

ment and gradually destroy this the Cherokee Nation. The Cherokee are a peaceable, harmless people, but you may drive them to desperation, and this treaty cannot be carried into effect except by the strong arm of force."¹⁶

In the latter part of 1836 John Ross visited the Western Cherokees in an effort to arouse them against the treaty. While there he learned that the constitution under consideration as a basis for admission of the new state of Arkansas proposed in section VIII that the western boundary of the state should extend to the former boundary "when the Indian title is extinguished". He foresaw a renewal of their controversies with the whites over their lands. This caused a flood of protests to be sent to Washington.

The government sent a confidential agent, John M. Mason, Jr., in September, 1837, to the Cherokee country to report upon the situation. His opinion was much the same as that of Wool and Davis. He reported that the whole nation of eighteen thousand persons were with Ross, the few — about three hundred — who made the treaty having left the country, with the exception of a small number of prominent individuals — as Ridge, Boudinot, and others — who remained to assist in carrying it into execution.¹⁷

The government's policy of bribery and corruption continued as indicated by the report of Wilson Lumpkin and John Kennedy in which they said, "The policy of making prudent advances to the wealthy and intelligent, has gone far to remove opposition to the treaty among the most influential."¹⁸

Now, indeed, was the stage all set and Jackson ready to produce the tragedy of the century.

The Removal of the Eastern Cherokees
Almon C. Castle
D. G. & H. Hoffman Printers, Co.
Muskogee, Okla.

#326

Chapter 4

REMOVAL BY PHYSICAL FORCE

The first party to be conducted westward by the government under the terms of the Treaty of New Echota was in charge of Dr. John S. Young, who had three assistants, a physician, Dr. C. Lillybridge, and three interpreters. There were 466 Cherokees in the party, one half of whom were children. Dr. Lillybridge was thoughtful enough to set down in his journal accounts of the happenings from day to day.

He reported reaching Ross's Landing (near the present city of Chattanooga, Tennessee) on March 1, 1837, and two days later embarking with the Indians in a fleet of eleven flatboats which were divided into three groups. There was considerable disorder and intoxication for a time. The boats were open and the emigrants exposed to the cold winds, so after making five miles they landed and camped for the night. The next morning at six-thirty the journey was resumed. The doctor visited the boats, treated a number for colds, and extracted two teeth, one for a daughter of Tese-teska and the other for Arch Downing. He prescribed for Mrs. Waitie and James Wolf who were slightly indisposed from exposure.

On the sixth the boats reached Gunter's Landing and were tied to the island to prevent the Indians from going ashore and getting drunk. However, in spite of the precautions, some of them succeeded in reaching town and caused considerable disorder.

The flatboats were fastened to the steamer **Knoxville** and the new fleet set off at nine o'clock on the morning of the seventh. At ten the doctor was called to treat a patient who was writhing in agony from whiskey colic. The patient was able to talk coherently and said he was not drunk — that he had drunk only two half-pints of whiskey and had a few other drinks with his friends.

When they arrived at Decatur they were placed on board railroad cars that was to deliver them to Tusculumbia by night. The

¹⁶Nineteenth Report, American Bureau of Ethnology, p. 126.

¹⁷Ibid., p. 128.

¹⁸Foreman, *op. cit.*, p. 273.

engine did arrive, however, and the Indians were compelled to wait in the cold from three in the afternoon until dark. The train and cars were novel to them and they could be seen examining them with their peculiar inquisitive silence and gravity. Since the engine was momentarily expected they were left without a place to sleep, and they were afraid to lie down for fear of being run over. No lights were furnished them. Finally the doctor succeeded in getting a warehouse opened for them and they made their beds there for the night.

On their arrival at Tuscumbia they camped to await the arrival of the boats that were to take them down the river. While they were here it rained very hard, the weather was cold and windy, and the Indians were wet, cold and miserable.

The steamboat **Newark** and two keel-boats arrived at ten o'clock on the thirteenth and the whole body of them were soon in motion bringing their effects to the boats. After spending the remainder of the day in getting their effects loaded the emigrants laid themselves down as best they could, cheerfully expecting to get under way in the morning. But the next day some misunderstanding took place among the officers in relation to rank, and other matters, and in consequence the boats were detained till late in the afternoon. And so the story continues...

The doctor made daily rounds of all the boats looking after the ill, some of whom made his ministrations difficult by their unwillingness to follow instructions. After they had been under way for a few days the amount of sickness increased. The principal complaints were of colds, influenza, sore throat, coughs, pleurisy, measles, diarrhea, bowel complaint, fevers, toothache, wounds from accidents and fighting, and gonorrhoea among the young men.

The emigrants arrived at Little Rock on the evening of the twenty-first and were landed on the bank of the river opposite the village.

On the twenty-fifth the wife of Saml. McCamman was left on shore at a wood-yard. Her husband jumped ashore to fetch her. The captain of the steamboat made them walk three miles and then charged two dollars for sending his boat ashore for them.

On the night of the twenty-seventh they arrived at Van Buren and they were at Fort Smith at noon the next day. Here whiskey was again introduced and many of them became drunk. They left about two o'clock but stopped two miles above Fort Smith to land Major Ridge and his friends who wished to proceed on the road from Van Buren to reach the lands of which he wished to settle. Most of the rest of the detachment insisted on landing here in spite of the advice of the agents and those who were acquainted with the country. The next day the boats continued to Fort Coffee where the remainder of the emigrants were landed.¹

The second emigrating party, under the direction of B. B. Cannon, set out from the Cherokee agency on October 14, 1837. They spent two days in loading their wagon, having decided to go overland through Kentucky, Illinois, and Missouri. The first day out they crossed the Hiwassee River at Calhoun and camped five miles beyond. The second day was spent in mustering the party and on the evening of the third day they reached the Tennessee River and camped after having traveled fourteen miles. They were unable to cross this river until the seventeenth day about four o'clock, after which they traveled until eight and advanced a distance of seven miles.

The Cumberland Mountains required four days to cross and severely taxed the endurance of the emigrants. A camp was made at Sequachee River. On the twenty-second day they passed through McMinnville. They were warned that there was no water ahead for twelve miles. On the twenty-fifth day they buried "Andrew's child" and passed through Murfreesborough. The next day they passed through three turnpike gates; on the next, two more, then they crossed the Cumberland River on the toll-bridge at Nashville.

The party averaged from twelve to sixteen miles a day. Corn, bacon, and flour were issued to them every second or third day and corn and fodder for their horses daily.

While resting for the purpose of washing clothes, repairing

¹Army and Navy Chronicle, IV, 301-361; Foreman, *op. cit.*, pp. 273-278.

wagons, and shoeing horses, Reese, Starr, and others visited Jackson who was at Nashville at the time.

On November 3 they recorded that they "Buried Duck's child, passed through Hopkinsville, Ken." On the eighth, James Starr and his wife left with two carry-alls to take care of and bring on three of their children who were too sick to travel. They were instructed to overtake the party as soon as possible without endangering the lives of their children.

James Taylor, Reese, Starr and their families were left on the sixteenth on account of sickness with instructions to overtake the party.

They began crossing the Mississippi on the twelfth of November but high winds arrested their efforts and it was the fourteenth before everyone was across. Starr caught up with the party but the health of his children was very little better. Another one of Duck's children died during the time of crossing the river. George Ross and Richard Timberlake joined Starr's family and attached themselves to the caravan.

A great deal of sickness had developed by the time they crossed the Mississippi due to the unwholesome stagnant water in Illinois and their intemperate consumption of wild grapes along the route which had brought on violent attacks of dysentery. Most of the drivers were ill; some were so bad that they had to be left on the road and substitutes hired.

Townsend called a halt on the twenty-fifth near a school house where the conductor obtained permission for as many as could to enter. They remained here ten days during which four died, two children of Corn Tassel and Ollanhota, George Killion and a wagoner, a black boy.

