An Investigation Into the Status of Cherokee Indian Civilization Before 1838

Zandt Cecilia Van

Loyola University Chicago

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AN INVESTIGATION INTO THE STATUS OF
CHEROKEE INDIAN CIVILIZATION
BEFORE 1838

by

Sister Cecilia Van Zandt, D. C.

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Master of Arts

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LIFE

The author of this thesis was born Helen Van Zandt in Kansas City, Missouri, December 31, 1927.

She was graduated from St. Stephen High School, New Orleans, Louisiana, June, 1945. After graduation she entered the Community of Daughters of Charity of St. Vincent de Paul in St. Louis, Missouri. At the completion of her novitiate she received the name of Sister Cecilia, and began her formal training in the teaching profession. She was graduated from Fontbonne College, St. Louis, August, 1954, with the Degree of Bachelor of Arts.

The writer had completed two summers of graduate work in American History at Xavier University, New Orleans, before being transferred to Chicago in June, 1958, when she enrolled in the Loyola University Graduate School. During the 1959 school year she taught History at Cathedral High School, Natchez, Mississippi; in 1960 she was named Principal of St. Matthias Elementary School, St. Louis, Missouri.
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CHAPTER I

INTRODUCTION

In volume seven, number five, of The Amerindian; American Indian Review, there appears a picture of a middle-aged gentleman, who, if he were to exchange his businessman's white shirt, tie, and dark suit for an Indian buckskin outfit, would make a most distinguished-looking Indian Chief. Beneath the picture appear these words: "Going back Chitolskey, a Cherokee, one of the foremost woodcarvers of the country, is shown with his statue of St. Francis. The statue was selected by the American Art League for exhibition in the rotunda of the Smithsonian Institute."1

This picture would be of immediate interest to the student of American history who has devoted any portion of his time to a study of the Indian question and its effect upon the southern United States. For this sculptor was a descendant of one of the tribes known in history as the Civilized Tribes. Inhabiting the area which now compose Tennessee, Mississippi, Alabama, and the western portions of North Carolina, Georgia, and Florida, this group contained four other tribes besides the Cherokee Indians, but it is

1 The Amerindian; American Indian Review (Chicago, May-June, 1959), VII, No. 5, p. 2.
the latter who were proclaimed by some to be the most civilized of them all. And a study of their relations with the United States government seems to provide sufficient ground for such a conclusion. Witness this reply of a Cherokee Indian delegation to the Secretary of War in 1824, protesting efforts that had been made to extinguish their land title:

Sir, to these remarks [that it was not sensible for the Cherokee to resist] we beg leave to observe, and to remind you, that the Cherokees are not foreigners, but original inhabitants of America; and that they now inhabit and stand on the soil of their own territory; and that the limits of their territory are defined by the treaties which they have made with the Government of the United States; and that the States by which they are now surrounded have been created out of lands which were once theirs; and that they cannot recognize the sovereignty of any State within the limits of their territory. Confiding in the good faith of the United States to respect their treaty stipulations with the Cherokee nation we have no hesitation in saying that the true interest, prosperity and happiness of our nation demand their permanency where they are, and to retain their present title to their lands. In doing so we cannot see, in the spirit of liberality, honor, magnanimity, equity, and justice, how they can be exposed to the discontent of Georgia or the pressure of her citizens.²

These are not the words of an unlettered savage. Upon examination they show, besides a refined process of reasoning, a most useful application of the English language. Furthermore, the fact that this is a quotation of a delegation sent by Cherokee leaders to Washington, D. C., is evidence that these people not only understood but were also willing to make use of democratic processes.

²American State Papers, Class II, Indian Affairs (Washington, D. C., 1832 and 1834), II, 474.
Other examples could be cited further to illustrate the same points, but the task of merely locating quotations would not serve any useful purpose here. The emphasis must lie in the evaluation made of them and in their application to the claim that the Cherokee Indians were a civilized people.

Grant Foreman, who has done much research on the southern Indians, writes in the preface of one of his books, "Forcible removal of the eastern tribes was substantially accomplished during the decade between 1830 and 1840. More than 60,000 Indians of what were later to become known as the Five Civilized Tribes were driven from the southern states and located in the future Oklahoma. They were a law-abiding people, committed to simple conventional forms of government, and adapted by training to industrious, pastoral lives. They were thus as little prepared as white people to become neighbors to predatory wild Indians of the West."³

These words of a competent historian and author definitely awake in the reader the idea that the former inhabitants of the southland had risen above the barbarous customs of a savage state. Nor is this the conclusion of only one author; it is generally accepted as the condition of the southern Indians at the period prior to the removal, as the following quotation from a work by Ulrich Bonnell Phillips will serve to illustrate: "The Creeks, like the Cherokees, were at this time [1812] in a transitional stage from

³Grant Foreman, Advancing the Frontier 1830-1860 (Norman, Oklahoma, 1933), preface.
savagery to semicivilization. Their habits and disposition had
formerly been those of huntsmen and warriors; but in imitation of
their white neighbors, and largely through the instruction of the
United States Indian agents, they had begun to raise cattle and to
cultivate the land more extensively."\(^4\)

As one proceeds with his reading he cannot but notice that in
this general claim of a more or less civilized status, the Cherokee
tribe is generally granted the top rung of the ladder. Marion L.
Starkey, for example, uses these words: "The Cherokees, it must be
remembered, were not the sole target of the Removal Bill, though so
able was their defense and so great their fame that some Americans
had that impression. Five nations were affected. . . . All of
these had in some degree caught the contagion of white man's civi-
лизation though none had it in so advanced a stage as the Chero-
kees."\(^5\)

Using even more glowing terms another author writes of "... the rapid and remarkable rise of this Indian Nation in enlighten-
ment, civilization, and prosperity."\(^6\) Again we read of the efforts
of the Cherokee Indian agent in 1811 to "... promote their


civilization at home" by supplying them with domestic animals, plows, looms, and spinning wheels; while a fourth author hails the Cherokees as "... the most susceptible to civilization of all the Indian tribes." 

Lloyd G. Marlin, however, is a writer of a more conservative viewpoint. He is not so quick to accept the verdict of a Cherokee people in the full bloom of civilization. "In justice to the Indians," he writes, "it must be said that they took quickly, as a nation, to advanced ideas; but the rank and file of the Cherokees continued to follow the irresponsible and unilluminated lives of their forefathers, even to the removal." 

If one reads further, among the available documentary material of the period, he finds there the same kinds of statements. Chief among the sources of material relating to the Cherokee Indians are the reports of Indian agents and commissioners to the Secretary of War. Additional matter can be gleaned from official 

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8 Peter J. Hamilton, Colonial Mobile: An Historical Study Largely from Original Sources of the Alabama-Tombigbee Basin and the Old Southwest from the Discovery of the Spiritu Santo in 1519 until the Demolition of Fort Charlotte in 1521 (Boston, 1910), p. 201.

9 Lloyd G. Marlin, The History of Cherokee County (Atlanta, 1932), pp. 11-12.

10 The supervision of Indian Affairs was organized in 1824 with the establishment of the Bureau of Indian Affairs in the War Department. Indian agents before that time were not organized in a special bureau, although they were subject to the Secretary of
correspondence between the War Department and officials of the State of Georgia, due to the latter's determination to secure title to the Cherokee lands. At about the same time the controversy over the passage of the Indian Removal Bill provided a further amount of spirited writing.

In November of 1818, one of the numerous propositions had been made that the Cherokee exchange their eastern lands for territory west of the Mississippi. At that time sixty chiefs and warriors signed a letter to the Indian agent, Joseph McMinn. Among the reasons given for rejecting the proposal is one which shows that they believed themselves to be advancing in civilization. After an explanation of the reasons why a life dependent upon the pursuit of game in the wilderness would be undesirable, the letter states, "We have here the advantages of adopting the virtues of our white brothers who surround us. Your excellency is not unacquainted with the progress which we have made in agriculture and the civilized life. The benign influence of religion has opened the eyes of many, and we do not believe that the epithet of savage ought any longer to be applied to the Cherokee nation of people; but with a removal to the west, all our flattering prospect of

War. In 1892 the office of Commissioner of Indian Affairs was created to assure more competent control and coordination. With the beginning of the Department of the Interior in 1849 the Bureau of Indian Affairs was one of the duties assigned to it under which department it still remains. Although the office of commissioner was not created until 1832 the binder's title for reports of the department from 1828 to 1832 is, nevertheless, given as the Annual Report of the Commissioner of Indian Affairs.
Three years later, after a small portion of the tribe had yielded and moved westward, Chief John Jolly, their leader, was most anxious that a promised school be speedily established at the new location. The chief's reason for this insistence was that "... this part of the tribe would become as advanced as those in the Old Nation."  

In 1824 and 1825, excerpts from official correspondence of the War Department illustrate that this idea of an advanced tribe was not confined to the Indians themselves. During the former year an extensive three-way correspondence had taken place among the Secretary of War, a Cherokee delegation, and Governor Troup of Georgia, concerning the rights of the Indians versus those of the State of Georgia. After an unsuccessful attempt to change the minds of the representatives of the Cherokee Nation, Secretary Calhoun reported to the President: "It cannot be doubted that much of the difficulty of acquiring additional cessions from the Cherokee nation, and the other southern tribes, results from their growing civilization and knowledge, by which they have learned to place a higher value upon their lands than more rude and savage tribes. Many causes have contributed to place them higher in the scale of civilization than other Indians within our

11 American State Papers, Class II, II, 487.

In 1805, Thomas L. McKenney reported to the Secretary of War on the "... present system for civilizing the Indians." Referring to the Cherokees he stated that those on the east side of the Mississippi "... are in advance of all other tribes. Their march has been rapid." In proof of his claim Agent McKenney then enclosed a letter written by a young Cherokee, David Brown, who but eight years previously had been, in his own terminology, a savage. The letter of this young man contained what he intended to be a detailed description of life in the Cherokee Nation in 1825, and in it he cited many reasons why he thought his people should be classified as civilized. There are descriptions of his people's farms and crops, their flocks of sheep, goats, and swine, the trade that they carried on with their neighbors. The Cherokees are said to cultivate apple and peach orchards and to make use of butter and cheese at table; they have built public roads and some of them maintain native places of entertainment; they make both cotton and woolen goods; some of them are mechanics, and the pursuit of agriculture is "... the most common foundation of our nation's prosperity." The youth took great pride not only in the domestic accomplishments of his people but also in their growth as a nation, for he drew attention to their native language,

13 American State Papers, Class II, II, 462.
14 Ibid., p. 650.
"... inferior to few, if any, in the world," their republican form of government, and their printing press, national library and museum, soon to be established.15

Disputes over the passage of the Indian Removal Bill in 1830 brought the plight of the southern Indians, and especially the Cherokees, to the attention of many people throughout the country. They were the object, for example, of a memorial from the ladies of Burlington, New Jersey, who protested to the Senate against the bill on the ground that the progress of the Indians in civilization would be brought to an end if the removal were to take place.16

While most of the statements one reads tend to give the impression that the Cherokee had progressed to great lengths in the civilized life, this is not the case in all instances. A comparison of two reports of Committees on Indian affairs, one in 1824 and the other in 1830, cautions the reader that further investigation is necessary before coming to a conclusion. The former report, probably undertaken in connection with the Cherokee-Georgia controversy, gives a very enthusiastic review of civilization among the Cherokees,17 while the latter, a product of the debate

15 Ibid., pp. 651-652. The printing press was established within the next few years, but it was never possible to carry out the plans for the national library and museum.

16 Senate Document Number 66, 21st Congress, 1st Session.

17 Report of the Committee on Indian Affairs, 1824. This document is located in a book entitled Indian Affairs 1824-1892, at Newberry Library, Chicago. The book contains a collection of extracts and pamphlets relating to the Indians. There are nine
over the passage of the Removal Bill, is of a different slant. Its verdict is that it was only a small minority of the Cherokees who were well-educated, intelligent, and in the possession of property. This latter opinion also prevails in a letter from a disbursing agent to the Secretary of War in 1834. Many among the Cherokees were praised in this letter for being as efficient in executing contracts as the whites, but the agent adds, that most of these, to be sure, WERE white, or at least half-breeds; the full-bloods he considered undependable as they were "... not sufficiently prompt and energetic." 

It can be understood, therefore, how the reading of these documentary and secondary materials would lead the student of Indian history to delve into the matter in order to satisfy himself as to the true status of the Cherokee Indians of the early nineteenth century. What, he asks himself, was the background of these people? How had the policy of the United States Government affected their lives? Was white civilization really a kind of contagion to which they had succumbed? Above all, were the statements asserting that they were a civilized people mere exercises in political oratory, or was there some actual foundation for documents; the subjects are unrelated. This Report is the first document in the book; it was taken from The Friend of Peace (Cambridge, 1824), IV, 45-47.

