be a treaty, were intriguing to be admitted into secret negotiations with the United States' Government, while the delegation of which I was a member, were conducting theirs openly. It was said the party first mentioned came at the instance of the government, but of this there was no proof. Mr

Schermerhorn, at the same time, was seeking to obtain a promise from the regular delegation, that they would meet him as a commissioner; affirming that he was in the confidence of the President, and if such a promise were given, he was certain to be appointed. Receiving no encouragement from the legal delegation, he is understood to have gone over to Mr [John] Ridge and his friends, and to have opened negotiations with them. Soon after, it was understood that the President refused to entertain the proposition for which we had discretionary power, namely, that for a partial cession of the country, with security in the residue. It was understood, too, that he would not only require an absolute sale, to which our discretionary power did not extend; but that he also refused, on the score of the alleged extravagance of the sum demanded, to entertain our proposition of an absolute sale for twenty millions, in the event of its approval by the people, for whom, on this particular point, we had no authority to act finally. An impression had already got abroad that Mr. Ridge and his friends had, anterior to this, signified to the Executive their readiness to make a treaty at four millions of dollars, or less. But the President had repeatedly said he would go as far as the Senate would permit. The negotiation being about to fail, the legal delegation concluded to ask that the President would submit the whole matter to the Senate and take their advice as to what ought to be done, under all circumstances. It appeared to me and my associates that the Senate on adequately investigating the value of the country, would do us justice. The delegation was hence impelled to comply with a sudden oral request that they would sign a promise on the spot, to abide by the "*award*" of the Senate and to submit that "*award*" for the approval of the nation; but the promise, on our part was given under an express understanding, through the Secretary of War [Lewis Cass], that the Executive would submit the case for the consideration of the Senate, and, had he done so fully and fairly, we should have had nothing to object, whatever might have been the result: because the United States' Executive, in thus referring the matter to the Senate, would have been bound by the result, which the delegation could then have laid before the people for their decision; and we are confident that a result thus obtained must have been grounded upon proper examination, not only into the real value of the country, but all the attending circumstances. But we waited and waited and waited and nothing was attempted. We heard, indeed, that immediately after the signature by us of the paper in question, conferences were held by Messrs Ridge, [Benjamin F.] Currey, [Elias] Boudinot, and Schermerhorn, at the White House, which led to changes in the views of the Executive. We also heard that the President had been advised, at one time, to meet the Senate and consult with them, (as was done by President [George] Washington in reference to the former Cherokee Treaty of Holston [1791],) and thus fix upon the sum to be paid for our country; and when we heard that, we felt satisfied there would be a fair examination, and justice might be expected; but we afterwards were told, that the President had been induced to abstain from communicating with the Senate at all in relation to the matter, under the impression, if the Indian question were settled in consequence of such conference, that the opposition would ascribe the settlement, not to the President, but to

the Senate, the majority of whom then differed with him in politics. When we were given reason to fear the question had been made to degenerate into a mere party question, we were, indeed, apprehensive that our hopes of a speedy settlement would be defeated. The session was now drawing to a close. On the 3d of March, 1835,—the morning of the 4th being the time for adjournment—hearing nothing more from the Executive, we found ourselves compelled, late at night, to memorialize the Senate. Our memorial was referred to the Committee on Indian Affairs. This Committee made a sudden and a brief report, recommending the purchase of the Cherokee country, upon such terms as should cover its intrinsic value. It had before this been communicated to the Senate, by the Secretary of War, that Mr Ridge and his party, had agreed to treat for four millions, or less. A resolution was submitted, at midnight, just as the Senate were about to separate, that, in their opinion, the President ought to allow a sum not exceeding five millions. This resolution, proposed in a hurry, was carried in as great a hurry, and, though *a mere opinion*, not pledging either the President or the Senate to any consequent action, it was represented to us as an “*award*,” and we were told we had engaged ourselves to be bound by it, notwithstanding we knew it would not be considered as binding on any one else. Nevertheless, though so far from an *award*—nevertheless, though it was even *less than an opinion*, because it was given without evidence or reflection—we thought fit to lay it before the people as distinctly as if it had really been the “*award*” which we had been induced to promise we would lay before them. Accordingly, at the next Council, I submitted the proceedings to the convened nation, who unanimously protested, in open assembly, against any Treaty on the basis of the five millions, under any circumstances; and, therefore, had I been ever so much disposed to regard the *opinion* as an *award*, the VETO OF THE NATION settled the matter finally, and would have *nullified* any proceedings of mine to the contrary.

