

# ***The Trail of Tears—A Short Summary***

Between 1790 and 1830 the population of Georgia increased six-fold. The western push of the settlers created a problem. Georgians continued to take Native American lands and force them into the frontier. By 1825 the Lower Creek had been completely removed from the state under provisions of the Treaty of Indian Springs. By 1827 the Creek were gone.

Cherokee had long called western Georgia home. The Cherokee Nation continued in their enchanted land until 1828. It was then that the rumored gold, for which De Soto had relentlessly searched, was discovered in the North Georgia mountains.

In his book *Don't Know Much About History*, Kenneth C. Davis writes:

"Hollywood has left the impression that the great Indian wars came in the Old West during the late 1800's, a period that many think of simplistically as the "cowboy and Indian" days. But in fact that was a "mopping up" effort. By that time the Indians were nearly finished, their subjugation complete, their numbers decimated. The killing, enslavement, and land theft had begun with the arrival of the Europeans. But it may have reached its nadir (high point) when it became federal policy under President (Andrew) Jackson."

The Cherokees in 1828 were not nomadic savages. In fact, they had assimilated many European-style customs, including the wearing of gowns by Cherokee women. They built roads, schools and churches, had a system of representational government, and were farmers and cattle ranchers. A Cherokee alphabet, the "Talking Leaves" was perfected by Sequoyah.

In 1830 the Congress of the United States passed the "Indian Removal Act." Although many Americans were against the act, most notably Tennessee Congressman Davy Crockett, it passed anyway. President Jackson quickly signed the bill into law. The Cherokees attempted to fight removal legally by challenging the removal laws in the Supreme Court and by establishing an independent Cherokee Nation. At first the court seemed to rule against the Indians. In *Cherokee Nation v. Georgia*, the Court refused to hear a case extending Georgia's laws on the Cherokee because they did not represent a sovereign nation. In 1832, the U.S. Supreme Court ruled in favor of the Cherokee on the same issue in *Worcester v. Georgia*. In this case Chief Justice John Marshall ruled that the Cherokee Nation was sovereign, making the removal laws invalid. The Cherokee would have to agree to removal in a treaty. The treaty then would have to be ratified by the Senate.

**"I would sooner be honestly damned than hypocritically immortalized"**

*Davy Crockett*

His political career destroyed because he supported the Cherokee, he left Washington D. C. and headed west to Texas.

By 1835 the Cherokee were divided and despondent. Most supported Principal Chief John Ross, who fought the encroachment of whites starting with the 1832 land lottery. However, a minority (less than 500 out of 17,000 Cherokee in North Georgia) followed Major Ridge, his son John, and Elias Boudinot, who advocated removal. The Treaty of New Echota, signed by Ridge and members of the Treaty Party in 1835, gave Jackson the legal document he needed to remove the First Americans. Ratification of the treaty by the United States Senate sealed the fate of the Cherokee. Among the few who spoke out against the ratification were Daniel Webster and Henry Clay, but it passed by a single vote. In 1838 the United States began the removal to Oklahoma, fulfilling a promise the government made to Georgia in 1802. Ordered to move on the Cherokee, General John Wool resigned his command in protest, delaying the action. His replacement, General Winfield Scott, arrived at New Echota on May 17, 1838 with 7000 men. Early that summer General Scott and the United States Army began the invasion of the Cherokee Nation.



Painting by Robert Lindneux  
**Woolaroc Museum**

In one of the saddest episodes of our brief history, men, women, and children were taken from their land, herded into makeshift forts with minimal facilities and food, then forced to march a thousand miles (Some made part of the trip by boat in equally horrible conditions). Under the generally indifferent army commanders, human losses for the first groups of Cherokee removed were extremely high. John Ross made an urgent appeal to Scott, requesting that the general let his people lead the tribe west. General Scott agreed. Ross organized the Cherokee into smaller groups and let them move separately through the

wilderness so they could forage for food. Although the parties under Ross left in early fall and arrived in Oklahoma during the brutal winter of 1838-39, he significantly reduced the loss of life among his people. About 4000 Cherokee died as a result of the removal. The route they traversed and the journey itself became known as "The Trail of Tears" or, as a direct translation from Cherokee, "The Trail Where They Cried" ("*Nunna daul Tsuny*").

Ironically, just as the Creeks killed Chief McIntosh for signing the Treaty of Indian Springs, the Cherokee killed Major Ridge, his son and Elias Boudinot for signing the Treaty of New Echota. Chief John Ross, who valiantly resisted the forced removal of the Cherokee, lost his wife Quatie in the march. And so a country formed fifty years earlier on the premise "...that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, among these the right to life, liberty and the pursuit of happiness.." brutally closed the curtain on a culture that had done no wrong.

(SOURCE: About North Georgia)

## THE ASSIGNMENT

IMAGINE YOU ARE A CHEROKEE ON THE FORCED MIGRATION TO INDIAN COUNTRY (OKLAHOMA). WRITE A LETTER TO A FRIEND OR FAMILY MEMBER DESCRIBING YOUR EXPERIENCES.