18 Senate Document Number 61, 21st Congress, 1st Session.
19 Report of the Commissioner of Indian Affairs, 1834, p. 257.
these claims? This study, then, does not seek to describe the
civilization of the Cherokee; it is more of an attempt to determine
whether writers who claimed this status for them were basing their
opinions on reasoned judgments or were moved by ulterior motives.
CHAPTER II

EARLY FOUNDATIONS

There can be no doubt that with the dawn of the nineteenth century the Cherokee Indians had had intimate contact with a particular type of white men for the better part of a century. These were the Indian traders who feared not to cross the frontiers and penetrate the wilderness. We usually think of the trader as a kind of semi-Indian, always in search of adventure and willing to lead an only partially-civilized existence. What we fail immediately to perceive, however, is that the effects of such contacts were mutual. If the life of any individual trader came to resemble in many ways that of the Indians among whom he resided, the lives of his adopted brethren were likewise gradually modified because of the very things that the traders introduced among them. A further effect was the introduction of alien blood among a people of pure Indian stock; many were the children of mixed parentage born among the Cherokee during the eighteenth century. From the white traders and their Indian wives descended that portion of the Cherokee Nation which was most amenable to civilization during the later critical period of the Indian removals.
Concerning the operation of the traders among the Cherokee, Samuel Cole Williams has edited much valuable material. The "Letter of Abraham Wood Describing Needham's Journey (1673)" establishes the early presence of Virginia traders among the Cherokee. Journals of Colonel George Chicken and Sir Alexander Cuming, 1725 and 1730 respectively, besides showing early presence and residence of white traders among the Cherokee, also reveal some names of traders, as well as interesting facts about this group of Indians. Memoirs of Lieutenant Henry Timberlake, 1756-1764 gives a good description of manners and customs among the Cherokee at his time, while Adair's History of the American Indians is considered the chief authority for British activities among the Indians of the South. All these descriptions have been regarded as reliable material by historians. They make it quite clear that the net result of the work of the traders was to force the Indians of the South into a progressively greater dependence upon goods of European manufacture.


3Samuel Cole Williams, ed., Adair's History of the American Indians (Johnson City, Tennessee, 1930).
The opening of the Indian trade is dealt with by Verner W. Crane in a comprehensive study. He shows that there were white traders operating out of South Carolina among the Cherokee from about the period, 1690. Mary U. Rothrock's "Carolina Traders among the Overhill Cherokees," points out the same fact, also giving the names of the important traders. W. Neil Franklin's articles are on the Virginia traders, claiming that they preceded the Carolinians, although there may not have been as many of them.

By studying the material alluded to in the preceding paragraphs some definite points can be established. The Cherokee Indians dealt with white people from the middle of the seventeenth century onward. Earliest contacts were with the Spanish, whom Samuel Cole Williams shows to have been in the Allegheny gold region in 1654. There does not seem to have been any regular trade, yet in 1673 two Virginians who happened amongst the Cherokee found them in possession of "... many brass potts and kettles from


three gallons to thirty . . . [and] . . . about sixty gunnes, not such lockes as ours bee, ye steeles are long and channeld where ye flints strike."\(^3\)

British trade with the Cherokee was through South Carolina and Virginia. For years there was a great rivalry produced by competition between these two colonies. Later in the eighteenth century, after Georgia had been established, that colony took an active part in the competition. Virginia at first had much of her own way, but Carolina was able to surpass her. Finally Georgia overpowered Carolina, and that colony felt what it was like to have the Indian trade stolen.\(^9\) Behind this curtain of colonial contention the Indian trade had definitely had its foundations laid by 1690. In proof of this Verner W. Crane cites the activities of an "... ambitious and impecunious planter, James Moore" and his colleague, Maurice Mathews, who together "... engaged in slave-trading and other speculative money-making schemes, including a project to exploit the trade and the mines of the southern

\(^{3}\)Ibid., pp. 28-29.

\(^9\)An interesting sidelight obtained from this research has been the realization of the importance of Indian alliances to historical study. France and England both tried to exploit the Indian trade to their own advantage, an issue of mercantilism that was rampant at that period. Therefore both countries tried to gain the friendship of the Indians and to induce them to mistrust the other. Rivalry between countries and even between colonies of the same country, plus the inability of the Indians to have a true picture of world affairs, was the main cause of border wars with the Indians.
Appalachians."\textsuperscript{10} Twenty-five years later Virginia and Carolina were partaking of the first fruits of a rising business. We know of a Virginia caravan of 1718 that "... made its way to the distant Cherokee and remained among the mountain Indians the entire summer and probably autumn, too. ... The traders brought back not only seventy horses loaded with peltry, but also four Cherokee chieftains, who insisted that the trade with Virginia should be made permanent."\textsuperscript{11} The year 1730 saw the treaty between the Cherokee and the English, drawn up in a spectacular manner by the colorful Scotchman, Sir Alexander Cumling.\textsuperscript{12} Although his dramatic procedure undoubtedly had diplomatic overtones, the fact that he signed a trade treaty is evidence of the importance in which this enterprise was held by the English.

The desire for permanent trade relations was not sought by mother countries alone; the Cherokee were equally as anxious for it as were the Europeans. Rivalry between nations and colonies sometimes caused them to make special appeals that so beneficial a practice be not discontinued,\textsuperscript{13} as little by little they came to look upon certain objects obtained from the traders as necessities. Robert S. Cotterill in his monograph, The Southern Indians, goes

\textsuperscript{10} Crane, p. 40.
\textsuperscript{11} Franklin, pp. 13-14.
\textsuperscript{13} Franklin, pp. 16, 17, 19, 20-21.
so far as to say: "It was the Indians' familiarity with the benefits of trade that made them accept the white trader so avidly as to affect their development and to alter their destiny."  

Evidence also proves that not only were English traders active among the Cherokee, but the French sought to break into this lucrative field. Peter J. Hamilton shows that the French Fort Toulouse was intended not only to control the Creeks, but to influence the Cherokee as well. Elsewhere this same author simply states: "There can be little doubt that the coureurs and [French] traders explored up the Tennessee and Cumberland Rivers to the Cherokees; the Tennessee River was known to them as the Cheraqui, and the Overhill tribes were generally friendly to the French."  

Having accepted the foregoing evidence as sufficient proof that white traders had penetrated very early into the Cherokee country, let us now examine into the ways in which this trade affected this Indian people. Its consequences fall mainly into two wide categories: first, the influence of the traders' products upon prevailing Indian customs; and secondly, a certain predisposition for a civilized manner of life, resulting from the introduction of white blood into the tribe. As one author expresses it: "We usually find that the first things adopted by the Indian

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14Cotterill, p. 15.
15Hamilton, p. 207.
16Ibid., pp. 2-3.
from his white neighbor are improved weapons and cutting tools, with trinkets and articles for personal adornment. After a regular trade has been established certain traders marry Indian wives, and taking up their permanent residence in the Indian country, engage in farming and stock raising according to civilized methods, thus, even without intention, constituting themselves industrial teachers for the tribe."  

Some of the earliest products introduced into the Cherokee country were listed by the Indian Commissioner of South Carolina in his journal. They include "... 400 lbs. of fine gun powder, 250 lbs. of bullets, 1000 flints, seven brass kettles, and 20 yards of half-thick."

Besides these arms and basic materials this journal lists, over the period 1716-1718, hatchets, knives, cutlasses, swords, scissors, axes, hoes, looking-glasses, pipes, rum, beads, and salt as having been traded with the Cherokee. Vermilion and red lead were used for dyeing and beautifying the skin, and certain manufactured articles of clothing found a ready market, such as shirts, coats, hats, petticoats, and blankets. Strouds and calico were popular for making garments.  

Mary U. Rothrock, writing about the Carolina traders during the same year, p. 195.


18 Ibid., p. 195.

19 Ibid., pp. 196-198.
period, gives the added details that shirts were ruffled, hats decorated with lace, and the Indians were delighted with colored ribbons, red and blue preferred. In a listing of the articles supplied by the French for the Indian trade is found the iron tomahawk (cassetètes à pique). The Englishman, Timberlake, who travelled among the Cherokee between 1756 and 1765, confirms the European origin of this instrument of warfare. Among the warlike arms used by the Cherokee, he listed "... tomahawkes, which are hatchets; the hammer part of which being made hollow ... makes a complete pipe. There are various ways of making these, according to the country, or fancy of the purchaser, being all made by the Europeans." 

Cherokee introduction to white man's wares dates, therefore, from the early eighteenth century and was continuous with its progress. They gradually came to depend upon the traders to bring them certain objects to which they had become accustomed. William Bartram, the naturalist, noted in 1773 that they scarcely made anything for their own use, since they were "... supplied with necessaries, conveniences, and even superfluities by the white traders." Blankets and various types of woven materials were

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20Rothrock, p. 13.
21Hamilton, p. 204.
fast becoming necessities, and some were adopting the methods of work of the white people. Timberlake wrote in 1762 that the Cherokee had lately been supplied with tools and were lacking only in knowledge of how to use them. He also noticed that some of the men as well as the women had learned how to sew and made their own garments. By 1765 Superintendent Stuart had concluded that the Cherokee could not get along without the goods supplied them by white traders.

It can be understood, then, that by the time the United States became independent and began having dealings with the Cherokee, these Indians had come to rely upon the many products which they were incapable of making for themselves. When, then, chiefs complained that their hunting lands were shrinking, or that the wild animals were disappearing, it was not so much through a fear of losing their food sources as it was disturbance over the loss of that which would enable them to purchase the articles that they desired from the traders. They sometimes said that the absence of game prevented them from being able to "clothe their women and children," not with the skins of the animals, however, but with the clothing obtained from the traders in exchange for these skins. An example to the point is a message from Chief Bloody Fellow to


25 Franklin, p. 36. He included blankets, shirts, handkerchiefs, knives, beads, oil, wire, hoes, hatchets, paints, guns, and ammunition.
Secretary of War, Knox, January 11, 1792: "You will see that being upon the business of our nation, we could not go a hunting, and, therefore, our families will be unclad. . . ."26

In reality, a rudimentary type of agriculture had been practiced among all the southern Indian tribes during their history preceding the coming of the white man. Although farming, as such, was not specifically introduced by the white man, an agrarian type life, with something more than an irregular reliance upon the fruits of the field, gradually and quite naturally evolved from Indian-white contacts. Thus, after the Revolutionary War era, the southern Indians were familiar with the basic elements of the civilized man's farming and cattle-raising methods, and were no longer dependent upon the chase to supply them with the main proportion of their food supply. Our most descriptive accounts of their farming practices are given by James Adair and William Bartram. From the former, who was a trader among the Cherokee and Chickasaw tribes, we learn that their chief crop was corn, but that they also took in good harvests of beans, peas, [sweet] potatoes, pumkins, fruits, and herbs, and that their fields abounded with large strawberries.27 The latter listed, in addition to these foods, squash,

26American State Papers, Class II, Indian Affairs (Washington, D. C., 1832 and 1834), I, 206.
Besides the meat of wild animals prepared for food, he noted the use of domestic poultry and "... domestic kine, as beeves, goats, and swine." In Adair's account there is no mention of kine nor of goats, but the raising of swine is referred to in a number of places. Bartram supplies us with the interesting point that even though the southern Indians knew of the plough, this instrument of labor had been forbidden by the chiefs, who alleged "... that it would starve their old people who employed themselves in planting and selling their produce to the traders for their support and maintenance; seeing that by permitting the traders to use the plough one or two persons could easily raise more grain than all the old people of the two could do by using the hoe." Without explaining the reason, Adair confirmed this practice when he set down the use of "... a common hoe and a small hatchet ..." as their only implements for clearing and planting. One other traveller who observed the agricultural tendencies of the Indians he visited was Lieutenant Henry Timberlake. His observations point to the fact that, in general,
what was true of the southern Indians as a whole may be applied to
the Cherokee in particular. His listing of their agricultural
products is almost identical with those already cited, except for
strawberries and rice which they did not raise, but they did cul-
tivate tobacco. He noticed, too, that the raising of horses and
hogs was quite common, although he remarked the absence of cows
and sheep. Thus it is clear that even before the United States
Government set out to make the southern Indians into an agricultur-
ally dependent people, certain practices had already been adopted
by them which would serve to make the transition a somewhat nat-
ural development.

