

INDIAN REMOVAL ACT AND THE TRAIL OF TEARS



Indian Removal

- Early in the 19th century, while the rapidly-growing United States expanded into the lower South, white settlers faced what they considered an obstacle.
- This area was home to the Cherokee, Creek, Choctaw, Chickasaw and Seminole nations.
- ***Many Americans felt that the Native Americans “under used” their lands.*** Eager for more land to raise cotton, the settlers pressured the federal government to acquire Indian territory.

Andrew Jackson

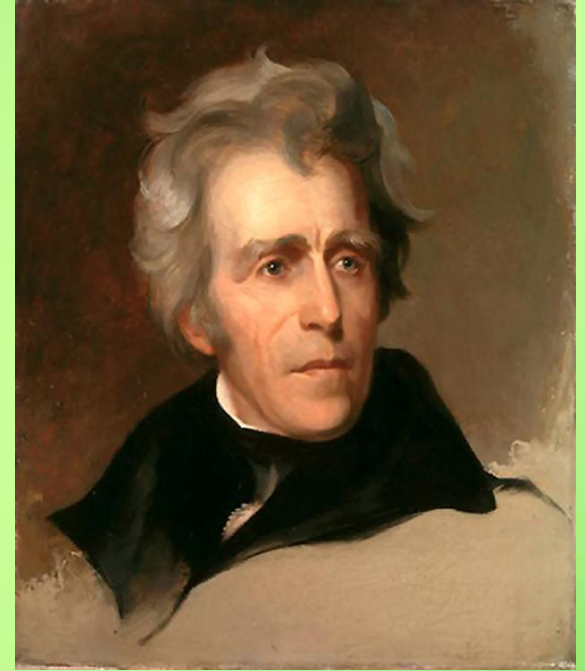
First Inaugural Address March 4, 1829

- Jackson reassures the Indian tribes that their treatment under his administration will be **liberal, just and in accordance with the beliefs of the American people:**

"It will be my sincere and constant desire to observe toward the Indian tribes within our limits a just and liberal policy, and to give that humane and considerate attention to their rights and their wants which is consistent with the habits of our Government and the feelings of our people." -- *Andrew Jackson*

Andrew Jackson

- But Jackson's policies were inherently unjust. Jackson believed the **government had the right to regulate** where Native Americans could live. He viewed them as **conquered subjects** within the borders of the United States.



- After the discovery of **gold**, whites began to move onto Cherokee land. Georgia and other Southern states passed laws that gave them the right to take over Native American lands. When the Cherokee and other tribes protested, **Jackson supported the states.**

Indian Removal Act

- To solve the problem, in 1830, just a year after taking office, Jackson pushed a new piece of legislation called the "**Indian Removal Act**" through both houses of Congress.
- It gave the president power to negotiate removal treaties with Indian tribes living east of the Mississippi. Under these treaties, the Indians were to give up their lands east of the Mississippi in **exchange for lands to the west**.
- The removal was **supposed to be voluntary and peaceful**, and it was that way for the tribes that agreed to the conditions. But the southeastern nations resisted, and Jackson forced them to leave.

What was the Indian Removal Act?

- A Congressional act that authorized the removal of Native Americans who lived east of the Mississippi River to lands in the West.
- To do this, Congress established ***Indian Territory*** - U.S. land in what is now present-day Oklahoma