They resumed their journey on December 4 although there was not room in the wagons for all the ill. The entry for the seventh reads; "Reese's team ran away; broke his wagon and Starr's carry-all; left him and family to get his wagon mended, and to overtake us if possible." Nancy Bigbear's grandchild was buried the next day. It rained all day and that night several Indians got drunk. The caravan reached the James fork of the White River December 14.

On the night of December 15, 1837, James Starr's wife gave birth to a child. On the sixteenth they passed through Springfield, Missouri, and "buried Elleges wife and Chas. Timberlake's son, (Smoker)". It was now snowing and much colder, and sickness was increasing. "Buried Dreadful Waters this evening", the seventeenth. They remained in camp at Dye's for several days to attend to the ill and wait for medicines to be brought from Springfield. On the twenty-first they reached Lockes' on Flat Creek. The next day they buried Goddard's grandchild. On the twenty-third they buried Rainfrog's daughter, Lucy Redstick's child, and halted at Reddix. Three days later they camped at James Coulter's on Cane Hill, Arkansas, and the next day buried Aalsey Timberlake, daughter of Charles Timberlake.

They arrived at Mr. Bean's in the Cherokee Nation West on December 29, 1837. Having crossed the line the exhausted party refused to advance farther and went into camp to minister to their sick. "Buried another child of Chas. Timberlake's, and one which was born (untimely) yesterday". No other account than this was taken of it. "Jess Half Breed's wife had a child last night."

On December 30, 1837, Cannon remustered his party and turned them over to Lieutenant Van Horne. Fifteen deaths had occurred on the march, eight of whom were children under two years of age.² This represented four and two-tenths per cent of the number that had started with the caravan from Georgia.

General Nathaniel Smith of Athens, Tennessee, was appointed to succeed B. F. Currey, superintendent of removal, who had died December 16, 1836. Smith gathered another party of about 300 near the agency but it dwindled to 250 by March 25, 1838. In spite of warnings and threats only this small group could be induced voluntarily to leave Waterloo. They embarked on April 5 in charge of Lieutenant Edward Deas. They traveled on the steamer *Smelter* and a keel boat which it had in tow.

They reached Paducah the second day and anchored out on the river to prevent white people from introducing whiskey among

²Foreman, *op. cit.*, p. 283.

the Indians. In the evening when they resumed their journey the waves from the Ohio River washed in the keel-boat and the terrified Indians, thinking it was sinking, rushed aboard the steamboat. Since they could not be induced to return to the keel-boat it was discarded and they were all carried on the **Smelter**.

After stopping at Memphis for supplies and once for wood, they reached Montgomery's Point on the afternoon of the ninth. After securing a pilot for the Arkansas River they passed through the cut-off, proceeded up the river, and reached Little Rock, on the morning of the eleventh. The river had fallen so low that it was impossible for the **Smelter** to ascend higher and Lieutenant Deas secured passage for the Indians aboard the **Little Rock**, a steamer of lighter draft. The captain agreed to take the party as far up as possible for \$5.00 each for the whole distance, and an amount proportionally less if he did not take them all the way. They proceeded five miles further up the river on the **Smelter** and then landed for the night. The next day Captain Pennywit brought up his boat, the **Little Rock**, and the Indians were loaded aboard her and a keel-boat in tow. He towed a second keel-boat loaded with freight but it sprang a leak and it was necessary to run ashore to prevent it from sinking. After some delay it was abandoned and the steamer with the other boats in tow proceeded. They arrived at Lewistown Bar on the afternoon of the fourteenth. A laborious week was spent in crossing a succession of bars, during which time the Indians were obliged to land and walk several times. Finally, recognizing that they would be unable to reach the Cherokee country by the river at the existing stage of the water, they were all landed at McLean's about forty five miles below Fort Smith. Here Lieutenant Deas secured seventeen wagons, sixteen of which were drawn by oxen and one by four horses. The wagons were loaded with personal effects and the party renewed its journey on the twenty-fourth. Two small children died on the twenty-sixth.

On the twenty-eighth of April, 1838, the party reached Fort Smith and were ferried across the Arkansas River to the Cherokee country. They traveled twenty-five miles further into the country

to McCoy's of Sallisaw, where they settled.

There were perhaps fewer hardships and deaths in this group than in any of those that removed. Lieutenant Deas so impressed the Indians by his humane consideration and intelligent attention to their welfare and comfort that they presented him with a sword as a token of their gratitude.³

The Cherokees who remained at home could not believe that the government could be so cruel as to forcibly remove them because of the faked treaty.

Because he could not acquiesce in the government's treatment of the Indians, General Wool asked to be relieved of the command of the troops in the Cherokee country, in May, 1837. His request was granted and he was succeeded by Col. William Lindsay. The latter was ordered to arrest John Ross and turn him over to the civil authorities if he gave further evidence of opposing the enforcement of the treaty. John M. Mason, Jr., acting in the capacity of confidential agent of the secretary of war department checking affairs in the Cherokee country, reported in September, 1837, that with all his power Ross could not, if he would, change the course he has heretofore pursued and to which he was held by the fixed determination of his people. Ross disliked to be seen in conversation with white men, and particularly with agents of the government. "Were he, as matters now stand," wrote Mason, "to advise the Indians to acknowledge the treaty, he would at once forfeit their confidence and probably his life". Although unwavering in his opposition to the treaty, Ross's influence had constantly been exerted to preserve the peace of the country, and Colonel Lindsay declared that Ross alone stood at this time between the whites and bloodshed. The opposition to the treaty on the part of the Indians was unanimous and sincere, and it was not a mere political game played by Ross for the maintenance of his ascendancy in the tribe.⁴

³Army and Navy Chronicle, VIII, 317 cited by Foreman, *op. cit.*, p. 285.

⁴Letter of J. M. Mason, Jr., To the Secretary of War, September 25, 1837, cited in *Nineteenth Report*, American Bureau of Ethnology, p. 128.

Elias Boudinot, who had been editor of the **Cherokee Phoenix** and one of the signers of the treaty, justified his attitude on the proposed removal on the grounds that he could not conceive of the acts of the minority to be so reprehensible and so unjust as represented by Mr. Ross. He believed that if one hundred persons were ignorant of their true situation and were so completely blinded as not to see the destruction that awaited them, he could see strong reason to justify the action of a minority of fifty persons to do what the majority would do if they understood their condition to save a nation from political thralldom and moral degradation.

The whites did not wait for the government to remove the Indians but continued their persecutions in an even more cruel and persistent manner. It was so great that Major Ridge, the principal signer of the treaty, petitioned the president for relief. He reported that the whites had taken their lands and were preparing to fleece them of the money accruing from the treaty. Their plantations were taken either in whole or in part by the Georgians. Suits were instituted against them for back rents for their own farms. These suits were commenced in the inferior courts, with the evident design that, when they were ready to remove, they would be arrested and on these vile claims the Indians would be induced to compromise for their release, in order to travel with their families. Thus their funds would be filched from them and they would be compelled to leave the country as beggars and in want. Even the Georgia laws, which denied the Cherokees their oath, were thrown aside, and notwithstanding the cries of the people, and the protestations of their innocence and peace, the lowest classes of white people flogged the Cherokees with cowhides, hickories, and clubs. This barbarous treatment was not confined to men, but the women were stripped also and whipped without law or mercy. Ridge petitioned the president to send regular troops to protect them from these lawless assaults, and to protect them as they depart for the West. He said,

...If this is not done, we shall carry off nothing but the scars of the lash on our backs, and our oppressors will get all the money. We

talk plainly, as chiefs having property and life in danger, and we appeal to you for protection."⁵

The whites on the other hand reported that the Indians were in a virtual state of uprising, and General Dunlap, in command of the Tennessee troops, was called out to prevent the contemplated outbreak. Having learned the true situation, he delivered an indignant address to his men in which he declared that he would never dishonor the Tennessee arms by aiding to carry into execution at the point of the bayonet a treaty made by a lean minority against the will and authority of the Cherokee people. He stated further that he had given the Cherokees all the protection in his power; the whites needed none.