Simultaneous with these many new influences upon the lives of
the Cherokee was the intermarriage of many of the traders into the
tribe. That this was the common practice is an accepted fact.
Verner W. Crane, for example, states: "Most traders took Indian
wives, who dressed their victuals and taught them the Indian
tongue." It is the opinion of the author, James Mooney, that
Cherokee civilization was advanced by the intermarriage with white
men, "... chiefly traders of the ante-Revolutionary period, with
a few Americans from the backwoods." And he lists, among

33 Williams, ed., Timberlake's Memoirs, p. 68.
34 Ibid., pp. 72-73.
35 Crane, p. 125.
36 Mooney, p. 83.
prominent Cherokee families the following, as having been of mixed
descent: the Doughertys, Galpins, Adairs, Rosses, Vanns, McIn-
toshes, and Waffords. The trader Adair's case is not the only individual one re-
ferred to in connection with the subject of intermarriage among
the Cherokee. John Henry Logan writes of a traveller in the Cher-
okee country in 1758 who "... found several white men, chiefly
Scotch or Irish, who said that they had lived among the Indians as
traders twenty years, a few from forty to fifty, and one sixty
years. One said that he had upwards of seventy children and grand-
children in the Nation." An article in the Publications of the
Alabama Historical Society refers to one John Gunter, whom it
describes as the headman of Gunter's Village and "... a

\[37\text{Ibid.}\]
\[38\text{Williams, ed., Adair's History, pp. xviii-xix.}\]
\[39\text{John Henry Logan, A History of the Upper Country of South \hspace{1em} Carolina from the Earliest Periods to the Close of the War of Independence \hspace{1em} (Charleston, 1859), I, 168.}\]
full-blooded Scotchman, who had been adopted into the tribe.
Gunter married a Cherokee woman and raised a large family of sons and daughters. His sons, John, Samuel, and Edward, were conspicuous figures in the Old Cherokee Nation. . . . This was an important settlement and included some very intelligent Cherokees.\(^{40}\)

Another example is found in the account of the mission station at Taloney in the Cherokee Nation in 1822. It tells of five Sanders brothers, descendants of a white man "... who had wandered to that place from New England more than fifty years before.\(^{41}\)

Again, we know, as a result of Samuel C. Williams' research, that the famous Cherokee, Sequoyah, was the son of white trader and scout, Nathaniel Gist, and a Cherokee woman, Wut-teh.\(^{42}\) Gist was among the Cherokee as early as 1753.

A small work entitled the Memoirs of Narcissa Owen provides much information on the present subject by recording facts concerning the ancestors of its author. Mrs. Owen endeavored to

\(^{40}\)Publications of the Alabama Historical Society (Montgomery, 1900), I, 419.

\(^{41}\)Joseph Tracy, "History of the American Board of Commissioners for Foreign Missions, Compiled Chiefly from the Published and Unpublished Documents of the Board," History of the American Missions to the Heathen from Their Commencement to the Present Time (Worcester, 1840), p. 108.

record only those facts that are true history, hence her Memoirs cast light upon the presence in the Cherokee tribe of families bearing the names of Beamor, Thompson, Holmes, Chisholm, Bushyhead, Foreman, McNair, Drumgould, and Wilson. Using this book as a reference we find that one John Beamor first came to the Cherokee country about 1699 at the age of twenty-three. He took an Indian wife, Quatsis, and one of his sons, Oconostota, went with Sir Alexander Cuming to England after that gentleman's exploits among the Cherokee in 1730.

It is probable that this Beamor is the same as that listed by Mary U. Rothrock, along with names of Dogherty and Adair, as traders to the Cherokee from Carolina before 1760. At any rate descendants bearing these three names were among the ninety-eight chiefs and warriors who signed a communication from the Cherokee Council to the Indian agent in 1818, refusing a land cession. Other signers bore the names of Foreman, Saunders, Brown, Lowry, and Ross. An Adair and another Dougherty are again included in a roster of Cherokee who emigrated in 1831-32, along with

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43 Narcissa Chisholm Owen, Memoirs of Narcissa Owen 1831-1907 (Washington, D. C., 1907), p. 10. Mrs. Owen's sources of information were: (1) Kah-ta-yah, daughter of Cau-lun-na, who in turn was brother to John Beamor's Indian wife; and (2) stories told to her by her older sister who had heard them from an old Negress originally sold to John Beamor.

44 Ibid., p. 27.

45 Rothrock, pp. 9, 6, 8.

46 American State Papers, Class II, II, 503.
significant Cherokee names like Wafford, Guess, Parris, Chisholm, Sanders, Price, Thompson, and Harlin.⁴⁷ Even a cursory glance at these names tells the reader that they were not originally Indian, but were brought into the tribe by white men. The Indian-white marriages that were the source of some of them are explained in the Memoirs of Narcissa Owen; references to others may also be noted in various places. Adair and Dogherty have already been indicated as having spent at least part of their careers among the Cherokee. A trader named Samuel Brown was with Sir Alexander Cuming in 1730;⁴⁸ and one Thomas Brown is mentioned as a fellow-trader with Adair.⁴⁹ Lazarus and James Lowry are listed in the Pennsylvania Archives among twenty-one traders licensed in 1744.⁵⁰ James Mooney is only one of several authorities on the origin of the famous Ross family. Its members were descended from the Scotchman, Daniel Ross, who emigrated to America before the Revolution and married a quarter-blood Cherokee woman.⁵¹ Richard

⁴⁷ Senate Document Number 512, 23d Congress, 2d Session.
⁴⁹ Williams, ed., Adair's History, p. ix.
⁵¹ Mooney, p. 224. Daniel Ross's wife was descended from William Shorey, whom Timberlake in his Memoirs, pp. 128-129, identifies as the interpreter at Fort Lewis in the Cherokee country in 1762. Shorey's half-breed daughter, Ann, married John McDonald, this couple were the parents of Daniel Ross's wife, who, in turn,
pearls (called Paris by W. N. Franklin)\textsuperscript{52} and Thomas Price were partners in trading with the Cherokee in the 1750's at the same time as Nathaniel Gist,\textsuperscript{53} of which the name, Guess, mentioned in the roster above, is a variation. The trader, Harlin (or Harland), was among the Cherokee in 1783 when a Moravian missionary made a tour of the Nation. One of his guides, a Mr. McCormick, had lived for thirty years as a member of the tribe with his Indian wife. Brother Schneider further observed that there were four traders in the upper Cherokee towns, each raising a family of Cherokee children.\textsuperscript{54} Undoubtedly there were many others who gave their names to these children of the forest. Although their identity is lost to our knowledge, their names have come down to us in their posterity.

In studying records of the United States Government relative to the removal of the Cherokee in the 1830's, one can evaluate the results of a century of intermarriage. Men of white ancestry were the owners of the best property and the most expensive homes, and had become the most influential citizens in their nation.

gave birth to John Ross, the Cherokee chief at the time of the removal. Thus, we see that the leader of the tribe at the most critical time in its history was only one-eighth Cherokee.

\textsuperscript{52}Franklin, p. 22.

\textsuperscript{53}Williams, "Nathaniel Gist, Father of Sequoyah," p. 40.

A most significant document is the one which recorded the valuations of property made as a result of the treaty of 1835. It lists 3,551 members of the tribe who applied for remuneration at the time of the removal in 1838. A breakdown of these names into twelve categories, according to the amounts of the valuations, shows that the most prosperous men in the Cherokee Nation bore the names of their white progenitors, as the following will illustrate:

<table>
<thead>
<tr>
<th>Name</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joseph Vann</td>
<td>$29,997.10</td>
</tr>
<tr>
<td>Lewis Ross</td>
<td>25,980.75</td>
</tr>
<tr>
<td>Major Ridge</td>
<td>24,127.00</td>
</tr>
<tr>
<td>Edward Gunter</td>
<td>21,894.24</td>
</tr>
<tr>
<td>John Ridge</td>
<td>19,741.67½</td>
</tr>
<tr>
<td>John Ross</td>
<td>17,965.75</td>
</tr>
<tr>
<td>John Martin</td>
<td>16,796.00</td>
</tr>
<tr>
<td>William Blythe, Sr</td>
<td>13,780.50</td>
</tr>
<tr>
<td>Joseph Crutchfield</td>
<td>13,369.20</td>
</tr>
<tr>
<td>Michael Helterbrand</td>
<td>13,221.00</td>
</tr>
<tr>
<td>Alexander McKay</td>
<td>12,966.50</td>
</tr>
<tr>
<td>Samuel Mays</td>
<td>12,919.00</td>
</tr>
<tr>
<td>David McNair</td>
<td>12,220.25</td>
</tr>
<tr>
<td>Heirs of John Walker, Jr.</td>
<td>11,555.00</td>
</tr>
<tr>
<td>Peter Helterbrand</td>
<td>11,211.73</td>
</tr>
</tbody>
</table>

55 Senate Document Number 277, 25th Congress, 3d Session.
<table>
<thead>
<tr>
<th>Name</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>John and Sarah Rogers</td>
<td>11,044.50</td>
</tr>
<tr>
<td>John Gunter, Jr. and Sr.</td>
<td>11,041.91</td>
</tr>
<tr>
<td>Joseph M. Lynch</td>
<td>10,806.75</td>
</tr>
<tr>
<td>James Daniel</td>
<td>10,483.50</td>
</tr>
<tr>
<td>John Riley</td>
<td>10,155.00</td>
</tr>
</tbody>
</table>

These were the twenty wealthiest men in the Nation, and with the exception of Major Ridge and his son, all were of white ancestry.

According to the same document 259 heads of Cherokee families had no valuation for improvements. About 10 per cent of these names indicate connections with some of the families in better circumstances, with whom they probably made their homes. Of the remaining 90 per cent, however, some bore Indian names like Kiuka, Cah tung, Wah lee, Ad a leeka, Quatee, or Ula tee ska, or translations of Indian names, such as Little Turtle, Sour Mush, Standing Fence, Cloud Three Killer, or Sitting Down; while others were known by a single adopted Christian name, which had to serve the double purpose of a given name and a surname combined. All these examples are indicative of the Cherokee who were the poor and the ignorant, and, judging by their names, they were descended from families that had been least subject to white influences.

As will be explained in the next chapter, it was the United States Government that took definite and organized steps to civilize the Cherokee and lead them to dependence upon farming and the domestic arts. From the evidence here given, however, it can
be seen that during a century of contact with white men, particularly the traders, an important piece of groundwork had been laid, both in the unconscious molding of attitudes and in the supplying of a generation of mixed-blood Cherokee who were prepared to follow the leadership of their "great white father."
CHAPTER III

GOVERNMENTAL POLICY

Before describing the means by which the policy of the United States government toward the Cherokee was carried out, it will be useful to undertake an explanation of the background of this policy. For the advancement in civilization of these Indians is so closely connected with their own aspirations and the hopes of the government, that to present the study of the former only would be to paint an incomplete picture.

After the Revolutionary War, the relations of the United States with the Cherokee were for the purpose of settling a boundary. However, many misunderstandings arose, especially due to the fact that white people settled over the boundaries agreed upon. Many times the Cherokee chiefs refrained from harming these people, trusting that the United States would keep her part of the treaties. But the general trend seemed always to be that commissioners would be sent to press for the land occupied by these white people. Some chiefs became angry, tired of making concessions, and for some years, especially from 1792 to 1796, there were many deaths, both of white people and Indians, on the frontiers. Meanwhile, as the records show, the United States adopted the policy of trying, by various means, to induce the Indians to completely abandon their
own mode of life and learn to live according to the ways of the white man, with the purpose in mind of rendering them more amenable to parting with their land, as success in acquiring this new way of life would not render so much land necessary. This policy can be seen in excerpts from certain reports, and from articles in treaties made with them.1

The idea of civilizing the Indians was from the start at the core of the plan by which they would be made willing to be incorporated as individuals into the United States. As the Cherokee advanced they tried to use their progress in civilization as a means of getting from the government what, in their eyes, was simple justice, that is, the right to keep their land and live a tribal existence as they wished. But this could never extend indefinitely, as it was diametrically opposed to the basic reasoning behind the civilization programs of the government.

Under the Articles of Confederation and during the Federalist period this idea of civilizing the Indians had sprung from the necessity the government was under to develop some semblance of peaceful relations if the experiment in democracy was to succeed. Bonds had to be cemented in order to insure the friendship of the Indians as a counterbalance against the destructive interference of English and Spanish neighbors. But after 1802 the Indian

1*American State Papers, Class II, Vol. I.* This paragraph is a summary of ideas concerning United States policy toward the Cherokee obtained by an examination of relevant material in Volume I.
policy, while retaining its former characteristics, took on at certain periods an added one. Definitely the Indian policy became a method tried by the government in an effort to extricate itself from an embarrassing position. The situation grew out of conflicting promises officially made by the government to the Cherokee in the treaties of 1785 and 1791, and to the State of Georgia in the Compact of 1802.

The significance of the latter document has its origin in the aftermath of the Revolutionary War. The federal government, it will be remembered, sought to induce the thirteen states to give up the titles to their western lands. The land occupied by the Cherokee was situated partially in the western lands of the state of Georgia and partially within Georgia itself. Unfortunately for the Indians, the compact by which Georgia ceded her western lands to the federal government in 1802 was gained only by a promise that the Indian titles to lands within her chartered boundaries would be extinguished as soon as this could be done reasonably and peacefully. Georgia never forgot this promise, and although there was much to be said by various governors of Georgia and federal executives about the meaning of the words, reasonably and peacefully, this compact was Georgia's weapon in accomplishing Cherokee removal in spite of government policy.

