



TOWARD THE STONY MOUNTAINS

From Removal to Reservation

Andrew Jackson: Symbol for an Age

ON FEBRUARY 16, 1803, President Thomas Jefferson wrote a letter to a political leader in Tennessee regarding federal policies toward Indians. The government, he informed Andrew Jackson, must advise the Indians to sell their "useless" forests and become farmers. The Founding Father was confident that the young westerner would be able to advance the borders of a homogeneous America. Indeed, under Jackson's leadership, the United States achieved one of Jefferson's goals — the removal of the southern Indians toward the "Stony mountains."¹

Jackson's fortunes, both economic and political, were tied to what happened to the Indians. In 1787, he moved from North Carolina to Nashville, where he practiced law, opened stores, and engaged in land speculation — lands that had originally belonged to Indians. Like Prospero, he had migrated west, seeking a new environment offering the possibility of re-creating himself. Jackson paid \$100 for 2,500 acres at the Chickasaw bluffs on the Mississippi and immediately sold half of this property for \$312. He kept the rest of the land until 1818, when

TOWARD THE STONY MOUNTAINS

he sold it for \$5,000. Jackson had personally negotiated the Chickasaw treaty and opened the area to white settlement in 1814.

Meanwhile, Jackson had led American troops against the Creeks in Mississippi and conquered "the cream of the Creek country" for the expansion of the "republick." During the war against the Creeks, commander Jackson dehumanized his enemies as "savage bloodhounds" and "blood thirsty barbarians." When Jackson learned that hostile Creeks had killed more than two hundred whites at Fort Mims, he vowed revenge. "I know," he told his soldiers, "you will teach the cannibals who reveled in the carnage of our unoffending Citizens at Fort Meems that the thunder of our arms is more terrible than the Earth quakes of their Prophets, and that Heaven Dooms to inevitable destruction the wretch who Smiles at the torture he inflicts and who neither spares female innocence, declining age nor helpless infancy." Jackson furiously denounced the Indian capture of a white woman, who was confined to a post, "naked, lacerated," and urged the "brave sons of Tennessee" to wipe away this "blushing shame."²

Shortly before the Battle of Horse Shoe Bend in March 1814, Jackson raged in letters to Major General Thomas Pinckney. "I must distroy those deluded victims doomed to destruction by their own restless and savage conduct." Calling them "savage dogs," he wrote: "It is by the charge I distroy from eight to ten of them . . . I have on all occasions preserved the scalps of my killed." At the Battle of Horse Shoe Bend, Jackson and his troops surrounded eight hundred Creeks and killed almost all of them, including the women and children. Afterward, his soldiers made bridle reins from strips of skin taken from the corpses; they also cut off the tip of each dead Indian's nose for body count. Jackson sent clothing worn by the slain warriors to the ladies of Tennessee. In a letter to his wife, he wrote: "The carnage was dreadful. . . . I hope shortly to put an end to the war and return to your arms, kiss my little andrew for me, tell him I have a warriors bow and quiver for him." In a letter to Thomas Pinckney, Jackson boasted that he had conquered Indian lands, the "valuable country" west of the Cossee and north of the "allabama."³

But Jackson shrouded the destruction of Indians and the appropriation of their lands in a metaphysical mantle of moral justification. After the bloody victory, Jackson told his troops:

The fiends of the Tallapoosa will no longer murder our women and children, or disturb the quiet of our borders. . . . They have

disappeared from the face of the Earth. In their places a new generation will arise who will know their duties better. The weapons of warfare will be exchanged for the utensils of husbandry; and the wilderness which now withers in sterility and seems to mourn the desolation which overspreads it, will blossom as the rose, and become the nursery of the arts. . . . How lamentable it is that the path to peace should lead through blood, and over the carcasses of the slain!! But it is in the dispensation of that providence, which inflicts partial evil to produce general good.