So intense was public feeling on the subject of this treaty that it became to some extent a party question, the Democrats supported President Jackson and the treaty, while the Whigs bitterly opposed both.

It may be said in passing that resentment against the Democratic party is felt among certain of the Cherokees to the present day because of this stand. Only recently, while gathering material for this work, the author questioned one of the leading fullblood citizens of Cherokee county, Oklahoma, as to the reason so many of the Indians belonged to the Republican party and received the reply, "Do you think we would help the party that that d---d Jackson belonged to?"

Among the notable leaders of the opposition to the treaty were Henry Clay, Daniel Webster, Edward Everett, Wise, of Virginia, and David Crockett. The speeches in congress upon the subject were characterized by a depth and bitterness of feeling such as had never been exceeded even on the slavery question. It was considered not simply an Indian question, but an issue between state rights on the one hand and federal jurisdiction and the Constitution on the other.⁶

The commissioner of Indian affairs in 1836 reported that originally there were 22,000 Cherokees, and that 6,048 had

⁵*Ibid.*, pp. 127-128.

⁶*Ibid.*, p. 129.

emigrated prior to September 30, 1835, and that better than 15,900 still remained to be moved. The report of December, 1837, showed that a total of 7,911 were in the West. In his report of November 1, 1838, the same official reported that originally there were 22,000, that 7,911 were removed previously, and that there were 18,000 removed since the last report or were then on the way. This would have been a total of 22,911 Indians emigrating to the westward of the Mississippi.⁷ The discrepancies may be explained on the grounds of inaccurate census methods or an increase in the members of the tribe.

Van Buren, who now succeeded Jackson, was disposed to allow the Cherokees a longer time to prepare for emigration. However, he was met by the declaration from Governor Gilmer, of Georgia, that any delay would be a violation of rights of that state and in opposition to the rights of the "owners of the soil", and that if trouble came from any protection afforded by the government troops to the Cherokees a direct collision must ensue between the authorities of the state and general government.

It was evident that the removal could only be accomplished by force, therefore the government appointed a military commander, General Winfield Scott, to that duty with instructions to start the Indians for the West at the earliest possible moment. He was ordered to take command of the troops already in the Cherokee country, together with additional reinforcements of infantry, cavalry, and artillery, with authority to call upon the governors of the adjoining states for as many as 4,000 militia and volunteers. The whole force employed numbered about 7,000 men, including regulars, militia, and volunteers. The Indians had already been disarmed by General Wool.

General Scott arrived in the Cherokee country and established his headquarters at New Echota, where, on May 10, he issued a proclamation to the Cherokees, warning them that the emigration must be commenced in haste and that before another moon had passed every Cherokee man, woman, and child must be in motion to join his brethren in the West. May 26, 1838, was to be the

deadline. He concluded the proclamation by stating that his troops already occupied many positions and that thousands and thousands were approaching from every quarter to render resistance and escape alike hopeless. "Will you," he said, "by resistance compel us to resort to arms...or will you by flight seek to hide yourselves in mountains and forests and thus oblige us to hunt you down?" He reminded them that pursuit might result in conflict and bloodshed and end in a general war.

General Scott distributed the troops at various points throughout the Cherokee country, where stockade forts were erected for gathering in and holding the Indians preparatory to removal. The following stockade forts were built: In North Carolina, Fort Lindsay, on the south side of the Tennessee River at the Junction of Nantahala, in Swain County; Fort Scott, at Aquone, farther up Nantahala River, in Macon county; Fort Montgomery, at Robbinsville, in Graham county; Fort Hembrie, at Hayesville, in Clay county; Fort Delaney, at Valletown, in Cherokee county; Fort Butler, at Murphy, in the same county. In Georgia, Fort Scodder, on Frogtown Creek, north of Dahlonega, in Lumpkin county; Fort Gilmer, near Ellijay, in Gilmer county; Fort Cooswatee, in Murray county; Fort Talking Rock, near Jasper, in Pickens county; Fort Buffington, near Canton, in Cherokee county. In Tennessee, Fort Cass, at Calhoun, on Hiwassee River, in McMinn county. In Alabama, Fort Turkeytown, on Coosa River, at Center, in Cherokee county.⁸

Squads of troops were sent out from these forts to search out with rifle and bayonet every small cabin hidden away in the coves or by the sides of the mountain streams, to seize and bring in as prisoners all the occupants, however, or wherever they might be found. James Mooney in writing of this said that 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 or going along the road; women were taken from their

⁷Hill, *op. cit.*, pp. 61, 62.

⁸*Ibid.*, p. 221.

wheels and children from their play. He pictured the Cherokees turning for a last look at their homes as they crossed the ridge, only to see them in flames, fired by the lawless rabble that followed on the heels of the soldiers to loot and pillage. In some instances these outlaws were driving off the cattle and other stock of the Indians almost before the soldiers had fairly started their owners in the other direction. These same men made systematic hunts for Indian graves, to rob them of the silver pendants and other valuables deposited with the dead.

Rev. Evan Jones, a prominent Baptist missionary who had been stationed among the Cherokees in the Valley Towns of East Tennessee near the North Carolina border kept a day to day diary of the proceedings in which he wrote, "Camp Hetzel, near Cleveland, Tennessee, June 16. The Cherokees are nearly all prisoners. They have been dragged from their houses and encamped at the forts and military posts, all over the nation." He recorded that in Georgia, especially, multitudes were allowed no time to take anything with them except the clothes they had on. Well-furnished houses were left a prey to plunderers, who like hungry wolves, followed in the train of the captors. These wretches rifled the houses, and stripped the helpless of everything they had on earth. Females, who had been habituated to comparative affluence, were driven on foot before the bayonets of brutal men. Their feelings were mortified by vulgar and profane vociferations. The property of many had been taken, and sold before their eyes for almost nothing — the sellers and buyers, in many cases, being combined to cheat the poor Indians. These things were done at the instant of arrest and consternation. The soldiers standing by with their arms in hand, impatient to go on with their work, could give little time to transact business. The poor captive, in a state of distressing agitation, his weeping wife almost frantic with terror, surrounded by a group of crying, terrified children, without a friend to speak a consoling word, was in a poor condition to make a good disposition of his property, and was in most cases stripped of the whole, at one blow.⁹

⁹Walker, *op. cit.*, p. 325.

Occasionally some of the more responsible were allowed to return home under passport to inquire after their property, only to find their cattle, horses, swine, farming tools, and house furniture all gone. "And this is not a description of extreme cases," wrote Jones, "It is altogether a faint representation of the work which has been perpetrated on the unoffending, unarmed and unresisting Cherokees."

All the Indians did not submit quietly, however. A large number escaped to the mountains before the soldiers arrived. Some escaped later. One old man named Charley Tsali, was seized together with his wife, his brother, his three sons and their families. Exasperated at the inhuman treatment accorded his wife, who, being unable to travel fast, was prodded with bayonets to hasten her steps, he urged the others to join with him in a dash for liberty. He spoke in Cherokee so that the soldiers understood nothing until each warrior suddenly sprang upon the one nearest and endeavored to wrench his gun from him. They succeeded in killing one of the soldiers, and the rest fled leaving the Indians free to escape to the mountains. Hundreds of others, some of them from various stockades, managed also to escape to the mountains from time to time, where those who did not die of starvation subsisted on roots and wild berries until the hunt was over. The fact that they could no longer provide for themselves is in itself proof that they had truly forsaken their savage ways and taken up the agricultural pursuits of the white man.

Finding it impracticable to secure these fugitives, General Scott finally tendered them the proposition, through (Colonel) W. H. Thomas, their most trusted friend, that if they would surrender Charley and his party for punishment, the rest would be allowed to remain until their case could be adjusted by the government. On hearing of the proposition, Charley, whose wife had already starved to death, voluntarily came in with his sons, offering himself as a sacrifice for his people. By command of General Scott, Charley, his brother, and the two elder sons were shot. The execution took place near the mouth of Tuckasegee River, a detachment of the Cherokee prisoners being compelled to do the

shooting in order to impress upon the Indians the fact of their utter helplessness. Charley's youngest son alone was spared on account of his youth.¹⁰ They had no trial.