Concerning the rights of the Cherokee, it must be understood that even though they had sided with the English in the Revolutionary War, by the treaties of 1785 and 1791 the titles to their
lands had been recognized by the United States. They therefore held official confirmation of titles to lands in Georgia, North and South Carolina, and what is now Tennessee. According to Article Nine of the Treaty of 1791, no citizens of the United States were to settle on Indian lands.² And although both Georgia and North Carolina opposed these terms, the treaty was ratified by the Senate. In the hope of escaping an obvious dilemma the Republicans re-emphasized the policy already introduced by the Federalists of seeking total transformation of the Cherokee from hunters into agriculturalists, so that they would eventually be willing to come completely under the laws of the United States and abandon their tribal existence.

After 1803, it is true, the Republicans were presented with an unexpected alternative, that of relocating the Indians beyond the Mississippi. This idea gradually gained strength and eventually became the method used in solving the problem. But throughout the entire Federalist period so much stress had been laid on civilizing the Indians that a change of attitude was not easy to effect in governmental circles, within the tribes themselves, or even in the eyes of many of the public. It was not until Andrew Jackson was elected to the presidency, fully committed to Indian removal, that this policy was effectively concluded. And when it was accomplished, its main feature was one of force. The policy

²Ibid., p. 124.
of civilizing the Indians, therefore, adhered to rather generally
through four decades, could not but have had some effect upon the
mode of life of the Cherokee. This is what is of interest to us
in the present study.

Information about the manner in which the civilizing process
was intended to be carried out may be gleaned from the following
sources: treaties, particularly those of the period from 1785 to
1805; statutes covering the years 1790 to 1819; Congressional
records; official correspondence; and reports of Secretaries of
War and Indian agents.

One of the earliest government records mentioning the Chero­
kee is a resolution of July 12, 1775, in which the Continental
Congress came to grips with the Indian problem. After hearing the
report of a committee on Indian affairs the Congress resolved:
"As the Indians depend on the colonists for arms, ammunition, and
clothing, which are become necessary to their subsistence, That
Commissioners be appointed by this Congress to superintend Indian
affairs in behalf of their colonies." The Congress then pro­
cceeded to the establishment of three departments to supervise the
Indians, the Cherokee being allotted to the southern department
to which five commissioners were appointed. This framework for

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3 Worthington Chauncey Ford and Gaillard Hunt, eds., Journals of the Continental Congress, 1774-1789 (Washington, D. C., 1904-
1928), II, 175.

Indian supervision is noteworthy because it was followed by the
government under both the Articles of Confederation and the Con-
stitution. The most important Indian agents that dealt with the
Cherokee can be identified, and a word about them here will not be
out of place, as quotations from some of their letters and reports
will be used to study the results of the United States policy.

Under the Articles of Confederation in 1786 all United States
territory south of the Ohio was organized as the southern Indian
department;\(^5\) Richard Winn\(^6\) and William Blount\(^7\) were the earliest
superintendents. The Cherokee had their special temporary agent,
Leonard Shaw, during 1792 and 1793,\(^8\) who was followed by John
McKee from 1794 to 1796. In that year Benjamin Hawkins was ap-
pointed principal temporary agent for all southern Indians, and
Silas Dinsmore became agent to the Cherokee. Following Dinsmore a
Major Lewis served briefly, but was dismissed for poor conduct,
and in 1801 Return Jonathan Meigs "... began his twenty-two
years service as agent to the Cherokee."\(^9\)

\(^5\)American State Papers, Class II, I, 14.

\(^6\)Ibid., p. 46.

\(^7\)Robert S. Cotterill, "Federal Indian Management in the
South, 1789-1825," Mississippi Valley Historical Review (1933-
1934), XX, 334.

\(^8\)American State Papers, Class II, I, 247.

As has been explained in Chapter II, the eighteenth century prepared the ground and sowed the first seeds of civilization among the Cherokee. Although this course of events had not been planned by the United States government, officials quickly recognized its significance in the action that it became most expedient to follow. Further inducements toward civilization were, therefore, used in the earliest relations with the Cherokee, as means of obtaining the concessions of land so much desired by land-hungry Americans. This is noticeable in the records concerning the first treaty entered into between the Cherokee and the United States, that of November, 1785, known as the Treaty of Hopewell. Commissioners sent to secure the treaty, reported to Congress that conflicting claims to territory within the fork of the French Broad and Holston rivers were presenting a considerable problem. In talks preceding a settlement, the Cherokee chiefs had agreed to surrender their rights to the land in Kentucky settled by Henderson, and to the territory surrounding Nashville. They had become insistent, however, that the white population in the forenamed territory be removed, claiming the support of a treaty that had been signed in 1777 between Virginia and North Carolina on one hand, and their tribe on the other. Taking a firm attitude the commissioners had stated that these people had been located there a number of years, and as they had made their settlement during the time that the King of England had been the Indians' protector, he should have removed them. The reply of the chiefs to this had
been, "Are Congress, who conquered the King of Great Britain, unable to remove these people?" Realizing the uselessness of any efforts to remove the Indians' undesirable neighbors, and mindful at the same time of the awkwardness of their own position, the commissioners sought from Congress a means of removing the difficulty. Their suggestion is evidence that they were aware of the changes already wrought in the Cherokee's manner of life, and, at the same time, an indication of the direction which United States policy toward them was to take. They wrote:

The commissioners know not what is best to be done in this case. They see that justice, humanity, and good policy, require that some compensations should be made to the Indians for these lands; but the manner of doing it probably would be difficult. However, a small sum we think could be raised on the unlocated lands, as well as from those already settled; and which, if appropriated to the purpose of teaching them some useful branches of mechanics, would be of lasting advantage. Some of the women have lately learnt to spin, and many of them are very desirous that some method should be fallen on to teach them to raise flax, cotton, and wool, as well as to spin and weave it.

Proving that the Indian policy at this early period was closely connected with foreign policy, the commissioners remarked further, "The Cherokees . . . also say that not only British emissaries are for this measure [hostility to the United States], but that the Spaniards . . . have been endeavoring to poison the minds of the Indians against us, and to win their affections, by large supplies

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10 American State Papers, Class II, I, 43.
11 Ibid., p. 39.
of arms, military stores, and clothing."\textsuperscript{12}

If we recall that when these commissioners were thus instructing Congress the Treaty of Paris, which had officially brought the Revolutionary War to a close, was only two years past, we may understand why the proposed plan was not enthusiastically adopted and an appropriation immediately granted. The ship of state, but recently launched, was at this time resisting many another storm bearing upon its exterior, while trying to maintain the loyalty of some of its own crew. With this in mind, we may understand why in 1787 the commissioners of Indian Affairs were still being instructed to try by every means at their command to attach the Indian headmen to the interests of the United States.\textsuperscript{13} We may also have some idea of what President Washington meant by the gravity of the situation on the frontiers in his address to the first session of Congress. During this speech the president urgently recommended that all differences in the southern district be smoothed out and that treaties of friendship be made with the Indians there.\textsuperscript{14}

By the time the Constitution was beginning to function and the government seemed somewhat surer of its steps, the President may have been formulating some more definite ideas with regard to

\textsuperscript{12}Ibid., p. 39.
\textsuperscript{13}Ibid., p. 26.
\textsuperscript{14}Ibid., p. 12.
the Indians. During the month of May, 1789, he had received a long report from his Secretary of War, General Knox, in which the latter had set forth his ideas on a practical manner of securing the much-desired peace on the frontiers. Among other recommendations, such as a proper maintenance of troops capable of preserving order, was suggested the practicability of the civilization of the Indians as a method most expedient to the cause of the United States. This civilization would consist in imparting our "... knowledge of cultivation and the arts to the aboriginals of the country " by which "... the source of their future life and happiness ..." would be extended. It "... would be an operation of complicated difficulty ..." which "... would require the highest knowledge of the human character, and a steady perseverance in a wise system for a series of years ...". But despite the obvious difficulties, the Secretary of War gave his vote to its ultimate success, and proceeded to set forth the means by which the measure could be carried out. "To introduce among the Indian tribes a love for exclusive property ... would be a happy commencement to the business." This could be done by making presents at times of sheep or other domestic animals to the chiefs or their wives, and persons could be appointed to teach the use of them. Missionaries of excellent moral quality could be

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15 Ibid., p. 53.
16 Ibid.
appointed to reside in the nation and they should be well-supplied with "... all the implements of husbandry, and the necessary stock for a farm." These excerpts supply us with an understanding of the civilizing processes intended, while the following quotation reveals clearly that the whole method was conceived primarily as a measure of governmental expediency.

Such a plan, although it might not fully effect the civilization of the Indians, would most probably be attended with the salutary effect of attaching them to the interest of the United States. It is particularly important that something of this nature should be attempted with the southern nations of Indians, whose confined situation might render them proper subjects for the experiment. The expense of such a conciliatory system may be considered sufficient reason for rejecting it; but when this shall be compared with a system of coercion, it would be found the highest economy to adopt it.

During the course of July, 1789, the president had been briefed by Secretary Knox on matters pertaining to the Cherokee in particular: their location, probable number (estimated at 2,650 warriors), complete information regarding the treaty of 1785, including that of the failure of the white people to abide by its terms. The secretary had remarked on the "... deplorable situation of the Cherokees," and the "... indispensable obligation of the United States to vindicate their faith, justice, and national dignity." It may easily be that Washington had them in mind especially in his initial address to Congress.

17 Ibid., p. 54.
18 Ibid.
19 Ibid., p. 38.
On July 2, 1791, Governor Blount of North Carolina obtained signatures of the Cherokee headmen to the second treaty between them and the United States. Developments following this event are a further indication of the manner in which the desire for civilization had become intermingled with the necessity for certain products to which the Cherokee had become accustomed. The desired goods held a sufficiently strong appeal to pacify them in the continued narrowing of their boundaries.

In January of 1792 five Cherokee chiefs arrived in Philadelphia to treat of their grievances with the United States government. They complained of the treaty that had been made with them in 1791, explaining how General Blount had practically wrung from them a concession of land larger than they had wanted to grant. They then requested that instead of a $1,000 annuity for these lands, the sum be raised to $1,500 payable in goods which their people needed. Chief Bloody Fellow stated to the Secretary of War: "The treaty mentions ploughs, hoes, cattle, and other things for a farm; this is what we want; game is going fast away from among us. We must plant corn, and raise cotton, and we desire you to assist us. If these things could be sent us the next season, it would be a good service to us. We wish you to attend to

20American State Papers, Class II, I, 245. The chiefs were Bloody Fellow, King Fisher, Northward, Disturber, and Prince, with interpreters, George Miller (himself a Cherokee) and James Corey. General Knox also mentions "... the squaw, Jane Daugherty..." as one of the attendants.
this point. In former times we bought the traders' goods cheap; we could then clothe our women and children; but now game is scarce and goods dear; we cannot live comfortably. We desire the United States to regulate this matter."

During the following January Washington's recommendation to raise the annuity to the desired amount was approved by the Senate. However, the matter was still pending two years later, for the treaty of 1794 again brought up the matter of compensation of the Cherokee for "... relinquishments of land ..." in the treaties of 1785 and 1791. The United States was "... to furnish the Cherokee Indians with goods suitable for their use, to the amount of $5,000 yearly." Boundary disputes again arose out of the treaty of 1797 in which the Cherokee gave up their title to some lands in Tennessee. Again the benefits of civilization were posed as having been weighed in the balance and found by the United States to be a worth payment for the land in question. Again a treaty was

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21 Ibid., p. 205.
22 Ibid., p. 203.
23 Ibid., p. 543.
24 Ibid., p. 628.
25 Ibid., pp. 640-641. Talk of President Adams to Cherokee, August 27, 1798. In return for their land the Cherokee are given an agent "... who is charged to instruct you in the raising of stock, the cultivation of land, and the arts which procure for the whites so many comforts and conveniences."
signed (October 2, 1798) confirming the cession of the previous year. 26 This was the last treaty between the United States and the Cherokee during the Federalist period; more of the same kind, and accompanied by the same types of messages, were to take place during the succession of Republican terms. Before examining these, however, let us turn our attention to the legislation enacted before 1800 regarding the practical application of the policies stated with such carefully worded expressions in treaties. Indeed, the high-flown phrases of these and some of the "talks" addressed to the red men sometimes cause one to become suspicious of their sincerity. Especially is it noticeable that messages full of benevolence are often found in connection with treaties of cession. 27 Thus a question arises as to the method the government followed in putting certain articles of the treaties into practice.

Two sets of laws enacted prior to 1800 were at the foundation of government policy from Washington's administration through that of Monroe. The titles of the two laws are so worded that, at first reading, one would be led to believe them identical. They were, however, distinct in passage and dissimilar in purpose, although the final goal in either case was the peaceful settlement of the

26 Ibid., p. 637.
27 Ibid., p. 640. President Adams to Cherokee: "You must, moreover, be convinced that the United States can have only your good in view, in keeping my beloved Mr. Dinamoar in your nation, at a considerable expense, who is charged to instruct you in the raising of stock. . . ."
Indian problem.