Indian Removal

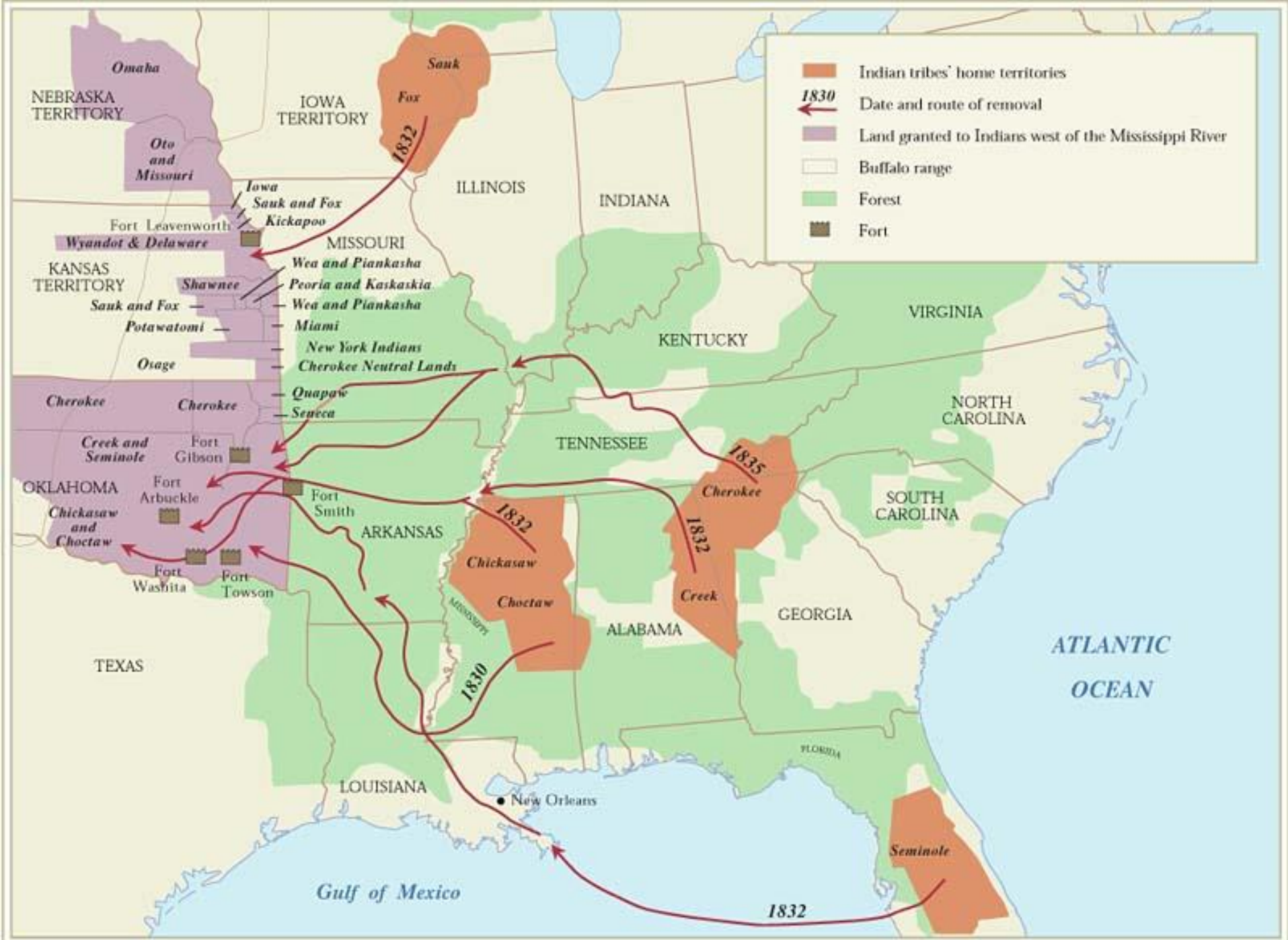


Removal

- By 1837, the Jackson administration had removed **46,000** Native American people from their land east of the Mississippi, and had secured treaties which led to the removal of a slightly larger number.
- Most members of the five southeastern nations had been relocated west, opening **25 million acres of land** to white settlement and to slavery.

How did the U.S. Government Manage This Removal?