After almost seventeen thousand Cherokees had been collected into various stockades, the stupendous task of removing them to the new country in the West began. At Hiwassee, near the present Calhoun, Tennessee, at Ross's Landing, now Chattanooga, and Gunter's Landing, now Guntersville, Alabama, parties of Cherokees amounting to 5,000 souls were gathered the early part of June, placed on boats and transported to the west bank of the Mississippi, where the journey was continued by land.

William Shorey Coodey was present at one of the concentration camps as the Indians made preparations to march to the rendezvous where they were organized for their departure. In a letter to his friend John Howard Payne he described the scene:

...At noon all was in readiness for moving, the teams were stretched out in a line along the road through a heavy forest, groups of persons formed about each wagon, others shaking the hand of some sick friend or relative who would be left behind. The temporary camp covered with boards and some of bark for that three summer months had been their only shelter and home, were crackling and falling under a blazing flame; the day was bright and beautiful, but a gloomy thoughtfulness was depicted in the lineaments of every fact. In all the bustle of preparation there was a silence and stillness of the voice that betrayed the sadness of the heart. At length the word was given to move on. I glanced along the line and the form of Going Snake, an aged and respected chief whose head eighty summers had whitened, mounted on his favorite pony passed before me and led the way in silence, followed by a number of the younger men on horseback. At this very moment a low sound of distant thunder fell upon my ear — in almost an exact western direction a dark spiral cloud was rising above the horizon and sent forth a murmur I almost thought a voice of divine indignation for the wrong of my poor and unhappy countrymen, driven by brutal powers from all they loved and cherished in the land of their fathers to gratify the cravings of avarice.¹¹

Twenty-eight hundred were divided into three detachments,

¹⁰Nineteenth Report, American Bureau of Ethnology, p. 131, Walker, *op. cit.*, p. 327.

¹¹Ayer Collection, Payne Manuscripts, IV, as cited by Foreman, *op. cit.*, p. 290.

each accompanied by a military officer, a corps of assistants and two physicians.

The first party to be forcibly started was in charge of Lieutenant Edward Deas who had previously removed a party that left without physical compulsion. The present party, made up of Cherokees from Georgia who had been concentrated at Ross's Landing, were forced on shipboard June 6, 1838. They were escorted by soldiers aboard a little flotilla consisting of one steamboat of 100 tons, and six flatboats, one of which was constructed with a double-decked cabin. In the excitement and bitterness accompanying the enforced embarking of the Indians and their crowded condition aboard the boats, the conductors thought it best not to attempt to muster and count them until later, but there was in the neighborhood of 800 of them.

The boats were lashed, three on each side of the steamboat, and left Ross's Landing about noon. They made four or five miles an hour until their arrival at a series of dangerous rapids called the Suck, Boiling-pot, the Skillet, and the Frying pan. The Suck is the first and most difficult and dangerous of the rapids. Here the river is very narrow and swift and the banks on either side are rocky and steep, it being the point at which the stream passes through a gorge in the mountains. In passing through the channel it was found impossible to keep the steamboat in the channel. It was thrown upon the north bank with some violence but luckily none of the people were injured although one of the flats was a good deal smashed. The party encamped here for the night as it was too late in the day to reach the other rapids in daylight.

By noon the next day they had passed through all the rapids without mishap and passed down to Gunter's Landing by nine o'clock. That night they landed six miles above Decatur and such of the people as choose went ashore to sleep and cook. They started early on the morning of the ninth and reached Decatur at six o'clock to take the train to Tascumbia but were compelled to remain here until the next day. About thirty-two cars were necessary to transport the party, and no more could be employed

for want of power in the two locomotive engines.

Since there was no room on the train, the twenty-three soldiers were discharged. The first detachment reached Tuscumbia at three o'clock and boarded the steamboat **Smelter** which immediately set off for Waterloo at the foot of the rapids without waiting for the second train with the remainder of the party. When the second party reached Tuscumbia they had to go into camp and wait for transportation by water. Since the guard had been discharged, whiskey was introduced among them, much drunkenness resulting, and over one hundred of the emigrants escaped. The remainder were carried by water aboard a keel-boat and a small steamer about thirty miles to Waterloo.

On the eleventh the party was reunited there and reembarked aboard the steamboat **Smelter** and two large double decked keel-boats. The next afternoon they reached Paducah, Kentucky, where Lieutenant Deas left one of the keel-boats which he found unnecessary. He succeeded in mustering the Indians after a fashion and found that he had 489. The nights were clear and calm and the boats ran both day and night, stopping only at intervals "to wood". They passed Memphis on the evening of the thirteenth and arrived at Montgomery's Point at the mouth of the White River the next afternoon. Here they secured a pilot, passed through the cut-off and entered the Arkansas River, and, after ascending seventy miles, tied up at the bank while the emigrants went ashore to relax and encamp for the night. As there were too many snags and sand-bars in the Arkansas to permit running at night, this program was repeated each evening until they reached Little Rock on the seventeenth.

Lieutenant Deas dropped the other keel-boat here to enable the steamer to make better speed and reached Fort Smith and Fort Coffee on the nineteenth. The boat was tied to the north bank of the river near the mouth of Sallisaw creek. When the emigrants went ashore to spend the night they found many of their friends who had come down to greet them. They urged the new arrivals to stop there and not continue up to Fort Gibson. After a council they decided to take this advice and cast their lot in this district with their friends who had preceded them to the West.

Their baggage was taken off the boat together with a sufficient quantity of cotton domestic for tents to protect them from the weather. The domestic had been issued to them at Fort Coffee. Lieutenant Deas said he issued it in consideration of their destitute condition, as they were for the most part separated from their homes in Georgia without having the means or time to prepare for camping, and it was also the opinion of the physician of the party that the health of the emigrants would suffer if they were not provided with some protection from the weather.

There had been no deaths in the party since their departure from Ross's Landing. These two expeditions which Lieutenant Deas brought are fine examples of what the government could accomplish where competent and humane officials were employed.

The second captive party mustered in at 875 departed from Chattanooga on June 13 in charge of Lieutenant R. H. K. Whiteley, with five assistant conductors, two physicians, three interpreters, and a hospital attendant. The day preceding departure had been spent in reuniting separated families as far as possible. After being placed on six flatboats they dropped down the Tennessee to Brown's Ferry where more prisoners were added. They remained here two days while clothing was purchased and offered to them but they refused it, "neither would they be mustered, and all attempts to obtain their names were without success."

Their boats, now increased to eight, were tied together in pairs and safely negotiated the dangerous rapids and arrived at Kelley's Ferry in the evening. Four boats were moored on each side of the steamboat **George Guess** and on the morning of the eighteenth they continued the descent of the river. The Indians now decided to take the clothing which had been offered and for which they were in dire need. The death of one child and a birth were recorded. They encamped on the bank of the Tennessee at six in the evening. The hours of stopping and starting were so arranged as to give them sufficient time to cook in the mornings and evenings the provisions for the day.

They arrived at Decatur on the twentieth, and on the twenty-first departed on two trains, and arrived at the boatlanding below

Tascumbia that evening. One old woman died at Decatur and a man was killed by the cars when he attempted to rescue his hat. By the time they reached Decatur twenty-five Indians had escaped. They were required to remain at Tascumbia several days before boats could be secured to carry them over Colbert Shoals, during which time two children died. On the twenty-eighth they passed the shoals and camped opposite Waterloo, Alabama, to await the arrival of the steamboat **Smelter**. Three children died here; there was one birth, and 118 escaped.