Taken chronologically, the first of these laws was, "An act to regulate trade and intercourse with the Indian tribes," passed for the first time in 1790, and re-enacted March 1, 1793. In its initial passage the law contained no allotment for the development of civilization among the Indians, but in 1793 an annual appropriation of $20,000 was made for that end. This was reduced to $15,000 by the act of 1796, while at the same time the title was amended to read, "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers." The law expired in 1798, was again re-enacted in 1799, and the following year extended to 1802, still carrying its annual $15,000 appropriation, but with no limitation as to the amount of time it could remain in force. Finally, in April, 1816, an Act supplementary to that of March 30, 1802, was passed.28

It may be assumed, therefore, that from 1793 until some years beyond 1816 the government of the United States was making annual appropriations of $15,000 for the purpose of civilizing the Indians. The means recommended were the introduction of agriculture, sewing, spinning, and weaving. This would be carried out by the United States agent who would be responsible for interesting the Indians in and distributing among them such implements as ploughs

and hoes, wheels, and looms. It is to be regretted that no account was kept of the numbers of these articles distributed, nor can any report be found that tells definitely, for a limited period, how successful the efforts of the agents were. John C. Calhoun, when Secretary of War under President Monroe, reported that no account of numbers was ever kept. His words were these: "It is believed ... that principal expenditure authorized by the act [of 1802] has been made through the Cherokee, Creek, Chickasaw, and Choctaw agents for spinning-wheels, looms, implements of husbandry, domestic animals, etc., but the particular amount annually cannot be stated, as no distinct account of it has been kept in the office of the Treasury Department." This, however, does not necessarily mean that the acts were disregarded. Mention of them may be found in some letters of Benjamin Hawkins in 1797 and 1801. Writing to Silas Dinsmore in April of the former year, the superintendent advised him to "... encourage all their [Cherokee's] loyal attempts to acquire a living. ..." In giving particular advice concerning one Cherokee's desire to do business with whites, the superintendent cautioned agent Dinsmore to "... require that the white person shall take an oth [sic] to promote as far as in his power the execution of the Act passed the 19th May, 1795."

29 Ibid., II, 143.
30 American State Papers, Class II, II, 326.
31 Letters of Benjamin Hawkins 1796-1806, Collections of the Georgia Historical Society (Savannah, 1916), IX, 122-123.
The following July, in a letter granting two German weavers permission to reside among the Cherokee, Hawkins stated, "It is expected of them to set examples to their neighbours by their morals and industry, and that they will at all times conform to the regulations that are or shall be made [. . .] for regulation of trade and intercourse with the Indian tribes, and to preserve peace on the frontiers." 32

Testimony given by Charles Hicks, a Cherokee of mixed extraction, to a government representative in 1820, in reference to the earlier period, indicates that such implements as were called for by law were distributed, at least in some areas of the Cherokee country. He wrote:

It may with propriety be said, that the Cherokee had already, with stimulus spirits, entered the manufacturing system in cotton clothing, in 1800, which had taken rise in one Town in 1796 and 7, by the repeated efforts of Silas Dinsmoor Esq. which were given to the Chiefs in Council, during his residence of the three or four years of his agency among them. Those were repeated to the people in his excursion through different parts of the nation. The growth of cotton, the use of the wheel and cards, and the manufacturing of their own clothing, and the advantages of the labor and aid of the horse and plough, have also been found in the enlargement of their farms. The recommendations to the Cherokees made favorable impressions on many of them, who removed themselves from their Towns, and [i]mpproved separate farms. The waggon roads which were opened throughout the nation a short period after, were also a stimulus to settling on, or near the road, which

32Ibid., p. 137. It is interesting to note the queer impression made by one of these Germans on the Indians for trying to teach them that it was wrong to eat flesh meat. The incident is described in the Journal of the Moravians, Schweinitz and companion in Samuel Cole Williams, Early Travels in East Tennessee, pp. 445-526.
progressively improved their agricultural labors on their farms.\textsuperscript{33}

Alluding to the same period, John Ridge, another educated Cherokee, wrote to Albert Gallatin in 1826 that civilization was first introduced to the Cherokee nation about 1795 at the same time that Silas Dinsmoor was appointed agent. In Ridge's words, Dinsmoor labored in teaching the

art of agriculture by distributing hoes and ploughs and giving to the women Spinning wheels—cards and Looms. It appears that when this change of Hunter life to a civilised one was proposed by the Agent to the Chiefs in Council, that he was unanimously laughed at by the Council for attempting to introduce white peoples habits among the Indians who were created to pursue the chase. Not discouraged here, the Agent turned to Individuals and succeeded to gain some to pay attention to his plan by way of experiment, which succeeded.\textsuperscript{34}

These two accounts, written six years apart and by different men, agree on these points: that teaching Cherokee men the advantages of the hoe and plough was successful, at least among some of them; that Cherokee women began to master the arts of spinning and weaving before 1800; and that these improvements were effected as a result of the policy of the United States as carried out by its

\textsuperscript{33}Jedidiah Morse, \textit{A Report to the Secretary of War of the United States on Indian Affairs Comprising the Narrative of a Tour Performed in the Summer of 1820} (New Haven, 1822), pp. 167-168.

\textsuperscript{34}John Howard Payne, \textit{Papers Concerning the Cherokee Indians} (Unpublished manuscripts, Newberry Library, Chicago), Vol. VIII. Ridge also relates how one chief refused ploughs and hoes and took himself off to the chase, but while he was gone the agent succeeded in winning over his wife to begin spinning and weaving. When the chief returned he was compelled to acknowledge that what had been taught his wife was a great aid to her, and then voluntarily learned the agent's method of agriculture.
agent residing among them. Furthermore, Agent Dinsmoor's energy and perseverance were vouched for by the superintendent of the southern Indians in a report to the Secretary of War in 1797. By stating that the Cherokee had made forty-two yards of good homespun and had more ready for the loom, the report gave concrete evidence that the policies of the government were being put into effect.  

Further evidence may also be found in the superintendent's correspondence. In 1801 he reported a division among the Cherokee chiefs, in which argument some accused the others of having obtained more wheels and cards than was their share. The reply of the defendant chiefs is indicative of the fact that the government products were offered to all, although the whole dispute points up that not all the Cherokee profited by the policy in an equal degree. They said: "The offer of those things was made to all of us at the same time; we accepted of them, some of us immediately, and others soon after; those who complain came in late; we have got the start of them, which we are determined to keep." Hawkins, himself, considered the policy to be making progress among the Cherokee, for reporting to the War Department the following month, he said that the wheel, the loom and the plough were in general use, and farming, manufacturing, and stock raising were

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36 Ibid., p. 362.
topics of general conversation among them.  

A last example of the results of the government policy as outlined by the acts of 1793 and 1796 is taken from another report of Benjamin Hawkins, this one to the Congress of the United States. The report was communicated December 8, 1801, and is entitled, "A sketch of the present state of the objects under the charge of the principal agent for Indian affairs south of the Ohio." His concrete examples concern the Creek Indians only, but it can be safely presumed that something similar was being done among the Cherokee, even if on a smaller scale. The report stated that the Indians were acquiring cattle; sheep and goats had been introduced, and the agent was urging them to fence their fields. Cotton was being raised and flax cultivated; wheat, rye, and oats had also been tried. They raised peach and apple trees, grapevines, raspberries, and vegetables. There were then fifty ploughs in use, one hundred cotton cards, eighty spinning-wheels, and eight looms. A white woman was occupied in going about instructing the Indians in spinning and weaving. Such were the results of one set of laws enacted for the benefit of the Indians.

The second series, although ultimately intended for the same purpose, differed, nevertheless, in its immediate objective. Originally passed April 18, 1796, the title of the first of these laws

37Ibid., p. 385.

38American State Papers, Class II, I, 647.
was "An Act for establishing Trading Houses with the Indian Tribes,"\textsuperscript{39} and was directed at building up the Indian trade under government supervision as a means of overcoming certain difficulties that a system of private trade had tended to foster. Section six of the law provided for an appropriation of $150,000 to be used in setting up government trading houses (called factories), and for purchasing stock. In 1806 the capital was increased to $260,000, and five years later to $300,000.\textsuperscript{40}

For various reasons the experiment was inaugurated among the southern Indians, two-thirds of the money allotment being used for promotion of Creek-government trade, the remainder among the Cherokee and Chickasaw tribes. Tellico became the seat of the Cherokee trading business, and here the factor was appointed to reside.\textsuperscript{41} The portion of money allotted to the Creek trade is an indication of how the proximity of the Spanish and English influenced the entire policy.

Forming conclusions as to the effect of the Indian trade upon Cherokee civilization is rather difficult. The government trading system did not eliminate the problems created by private traders;\textsuperscript{42}

\textsuperscript{39}Peters, Minot, and Sanger, eds., I, 452-453.

\textsuperscript{40}\textit{American State Papers, Class II}, II, 205.

\textsuperscript{41}\textit{American State Papers, Class II}, I, 583-584.

\textsuperscript{42}Thomas Lorraine M'Kenney, \textit{Memoirs Official and Personal} (New York, 1846), pp. 19-20. M'Kenney, Superintendent of Indian trade, distinguishes between government trade which was not bent
in fact, more problems became apparent, as the money taken in did not prove sufficient to offset the original grant. After several attempts to re-establish the trade upon a workable basis failed, it was abandoned in 1822. Due to such difficulties, therefore, correspondence and reports dealing with the Indian trade tend to refer more often to financial matters and to the problem of unlicensed traders than to the progress of civilization among the Indians.

Some general statements, however, confirm the conclusion that the trade was intended as an aid in the civilization program. For instance, John C. Calhoun wrote in 1818 that the Indian trade under government auspices "... has been continued from motives both of prudence and humanity; and though it may not have fully realized the expectations of its friends, it has no doubt produced beneficial effects.... If the Indians have made but little progress on making a profit but on supplying the Indians with what they needed, and private trade carried on by individuals or companies, which had as their sole motive the making of money, and which made use of any means, especially that of selling whiskey, to secure furs and pelts at the cheapest possible price.


*43American State Papers, Class II, II, 127, 417. Report to the Senate, March 1, 1823, concerning the abolition of the Indian trading houses. It states: "It is said that the conductors of the Indian trade were generally men of integrity and honor, not deficient in talent or enterprise, or any of the requisite qualifications for discharging duties of their respective stations. And how does it happen that, under circumstances so advantageous to the traders, the Government should not now be able to realize a sum equal to the original capital stock, appears to be inexplicable."
in civilization, they probably, without it, would have made less."\textsuperscript{44} Thomas M'Kenney, Superintendent, favored the continuation of the system during an investigation of 1820. In a communication to the Senate he referred to the system "... as an auxiliary in promoting the benevolent scheme of civilization which appears to have met the approbation, and secured the co-operation of so many thousands of our respectable citizens."\textsuperscript{45} Two years later he was still using his influence to prevent the abolition of the trade. In an extremely lengthy report he referred to it as being most "... beneficial and just ..." to the Indians. "Trade, properly regulated, and a well-adjusted political intercourse," he wrote, "are essential, and without these, all attempts to save the generations to come, of our Indian population, ... will prove useless. ... Its influence will not stop here, but will help raise up a generation of the children of our Indians into the blessings of a civilized life."\textsuperscript{46}

A sentence in the report of an investigating committee to the Senate in 1820, provides what was probably the practical link connecting the government trade with the policy of civilization. The investigators explained that the system of licensing private traders among the Indians was productive only of confusion, most of all

\textsuperscript{44} Ibid., p. 182.
\textsuperscript{45} Ibid., p. 223.
\textsuperscript{46} Ibid., p. 264.
because of the introduction of "ardent spirits" among them. The
report then concluded: "The impossibility of civilizing the In-
dians when exposed to the temptations and delusions of interested
traders, needs no comment." 47

Robert S. Cotterill, author of The Southern Indians, sees a
definite change in government policy toward the southern Indians
after 1812. This, in his opinion, was due to the Creek war and
its aftermath, the result of which proved that the United States
no longer had anything to fear from the Indians of the south;
their power was broken, their strength gone; their economic de-
pendence upon the United States assured. Thus they were abandoned
to the inevitable loss of their territory, and finally to removal. 48
Even though there are reasons for disagreement with certain
portions of this author's view, some positive evidence may, never-
theless, be brought forward in support of its general tenets. Cer-
tainly, after 1812 the treaties with the Cherokee took on a much
more aggressive tone. The fact that Andrew Jackson was a commis-
sioner appointed to obtain two of these treaties may be only a
coincidence, but in view of the part he later played in the Chero-
kee removal, it seems fair to credit him with a share in the change
of attitude.