His soldiers were advancing civilization, Jackson insisted. Their violence was an instrument of progress.⁴

Revered as a victorious hero of Indian wars, Jackson was elected to the presidency of the United States in 1828. As chief executive, Jackson supported the efforts of Mississippi and Georgia to abolish Indian tribal units and extend state authority over Indians. These states then opened Indian territory to settlement, even allowing whites to take improved or cultivated Indian tracts. As Jackson watched the states violate federal treaties with tribes, he pleaded presidential helplessness. "If the states chose to extend their laws over them," he told Congress, "it would not be in the power of the federal government to prevent it." Actually, treaties and federal laws had given authority over the Indians to Congress, not the states. The 1802 Indian Trade and Intercourse Act had provided that no land cessions could be made except by treaty with a tribe, and that federal rather than state law would operate in Indian territory. In 1832, after the Supreme Court ruled that states could not legally extend their jurisdiction into Indian territory, Jackson simply refused to enforce the court's decision.⁵

Jackson's claim of presidential powerlessness and his failure to uphold the law functioned as a facade for collaboration and conspiracy. Behind the scene, he actively worked for Indian removal. General John Coffee laid out the strategy. "Deprive the chiefs of the power they now possess," he wrote to the president, "take from them their own code of laws, and reduce them to plain citizenship . . . and they will soon determine to move, and then there will be no difficulty in getting the poor Indians to give their consent. All this will be done by the State of Georgia if the United States do not interfere with her law." All Jackson had to do was stay out of the way.⁶

In his support for the states, Jackson went beyond noninterference: he employed "confidential agents" to manipulate the chiefs. Their secret

mission, as stated in a letter from Secretary of War John Eaton to General William Carroll, was to use bribery in order to persuade "the Chiefs and influential men." "Since no circumstance is too slight to excite their suspicion or awaken their jealousy, presents in your discretion to the amount of not more than \$2000 might be made with effect, by attaching to you the poorer Indians, as you pass through their Country, given as their friend; and the same to the Children of the Chiefs, and the Chiefs themselves, in clothes, or otherwise."⁷

In his justification for Indian removal, President Jackson explained that efforts to civilize the Indians had failed. Whites had purchased their lands, thereby thrusting them farther into the wilderness, where they remained in a "wandering state." Some Indians had become civilized and agricultural, Jackson acknowledged, but they had set up "independent" nations within the states. Such "foreign" governments could not be tolerated, and the Indians would have to submit to state authority. But Jackson did not think that they could survive within white society. "The fate of the Mohigan, 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 [states] does not admit of a doubt." Like the tribes before them, they would disappear. "Humanity and national honor demand that every effort be made to avert so great a calamity."⁸

Driven by "feelings of justice," Jackson declared that he wanted "to preserve this much-injured race." He proposed a solution — the setting aside of a district west of the Mississippi "to be guaranteed to the Indian tribes as long as they shall occupy it." Beyond the borders of white society, Indians would be free to live in peace and to have their own governments "as long as the grass grows, or water runs." Jackson advised Indians to seek new homes in the West and follow the example of whites: restless and boundless, whites were constantly seeking to improve themselves and settle in new places. "Doubtless it will be painful [for Indians] to leave the graves of their fathers," Jackson declared. "But what do they more than our ancestors did or than our children are now doing? To better their condition in an unknown land our forefathers left all that was dear in earthly objects."⁹

Insisting that he wanted to be "just" and "humane" toward the Indians, Jackson claimed his goal was to protect them from the "mercenary influence of white men." Seeking to exercise "parental" control over them, he regarded himself as a "father," concerned about the welfare of his Indian "children." But if these "children" refused to accept his

advice, Jackson warned, they would be responsible for the consequences. "I feel conscious of having done my duty to my red children, and if any failure of my good intentions arises, it will be attributable to their want of duty to themselves, not to me."¹⁰