On June 30 the party left Waterloo aboard the **Smelter** and one keel-boat. Before they arrived at Paducah the next day another child died. On the Fourth of July the boats entered the Arkansas through the White River cut-off. Two children died on the fourth and one on the fifth. At Little Rock the emigrants were transferred to the steamboat **Tecumseh** because it was of lighter draft and could navigate higher up the river.

They departed on the twelfth but grounded on Benson's Bar near Lewisburg and were unable to ascend farther. The country was scoured and twenty-three wagons were secured to haul the sick, principally children, and the convoy departed on the twentieth. Eight were left ill in camp. The next day more wagons were secured and the remainder of the party continued to march.

A drought had prevailed for months, water was scarce, the weather was extremely hot, suffocating clouds of dust stirred up by the oxen and wagons, and the rough and rocky roads, made the condition of the sick occupants of the wagons almost intolerable. Three, four, and five deaths occurred each day. To avoid the heat the marches were started before sunrise and ended at noon. By the end of July between two and three hundred were ill.

Since the party required rest and more than half were sick they camped on the first day of August at Lee's Creek.

It was impossible, despite the fact that every effort was being used, to prevent the Indians from eating quantities of green peaches and corn. Consequently the flux raged among them and some days as high as six or seven died. At home they had eaten

peaches and corn with no bad results but the hardships of the enforced marches, want of their customary diet, bad water, and many other causes contributed to the terrible mortality among them.

On August 5 these miserable beings entered the Cherokee Nation West and went into camp near the head of Lee's Creek where they were delivered to Captain Stephenson. There were 602 of the original party, seventy having died in three weeks.

They had started on the thirteenth of June with a party of 875 to which two boat loads were added at Brown's Ferry. One hundred eighteen escaped and 602 were delivered in the West. This leaves a total of 155 plus as many as were added at Brown's Ferry that died on the way. Not taking into consideration the late additions, since their number is unknown, the death rate of the original 875 was 17.7 per cent.

Compare this expedition, in which out of every hundred departing more than seventeen died, with that led by Lieutenant Deas of a few days previous in which there was not a single casualty.

But the story was not yet finished. They were in such a weakened condition that they continued to die in numbers almost as great. Mr. Washburn, of Dwight Mission, wrote:

Among the recent immigrants there has been much sickness, and in some neighborhoods the mortality has been great...just returned from a neighborhood about ten miles from the mission where there have been fourteen deaths within three weeks...want of medical aid...Since last October about 2,000 immigrants have come. Twenty-five hundred more are on their way...much sickness and mortality among them. One company of these originally a thousand, but...diminishing by some hundreds is expected to arrive today...expected that nearly all...will settle within ten miles of this station.¹²

These removals in the hottest part of the year, were attended with so much sickness and death that Ross capitulated and by resolution of the Cherokee national council, he and the other chiefs submitted to General Scott a proposition that they would remove themselves if allowed to wait until fall when the sickly

¹²Missionary Herald, XXXIV, 445 as quoted by Foreman, op. cit. p. 296.

season had ended. The resolution or petition was signed by John Ross, Elijah Hicks, Edward Gunter, Samuel Gunter, Situwakee, White Path, and Richard Taylor.¹³ They asked that the expense of removal be based on the calculation of one wagon and team, and six riding, being required for fifteen persons and that the Cherokees have the selection of such physicians and other persons as might be required for the safe and comfortable conducting of the several detachments.

General Scott granted their request on condition that all excepting the sick and aged who might not be able to move so rapidly, should have started by the twentieth of October. It was understood that the Cherokees were to take every precaution to get all the Indians except the ones that had been allowed to stay and become citizens of the states and such of the treaty party as might object to removal under the superintendence of Ross and his associates. General Scott fixed the date for the departure of the first contingent for September 3.¹⁴

On June 17, 1838, the third contingent of 1,070 captive Cherokees left Ross's Landing in wagons and on foot for Waterloo where they were to embark on boats. They were in a destitute condition, with very little clothing, but like the other groups refused to accept any from the emigration agent. Four children and one adult died before their arrival at Waterloo. After their departure they learned that General Scott had suspended the removal until autumn, and they at once demanded to be allowed to remove with the others. A petition was addressed to Nat. Smith, superintendent of Cherokee emigration, three days before their departure from Ross's Landing. They asked that the movement of the party be halted and that they be either returned to their former encampment or established in one where they could share in the respite until a more healthful season and join in the movement in the autumn under the agreement with General Scott.

¹³Starr, *op. cit.*, p. 100.

¹⁴House Doc. 288, p. 5, cited by Starr, *op. cit.*, p. 100.

They pleaded that their lives be spared and that they be not exposed to the effects of that strange climate, under the disadvantages of the existing inauspicious season, without a house or shelter to cover them from above, or any kind of furniture to raise them from the bare ground, on which they might spread their blankets and lay their languid limbs, when fallen prostrate under the influence of disease...

One hundred of the party had escaped along the way and the remainder were joined by Smith on the twenty-fifth at Bellefonte, Alabama. Since they had already traveled 120 miles, and as their health was improving and they were well provided with transportation and subsistence, they were informed that they must go on. Shortly after they were given this decision about 300 of them threw a part of their baggage out of the wagons, took it and broke for the woods and many of the balance refused to put their baggage into the wagons, or go any further and showed much ill nature. They told the agents that the white men were all liars and bad men and one added that he would go back home the next morning and shoot for John Ross. He said he had plenty of money and would fight for him.

The conductor requested the captain of the town company to call out his men and aid in starting them, which he very promptly did, and they succeeded in getting off about ten o'clock with all that were left. A part of those who broke away in the morning were found and made to return. The contingent was put in charge of Captain Drane of the army and a request was made for thirty volunteer citizens to accompany him to Waterloo. They turned out immediately and were mustered into service for thirty days unless sooner discharged.

Since most of the Indians were almost naked, were barefoot and suffering with fatigue although they had not traveled over nine miles per day, Smith purchased some clothing, domestic for tents, shoes, and other articles, which were issued to them on the twenty-sixth. As many of the aged and infirm and their families as could be induced to embark were put on board one of the boats engaged in the upper river contract and landed the next morning

at Decatur. Here they learned that Lieutenant Whiteley's party were yet at Tuscumbia, so they hurried on and overtook them at Waterloo.

Nat. Smith accompanied this group as far as Little Rock. They had continued to desert almost every night until they were put on board the boats at Waterloo. On the thirtieth of June, seventy-six deserted before their arrival at Waterloo. They arrived at Little Rock with but 722 out of over a thousand who left Ross's Landing.

Of those that deserted Smith wrote Harris on July 12, 1838, that these people would have over 300 miles to travel to reach their old homes, and since many of them were women and children they suffered extremely for want of something to eat.

The **Smelter** came to a point about sixty-five miles below Little Rock on July 20 but because of the low stage of the river could ascend no higher. The **Tecumseh** went down and brought up the Indians and Smith returned to Waterloo on the twelfth where he found Captain Drane still detained with his land party. This group was supposed to consist of eight or nine hundred but he had not been about to muster them because of their refusal to give their names and the numbers of their families. The same thing happened to Lieutenant Whiteley's party, which obliged him to count them out of the boats.

Jesse Bushyhead and Reverend Stephen Foreman, native missionaries of the American Board, and their families were held prisoners in Camp Hetzel. The Rev. M. Jones accompanied by Jesse Bushyhead, by permission of the General, carried a message from the chiefs to those who had evaded the troops by flight to the mountains. He reported that they encountered no difficulty in finding them. On Jones's advice they all agreed to come in and surrender themselves to the forces of the United States, though with the whole nation, they are still as strenuously opposed to the treaty as ever. Their submission, therefore, is not to be viewed as an acquiescence in the principles of the terms of the treaty, but merely as yielding to the physical force of the United States.¹⁵

¹⁵Diary of Reverend Evan Jones as quoted by Walker, *op. cit.*, p. 327.