Much the same tone that had been incorporated into earlier treaties is still apparent in that of 1805. In return for a cession of land the Cherokee were granted $11,000, payable either in money or "... in useful articles of, and machines for, agriculture and manufactures [which] shall be paid in these articles at their option."\(^49\) After the communication of these terms to the Senate, that body agreed "... that a grist mill shall ... be built in the Cherokee country ... [and] that the said Cherokees shall be furnished with a machine for cleaning cotton."\(^50\) But from 1816 through 1819 any attempts at conciliation are conspicuously absent. Land cessions were their purpose, and in this they were quite successful. After 1819 the Eastern Cherokee\(^51\) firmly adhered to their resolution of making no more cessions. They were able to hold fast to this line of action until 1835.

During Monroe's Presidency a significant change in United States Indian policy took place. It was at this period that the contest over states' rights versus Indian rights was renewed with vigor and gradually approached its zenith. Objectively, results of the plan to civilize the Indians had been moderately successful

\(^49\) *American State Papers, Class II, II, 698.*

\(^50\) *Ibid.,* p. 704. Further proof can here be seen that progress had been made under the agents assigned the task of winning the Cherokee over to agriculture.

\(^51\) The Western Cherokee nation resulted from the treaty of 1817 by which a portion of the tribe agreed to exchange lands in Georgia for an equal amount in Arkansas.
in the southern department, but instead of rendering the Indians agreeable to living as individual citizens of the various states, the plan had confirmed them in their system of tribal ownership. Hence, a general inquiry into the soundness of the system was made, with a view to altering any portion of the program which did not serve to advance the government's purpose. Yet, the Indians were not at this time totally abandoned to unscrupulous white neighbors, as Cotterill suggests. In fact, it was from this period that the commendable scheme for promoting civilization by supporting schools was inaugurated.

Incidents among the Cherokee in particular, influencing the course of events at this time, were undoubtedly their unwillingness to comply with the terms of the treaties of 1817 and 1819, Georgia's resultant displeasure, and the government's apparent desire to uphold its obligations to the former. As the protracted argument took its course, the government was recommitted to the advancement of Indian civilization, though along somewhat reorganized lines. The Indian trade was completely abolished despite arguments to the contrary, the annual appropriation for the civilization of the Indians was reduced from $15,000 to $10,000, and this money was specifically designated for maintenance of government

52 American State Papers, Class II, II, 417.
supported schools under the care of missionary societies.  

Whether credit for originating this idea rightly belongs to someone in government circles or to a farsighted missionary cannot be stated with certainty. However, a letter of one Cyrus Kingsbury, attached to the American Board of Commissioners for Foreign Missions, to the Secretary of War, May 2, 1816, is the first evidence that can be found concerning the matter in the American State Papers. It would seem, therefore, that to him the credit is due. At any rate, the suggestion was favorably received by both the Secretary and the President, and in 1819 became the official method of civilizing the Indians. Before approving large-scale activities in this regard, the House of Representatives appointed a committee to study Indian affairs to determine whether previous results justified such expenditures. The committee reported in January, 1819, that "... little or no doubt remains of the policy and practicability of improving the friendly Indians in agriculture, manufacture, education, and all the arts of civilized life." Two months later the law for educating Indians at federal expense was enacted with the annual appropriation of $10,000 to which we have previously referred. Secretary Calhoun, possibly yet unconvinced of the soundness of the measure, did not make any

55 American State Papers, Class II, II, 478.
56 Ibid., p. 186.
immediate disposition of the initial allotment. Instead, he issued a circular to interested individuals and societies, acquainting them with the law, explaining its purpose, and the results anticipated, and describing exactly what would be expected of those societies whose cooperation could be enlisted. At the same time he approved a visit of observation and inspection of the various Indian tribes by Jedidiah Morse, a Congregationalist minister and member of the American Board for Foreign Missions.

Morse's report, presented to Congress in 1822, contains much interesting information concerning the Cherokee. The population had reached 13,319, of which about half were of mixed blood, five hundred Negro slaves, and over three hundred white members of the nation. In 1809 these had lived in sixty-five villages and towns. They had property in horses, cattle, sheep, ploughs, mills, and other equipment estimated by the agent at $571,000. Schools were located at Spring Place, which was "three miles east of the Connesoga River, near the public road which leads from Georgia to West Tennessee," at Brainerd, seven miles east of Lookout Mountain; at Creek Path, and at Talloney. These schools claimed credit for having educated 252 Cherokee, both girls and boys, over a...
period of nineteen years, and at the time of the report there was one Cherokee youth in residence at school operated by the American Board of Commissioners for Foreign Missions in Cornwall, Connecticut.  

Descriptions of the schools, along with the subjects taught and the manner of education will be dealt with at more length in Chapter IV. It will suffice here to point out that the operation of the schools was in accordance with the policy of the United States in raising the standards of the Indians, and that Calhoun was much impressed with Morse's report concerning them.  

Morse's words relative to the general character of the Cherokee are very interesting, and should not be omitted from this resumé of his report. He wrote that their "... courage, fidelity, hospitality, and cleanliness stand high. They are generally of a fine figure, as to their persons, polite in their manners,  

Ibid., pp. 161-162. This youth was John Ridge, son of the leader, Major Ridge, who reported in Council that he could never be thankful enough to the missionaries for his son's education. He wished him to stay at Cornwall until he got "... a great education ..." and he hoped the Lord would give him a good heart, so that when he came home he might be very useful to his nation. John eventually did come home, bringing with him his bride, a white girl from Cornwall, who lived with him in the Cherokee nation.  

Adam Hodgson, who also visited the Cornwall Missionary School in 1820, refers to two other Cherokee youths by the names of David Brown and Elias Boudinot. Adam Hodgson, Remarks during a Journey through North America with an Appendix Containing an Account of Several of the Indian Tribes (New York, 1823), p. 245.  

American State Papers, Class II, II, 200.
and fond of learning and improvement in the arts."

One section of the Morse Report was written by the Cherokee, Charles Hicks, whose testimony we have already had occasion to cite in connection with the carrying out of earlier government policy. Referring to the year of Morse's visit, 1820, he described his people as being "... in a progressive state of improvement." This, he explained, was due to the advances made in the use of the spinning wheel and cards, and the arts of weaving and knitting in their homes, and in the "... aid and labor of the horse, and the advantages of the use of the plough ..." on their farms. He admitted that "... those in the middle and lower parts ..." of the nation were not to be compared on the same basis with "... those in the mountainous parts of this territory, who have not had the same advantages." Nevertheless, after making this distinction, his unqualified judgment was, that of the women, "... the greater part of them understand the use of the wheel and cards," and regarding agriculture, "... most families cultivate from ten, twenty, thirty, to forty acres of land." Mills he considered as of the greatest importance, and gave the total numbers owned by members of the tribe as twenty grist mills and four saw mills "... scattered about in different parts." Progress in mechanics, however, was not up to par with agricultural developments, as the absence of tools for the repair of looms and

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Morse, p. 153.
spinning wheels indicated. 63

One other idea that the Morse Report effectively communicated to the government served to confirm the conviction that residence of Indians in their native towns would greatly hinder their advancement in civilization. From The United Brethren's Missionary Intelligencer Morse copied the following, and inserted it in his report to the Secretary of War:

... at present only that portion of the Cherokee nation which is confessedly the most indigent and degraded continues to live in towns. The greater and more respectable part live on their plantations, and thus acquire those habits of industry and sobriety which are uniformly counteracted by their congregating together. Hence it has become a principle of sound policy in the government of the United States, to employ all its influence to wean them from that habit, and to encourage the plantation system. The most beneficial consequences have already resulted from it. 64

Probably the greatest result of the work accomplished by Jedidiah Morse was the encouragement it gave the government in its decision to step up aid to Indian education. Congressional inquiries into the disposition of the allotted monies provide factual material as to the results of this program. In 1821 there were four schools in Cherokee territory; one of these had been founded in 1801 by Moravian Missionaries; a second had been established in 1817, the year after Cyrus Kingsbury's letter suggesting government

63 Ibid., pp. 168-169.
64 Ibid., pp. 155-156. Besides contributing favorable evidence regarding the Cherokee, this quotation also testifies to the presence of a "... confessedly ... indigent and degraded ..." segment.
support had been written; the last two were established in 1820 and 1821. Pupils in 1821 numbered 180. From a report of March, 1824, we learn that by that time one more school had been opened, forty-nine more students accepted, and seventy-nine members of missionary congregations were responsible for learning and discipline. By the end of that year the number of schools had risen to nine, enrollment alike progressing until it reached 259 in December, 1825. The average annual government allowance for the upkeep of these schools was $3,127.80.65

An unsuccessful attempt was made in 1824 to repeal the law upon which the upkeep of the schools depended. That it remained in force was probably due in some measure to the report of the Commissioner on Indian Affairs, who emphasized the fact that the schools had a beneficial influence, not only upon the lives of the children who attended, but upon the manners and customs of their families as well. His report proceeded in part as follows:

Such has been the effect of the above circumstances [foundation and orderly functioning of the schools], combined with some others not more influential, that, at many of the places where schools have been established, the Indians have already constructed comfortable dwellings, and now cultivate farms of considerable extent. They have become owners of property necessary to agricultural pursuits, and for the convenience of life. The prospect of civilizing the Indians was never so promising as at this time.66


66 Ibid., p. 547.
The act of 1819 remained in force; the missionaries remained at their posts. In the Cherokee country the schools stayed open until the State of Georgia, in extending the jurisdiction of her laws over the Cherokee within her borders in 1829, rendered the position of the missionaries so hazardous that most of them were constrained to withdraw.67 The last official reference to distribution of government funds for the support of the schools among the Cherokee indicates that from September of 1828 until September of 1829, $4,400 was forwarded for this purpose.68

There now remains only the aspect of United States-Cherokee relations concerning the events leading up to the Cherokee removal in 1838. We have had occasion to mention that after 1819 the Cherokee leaders calmly but positively refused to give up any more of their land. After the Georgians had succeeded in obtaining title to the Creek lands within their borders, however, they again resumed agitation aimed at forcing the federal government to remove all Cherokee from their boundaries. In 1823 the inevitable commission was sent to negotiate a treaty of cession. The commissioners' message congratulated the Cherokee on their progress in

67 Joseph Tracy, "History of the American Board of Commissioners for Foreign Missions, Compiled Chiefly from the Published and Unpublished Documents of the Board," History of American Missions to the Heathen from Their Commencement to the Present Time (Worcester, Massachusetts, 1840), pp. 335-337. Out of twenty-one missionaries under the American Board who were serving the Cherokee in 1830, seven accompanied them to Arkansas and the Indian Territory. Of these seven, three were women.

68 House Document Number 87, 21st Congress, 1st Session.
the arts of civilized life and the regular and becoming manner in which they carried on their affairs. They then proceeded to remind the Cherokee that all their advance had been due to the benevolent policies of the United States in their regard, and that they should not forget this. Then came the request for the cession of all Cherokee land in Georgia. The Cherokee chiefs took four days to prepare their reply. They were flattered, they said, at the very liberal view taken of their progress in the arts of civilized life, and of their regular management of the affairs of their nations, but with respect to the cession of land their wills were firm. They said: "We cannot accede to your application for a cession. It is the fixed and unalterable determination of this nation never again to cede one foot more of land."69

For the purposes of this paper the remainder of the controversy can be abridged to the most pertinent facts, as few of the events connected with it will alter conclusions concerning Cherokee civilization one way or the other. The outline of the events must be given, however, in order to bring the discussion of government policy to its conclusion.

The commissioners of 1823 were unsuccessful and President Monroe sided with the Indians, declaring, "An attempt to remove them by force would, in my opinion, be unjust."70 However, in

69 American State Papers, Class II, II, 467-469.
1825, Congress gave its approval to a law establishing a permanent
Indian frontier, and by the end of the next five years there had
occurred two incidents which, when viewed from hindsight, made the
Cherokee removal a foregone conclusion. In November, 1828, Andrew
Jackson was elected to the Presidency of the United States. It
was during the same year that the Cherokee Council performed an
act which sealed its doom; it adopted a republican type constitu­
tion and declared itself a sovereign, independent nation. This
time the President's sympathy was all with the state of Georgia,
who immediately extended her laws over the Cherokee nation and
gave to state courts jurisdiction over Cherokee lands.71 There
followed in 1830 the passage of the bill for the removal of the
Indians; with this accomplished, the stage was set for the final
act of the drama, the securing of a treaty whereby the Cherokee
would agree to exchange their lands east of the Mississippi for an
equal amount of land in the West.

Meanwhile, insured of support from the White House, the sov­
ereign state of Georgia proceeded to act upon the law which had
been passed in 1829. In the cases which subsequently came up, two
were important enough to reach the Supreme Court, and although that
body ruled in favor of the Cherokee in one of the cases, Georgia
openly defied the court, and was as openly supported by President

71 Lloyd G. Marlin, History of Cherokee County (Atlanta, 1932),
p. 17.
As to the treaty, negotiations were protracted, involving four delegations of Cherokee to Washington between 1831 and 1833. When a division arose among the leaders as to the course that had been followed in the capital in 1833, they split into two factions, and the antagonism that subsequently developed gave the United States the opportunity it needed of obtaining the desired treaty of cession. It was secured in December of 1835 with the minority party, whose adherents numbered only a fraction of the sixteen thousand Cherokee of the entire nation. With the treaty in her possession the United States was at last able to carry out the Cherokee removal. The majority of the emigrants set out during October and November of 1838, and reached the Indian Territory from January to March of 1839.