I will simply add, that the pretended Treaty, executed last session, is substantially on the terms, and made with the irresponsible party, of which I have here sketched the origin. The sketch I have given, I hope, explains to your satisfaction, the truth concerning the often repeated slander against me, of having actually made a Treaty, upon certain conditions, from which I afterwards receded.

I will now proceed to the other charge against me, which you mention as having been made by Mr Schermerhorn, namely, that I have no right to interfere in Cherokee affairs, because I once accepted a reservation on terms which made me a citizen of the United States, and thus disqualifying me for office in the Cherokee country, rendered my continuance there in power as Principal Chief, an usurpation. You observe that it is also asserted by Mr Schermerhorn that I actually expatriated myself from the nation, by quitting the place of my birth to reside in the United States, and hence lost my privileges as a Cherokee.

It would be enough, perhaps, for me to mention the fact, that this silly pretence has been put on and put off so frequently by the government agents, as it happened to suit their purposes to consider me a chief or no chief, that an abandonment of the charge can always be produced as an offset against every assertion of it. But it is more satisfactory to me to go fully into it and to show its shallowness as well as its malevolence.

There was a tract of land given to my ancestors by the Cherokee nation. In the year 1819 the United States thought proper to secure six hundred and forty acres of that tract to me, as a *special* reservation. Some other grants were made at the same time, under express conditions, but mine, (as were one or two others,) was *untrammelled by conditions*, and hence denominated "*special*." I did not reside on it when granted. It was known that I did not. It was known I never had resided on it. My residence had, for some time, been at Rossville, near the Lookout Mountain, within the charter limit of Georgia; a part of the nation which the United States aver is beyond the jurisdiction of any United States' Treaty. The Treaty conveying away these lands, contained a condition that all persons to whom *reservations* were made should give notice that they would *continue to reside* on the land secured to them. As it was so well known that I did not reside at the reservation in question, and never had resided there, it was therefore obvious that I could not *continue* what I had never *begun*. As a point of etiquette, however, I was advised that some communication in reference to my reservation might be expected; and finding all my neighbours were writing to the Agent [Return J. Meigs] to comply with forms, and to prevent any disturbance from the subtleties of technical distinctions, I followed their example, and gave notice [June 17, 1819], *not* that I meant to *continue to reside* on the reservation where I had never resided, but that it was my intention to *continue to occupy and enjoy permanently* the land reserved to my by the Treaty of 1819. I considered myself as standing nearly in the position of an alien, especially authorized to hold lands in a foreign country, without forfeiting his allegiance to his own. I distinctly stated, at the same time, that I was "fully convinced the condition of that same Treaty did not immediately apply to special reservations;" and that I only gave this notice to comply with forms, and forms not understood by me as affecting the spirit in which that treaty had conveyed mine and one or two others. In so doing, I made no change of residence. I did not remove out of the nation, and become a citizen of the United States. I never have left the limits of the Cherokee nation, excepting when sent to school as a boy, and engaged in business in early youth and manhood, first in the situation of clerk to a merchant, and afterwards on my own account. Since then, whenever I have left the nation, it has been to transact the affairs of the nation. Nevertheless, Mr Schermerhorn thinks he has succeeded in proving something against me, when he quotes one of our laws, where it is stated "the authority and claim of our common property, shall cease with the persons who shall think proper to remove themselves without the limits of the Cherokee nation." The reverend politician then triumphantly says, Mr John Ross complied with the conditions of the Treaty of 1819; how could he comply with that