General Scott gave orders on June 17, 1838, for the discharge of volunteer troops engaged in capturing the Indians.¹⁶ On June 18, General Charles Floyd, militia officer in charge of operations in Georgia, reported to Governor Gilmer that he was fully convinced that there was not an Indian within the limits of his command except those few already in his possession. He said his scouting parties had scoured the whole country without seeing an Indian or recent Indian signs. He felt that if there were any stragglers they must be in Union and Gilmer counties and near the Tennessee and North Carolina line, but that none could escape the vigilance of his troops. "Georgia," he reported, "is ultimately in possession of her rights in the Cherokee country...."¹⁷

On July 31, the Cherokee committee submitted an estimate of transportation for each thousand emigrants, distance eight hundred miles at eighty days travel, with twenty persons to the wagon:

50 wagons & teams at daily exp. of \$350. including forage	\$28,000
Returning, seven dollars for each twenty miles	14,000
250 extra horses, at 40 cents each per day	8,000
Ferriages, etc.	1,000
80,000 rations at 16 cents each	12,000
Conductor, at five dollars per day	400
Assistant conductor at three dollars per day	240
Physician at five dollars per day	400
Returning \$15, for every hundred miles	120
Commissary at \$2.50 per day	200
Assistant commissary at \$2.00 per day	160
Assistant wagon master, at \$2.00 per day	160
Interpreter, at \$2.50 per day	200
Total	\$65,880 ¹⁸

Scott did not absolutely reject or cut down the estimate but he wrote that he believed it too high, especially as to the wagon and five saddle horses for every twenty souls.

Under the provisions of the treaty and the congressional acts to carry it into effect the Cherokee Nation was entitled to \$6,537,634. By the treaty the sum of \$600,000 was set aside from this amount to defray the expenses of removal.¹⁹

¹⁶Foreman, *op. cit.*, p. 296.

¹⁷*Army and Navy Chronicle*, VII, 57; Scott to Poinsett, June 15, 1838, Office of Indian Affairs, "Cherokee Emigration" as quoted by Foreman, *op. cit.*, p. 296.

¹⁸Starr, *op. cit.*, p. 100.

¹⁹House Doc. No. 288, p. 3, as quoted in Starr, *op. cit.*, p. 103.

Accordingly, thirteen officers and assistants were appointed by the Cherokee council to take charge of the emigration. The Indians were organized into detachments averaging one thousand each, and provided with a sufficient number of wagons and horses for the purpose. In this way the remainder, enrolled at about 13,000 (including negro slaves), were started on the long march overland late in the fall.

Those who thus emigrated under the management of their own officers assembled at Rattlesnake Springs, about two miles south of Hiwasse River, near the present Charleston, Tennessee, where a final council was held, in which it was decided to continue their old constitution and laws in their new home. To maintain order on the march they established in each party a sort of police organization that punished infractions of their regulations.

They also passed regulations stating that their title to the Cherokee lands was the most ancient, pure and absolute, known to man; its date being beyond the reach of human record and its validity confirmed and illustrated by possession and enjoyment, antecedent to all pretence of claims by any other portion of the human race. They stated that they had a distinct national community, and had been in possession and exercise of sovereignty for a period extending into antiquity beyond the dates and records and memory of man, and that this sovereignty was still in full force and virtue. They resolved further that the Cherokee people, in consenting to an investigation for their improvements, did not intend that that consent ever be construed as yielding or giving their sanction or approval to the pretended treaty of 1835 nor as compromising in any manner, their just claim against the United States, thereafter, for a full and satisfactory indemnification for their country and for all individual losses and injuries. They further authorized the principal chief, John Ross, to collect and register all individual claims against the United States, with the proofs, and reports were to be made to him of their proceedings as they progressed. These resolutions were signed by Richard Taylor as president of the national committee, and Going Snake as speaker of the council. Other signers were Captain

Broom, Toonewee, Katetah, Richard Foreman, Samuel Foreman, Howester, Samuel Christy, William, Beaver Carrier, and Kotaquasker.

Then in October, 1838, the long procession of exiles was set in motion. A very few went by the river route; the rest, nearly all of the 13,000 went overland. Crossing to the north side of the Hiwassee at a ferry above Gunstocker Creek, they proceeded down along the river, the sick, the old people, and the smaller children, with the blankets, cooking pots, and other belongings in wagons, the rest on foot or on horseback.

An account of the number of emigrants turned over to each conductor was kept by Captain Page of the United States army and Captain Stephenson also of the United States army made the official report of those that were mustered out in the West. Ross, in his official capacity as principal chief, kept the record for the Cherokees. These reports did not tally and each charged the other with carelessness or falsifying. It is known that some of the Indians who refused to register with the government officials did register with Ross, but there are no authentic documentary sources to enable the student to determine which of the two is the more nearly correct.

The conductors, dates of starting and arrival of the several detachments were as follows:

No.	Conductor	Started	Arrived West	Days on Road
1.	Hair Conrad	Aug. 28, 1838	Jan. 17, 1839	143
2.	Elijah Hicks	Sept. 1, 1838	Jan. 4, 1839	126
3.	Rev. Jesse Bushyhead	Sept. 3, 1838	Feb. 27, 1839	178
4.	John Benge	Sept. 28, 1838	Jan. 11, 1839	106
5.	Situwakee	Sept. 7, 1838	Feb. 2, 1839	149
6.	Captain Oil Field	Sept. 24, 1838	Feb. 23, 1839	153
7.	Moses Daniel	Sept. 20, 1838	March 2, 1839	164
8.	Choowalooka	Sept. 14, 1838	March 1, 1839	163
9.	James Brown	Sept. 10, 1838	March 1, 1839	162
10.	George Hicks	Sept. 7, 1838	March 4, 1839	189
11.	Richard Taylor	Sept. 20, 1838	March 24, 1839	186
12.	Peter Hildebrand	Oct. 23, 1838	March 25, 1839	154
13.	John Drew	Dec. 5, 1838	March 18, 1839	10420

²⁰Starr, *op. cit.*, p. 103.

The number of wagons and teams with each of the detachments and the costs thereof:

No.	Wagons and Teams	Riding horses	Collected for return of wagons and teams.
1.	36	288	\$10,080.00
2.	43	344	12,040.00
3.	48	334	13,440.00
4.	62	436	17,360.00
5.	60	480	16,800.00
6.	49	392	13,720.00
7.	52	415	14,560.00
8.	58	462	16,240.00
9.	42	338	11,760.00
10.	56	448	15,680.00
11.	51	358	14,280.00
12.	88	705	24,640.00
13.	Not quoted		
Totals	645	5,000	180,600.00 ²¹

The births, deaths, desertions, and accessions while enroute were reported by the various conductors, the other information as indicated:

No.	Page's	Stephenson's	Ross's	Births	Deaths	Desertions	Accessions
1.	710	654	729	9	54	24	14
2.	859	744	858	5	34		
3.	846	898	950	6	38	148	171
4.	1,079	1,132	1,200	3	33		
5.	1,205	1,033	1,250	5	71		
6.	841	921	983	19	57	10	6
7.	1,031	924	1,035	6	48		
8.	1,120	970	1,150				
9.	745	717	850	3	34		
10.	1,031	1,039	1,118				
11.	897	942	1,029	15	55		
12.	1,449	1,311	1,766				
13.		219	231				
	10,813	11,494	13,149	71	424	182	191 ²²

It is difficult to arrive at any accurate statement of the number of Cherokees who died during and as a result of the removal. According to the official figures those who removed under the direction of Ross lost over 1,600 on the journey. The disbursing agent makes the number unaccounted for 1,428; the receiving agent, who took charge of them on arrival, makes it 1,645.²³ The mor-

²¹Ibid., p. 104

²²Ibid., p. 103.