Like the early Puritans, Jackson affirmed the "errand into the wilderness" in his justification for Indian removal and destruction. What happened to the natives of America, he argued, was moral and inevitable. Indian graves, while stirring "melancholy reflections," represented progress — the extension of civilization across the expanse called America. Nothing, Jackson insisted, was to be "regretted." "Humanity has often wept over the fate of the aborigines of this country, and Philanthropy has been long busily employed in devising means to avert it," Jackson explained in a message to Congress, "but its progress has never for a moment been arrested, and one by one have many powerful tribes disappeared from the earth. To follow to the tomb the last of his race and tread on the graves of extinct nations excite melancholy reflections." But "philanthropy could not wish to see this continent restored to the condition in which it was found by our forefathers." The philosophical president then asked: "What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms . . . filled with all the blessings of liberty, civilization, and religion?"¹¹

Native Americans saw the chicanery of this metaphysics. Like Caliban cursing Prospero, Cherokee leader John Ross declared that "the perpetrator of a wrong" would never forgive "his victims." But President Jackson maintained a legal and moral posture. Acting under an 1830 law providing for Indian removal, Jackson uprooted some seventy thousand Indians from their homes and drove them west of the Mississippi River. Removal was carried out in two ways — indirectly through land allotment and directly through treaty.¹²

The Land-Allotment Strategy: The Choctaw Experience

Instituted by President Thomas Jefferson, the land-allotment program became the principal strategy for taking territory away from the Creeks, Chickasaws, and Choctaws. In the 1805 Choctaw Treaty, the federal government had reserved certain tracts of land for individual Choctaws. Jefferson told a delegation of chiefs: "Let me entreat you . . . on the land now given to you, to begin to give every man a farm; let him enclose it, cultivate it, build a warm house on it, and when he dies, let it belong

to his wife and children after him." The aim of Jefferson's policy was the transformation of the Choctaws into farmers.¹³

Actually, the Choctaws of Mississippi had been horticulturalists since long before the arrival of whites. They employed the slash and burn method to clear areas for planting corn, beans, squash, pumpkins, and watermelons. To prepare the ground, they used a digging stick, a short heavy pole of hard wood with a sharp point. Then, in the early summer, they celebrated the Green Corn Dance, a ceremony to bless the fields. After the harvest, they laid out the corn in small lots to dry, and then layered the corn between grass and clay mortar in little piles, "each covered and arranged side by side," looking "like a big mud dauber's nest." The Choctaws prepared the corn in various ways. "First they roast it in the fire and eat it so," a French traveler reported. "When it is very tender they pound it and make porridge of it, but the most esteemed among them is the cold meal."¹⁴

Before contact with the strangers from Europe, the Choctaws practiced communalism. Living in towns and organized in chiefdoms, they hunted in groups and distributed the deer among themselves; they also shared common grain reserves. After the harvest, the people erected a large granary. "To this each family carries and deposits a certain quantity, according to his ability or inclination, or none at all if he so chooses," reported a visitor. This "public treasury" supplied individual tribal members in need as well as neighboring towns suffering from crop failures. Reciprocity provided the basis of Choctaw community and social relations. Critical of European individualism and possessiveness, they condemned the English for allowing their poor to suffer from hunger. Trader James Adair reported that the Choctaws were "very kind and liberal to every one of their own tribe, even to the last morsel of food they enjoy."¹⁵

By the early nineteenth century, many Choctaws had turned to stock-raising. Domesticated cows, horses, and pigs on enclosed farms replaced wild deer in open hunting preserves. Chief Franchimastabe explained that Choctaws would now have to raise cattle and live like white men, for the time of "hunting and living by the Gun" was nearly over. Choctaws also cultivated cotton for the market. Some of them had extensive operations: Greenwood LeFlore had 250 acres of cotton fields worked by thirty-two slaves, and David Folsom had 150 acres with a labor force of seventeen slaves.¹⁶