condition and retain lands withdrawn from his country unless he ceased to live in his country? In ceasing to live in his country, he forfeited his rights of citizenship there, and, by so doing he ceased to be a Cherokee, and necessarily became a citizen of the United States! This is splendid reasoning, no doubt; but supposing the circumstances assumed as facts, to be true, how does the case then stand? To those who took reservations under the article which Mr Schermerhorn says, made them, by implication, citizens of the United States, the United States found it inconvenient to confirm the rights which they promised. The United States were pledged to protect the reserves from intruders; and yet intruders came and forcibly drove many of the reservees from their reservations, and the marauders were sustained by the authority of a border state! Hence the reservees become homeless. They had no resource but to return to the domain of their brother Indians; and thither they did return, and they were welcomed. In the meantime, they instituted suits before the Circuit Courts of Georgia for the recovery of their lands. The appeal succeeded. But Georgia, instead of re-instating them, memorialized Congress for an appropriation to *buy out the reservees*, because she had already *lotteried away* these very lands, assuming them to be hers under a promise of prospective possession from the United States. An appropriation was made and the entire spirit of the arrangement was changed by the capricious legislation of alleged *expediency*! and thus, to alter the application of a remark by Mr Schermerhorn, the relations between the United States and the reservees, “became resolved into their original elements,” by the non-compliance of the United States with the conditions under which a modification of those relations with some, at least, might have been intended.

Thus you will perceive that Mr Schermerhorn has made an inference of his own from a treaty article, to suit his own purposes; and assuming that purposely erroneous inference to be a fact, has then proceeded to try us by it, as though it were a fact; and, tried under such a law, and such a judge, what true Cherokee could look to be acquitted?

Of another attempt—the attempt of which you speak to deny the authority of the Cherokee government, because, when the intolerance of Georgia rendered the observance of the letter of the Cherokee laws a penal offense in that part of the Cherokee country coming within the charter limits of Georgia—certain changes in the forms defined by our Constitution became necessary, I shall say but little. That attempt to divide and slander us has also emanated from the Reverend Mr Schermerhorn. It was intended to break down our chiefs and government. The people saw and understood it, and determined to preserve both without changing the spirit of our laws, though they were forced to modify the mode of their fulfilment. In troubled times, this has so often been done every where, that for precedents it is not necessary to look very deeply into history. Nor is it any novelty in collisions between states or individuals, to attempt the crushing of the individual by whom either may be thwarted. In the United States this has occurred even in reference to its greatest man. Some measures of the Ambassador of the French

Republic, being opposed by [George] Washington, Mr [Edmond Charles] Genet, the vain and wrong-headed Ambassador in question, endeavoured to break down the great Washington himself, and that in the very bosom of his own country. The American people laughed at Genet, and loved Washington all the better for his contempt of the impertinence. It is unnecessary to enlarge upon the ridiculous unworthy figure which Mr Schermerhorn will make in future history, as a reverend clergyman going with a pious, though somewhat rubicund face, upon a political embassy into an Indian country, and there attempting to gain his purpose by dividing the nation against itself, and getting up a party to overthrow the constituted authorities and meet his particular views. He was imitating Genet in a smaller sphere; a Genet in clerical robes, with a military guard, alternately preaching honesty and intriguing to mystify a plain people by the subtleties of political negotiation. In reference to us, however, Mr Schermerhorn has rendered his own arts impotent, and that by his own acts. Though he has sometimes disavowed our authority, he and his associates have generally immediately afterwards treated with us under a formal acknowledgement of that authority, and they have done so up to a very recent date, extending far beyond that of their latest disavowal.

I will here take occasion to touch upon two points in reference to our negotiations, which do not seem to be understood by the American people. One impression concerning us, is, that though we object to removal, as we are equally averse to becoming citizens of the United States, we ought to be forced to remove; to be tied hand and foot and conveyed to the extreme western frontier, and then turned loose among the wild beasts of the wilderness. Now, the fact is, we never have objected to become citizens of the United States and to conform to her laws; but in the event of conforming to her laws, we have required the protection and privileges of her laws to accompany that conformity on our part. We have asked this repeatedly and repeatedly has it been denied.