²³Nineteenth Report, American Bureau of Ethnology, p. 292.

tality among those previously removed under military supervision was probably greater, as it was their suffering that led to the proposition of the Cherokee national officers to take charge of the emigration. Hundreds died in the stockades and the waiting camps, chiefly by reason of the rations furnished, which were of flour and other provisions to which they were unaccustomed and which they did not know how to prepare properly. Hundreds of others died from sickness and exposure on the journey or soon after their arrival in Indian territory. It is asserted, probably with reason, that over 4,000 Cherokees died as the direct result of the removal.²⁴

The original contract for removal was at the rate of \$65.88 per capita, but by agreement a proportion of three pounds of soap to every hundred rations at fifteen cents per pound, was added, making the cost of the removal of each individual \$66.24. On this basis Captain Page, as disbursing agent of the government, paid on November 13, 1838, to John Ross as "Superintending Agent of the Cherokee Nation for Removal" \$776,383.98.

The group of Cherokees belonging to the treaty faction of the tribe refused to emigrate under the leadership of John Ross. They were emigrated separately under the leadership of Lieutenant Deas, leaving the Cherokee Nation on October 11. The lieutenant reported from Winchester, Tennessee, on the twenty-seventh that their progress had been slow because of obstructions in the roads over which they had to travel. He said that the 650 to 700 persons in this group were for the most part highly respectable and intelligent and there were but few who had not made considerable advancement in civilization.

They passed through Fayetteville and reached Pulaski in November, averaging about ten or twelve miles a day. The journey was made without mishap except that a number of oxen belonging to the Indians died from eating poisonous weeds.²⁵

They crossed the Mississippi River at Memphis on the twenty-fourth, and on the twenty-fifth resumed their journey westward.

²⁴Ibid.

²⁵Deas to Harris, November 3, 1838 as quoted by Foreman, op. cit., p. 301.

This group was composed of individuals who favored the government in the execution of the treaty and consequently was in turn favored by a great increase in the allowances for transportation, subsistence and contingencies over those made for the other emigrants. A large part of their baggage was shipped up the Arkansas by boat. According to the *Arkansas Gazette* of December 19, 1838, they reached Little Rock about the middle of December and were deposited in their new homes in the Cherokee country January 7, 1839.

The Indians organized and managed this great movement of people without keeping journals of their daily happenings, and since the government had nothing to do with it, recorded descriptions of the experiences, and happenings of the journey are very rare.

All groups were routed through Nashville where the contractors furnished them with supplies. It rained excessively and the roads, cut up by thousands of horses, cattle, and people and hundreds of wagons and carts, became an appalling morass through which locomotion was accomplished with great difficulty and distress. The infirm and sick suffered in the wagons and carts that pitched and jolted behind the struggling oxen and horses; and they were obliged to wait for the attention of their physicians until stops were made at night. They, tired after a day of travel, spent most of the night making brief calls upon the large number of patients.

After the Indians left the whites who had driven them from their homes, they found the other white people whom they encountered sympathetic with them in their distress, and as the third detachment of Cherokees camped near Hopkinsville, Kentucky, on November 13, the citizens made generous donations for their comfort.²⁶

Hair Conrad's party ended its journey in command of Lieutenant Deas.

Elijah Hick's party reached Nashville on September 16 and camped for several days. They were reported as suffering sorely for the want of clothing, and it was thought that scores of them must inevitably fall the victims of disease and death before reaching their destination. When they reached Nashville there were forty or fifty ill and four were buried near the city.

This party was the first to reach Port Royal, near the Kentucky line, arriving there on September 24. Hicks reported that the people were very loath to go on and unusually slow in preparing for starting in the mornings. "Nocowee has given himself up to bane of death (whiskey) and I have altogether lost his services. Our police has to drive him along the road sometimes fettered." The venerable chief, White Path, became so sick and helpless he had to be hauled. A few days later near Hopkinsville, Kentucky, he succumbed to sickness, infirmity, and the hardships of the forced journey, and died at the age of seventy-five. He was buried near the Nashville road and a monument of wood painted to resemble marble was erected to his memory. A tall pole with a flag of white linen flying at the top was erected near his grave so that his countrymen who followed might note the spot. This party reached its destination on January 4, 1839, being the first to arrive in the West.

Rev. Jesse Bushyhead's party camped at McMinnville, Tennessee, held a council, and sent a message to John Ross saying they had been compelled to leave without satisfaction of their claims and that they feared fraudulent demands would be made to defeat them. They urged that no further consideration of the claims be had while the Indians were denied the opportunity of being present or represented.

William Lumpkin, of Georgia, and John Kennedy, of Tennessee, had been appointed commissioners by the government to supervise and carry into effect the provisions of the treaty preparatory to the removal of the Indians. Their duties required them to examine and pass on the claims of the Indians for loss and damage to their property in connection with the removal as well as claims of the whites against them. The Indians who

²⁶Army and Navy Chronicle, VII, 363.

departed more or less voluntarily had the benefit of greater indulgence and leisure on the part of the commissioners than fell to the lot of more than 13,000 who would not consent to leave until the last moment; as it was manifestly impossible to give the claims more than prefatory attention before their departure, the commissioners proceeded to hear and determine them after the Cherokees had gone.

One of the best descriptions of the emigration was given by a traveler from Maine who encountered Bushyhead's party:

...On Tuesday evening we fell in with a detachment of the poor Cherokee Indians...about eleven hundred of them — sixty wagons — six hundred horses, and perhaps forty pair of oxen. We found them in the forest camped for the night by the side of the road...under a severe fall of rain, accompanied by heavy wind. With their canvass for a shield from the inclemency of the weather, and the cold wet ground for a resting place, after the fatigue of the day they spent the night...many of the aged Indians were suffering extremely from the fatigue of the journey, and the ill health consequent upon it...several were then quite ill, and one aged man we were informed was then in the last struggles of death...The forward part of the train we found just pitching their tents for the night, and notwithstanding some thirty or forty wagons were already stationed, we found the road literally filled with the procession for about three miles in length...The sick and feeble were carried in wagons — about as comfortable for traveling as a New England ox cart with a covering over it — a great many ride on horseback and multitudes go on foot — even aged females, apparently nearly ready to drop into the grave, were traveling with heavy burdens attached to the back — on sometimes frozen ground, and sometimes muddy streets, with no covering for the feet except what nature had given them. We were hours making our way through the crowd, which brought us in close contact with the wagons and multitude, so much that we felt fortunate to find ourselves freed from the crowd without leaving any part of our carriage. We learned from the inhabitants on the road where the Indians passed, that they buried fourteen or fifteen at every stopping place, and they made a journey of ten miles per day only on the average. One fact which to my own mind seemed a lesson indeed to the American nation is, that they will not travel on the Sabbath...when the Sabbath came, they must stop, and not merely stop — they must worship the Great Spirit too, for they had devine service on the Sabbath — a camp meeting in truth. One aged Indian who was commander of the friendly Creeks and Seminoles in a very important engagement in

the company with General Jackson, was accosted on arriving in a little village in Kentucky by an aged man residing there, and who was one of Jackson's men in the engagement referred to, and asking him if he (the Indian) recollected him? The aged Chieftain looked him in the face and recognized him, and then with a down-cast look and heavy sigh, referring to the engagement, he said 'ah! my life and the lives of my people were then at stake for you and your country. I then thought Jackson my best friend. But ah! Jackson no serve me right. Your country no do me justice now!'

...When I past the last detachment of those suffering exiles and thought that my native countrymen had thus expelled them from their native soil and their much loved homes...I turned from the sight with feelings which language cannot express and 'wept like childhood then.' I felt that I would not encounter the secret silent prayer of one of these sufferers armed with the energy that faith and hope would give it (if there be a God who avenges the wrongs of the injured) for all the lands of Georgia!