Even after they had become property owners and producers for the market, the Choctaws were still not wanted in Mississippi, for they were the wrong color, unable to cross the racial border and blend into

Benjamin Franklin's society of "the lovely White." Agent Stephen Ward reported that the Choctaws were becoming civilized persons and landowners, but none of this mattered to many white Mississippians. "I know an Indian will be an Indian," one of them declared in a local newspaper, "because we have had plenty of Indians in Natchez, and can you show me who has been civilized by being brought among us?"¹⁷

In January 1830, the Mississippi state government abolished the sovereignty of the Choctaw Nation. Any Choctaw who opposed state authority would be subjected to a thousand-dollar fine and a year in prison. In September, federal commissioners met with the Choctaws at Dancing Rabbit Creek to negotiate a treaty for acquiring their lands and removing them beyond the Mississippi. Robert H. Grant, a trader in the Choctaw Nation, reported that "there was a strong, and I believe universal feeling, in opposition to the sale of any portion of their remaining country in Mississippi." The Choctaw representatives turned down the offer: "It is the voice of a very large majority of the people here present not to sell the land of their forefathers." Thinking that the meeting was over, many Choctaws left. But the federal commissioners refused to accept no for an answer and bluntly told the remaining chiefs that the Choctaws must move or be governed by Mississippi state law. If they resisted, they would be destroyed by federal forces in a few weeks. A treaty was finally secured by intimidation.¹⁸

"We are exceedingly tired," wrote Chief David Folsom in a letter to Presbyterian missionaries. "We have just heard of the ratification of the Choctaw Treaty. Our doom is sealed. There is no other course for us but to turn our faces to our new homes toward the setting sun." Years later, Chief Cobb told Captain J. McRea, an officer in charge of removal: "Brother: Our hearts are full. Twelve winters ago our chiefs sold our country. Every warrior that you see here was opposed to the treaty. If the dead could have counted, it could never have been made, but alas! Though they stood around, they could not be seen or heard. Their tears came in the raindrops, and their voices in the wailing wind, but the pale faces knew it not, and our land was taken away."¹⁹

The Treaty of Dancing Rabbit Creek provided that the Choctaws cede all of their 10,423,130 acres to the federal government and migrate to lands west of the Mississippi River. Not all of the Choctaws were required to leave, however. Choctaw families and individuals were instructed to register with an Indian agent within six months after ratification of the treaty if they wished to remain in Mississippi and receive a land grant. Seemingly, the program gave Choctaws a fair chance to succeed in white society as individual landowners.²⁰

Federal certifying agents, however, proceeded to collaborate with land speculators to transfer Indian lands from the tribes to individual Indians and then to whites. Speculators took Indians by groups from one agent to another and had them sign contracts for land grants. Often the speculators were the federal agents themselves. After they secured lands for individual Indians, speculators made loans to them in exchange for their titles as collateral, and then they took over the deeds when the Indians failed to repay their debts.

Meanwhile, many whites simply took possession of Indian lands. "Owing to the law of the State of Mississippi passed at the last session, granting permission to the whites to settle in the Choctaw Nation," a contemporary reported, "hundreds have come in and are squatting on the lands in all directions." Once they occupied Indian lands, they usually offered to pay for the property. "For the most part, every purchaser of cultivated reservations have made small advances to the Indians, with a promise to pay the balance when the Indians make a good title; which can hardly be effected, owing to the remote residence of the Indians when they remove to the west."²¹