The other point to which I would advert is this: a charge that the whole scope of my policy has been to get the money of the nation into my own hands. *This is a monstrous misrepresentation.* The funds of the nation never have been in my hands. They have been with the councils of the nation, as the funds of the United States are with the representatives of her people. For the propriety of *this* course we have always contented—for nothing more. We have wondered when we have heard objections made against our opposition to the policy of the United States in wishing to take our own funds away from our own councils and to place them under the entire controul of agents of the American Government—a *policy at length accomplished the pretended treaty of this spring!* So far from ever wishing the controul of our national funds, I would not take such controul, even were it offered to me, which, by the laws of the nation, it never can be. But I will maintain to the last, that the United States ought not to give our money into the hands of frontier agents—often, in all countries, more deserving suspicion, and more liable to temptation, because less under *surveillance*, than any other public officers

whatever, can be. The funds of the nation are our own funds—they consist of money paid for the purchase of our own lands, and that on forced and speculative, and consequently very inadequate terms; and being the property of the nation, and property remaining after severe sacrifices on our part—as the property of the nation it is right that those funds should be under the controul of the councils of the nation.

I must bring my letter to a close. I fear it has already wearied you. But it gratifies me to find any one desirous of looking earnestly into the true state of the Cherokee question, and I wish to afford all such enquirers every satisfaction. You have already perceived that the singular attitude into which our affairs have been thrown by the mere trickery of party, emanated entirely from the subserviency of irresponsible Cherokees to the policy, backed by the power of the administration. It is a remarkable fact that even so lately as February 9, 1836, Mr John Ridge joined the regular delegation in a solemn protest against the dishonesty of this course, although three days previous, February 6, 1836, his father Major Ridge, who had arrived at the head of the counterfeit delegation of the got up party, had communicated under it to the real representation of the people; and yet, with no new facts before him, on the 25th of March, 1836, this same Mr John Ridge, in a letter of condolence to the reverend politician, Mr Schermerhorn, returns to the opposition, and violently vituperates his recent associates and *the whole* course of their proceedings and their policy; a vituperation in which he necessarily must be understood as including himself; this being only his fourth entire revolution in politics within as many months: varying as often as the moon, without the excuse of lunacy for his changes.

In conclusion I would observe, that I still strongly hope we shall find ultimate justice from the good sense of the administration and of the people of the United States. I will not even yet believe that either the one or the other would wrong us with their eyes open. I am persuaded they have erred only in ignorance, and an ignorance forced upon them by the misrepresentation and artifices of the interested. You yourself are aware to what an extent these artifices have been carried. You are aware that the Seminole outbreak and the Creek troubles, have been insidiously spoken of as connected with our condition; and although I myself never saw a Seminole Indian, and there is no intercourse whatever between our nation and theirs; although with the Creeks, also, we have far less communication than the state of New York has with Canada, nevertheless there have been some persons malevolent enough to wish the Cherokees extirpated because the Creeks and Seminoles have risen, and very many others uninformed enough to join the war cry against us, under the sweeping denunciation that being all Indians, we ought alike to suffer! The Cherokees, under any circumstances, have no weapon to use but argument. If that should fail, they must submit, when their time shall come, in silence, but honest argument they cannot think will be forever used in vain. The Cherokee people will always hold themselves ready to respect a *real* treaty and bound to sustain any treaty which they can feel that they are bound to respect. But they are certain not to consider the