...When I read in the President's Message that he was happy to inform the Senate that the Cherokees were peaceably and without reluctance removed²⁷ — and remember that it was on the third day of December when not one of the detachments had reached their destination; and that a large majority had not made even half their journey when he made that declaration, I thought I wished the President could have been there that very day in Kentucky with myself, and have seen the comfort and willingness with which the Cherokees were making their journey...²⁸

They crossed the Ohio River at a ferry near the mouth of the Cumberland, and passed on through southern Illinois until they reached the Mississippi River opposite Cape Girardeau, Missouri. The drought of the previous summer had delayed the start so long that it was winter when the emigrants reached that great river. They were delayed in crossing by the passing ice which endangered the boats. It was so bad that they were compelled to remain here beside the frozen river for days, with hundreds of sick and dying penned up in wagons or stretched upon the ground, with only a blanket overhead to keep out the January blast. The crossing was made at last in two divisions, at Cape Girardeau and at Green's Ferry, a short distance below, whence the march was

²⁷James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1897*. (Published by authority of Congress, 1899), III, 497.

²⁸*New York Observer*, January 26, 1839 as quoted in Foreman, *op. cit.*, pp. 305-308.

on through Missouri to the Indian Territory. The later detachment made a northerly circuit by way of Springfield, because those who had gone before had killed off all the game along the direct route.

John Benge's party passed near Batesville, Arkansas, December 15, 1838. John Benge was conductor, George Lowrey, assistant, Dr. W. P. Rawles of Gallatin, Tennessee, surgeon and physician, and William Shorey Coodey, contractor. Many of them visited the town to get their carriages repaired, have their horses shod and for other reasons. They left Gunter's Landing on the Tennessee River thirty-five miles above Huntsville, Alabama, October 10, after which time, owing to their exposure to the inclemency of the weather, and many of them being destitute of shoes and other necessary articles of clothing, about fifty of them died. They passed through Smithville, Lawrence County, Arkansas, on December 12. A newspaper man at the time wrote "I am informed that they are very peaceable, and commit no depredations upon any property in the country through which they pass."²⁹ They had over a hundred wagons and their horses were reported to be the finest seen in such a collection. They consumed about one hundred and fifty bushels of corn per day. "It is stated that they have measles and whooping cough among them and there is an average of four deaths per day."³⁰

Situwakee started with a party but for some reason Rev. Evan Jones, a Baptist missionary, was made conductor. He reported that they traveled sixteen miles on October 16 but that the people were so fatigued with the effort, that they remained in camp at McMinnville several days to rest. They were compelled to pay forty dollars at the Waldren's Ridge toll gate but the man agreed to let the other detachments pass at half price, that is, thirty-seven and one-half cents for four wheeled carriages and six and one-half for a horse. On the Cumberland Mountains they were fleeced seventy-three cents a wagon and twelve and one half cents for a horse without the least abatement or thanks. They passed Rev.

Jesse Bushyhead's detachment which was delayed because their oxen had eaten poison ivy. Jones reported that Bushyhead was having a distressing time with the "discontents".

Jones reported that they were stopped at the Mississippi River by the ice running so that boats could not pass. While waiting there Bushyhead's and Foreman's detachments caught up and camped alongside them. He expressed fear that with all the care that could be exercised, there would be an immense amount of suffering and loss of life. He predicted that great numbers of the old, the young, and the infirm would inevitably be sacrificed. The fact that the removal was effected by coercion made these facts all the more galling to the feelings of the survivors.

Captain Old Field started out with his detachment numbering 983 according to Ross's record, or 921 according to that of Stephenson. This group was composed chiefly of Indians of religious attachments. For some reason not known, Rev. Stephen Foreman, a Cherokee preacher who had been educated at Union and Princeton theological seminaries, was made conductor and finished the journey as such. There were fifty-seven deaths and nineteen births on the road and after accounting for a few desertions and accessions they numbered 921 on their arrival in the West.

The narratives of the other conductors are very similar to the ones given herein.

Some of those whom sickness had prevented from emigrating by land with the main body, were in a party of 228 aboard the steamboat **Victoria**, which arrived at Little Rock about February 1, 1839. Among them were Chief John Ross and his family. They also had cause to mourn for Mrs. Ross collapsed under the strain and passed away just as the boat landed at Little Rock. She was buried in the cemetery there.

And thus ended "The Trail of Tears" at the end of which were much homesickness, suffering, threatened civil war, misery, and continued deaths. Mooney, in writing of it, said that even the much sung exile of the Acadians fell far behind it in its sum of death and misery.

²⁹Arkansas Gazette, December 20, 1838.

³⁰Ibid., January 2, 1839.

The saddest part of all is that this **blot of shame** on the page of American history could have been avoided. Had Andrew Jackson not been such an Indian hater, Lew Cass not so ambitious for the presidency, and the officials of Georgia not too greedy and cowardly to stand for right, this deadly migration might have been avoided.

The government could have continued its Indian policy as pursued from Jefferson to Adams and secured results satisfactory to all save the outlaw and the robber. Had the government spent its money for missionaries, teachers, and agents to point the way to the Cherokees for territorial government leading to a fair representation in the state government, instead of spending it for coercion and bribes, the removal would not have been necessary. Had a "Dawes Commission" been appointed in 1823 rather than in 1893 and with the same purpose in mind, — that of inducing the Indians to accept territorial rather than tribal government, — had the same amount of money been expended and had the government followed a policy of honesty in dealing with the Indians, they could have been assimilated into the states of the East with as great ease as was later the case when they were assimilated into the state of Oklahoma, and without the appalling loss of life that the removal caused.

BIBLIOGRAPHY

Source Materials

- Bassett, Spencer. *Correspondence of Andrew Jackson*. Carnegie Institution of Washington. 1926.
- Benton, Thos. Hart. *Thirty Years View, or a History of the Working of the American Government for Thirty Years, From 1820 to 1850*. D. Appleton and Company. New York. 1893.
- Dale, Edward Everett. *Readings in Oklahoma History*. Row, Peterson and Company. Evanston. 1930.
- Dickins, Asbury, and Forney, John W. *Documents of the Congress of the United States in Relation to the Public Lands, March 1834 to March 1835*. Gales and Seaton. Washington. 1860.
- Evans, Lawrence B. *Leading Cases of American Constitutional Law*. Callaghan and Company. Chicago. 1925.
- Kappler, Chas. J. *Indian Affairs, Laws, and Treaties*. Government Printing Office. Washington. 1904.
- Miscellaneous Document 167, *Fifth Annual Report of Bureau of Ethnology*. 49 Cong. 2 sess.
- Miscellaneous Document 539, *Nineteenth Annual Report of Bureau of Ethnology*. 56 Cong., 2 sess.
- Richardson, James D. *A Compilation of the Messages and Papers of the Presidents, 1789-1897*. Published by authority of congress, 1899.
- Senate Document, Number 512, *Indian Removal*, 23 Cong., 1 sess.
- Walker, Robert Sparks, *Torchlights to the Cherokees, the Brainard Mission*. Macmillan Co., New York. 1931.

Periodicals

- Arkansas Gazette*. December 20, 1838; January 2, 1839.
- Army and Navy Chronicle*. IV, VII, VIII.
- Cherokee Phoenix*. October 28, 1829; March 10, 1830.
- Missionary Herald*. XXXIV.
- New York Observer*. January 26, 1839.
- Niles Register*. May 4, 1816.
- Tennessee Historical Magazine*. IV.

Secondary Sources

- Bass, Althea Leah. *Cherokee Messenger*. University of Oklahoma Press. Norman. 1936.
- Coulter, E. M. *A Short History of Georgia*. University of North Carolina Press. Chapel Hill. North Carolina. 1933.
- Foreman, Grant. *Indian Removal, The Emigration of the Five Civilized Tribes of Indians*. University of Oklahoma Press. Norman. 1932.
- Hill, Luther B. *A History of the State of Oklahoma*. Lewis Publishing Company. Chicago. 1910.
- O'Beirne, H. F. *The Indian Territory, Its Chiefs, Legislators, and Leading Men*. C. B. Wood-ware Company. St. Louis. 1892.
- Starr, Emmitt. *History of the Cherokee Indians*. Warden Company. Oklahoma City. 1921.
- Thoburn, Joseph B. *A Standard History of Oklahoma*. American Historical Society. Chicago. 1916.