

# **Cherokee**



## **Messenger**

Brief History of The Trail of Tears  
Source: Cherokee Nation

Since first contact with European explorers in the 1500s, the Cherokee Nation has been recognized as one of the most progressive among American Indian tribes. Before contact, Cherokee culture had developed and thrived for almost 1,000 years in the southeastern United States--the lower Appalachian states of Georgia, Tennessee, North and South Carolina, and parts of Kentucky and Alabama. Life of the traditional Cherokee remained unchanged as late as 1710, which is marked as the beginning of Cherokee trade with the whites. White influence came slowly in the Cherokee Country, but the changes were swift and dramatic. The period of frontier contact from 1540-1786, was marked by white expansion and the cession of Cherokee lands to the colonies in exchange for trade goods. After contact, the Cherokees acquired many aspects of the white neighbors with whom many had intermarried. Soon they had shaped a government and a society that matched the most "civilized" of the time.

Migration from the original Cherokee Nation began in the early 1800s as Cherokees wary of white encroachment moved west and settled in other areas of the country's vast frontier. White resentment of the Cherokees had been building as other needs were seen for the Cherokee homelands. One of those needs was the desire for gold that had been discovered in Georgia. Besieged with gold fever and with a thirst for expansion, the white communities turned on their Indian neighbors and the U.S. Government decided it was time for the Cherokees to leave behind their farms, their land and their homes.

A group known as the Old Settlers had moved in 1817 to lands given to them in Arkansas, where again they established a government and a peaceful way of life. Later they, too, were forced into Indian Territory.

Once an ally of the Cherokees, President Andrew Jackson authorized the Indian Removal Act of 1830, following the recommendation of President James Monroe in his final address to Congress in 1825. Jackson sanctioned an attitude that had persisted for many years among many white immigrants. Even Thomas Jefferson, who often cited the Great Law of Peace of the Iroquois Confederacy as the model for the U.S. Constitution, supported Indian Removal as early as 1802.

The displacement of native people was not wanting for eloquent opposition. Senators Daniel Webster and Henry Clay spoke out against removal. Reverend Samuel Worcester, missionary to the Cherokees, challenged Georgia's attempt

to extinguish Indian title to land in the state, winning the case before the Supreme Court.

Worcester vs. Georgia, 1832, and Cherokee Nation vs. Georgia, 1831, are considered the two most influential decisions in Indian law. In effect, the opinions challenged the constitutionality of the Removal Act and the US. Government precedent for unapplied Indian-federal law was established by Jackson's defiant enforcement of the removal.

The U.S. Government used the Treaty of New Echota in 1835 to justify the removal. The treaty, signed by about 100 Cherokees and known as the Treaty Party, relinquished all lands east of the Mississippi River in exchange for land in Indian Territory and the promise of money, livestock, and various provisions and tools.

When the pro-removal Cherokee leaders signed that treaty, they also signed their own death warrants. The Cherokee National Council earlier had passed a law that called for the death penalty for anyone who agreed to give up tribal land. The signing and the removal led to bitter factionalism and the deaths of most of the Treaty Party leaders in Indian Territory.

Opposition to the removal was led by Chief John Ross, a mixed-blood of Scottish and one-eighth Cherokee descent. The Ross party and most Cherokees opposed the New Echota Treaty, but Georgia and the U.S. Government prevailed and used it as justification to force almost all of the 17,000 Cherokees from the southeastern homelands.

Under orders from President Jackson, the U.S. Army began enforcement of the Removal Act. Around 3,000 Cherokees were rounded up in the summer of 1838 and loaded onto boats that traveled the Tennessee, Ohio, Mississippi, and Arkansas Rivers into Indian Territory. Many were held in prison camps awaiting their fate. In the winter of 1838-39, 14,000 were marched 1,200 miles through Tennessee, Kentucky, Illinois, Missouri, and Arkansas into rugged Indian Territory.

An estimated 4,000 died from hunger, exposure and disease. The journey became an eternal memory as the "trail where they cried" for the Cherokees and other removed tribes. Today it is remembered as the Trail of Tears.

Those who were able to hide in the mountains of North Carolina or who had agreed to exchange Cherokee citizenship for U.S. citizenship later emerged as the Eastern Band of Cherokee Indians of Cherokee, N.C. The descendants of the survivors of the Trail of Tears comprise today's Cherokee Nation with membership of more than 165,000