Throughout the final stages of dealings between the United States and the Cherokee there were four events that relate indirectly to Cherokee civilization, and will be reserved for later discussion in this paper. However, a brief explanation at this point will serve to acquaint the reader with the necessary

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72 John Spencer Bassett, Life of Andrew Jackson (New York, 1911), II, 689. In the other case a Cherokee was sentenced to death in Georgia. The case was appealed to the Supreme Court, but before it came up for a decision, Georgia saw to it that the execution of the Indian was carried out.

information for a proper understanding of the matters involved. The events were: the adoption of a constitution and the promulgation of laws by the Cherokee, the Indian removal bill, the Cherokee cases before the Supreme Court, and the treaty of 1835. These four incidents were part of the news of the day and served to focus much of the attention of the nation upon the Cherokee. Stemming from these occurrences, a considerable amount of material has been written about the civilization of the Cherokee. This consideration will lead to discussion in the final chapter.

So the curtain closes upon the recital of relations between the United States government and the Cherokee Indians before their removal. From all that has been recorded in this chapter, United States policy from 1790 to 1838 can be described as humane or tyrannical, enlightened or degrading, according to the particular event and circumstances one has in mind at the moment. Over a half century, there were, inevitably, shifts of opinion and reversals of policy, conflicting, and even selfish decisions. Yet it cannot be denied that, on the whole, the intentions of the government, though ultimately aimed at the good of the states, were basically sound, and that there were sincere efforts put forth to bring them to a successful conclusion.

As regards the Cherokee in particular, insofar as official policy had aimed at their amalgamation with white neighbors among whom their lands were situated, we can only admit that the government failed. However, so long a succession of efforts, despite
the setbacks, could not have gone by without leaving behind some trace of its passage. It is, therefore, against this background of changing and sometimes conflicting policies that any evaluation of Cherokee civilization must be placed if one intends to view it in its true perspective.
CHAPTER IV

PRIVATE ENTERPRISE

Without coming to premature conclusions concerning governmental policy, and the Cherokee Indians, it can be safely asserted that, whatever its amount of success, this policy depended partially upon the cooperation of certain religious groups. Mention has already been made of the Moravians, of the American Board of Commissioners for Foreign Missions, and of their influence in the Cherokee country. Besides these two groups, whose work we intend now to investigate in greater detail, we must also include in our study the efforts of Baptist and Methodist missionaries.

The first of these religious societies to become interested in the Cherokee Indians were the Moravians, or United Brethren, a Bohemian sect with headquarters in Bethlehem, Pennsylvania. Indeed, an abortive attempt to begin schools among the Cherokee and Creek tribes was made by this society as early as 1734 when members were invited from Europe to take up residence in Georgia. One of the group, John Hagen, was sent to sound out Cherokee chiefs on

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the matter of permitting the entrance of missionaries. Nothing of a permanent nature resulted, however, and with the outbreak of fighting between the Georgians and Spaniards of Florida, the entire project was abandoned, the members either moving to Pennsylvania or returning to Europe. Remembrance of this early attempt remained, however, among the Moravians who awaited the opportunity to return to the Cherokee. In 1753 they opened Bethabara Mission in Salem, North Carolina, for the prime purpose, as expressed by Samuel Cole Williams, of doing something to Christianize the nearby Cherokee Indians. But difficulties between the English and French, and the corresponding dissensions and doubts created among the Indians by their allies, prevented any establishment from taking place. After the Revolutionary War plans were revived and an opportunity of interrogating their red neighbors presented itself when North Carolina delegated Colonel Armstrong to the Cherokee towns. Brother Martin Schneider accompanied the colonel, who introduced his companion to Chief Tassel at a meeting of the Council. Despite this chief's half-friendly attitude, Indian-white relations were not yet stable enough to support such a venture, and the plan was laid aside once more. Fifteen years elapsed

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4Payne Manuscripts, V.
before circumstances again looked favorable. This time Brothers Steiner and Schweinitz were sent to make inquiries, and having received encouraging responses, the Directors of the Moravians approved a plan for opening a school in the Cherokee country.  

Abraham Steiner was selected to be the founder of the mission, named Springplace, at which he arrived with his assistant, Gottlieb Byhan, on April 30, 1801. The missionaries encountered complications, however, even though such leaders as James Vann, John Walker, and William Shorey were in favor of the project. No children attended their school and it was only with difficulty that the people could be persuaded to bring them. At the close of 1804 there were only six names in the register. With the arrival of Mr. and Mrs. John Gambold in 1805 the school began to make progress. In the Payne Manuscripts we read that Mrs. Gambold had success in teaching the children about God, and in putting across to them lessons in reading and writing English. They also learned domestic and agricultural arts, with the encouragement, no doubt, of the United States agent, Colonel Meigs. That the agent took a


6Payne Manuscripts, V. The chiefs insisted that the Moravians, who came to America from Bavaria, teach their children the English and not the German tongue. Edmund Schwarze, History of the Moravian Missions among the Southern Tribes of the United States (Bethlehem, Pennsylvania, 1923), p. 80.
part in the establishment of the school we learn from a history of the Moravians' American activities, published at a later date. John Gambold worked among the Cherokee until his death in 1827. A letter bearing his signature, included in the Morse Report, bears witness to the fact that the mission at Springplace was carried on continuously from the time of its foundation in 1801. Mr. Gambold estimated that by the time the United States began its active support of the missionary schools, between sixty and seventy girls and boys had been educated there.

Turning now to the early history of the American Board of Commissioners for Foreign Missions, we find that that association was under joint Congregational and Presbyterian management. The Board sponsored an official publication, The Missionary Herald, which absorbed an earlier Presbyterian magazine named The Panoplist. The latter periodical contained during 1807 and 1808 articles written by the Presbyterian minister, Gideon Blackburn, who seems to have been the only individual besides the Moravians to take an early interest in the spiritual needs of the Cherokee. Writing to Doctor Morse from Marysville, Tennessee, in 1807, Blackburn set down what he termed "... a concise account of the


8Morse, p. 154.

rise and progress of the mission in which I have been engaged for some years with the Cherokee nation of Indians, bordering on the state of Tennessee."\textsuperscript{10} This account was used by V. M. Queener as one source of information for his article on Gideon Blackburn written for the \textit{East Tennessee Historical Society's Publications}.\textsuperscript{11} In studying this article we learn that the Reverend Mr. Blackburn, after his ordination in 1794, settled in Blount County, Tennessee, where he made the acquaintance of the Cherokee during the series of frontier skirmishes that were taking place then. Deploring their miserable condition, he outlined a plan for the education of their children, which he presented to the General Assembly of the Presbyterian Church in 1801, and was successful in obtaining qualified support. The school, located on the Hiwassee River, was opened in 1804 with twenty-one pupils. Like the Moravians, Gideon Blackburn experienced difficulties over attendance; in his case the children were addicted to taking frequent and undeclared holidays. This problem was solved by getting the chiefs to agree either to send back the clothes which had been given the children or lose part of their annuity.\textsuperscript{12} Undaunted by hard work and


\textsuperscript{11} V. M. Queener, "Gideon Blackburn," \textit{East Tennessee Historical Society's Publications} (Knoxville, 1934), VI, 12-28.

\textsuperscript{12} \textit{Ibid.}, pp. 17-19.
seemingly continuous travel, the young missionary followed up his first undertaking with the establishment of a second school, which was located on Sale Creek in the present Hamilton County, Tennessee.

It was during this period of his activities that Blackburn cooperated with Daniel Ross, father of the future chief, in establishing a school for the Ross children at the spot which was later the site of Brainerd Mission. The exact date of this school's beginnings is unknown, but it must have been before 1810, as Queener informs us that Blackburn gave up his mission work in that year due to "... continued impaired health and the growing needs of his family."\(^\text{13}\) He does not explain, however, what became of the schools when Blackburn relinquished control. However, Joseph Tracy conjectures, in his history of the American Board, that "... they were broken up in consequence of the War of 1812, in which on one side or the other, nearly all the southern Indians were engaged."\(^\text{14}\) Although Blackburn's schools did not endure, the ground he had broken was put to good use by the American Board, whose establishments eventually reached out to embrace the field of his labors.

It was at its seventh annual meeting, in September, 1816, that the American Board began its active interest in the Cherokee

\(^{13}\text{Ibid.}, \text{ pp. 21-23.}\)

\(^{14}\text{Tracy, p. 66.}\)
Indians. Some months later Cyrus Kingsbury opened the first mission of the Board to the Indians of the continent. He arrived on January 13, 1817, at a farm which had been purchased on the Chickamauga Creek, and immediately took charge of the school. March 7 marked the arrival of Messrs. Moody Hall and Loring Williams, and by June 30 they had twenty-six Cherokee boarders. In the following September the mission was visited by a member of the Board, who took advantage of an opportunity to attend a Cherokee Council, where he instructed the chiefs to ask the assistance of the president in educating their children. Two years were to elapse, however, before the adoption of this policy by the United States. By that time the mission at Brainerd was caring for fifty or sixty children and awaiting only the advance of funds before extending its influence.

For the origin of the Baptist missions among the Cherokee we will rely upon two sources, Solomon Peck's work on the Baptist

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15 Chickamauga was the location of the school established for Daniel Ross, and as Kingsbury immediately took over its control, it seems reasonable to assume that this school was still in operation upon his arrival. Gideon Blackburn's practice had been to act in a supervisory capacity and hire men to do the actual teaching. It is possible, then, that one of these teachers had remained in the employ of Ross after Blackburn's retirement.

16 Tracy, pp. 57, 66.

17 Ibid., p. 67.

18 Ibid., pp. 71-72.
General Convention,\textsuperscript{19} and James W. Moffitt's article in the \textit{East Tennessee Historical Society's Publications}.\textsuperscript{20} The only fundamental disparity in the two accounts is that Moffitt's article refers to a missionary, Thomas Johnson of Georgia, as the first Baptist worker among the Cherokee, having devoted much of his life to this work prior to 1799. There is nothing, however, to indicate that Johnson was responsible for any permanent foundations; consequently, his efforts probably had no lasting results. As to the beginning of Baptist missions that endured through the years, both authors agree that the credit is due to the work of the Reverend Humphrey Posey, who became the regular appointed missionary of the Baptist General Convention in 1817. By 1818 he had succeeded in establishing four schools, but the following year it became necessary to close these while their director was away on a fund-raising tour. After Posey's return from this trip, a school was opened at Valley Towns, with fifty students, and partly supported by the Sarepta Association of Georgia. As the inauguration of this work took place the year after the passage of the law providing for government aid to Indian schools, future progress was thus

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\textsuperscript{20} James W. Moffitt, "Early Baptist Missionary Work among the Cherokees," \textit{East Tennessee Historical Society's Publications} (Knoxville, 1940), XII, 16-27.
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assured. 21

Again there are two sources of information concerning Methodist penetration of the Cherokee towns, 22 their close agreement indicating that the earlier was probably used as source material for the later account. As both of these narratives are sufficiently summarized for our purpose, it will suffice to quote from one of them in describing Methodist beginnings:

Little is recorded of the work of early ministers among the savages of the frontier; yet, the scanty accounts of their endeavors show that they possessed courage and vision. The urgent need and immense field for missionary work among the Indians had been recognized for many years by the Methodist Episcopal Church, but preachers were too scarce and church coffers too poor to permit any early redivision of the program of evangelization. . . . In the spring of 1822 Richard Riley, a prominent half-breed of the Cherokee Nation, living twelve miles south of Fort Deposit, Alabama, requested Rev. Richard Neeley, assistant on the Paint Rock Circuit (Huntsville District) to preach at his (Riley's) house. To this request Neeley gave a ready consent. With the aid of Rev. Robert Boyd, who also travelled in that circuit, Neeley formed a society of thirty-three members, of which Riley was recognized and accepted as the leader. The society continued with such enthusiasm that William McMahon, presiding elder, thought it wise to hold a quarterly meeting at Paint Rock. The success of this work was reported to the conference which met in Greene County, Tennessee, in October, 1822. The report recommended that a mission should be established in the Cherokee Nation, that a missionary should be appointed to reside in the neighborhood of Riley in order to preach to the Indians and instruct the children, that a committee should be appointed to receive subscriptions and solicit

21 Ibid., p. 17.
donations for the support of the mission. For a committee to arrange the mission the conference chose William McMahon, Thomas Stringfield, and Andrew J. Crawford. The last was appointed missionary, his services in west Tennessee having [sic] furnished him with the necessary training and experience. Crawford arrived at Riley's in December and made known his mission. 23

From the foregoing it may be noted that Methodist influence was first felt in Cherokee circles only in 1822. At the time that the government inaugurated its program of educational aid, then, there were no Methodist schools organized among the Cherokee.