The Treaty of Dancing Rabbit Creek and the land allotment program unleashed white expansion: speculators, farmers, and planters proceeded to take Indian lands "legally," while absolving themselves from responsibility for Indian removal. Whites could not be blamed if Indians got into debt, lost their lands, and had to move beyond the Mississippi. "Our citizens were disposed to buy and the Indians to sell," explained Secretary of War Cass. "The improvident habits of the Indians cannot be controlled by [federal] regulations. . . . If they waste it, as waste it they too often will, it is deeply to be regretted yet still it is only exercising a right conferred upon them by the treaty." Indians were responsible for their own ruin. Behind the blame, however, was a hidden agenda. In a letter to General John Coffee, April 7, 1832, President Jackson wrote: "The object of the government now is, to have all their reservations surveyed and laid off as early as we can." Once Indians had been granted their individual land allotments, he added, they would "sell and move to the West." Jackson reassured Coffee: "When the reserves are surveyed it will require but a short time to compleat the ballance and have it into market. . . ."²²

A year after the Treaty of Dancing Rabbit Creek, thousands of Choctaws began their trek to the new territory west of the Mississippi River. "The feeling which many of them evince in separating, never to return again, from their own long cherished hills, poor as they are in this section of country," wrote an army officer, "is truly painful to witness. . . ." But

what was even more distressing to see was the suffering. While en route to their new homes, many Choctaws encountered terrible winter storms. One eyewitness recorded the experience of several hundred migrating Choctaws: "There are very aged persons and very young children in the company; many had nothing to shelter them from the storm by day or night. The weather was excessively cold, and yet . . . not one in ten of the women had even a moccasin on their feet and the great majority of them were walking. . . . One party came to us and begged for an ear of corn apiece [to relieve] their suffering." Not only the cold weather but also diseases like cholera stalked the migrants. "Not a family but more or less sick," reported Lieutenant Gabriel Rains to his general; "the Choctaws are dying to an alarming extent. . . . Near the agency there are 3,000 Indians and within the hearing of a gun from this spot 100 have died within five weeks. . . . The mortality among these people since the beginning of fall as far as ascertained, amounts to one-fifth of the whole number."²³

A French visitor witnessed the Choctaws crossing the Mississippi River on their way to the West. "It was then the middle of winter," reported Alexis de Tocqueville, "and the cold was unusually severe; the snow had frozen hard upon the ground, and the river was drifting huge masses of ice. The Indians had their families with them, and they brought in their train the wounded and the sick, with children newly born and old men upon the verge of death." Before his eyes was a microcosm of the epic story of Indian retreat before white expansion. "Three or four thousand soldiers drive before them the wandering races of the aborigines; these are followed by the pioneers, who pierce the woods, scare off the beasts of prey, explore the courses of the inland streams, and make ready the triumphal march of civilization across the desert." What struck Tocqueville was how whites were able to deprive Indians of their rights and exterminate them "with singular felicity, tranquilly, legally, philanthropically, without shedding blood, and without violating a single great principle of morality in the eyes of the world." Indeed, he wryly remarked, it was impossible to destroy men with "more respect for the laws of humanity."²⁴

Uprooted, many Choctaws felt bitter and angry. "The privations of a whole nation before setting out, their turmoil and losses on the road, and settling their homes in a wild world," one of them declared, "are all calculated to embitter the human heart." In a "Farewell Letter to the American People, 1832," George W. Harkins explained why his people had left their ancestral lands: "We were hedged in by two evils, and we

chose that which we thought least." The Mississippi legislators, he insisted, were not qualified to become lawmakers for a people so dissimilar in culture as the Choctaws were to whites. A "mountain of prejudice" would continue to obstruct "the streams of justice." Thus the Choctaws chose to "suffer and be free" rather than live under the degrading influence of laws where their voices could not be heard. But they went unwillingly, for their attachment to their "native land" was strong. "That cord is now broken," Harkins cried out, "and we must now go forth as wanderers in a strange land!"²⁵

The Choctaws denounced the president for betraying them. "The man [Andrew Jackson] who said that he would plant a stake and draw a line around us, that never should be passed," a Choctaw charged, "was the first to say he could not guard the lines, and drew up the stake and wiped out all traces of the line." The angry protester urged his compatriots to resist "the gloom and horrors of the present separation." They should establish themselves in their "destined home" so that they would never be uprooted by whites again and would be able to "live free" forever.²⁶