attempt of a very few persons to sell the country for themselves, as obligatory upon them, and I and all my associates in the regular delegation, still look confidently to the effect of a sense of justice upon the American community, in producing a real settlement of this question, upon equitable terms and with competent authorities. But, on one point, you may be perfectly at rest. Deeply as our people feel, I cannot suppose they will ever be goaded by those feelings to any acts of violence. No, sir. They have been too long inured to suffering without resistance, and they still look to the sympathies and not to the fears, of those who have them in their power. In certain recent discussions in the representative hall at Washington, our enemies made it an objection against me and against others, that we were not Indians, but had *the principles of white men*, and were consequently unworthy of a hearing in the Indian cause. I will own that it has been my pride, as Principal Chief of the Cherokees, to implant in the bosoms of the people, and to cherish in my own, *the principles of white men*! It is to this fact that our white neighbours must ascribe their safety under the smart of the wrongs we have suffered from them. It is in this they may confide for our continued patience. But when I speak of *the principles of white men*, I speak not of such principles as actuate those who talk thus to us, but of those mighty principles to which the United States owes her greatness and her liberty. To principles like these even yet we turn with confidence for redemption from our miseries. When Congress shall be less overwhelmed with business, no doubt, in some way, the matter may be brought to a reconsideration, and when the representatives of the American people have leisure to see how little it will cost them to be just, we are confident they will be true to themselves, in acting with good faith towards us. Be certain that while the Cherokees are endeavouring to obtain a more friendly consideration from the United States, they will not forget to show by their circumspection how well they merit it; and though no doubt there are many who will represent them otherwise, for injurious purposes, I can assure you that the white people have nothing to apprehend, even from our sense of contumely and unfairness, unless it be through the perverse and the treacherous manoeuvres of such agents as they themselves may keep among us. I have the honour to be, Dear Sir, Most truly yours,

John Ross

Overview

Cherokee Removal

In 1838-39



Cherokee Trail of Tears

U.S. troops, prompted by the state of Georgia, expelled the Cherokee Indians from their ancestral homeland in the Southeast and removed them to the Indian Territory in what is now Oklahoma. The removal of the Cherokees was a product of the demand for arable land during the rampant growth of cotton agriculture in the Southeast, the discovery of gold on Cherokee land, and the racial prejudice that many white southerners harbored toward American Indians.

Origins of Removal Policy

By the nineteenth century the Cherokees had lived in the interior Southeast, including north Georgia, for hundreds of years. Settlers of European ancestry began moving into Cherokee territory in the early eighteenth century; from that point forward, the colonial governments in the area began demanding that the Cherokees cede their territory. By the end of the Revolutionary War (1775-83), the Cherokees had surrendered more than half of their original territory to state and federal governments.

In the late 1780s U.S. officials began to urge the Cherokees to abandon hunting and their traditional ways of life and to instead learn how to live, worship, and farm like Christian American yeomen. Many Cherokees embraced this "civilization program." The Cherokees established



a court system, formally abandoned the law of blood revenge, and adopted a republican government. A Cherokee man named Sequoyah created the Cherokee syllabary, which enabled the Cherokees to read, write, record their laws, and publish newspapers in their own language.

Despite these efforts, white people in Georgia and other southern states that abutted the Cherokee Nation refused to accept the Cherokee people as social equals and urged their political representatives to seize the Cherokees' land. The purchase of the Louisiana Territory from France in 1803 gave U.S. president Thomas Jefferson an opportunity to implement an idea he had contemplated for many years—the relocation of the eastern tribes beyond the Mississippi River. There, Jefferson suggested, Native

Sequoyah

Americans could acculturate at their own pace, retain their autonomy, and live free from the trespasses of American settlers. Although most Cherokees rejected Jefferson's entreaties, small groups moved west to the Arkansas River area in 1810 and 1817-19.

After the War of 1812, prominent southerners like General Andrew Jackson called for the United States to end what he called the "absurdity" of negotiating with the Indian tribes as sovereign nations. From that point forward, Georgia politicians, including George Troup, George R. Gilmer, and Wilson Lumpkin, increasingly raised the pressure on the federal government to fulfill the Compact of 1802, in which the federal government had agreed to extinguish the Indian land title and remove the Cherokees from the state.

