

Indian Removal and the Trail of Tears

Essential Question: How did the Indian Removal Act of 1830 impact the Cherokee and the United States?

From the earliest days of settlement in Upper East Tennessee, tensions had always existed between the settlers and their Cherokee neighbors over land. Between 1775 and 1819, the Cherokee agreed to a series of land treaties that reduced their holdings to a small corner in Southeast Tennessee. However, the Cherokee faced increasing pressure from both Tennessee and Georgia to abandon their lands entirely. As early as 1817, some Cherokee had voluntarily relocated to Arkansas. Most Cherokee wanted to remain on their lands so Cherokee leaders took steps to ensure their people were not forced out.

Many Cherokee had already adopted customs from their white neighbors including the practice of slavery. Sequoyah's invention of a written language and the translation of the Bible into Cherokee helped spread Christianity to a significant proportion of the population. In 1827, the leaders meet at New Echota to write a Constitution for the Cherokee nation based on the United States Constitution. John Ross and other leaders believed these steps would protect the Cherokee from removal. Events beyond his control soon proved the belief to be false.

Two momentous events occurred in 1828. The first was the discovery of gold on Cherokee lands in north Georgia. Georgia residents had already been pushing for Cherokee removal, but the discovery of gold made removal even more urgent in the eyes of Georgia's government officials. The second event was the election of President Andrew Jackson. Jackson had fought with the Cherokee and White Stick Creeks against the Red Stick Creeks in the Creek War of 1813-1814. However, in the Treaty of Fort Jackson, he forced the White Stick Creeks, his allies, to cede land along with the Red Sticks they had fought together. The Creek nation was forced to cede twenty-three million acres of land in Alabama and Georgia. Jackson had also played a key role in the Jackson Purchase of 1818 in which the Chickasaw gave up their land claims in west Tennessee.

In 1830, Jackson introduced his Indian Removal Act to Congress. Jackson argued the removal helped Native Americans by removing them from the corrupting influences of white society and allowing them to maintain their distinctive way of life. Few among the Cherokee agreed with his thinking. The act was challenged in Congress by Henry Clay and Daniel Webster, members of the Whig party. David Crockett, a fellow Tennessean also spoke against the act. As principal chief, **John Ross'** strategy was to challenge removal through the courts. Though the Cherokee lost the 1831 case Cherokee v. State of Georgia, they won in the Supreme Court case **Worcester v. Georgia**. In this case, missionary Samuel Worcester had challenged Georgia's claim to Cherokee lands. The court ruled in favor of the Cherokee. In the majority

opinion John Marshall wrote that Indian nations were “distinct, independent political communities retaining their original natural rights” and that Cherokee Nation remained a separate, sovereign nation with a legitimate title to its national territory.” However, President Jackson refused to enforce the decision. He is said to have remarked, “John Marshall has made his decision, now let him enforce it.”

While John Ross continued to fight removal, other Cherokee leaders came to see taking the money offered by the United States and moving west voluntarily as the best option for the Cherokee. In 1835, Major Ridge and other Cherokee leaders signed the **Treaty of New Echota** without Ross’ knowledge or consent. In the treaty, Ridge and the others ceded all Cherokee lands east of the Mississippi River. In return the Cherokee received a grant of land in Indian Territory and 5 million dollars. Ross protested that Ridge and the other did not have the authority to sign the treaty and Ross’ allies in Congress tried to block it, but the treaty passed in the Senate by one vote. Ross continued to resist removal until 1838, when General Scott, under orders from Martin van Buren, arrived to begin rounding up the Cherokee. A small number of Cherokee were able to evade the military and remained in the mountains of Western North Carolina.

Men, women and children were forced from their homes with nothing but the clothes on their backs. The land and possessions they were forced to leave behind were immediately seized by white settlers. They were marched to stockades where they spent a miserable summer with very little protection from the weather. Sickness spread quickly in to crowded stockades and many Cherokee died. When the Cherokee finally began the long journey west they faced freezing temperatures and very little food. John Burnett, a soldier on the journey, later wrote that “I have known as many as twenty-two of them to die in one night of pneumonia due to ill treatment, cold, and exposure.” John Ross’ wife, Quatie, died after giving away her only blanket. She was one of an estimated 4,000 to 5,000 Cherokee who died on the “trail where they cried,” commonly known as the **Trail of Tears**.

Sources: “A Brief History of the Trail of Tears.” *Cherokee Nation*, 2014. Web. 30 June, 2014, <<http://www.cherokee.org/AboutTheNation/History/TrailofTears/ABriefHistoryoftheTrailofTears.aspx>>

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Answer each of the following questions using information from the text. Use each of the highlighted terms from the text at least once. Answers should be in the form of complete sentences.

1. Why were the Cherokee forced off their land? _____

2. How did the Cherokee resist removal? _____

3. How did some Cherokee leaders cooperate with removal? _____

4. How did removal affect the Cherokee? _____