The total cost of Choctaw removal, including salaries for the agents and land-fraud settlements, was \$5,097,367.50. To pay for these expenses, the federal government sold the Choctaw lands to white settlers and received \$8,095,614.89. In the Treaty of Dancing Rabbit Creek, the government had agreed that it would not make any profits from the sales of Choctaw lands. The Choctaws sued in federal court and won \$2,981,247.39, but most of the awarded sum went to pay their lawyers.²⁷

The Treaty Strategy: The Cherokees' Trail of Tears

In the beginning, according to Cherokee legend, water covered the entire earth and all of the animals lived in the sky. One day, a beaver dove into the ocean, and created land by bringing mud to the surface and fastening it to the sky with four cords. Then the Great Buzzard flew to earth. "When he reached the Cherokee country, he was very tired, and his wings began to flap and strike the ground, and wherever they struck the earth there was a valley, and where they turned up again there was a mountain." This beautiful land of valleys and mountains became the home of the Cherokees.²⁸

But, like the Choctaws in Mississippi, the Cherokees in Georgia were dispossessed, their lands "legally" moved into the "market." In 1829, the Georgia legislature had passed a law extending state authority over

the territory of the Cherokee Nation. The law also provided that any member of the tribe who tried to influence a fellow Cherokee to remain in Georgia would be imprisoned, and that no Cherokee would "be deemed a competent witness in any court of this state to which a white person may be a party." They were given a choice — leave the state or be subjugated by white rule.²⁹

In a message to the General Council of the Cherokee Nation in July 1830, Chief John Ross protested the new policy. He criticized President Andrew Jackson for refusing to protect the Cherokees against Georgia's illegal and unfair actions. Jackson's inaction had placed their relationship with the federal government in "a strange dilemma." Ross urged his fellow Cherokees to stand united against Georgia and Jackson. Again, on April 14, 1831, he warned: "The object of the President is . . . to create divisions among ourselves." Ross warned that Jackson's strategy was to divide and conquer: "Will you break sticks to put into the hands of the president to break your own heads with?"³⁰

The Cherokees refused to abandon their homes and lands. The federal government, they insisted, was obligated to honor the treaties guaranteeing the sovereignty of the Cherokee Nation and the integrity of their territory. In a protest to Secretary of War Lewis Cass on February 6, 1834, Chief Ross condemned Georgia's lawlessness: "The right of property and even the life of the Cherokee is in jeopardy, and are at the mercy of the robber and the assassin. By these acts the citizen of Georgia is licensed to come into immediate collision with the Cherokee individual, by violence, if he chooses, for any and everything that is sacred to the existence of man upon earth. And the Cherokee is denied the right of appearing before the sanctuary of justice created by law for the redress of wrongs." A month later, Chief Ross wrote directly to President Jackson: "The relations of peace and friendship so happily and so long established between the white and the red man . . . induces us, as representatives of the Cherokee nation, to address you [as] Father. The appellation in its original sense carries with it simplicity, and the force of filial regard." By treaty, the Cherokee people had placed themselves under the protection of the federal government, which in turn had given "assurances of protection, good neighborhood and the solemn guarantee" for the territorial integrity of the Cherokee Nation. A good father, the Cherokee chief insisted, should honor his promises to his children.³¹

But the appeals fell on deaf ears in Washington. Instead, President Jackson instructed Commissioner J. F. Schermerhorn to negotiate a treaty for Cherokee removal. Schermerhorn secured an agreement from John

Ridge, the head of a small proremoval faction of Cherokees. According to the terms, the Cherokees would cede their land and be removed in exchange for a payment of \$3,250,000. The treaty was signed in Washington on March 14, 1835, but it needed to be ratified by the tribe in full council to be valid.