Cherokee Resistance

The Cherokee government maintained that they constituted a sovereign nation independent of the American state and federal governments. As evidence, Cherokee leaders pointed to the Treaty of Hopewell (1785), which established borders between the United States and the

Cherokee Nation, offered the Cherokees the right to send a "deputy" to Congress, and made American settlers in Cherokee territory subject to Cherokee law.

The Cherokee government



[John Ross](#)

, especially its principal chief, [John Ross](#), took steps to protect its national territory. Ross joined Charles Hicks and [Major Ridge](#) in the "Cherokee Triumvirate" and received recognition for his efforts in negotiating the Treaty of 1819. He then continued his work by making legal moves for the Cherokees as president of the [constitutional convention](#). In 1825 New Echota, the Cherokee capital, was established near present-day [Calhoun](#), Georgia. The Cherokee National Council advised the United States that it would refuse future cession requests and enacted a law prohibiting the sale of national land upon penalty of death. In 1827 the Cherokees adopted a written constitution, an act that further antagonized removal proponents in Georgia.

Between 1827 and 1831

the [Georgia legislature](#) extended the state's jurisdiction over Cherokee territory, passed laws purporting to abolish the Cherokees' laws and government, and set in motion a process to seize the Cherokees' lands, divide it into parcels, and offer the parcels in a lottery to white Georgians. In 1828 Andrew Jackson was elected president of the United States, and he immediately declared the removal of eastern tribes a national objective. In 1830 Congress passed the Indian Removal Act, which authorized the president to negotiate removal treaties.



[Georgia Land Lottery](#)

With Congress



[John Marshall](#)

and the president pursuing a removal policy, the Cherokee Nation, led by John Ross, asked the U.S. Supreme Court to intervene on its behalf and protect it from Georgia's trespasses. In *Cherokee Nation v. Georgia* (1831), John Marshall, chief justice of the court, wrote that the Cherokees were a "domestic dependent nation" under the protection and tutelage of the United States. The court, however, did not redress the Cherokees' grievances. A year later, in [Worcester v. Georgia](#), the Supreme Court declared that Georgia had violated the Cherokee Nation's sovereign status and wrongfully intruded into its special treaty relationship with the United States. President Jackson, however, refused to enforce the decision and continued to pressure the Cherokees to leave the Southeast.

The Trail of Tears

The Cherokee Nation subsequently divided between those who wanted to continue to resist the removal pressure and a "Treaty Party" that wanted to surrender and depart for the West. In 1835 the latter group, led by Major Ridge, [John Ridge](#), and [Elias Boudinot](#), signed a removal treaty at the Cherokee capital of New Echota without the authority of Principal Chief Ross or the Cherokee government. The Treaty of New Echota required the Cherokee Nation to

exchange its national lands for a parcel in the "Indian Territory" set aside by Congress, in what is now Oklahoma, in 1834 and to relocate there within two years. The federal government promised to remit \$5 million to the Cherokee Nation, compensate individuals for their buildings and fixtures, and pay for the costs of relocation and acclimation. The United States also promised to honor the title of the Cherokee Nation's new land, respect its political autonomy, and protect its tribe from future trespasses. Even though it was completed without the sanction of the Cherokee national government, the U.S. Senate ratified the treaty by a margin of one vote.

After Major Ridge

signed away Cherokee land, Ross made the effort to prove that the majority of the tribe were not spoken for by gathering 16,000 Cherokee signatures against the treaty. The Cherokee government protested the legality of the treaty until 1838, when U.S. president Martin Van Buren ordered the U.S. Army into the Cherokee Nation. The army rounded up as many Cherokees as they could into temporary stockades and subsequently marched the captives, led by John Ross, to the Indian Territory. Scholars estimate that 4,000-5,000 Cherokees, including Ross's wife, Quatie, died on this "trail where they cried," commonly known as the Trail of Tears. Once in the Indian Territory, a group of men who had opposed removal attacked and killed the two Ridges and Boudinot for violating the law that prohibited the sale of Cherokee lands. The Cherokees revived their national institutions in the Indian Territory and continued as an independent, self-sufficient nation.



[Major Ridge](#)