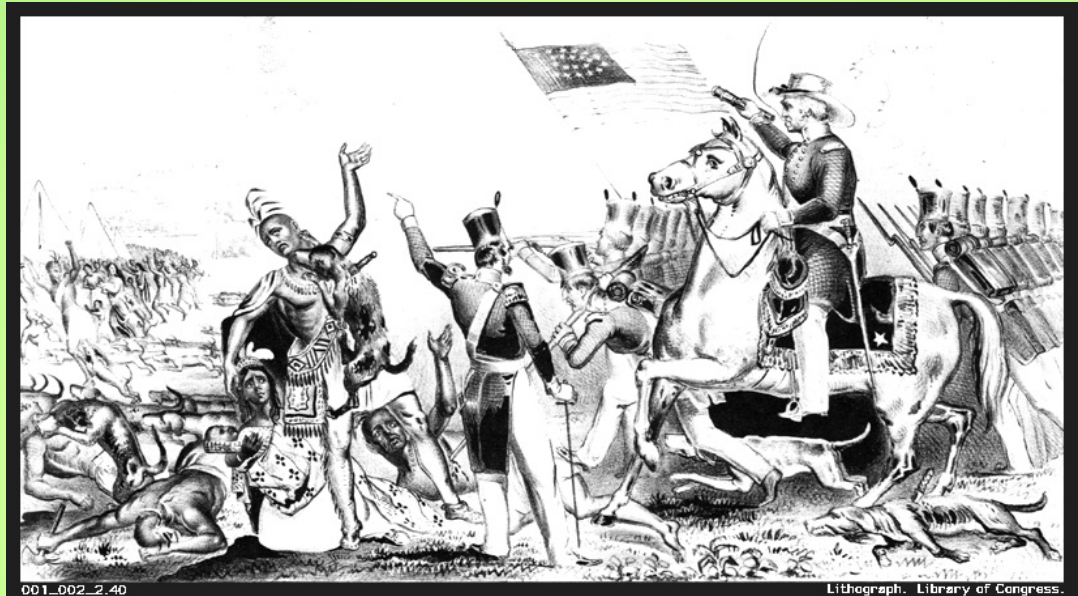
- Congress established the *Bureau of Indian Affairs* to help manage the removal of Native Americans to western lands and oversee federal policy toward the Native Americans.



Second Seminole War

- For the next 28 years, the United States government struggled to **force relocation** of the southeastern nations.

- In 1835, the Seminoles refused to leave Florida.



- The **Second Seminole War** (1835 to 1842) was the conflict between U.S. forces and the Seminole to relocate to Indian Territory.

The Cherokee Struggle

Cherokee Resistance to Removal

- Many Cherokee believed they could avoid removal by adopting aspects of “white” culture:
 - Set up schools; learned to read / write in English
 - Developed a government modeled after the U.S. gov’t.
 - Published a tribal newspaper, printed in both English & Cherokee

Cherokee Resistance to Removal

- Once gold was discovered on Cherokee land (GA), these attempts at assimilation were ignored
- GA militia were used to try to force the Cherokee off of their lands
- In 1832, the Cherokee appealed to the Supreme Court (*Worcester v. Georgia*)
- The SC ruled that Native Americans were considered a distinct community and that only the federal government had authority over them (not the states)

President Jackson's Response

- Georgia ignored the Court's ruling
- President Jackson took no action to make Georgia follow the ruling
- Jackson believed that “white” settlers would make better use of the land & resources than the Native Americans

- Most Cherokees, including Chief John Ross, did not believe that they would be forced to move.

- In May 1838, Federal troops and state militias began the roundup of 16,000 Cherokees into stockades. In spite of warnings to troops to treat the Cherokees kindly, the roundup proved harrowing.



- Families were separated--**the elderly and ill forced out at gunpoint**-- people given only moments to collect cherished possessions.



White looters followed, ransacking homesteads as Cherokees were led away.

Over the fall and winter of **1838 to 1839**, the Cherokees set out on the long journey west - the journey that would be known as the **Trail of Tears**.



"I saw the helpless Cherokees **arrested and dragged from their homes, and driven at the bayonet point** into the stockades. And in the chill of a drizzling rain on an October morning I saw them **loaded like cattle or sheep** into six hundred and forty-five wagons and started toward the west....On the morning of November the 17th we encountered a terrific sleet and snow storm with **freezing temperatures** and from that day until we reached the end of the fateful journey on March the 26th 1839, the sufferings of the Cherokees were awful. The trail of the exiles was a **trail of death**. They had to sleep in the wagons and on the ground without fire. And I have known as many as twenty-two of them to die in one night of pneumonia due to ill treatment, cold and exposure..."

**Private John G. Burnett
Captain Abraham McClellan's Company,
2nd Regiment, 2nd Brigade, Mounted Infantry
Cherokee Indian Removal 1838-39**

The Trail of Tears

- By **March 1839**, all survivors had arrived in the west.
- No one knows how many died throughout the ordeal, but the trip was especially hard on infants, children, and the elderly. Missionary doctor Elizur Butler, who accompanied the Cherokees, estimated that **over 4,000** died--nearly a **fifth** of the Cherokee population.

What was the *Trail of Tears*?

- *The forced 800-mile march made by the Cherokee from their homeland in Georgia to Indian Territory in 1838-39.*
- *By the end, it resulted in the deaths of between 1/5th to 1/4th of the Cherokee people*