Schermerhorn arranged to present the treaty to the Cherokee council at a meeting in New Echota, Georgia, to be held in December. To Secretary of War Lewis Cass, the commissioner wrote: "We shall make a treaty with those who attend, and rely upon it." What he meant was that only the proremoval faction would be permitted to attend. Before the meeting took place, the Georgia militia jailed Chief Ross and suppressed the Cherokee newspaper in order to restrict information about the meeting and to curb criticism. "The manner of seizure of the public press," Chief Ross protested in a letter to his people, "could not have been sanctioned for any other purpose than to stifle the voice of the Cherokee people, raised by their cries from the wounds inflicted upon them by the unsparing hand of their oppressors, and that the ear of humanity might thereby be prevented from hearing them." With the opposition to removal silenced, Schermerhorn proceeded to sign a treaty at New Echota.³²

The treaty was a sham: only a tiny fraction of the entire Cherokee Nation attended, and none of the tribal officers was present. According to Schermerhorn's own report, only about three to five hundred Cherokees out of a population of over seventeen thousand were present. Chief Ross and the antiremoval Cherokee leaders tried to block the treaty's approval in Congress. "This instrument," they declared to the Senate, "purports to be a contract with the Cherokee people, when in fact it has been agreed upon, in direct violation of their will, wishes, and interest, by a few unauthorized individuals of the [Cherokee] Nation. . . ." Some government officials confirmed that the treaty was indeed a fraud. In a letter to Secretary Cass, Major W. M. Davis described what had actually happened at New Echota: "Sir, that paper . . . called a treaty, is no treaty at all." It was "not sanctioned by the great body of the Cherokee," and was made "without their participation or assent." Davis charged that "Mr. Schermerhorn's apparent design was to conceal the real number present. . . . The delegation taken to Washington by Mr. Schermerhorn had no more authority to make a treaty than any other dozen Cherokee accidentally picked up for the purpose." Clearly, the treaty was chicanery; yet President Jackson "relied upon it" and Congress ratified it.³³

The treaty let loose thousands of white intruders, who seized the

"ceded" lands, murdering many Cherokees and forcing others to abandon their farms. In a letter to President Jackson, proremoval leader Ridge complained about the atrocities:

We come now to address you on the subject of our griefs and afflictions from the acts of the white people. They have got our lands and now they are preparing to fleece us of the money accruing from the treaty. We found our plantations taken either in whole or in part by the Georgians — suits instituted against us for back rents for our own farms. . . . Even the Georgia laws, which deny us our oaths, are thrown aside, and notwithstanding the cries of our people . . . the lowest classes of the white people are flogging the Cherokees with cowhides, hickories, and clubs.³⁴

Most of the Cherokees refused to migrate. In the spring of 1838, Chief Ross again protested against the treaty by presenting Congress with a petition signed by 15,665 Cherokees. But the federal government dismissed it and ordered the military to carry out an order for forced removal.³⁵

In command of seven thousand soldiers, General Winfield Scott warned the Cherokees that they had to cooperate: "My troops already occupy many positions . . . and thousands and thousands are approaching from every quarter to render assistance and escape alike hopeless. Will you, then by resistance compel us to resort to arms . . . or will you by flight seek to hide yourself in mountains and forests and thus oblige us to hunt you down?" The soldiers first erected internment camps and then rounded up the Cherokees. "Families at dinner were startled by the sudden gleam of bayonets in the doorway and rose up to be driven with blows and oaths along the weary miles of trail that led to the stockade. Men were seized in their fields . . . women were taken from their wheels and children from their play." The process of dispossession was violent and cruel. "The Cherokees are nearly all prisoners," the Reverend Evan Jones protested. "They had been dragged from their houses . . . allowed no time to take any thing with them, except the clothes they had on. Well-furnished houses were left prey to plunderers, who, like hungry wolves, follow in the train of the captors. . . . The property of many have been taken, and sold before their eyes for almost nothing — the sellers and buyers, in many cases having combined to cheat the poor Indians."³⁶

From the internment camps, the Cherokees were marched westward.

"We are now about to take our final leave and kind farewell to our native land the country that the Great Spirit gave our Fathers," a Cherokee informed Chief Ross. "We are on the eve of leaving that Country that gave us birth. . . . [I]t is with [sorrow] that we are forced by the authority of the white man to quit the scenes of our childhood."³⁷

The march took place in the dead of winter. "We are still nearly three hundred miles short of our destination," wrote Reverend Evan Jones in Little Prairie, Missouri. "It has been exceedingly cold . . . those thinly clad very uncomfortable . . . we have, since the cold set in so severely, sent on a company every morning, to make fires along the road, at short intervals. . . . At the Mississippi river, we were stopped from crossing, by the ice running so that boats could not pass. . . ." The exiles were defenseless against the weather and disease. "Among the recent immigrants," wrote a witness near Little Rock, "there has been much sickness, and in some neighborhoods the mortality has been great. . . . Since last October about 2,000 immigrants have come. Twenty-five hundred more are on their way . . . much sickness and mortality among them." Quatie Ross, the wife of the chief, died of pneumonia at Little Rock. "Long time we travel on way to new land," one of the exiles recalled bitterly. "People feel bad when they leave Old Nation. Women cry and make sad wails. Children cry and many men cry, and all look sad when friends die, but they say nothing and just put heads down and keep on going towards West."³⁸

Removal meant separation from a special and sacred place — their homeland created by the Great Buzzard. A Cherokee song acquired new and deeper meaning from the horror of removal:

*Toward the black coffin of the upland in the Darkening Land
your paths shall stretch out.
So shall it be for you. . . .
Now your soul has faded away.
It has become blue.
When darkness comes your spirit shall grow less and dwindle
away, never to reappear.*

A Cherokee recalled how there were so many bodies to bury: "Looks like maybe all be dead before we get to new Indian country, but always we keep marching on." By the time they reached the new land west of the Mississippi, more than four thousand Cherokees — nearly

one-fourth of this exiled Indian nation — died on what they have bitterly remembered as the "Trail of Tears."³⁹

The Buffalo No-Long Poem

Beyond the Mississippi River lived the Plains Indians — the Cheyenne, Arapaho, Kiowa, Sioux, and Pawnee. Inhabiting central Nebraska and northern Kansas, the Pawnees depended on buffalo and corn for their sustenance. Both sources of life were celebrated in Pawnee legends. When the Pawnee people were placed on the earth a long time ago, they wandered from place to place and lived on roots and berries. But food became scarce, and they suffered from hunger. Then one day a young man looked into a cave and saw an old woman; he followed her into the cave and found another country with game and fields. "My son," she told him, "the gods have given you the buffalo. The buffalo are to run out of this cave, and the first buffalo that shall go out shall be killed by your people. Its hide must be tanned, the head must be cut off, and the skull set up on this high hill. When the meat and everything has been cut off from the skull, it must be taken to the village and put in the lodge." Next, the old woman gave the young man four bundles of corn of different colors, braided together: "These are the seeds for the people. . . . Now you must plant and give the seeds to the people, and let them put them in the ground." With their buffalo and corn, the Pawnees were self-sufficient.⁴⁰

The buffalo hunt was a sacred activity, historian Richard White noted, and rituals guided the Pawnees in their migrations to the hunting grounds during the summers. Before the start of the hunt, they performed a ceremony. Pantomiming the hunt, they chanted:

*Listen, hear, yonder the buffalo are coming,
These are his sayings, yonder the buffalo are coming,
They walk, they stand, they are coming,
Yonder the buffalo are coming.
Now you are going to trot
Buffalo who are killed falling.*

In another song, he described a herd of buffalo that had been sleeping on the plains. A calf, awakened by a frightening dream, warns grandfather buffalo:

*Grandfather, I had a dream.
The people are gathering to surround us.*