The influence of these missionary establishments upon the Cherokee must be studied from two points of view, that which was carried out at the behest of the United States government, and that which was followed according to the desires of religious superiors. The aim of the government was to civilize the Indians, while that of the missions was to Christianize them. Though the second process necessarily entails the first, the terms themselves, nevertheless, are not synonymous. It is a question of emphasis that makes the difference. Government policy leaned heavily toward the rechanneling of energies, away from erratic characteristics that were part of Indian heritage, and toward a more stable mode of existence. This, of course, was with the intention of gradually eliminating very real problems bound up with the ownership of land. Missionary Boards, on the other hand, were prone to concentrate chiefly on the spiritual outcome of the works performed,

23Posey, pp. 81, 85-86.
while keeping in mind that the existence of the mission stations depended almost entirely upon the government. We therefore find that in commenting upon the activities of the missionaries, the material upon which comments are based must include samples that illustrate their duality of purpose.

Effects of dependence upon the government are found in references to the manual arts and agriculture, while the recurrence of religious-sounding terms testifies to the conviction that the missionaries had of a more profound motive in their undertakings. The "hopeful subjects" of the Moravians, the "comfortable evidence of piety" at Brainerd, the example of several who had "become pious" and the "seriousness" of the school children at the Baptist missions, and the "apparent sincerity and deep feeling" of some Cherokee at a Methodist camp meeting were all terms intended to manifest a growth in the things of the spirit, and hence, a measure of the missionaries' success in this field. And while a conversion, en masse, of their proteges may have been idealistically considered a triumph to be hoped for, the missionaries were generally practical enough to realize that such a

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26 Peck, pp. 392-393.
27 Mudge, p. 538.
victory was not to be expected. Therefore, any manifestations of fervor of a religious nature were looked upon as rewarding.

A departure from the last idea is evident only among the Methodist clergymen. They seem to have been more or less itinerant preachers of the "once-converted ever-saved" type. Although they have been credited with the operation of schools for Cherokee children, the exact location of these cannot be ascertained from the accounts of Enoch Mudge or Walter B. Posey. Covering the period 1824-1828 a Methodist elder reported four schools, and a resumé of activities for 1831 mentioned six, with 120 scholars.28 The probable site of one of them was the home of Richard Riley, who lived in Alabama in the area of the present Huntsville.29 As for the remaining five, there is no evidence given to aid in discovering where they were situated. It is likely that they did not operate on a regular basis, taking into account that the ministers themselves, who were responsible for heavy duties on the circuits, did their own teaching.30

The number of converts to Methodism was surprisingly large, considering both Indian character, and the fact that this denomination was the last to make its appearance among the Cherokee. In 1827 four hundred church members were reported; by the following

28 Ibid., p. 539.
29 Posey, pp. 85-86.
30 Ibid., p. 87.
year this number was doubled, rising to 930 by 1831. That all these people had not formally entered a Christian society is implied in this quotation from the report of a missionary at Brainerd to the American Board in 1825:

Seeing multitudes perishing for want of instruction, and glad to welcome any increase of Christian influence, Mr. Butrick complied with the request of a Methodist preacher, to introduce him to Mr. Hicks. Several of that church were for a time zealously employed among the Cherokees. As it was their practice to admit into their society as "seekers" any who professed a serious desire for salvation, though confessedly unregenerate at the time, considerable numbers were enrolled. Some of these appear to have become in the end, stable, and consistent Christians. Others among whom were some of the inquirers at Willstown and other stations of the Board, appeared to be satisfied with having done so much toward their own salvation, and relapsed into a state of carelessness and vice. That the method of selection of church members at Brainerd was more conservative can be deduced from the following example. One year after its opening an examination of candidates took place at which only three Cherokee were approved and received.

Satisfactory conversions, however, of both important and lowly Cherokee were not unheard of. Margaret Vann, widow of the benefactor of the Moravians, was their first convert, baptized in 1810. She had taken lengthy instructions before being admitted, and was further obliged to wait a year after her baptism before being

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31 Mudge, p. 539.
32 Tracy, pp. 146-147.
33 Ibid., p. 70.
allowed to take part in the Communion service. Charles Hicks, another early friend, and later principal chief, was converted three years later, and his wife followed his example in 1821. A former Methodist, Joseph Crutchfield, became a member of the Moravian congregation in 1814; he had, in the meantime, married Margaret Vann. On November 14, 1819, on the occasion of the solemn consecration of the new meeting house, William Hicks and Major Ridge's wife were received amidst general rejoicing. That year was described by the missionaries as one of great happiness to them, one in which "... numbers of Cherokees were coming, asking what they must do to be saved. Ofttimes conversations and prayers with individual inquirers continued until late at night." It was during 1819 that "... the little flock increased from two to fourteen, earnest, sincere, growing Christians." While these additions to the Moravian church were sources of great encouragement to those at Springplace, it is to be noted that we do not

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36 Morse, p. 158.

37 Schwarze, p. 120.

38 Payne Manuscripts, V.

39 Schwarze, p. 124.

40 Ibid.
read of great numbers of Cherokee becoming members.

One of the earliest conversions at Brainerd was of a young girl who, as time went by, was to prove her worth. This was Catherine Brown, a mixed-blood Cherokee, baptized at the mission on January 25, 1818. This young girl, admitted to the school at her own request, was transformed from a "haughty and vain" individual into a "diligent" student, very "correct in her deportment." The mission, moreover, gave her an idea of spiritual things so that she was overheard by one of the missionaries praying for them "... in language of uncommon humility, simplicity, and fervor." Catherine later became a teacher at the mission of Creek Path, and it was hoped that the example she gave would have an edifying influence on her family and in-laws. These hopes were partially fulfilled when her brother was selected to attend the Academy at Cornwall, Connecticut. We can get some idea of the piety he there acquired from this conclusion of a letter written to a prospective benefactor of the Academy in Switzerland: "I trust the Lord will prepare me for usefulness among my dear Brethren, the Cherokee."

Another early convert at Brainerd was Charles Reece, who had been somewhat of a hero in the Creek War. Mr. Kingsbury reported of him that he was giving "... comfortable evidence of

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41 Tracy, p. 67.
42 Ibid., p. 85.
43 Morse, p. 269.
piety . . ." and again that he had " . . . continued faithful." His mother was baptized in 1821, and Nancy and Sally Reece were pupils at Brainerd. In a letter written from the mission one of these girls manifested the effect of the religious atmosphere when she confided, "I have felt on the subject of religion and sometimes I feel as though my sins are forgiven, and at other times I am doubtful. . . . I am always glad to hear that sinners are turning from their wickedness." Her sister, though departing from a strictly religious theme, manifested, however, a very pleasing trait of character in a letter she wrote explaining why she had turned down a chance to an extensive visit in New England. "I wished to go," she wrote, "but I suppose it is as hard for the Cherokee to leave their parents to go to New England as it is for the Northern children to leave their parents to come here." A young Cherokee, whose conversion was considered even more remarkable than that of Catherine Brown, was John Arch, who walked 150 miles on foot to beg acceptance at Brainerd. Though those in charge held out little hope for him, he was accepted and trained, at length received baptism, and was assigned with the minister, Mr. Butrick, as an assistant at one of the associated churches. Not only did he prove helpful as a teacher, but was also employed

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44 Tracy, pp. 67, 100, 108.
45 Payne Manuscripts, VIII.
46 Ibid.
as interpreter when Mr. Butrick gave sermons to those who knew no English. On one occasion they spent the year "itinerating," at which activity they traveled two thousand miles and held one hundred fifty meetings. John Arch died at twenty-eight years of age in 1828, and "... his loss was deeply felt." Two other Cherokee converts of the Brainerd mission, S. J. Mills and John Huss, like Catherine Brown and John Arch, devoted their energies to teaching their people "... the ways of salvation." 47

Other Cherokee, perhaps not so well-known, were baptized as the years wore on. On April 20, 1820, there was "... news of one or two conversions at Creek Path." The year 1822 brought "... a few instances of conversion ..." at Brainerd. The Journal for 1823 mentioned "... some additions to the church, and some instances of conversion, but no general seriousness." A member of the Board, reporting after a visit in 1828, thought the "... additions to the churches were considerable." There had been ten baptisms that year. The year 1829 saw the "... preaching of the gospel attended with unusual success ..." receding to a conservative estimate of "... some instances of conversion ..." by 1831. Despite the crowding in of the white population in 1832, "... missionary labors were not wholly suspended, "... and four faithful laborers occasionally visited the churches, preached, and administered gospel ordinances ..." During the year some were

47 Tracy, pp. 78, 85, 118, 146.
awakened, converted, and added to the churches." Four years later, however, the mission barely struggled along, "... against a current of adverse influences ..." yet in May eight were added to the church at one station, and four at another. Such were the results of the work of those men and women who served under the direction of the American Board of Commissioners for Foreign Missions. 48

As native Cherokee became useful helpers to the missionaries at the Brainerd stations, so also did the Baptist ministers experience the same. Their first conversion occurred in 1823 when the Indian, John Tinson requested baptism. It was said of him that "... he was capable of conducting a meeting in an edifying manner and frequently did so." The same was true of the convert Kaneeda. In his story, set down by the Baptist preacher, Evan Jones, it is recounted how he, his wife, and two white women were baptized in June, 1829, Kaneeda changing his name to John Wycliffe. Two years later he had become an assistant missionary, and was licensed as a preacher in 1833. He was still affiliated with Jones in 1837 when he was credited with fourteen conversions. 49

Perhaps the best known Baptist convert-preacher was Jesse Bushyhead. 50 Described as a "... noble-minded man and a

49 Peck, pp. 390, 493, 496, 500.
50 Owen, p. 20. Mrs. Owen here traces Jesse Bushyhead's ancestry back to Caulunna (The Raven), ruler of the seven clans about 1700.
missionary . . . " he was converted about 1830 and three years afterwards entered into the service of the Baptist General Convention. With his knowledge of English and Cherokee, Bushyhead was a great asset to the Baptist missionaries. When a church was formed at Amohee in 1835, this native preacher was made its pastor. In several reports he was named as having performed baptisms, sixteen at one time, forty-seven at another. In 1836 he and another native, Brother Beaver, formed a circuit of 230 miles, about which Bushyhead wrote that the people were " . . . flocking to hear the word of God preached or read." When the Cherokee removal was carried out in 1838 Jesse Bushyhead was placed in charge of one detachment, and preached to the white people in Nashville, Tennessee during a stopover in the journey. He passed on with his people to the Indian Territory where he continued to minister to them. 51

Besides Tinson, Wickliffe, and Bushyhead, other native Cherokee ministers among the Baptists were Dsulawee, Dsusawala, Ooledastee, Beaver Carrier, and David Foreman. 52

A notable detail in conversions of this kind at the Baptist missions was the influence upon the natives of reading the Bible. Both John Wickliffe and Jesse Bushyhead attributed their decisions regarding Christianity to the reading of this book, the latter insisting that his mind had been made up " . . . before he had ever

51 Peck, pp. 496-506.

52 Ibid., pp. 619-620.
When the Reverend Samuel A. Worcester of Brainerd completed the translation of the Gospel of St. Matthew into Cherokee, about 1829, many of the Cherokee desired to read these words in their own language, and it was said of them that they would receive even the smallest portion of the Sacred Scripture "... with eagerness."\(^{53}\)

A further evidence of interest in the Bible is that articles in the national newspaper, The Cherokee Phoenix, frequently were based on Biblical subjects. In one of the earliest issues was an article entitled, "How to Read Scripture," in which the people were reminded of the benefits they should expect to derive from this exercise.\(^{54}\) Having thus prepared its readers, the next issue included a Scripture translation from Genesis.\(^{55}\) Later there was a poem on the destruction of Sodom and Gomorrah, an explanation of the term "forty" in its Biblical sense, and a column inspired by the New Testament, "Jesus Wept."\(^{56}\) The eighteenth issue of the paper contained the Gospel of St. Matthew in its Cherokee translation.\(^{57}\)

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\(^{53}\) Ibid., pp. 493, 496. Worcester used the Cherokee syllabary invented some years earlier by the native, George Guess.

\(^{54}\) Cherokee Phoenix, March 6, 1828.

\(^{55}\) Ibid., March 13, 1828.

\(^{56}\) Ibid., June 11, July 9, October 29, 1828.

\(^{57}\) Ibid., June 25, 1828.
Another circumstance worthy of attention is the stress laid on temperance in Baptist advice. This, too, came in for its share of notice in some issues of the Phoenix. The records mention the formation of a temperance society at Hiwassee, a Baptist station, in 1831, although four years earlier a report from that place had stated that "... temperance had taken the place of excessive drunkenness." Great patience was necessary, however, to help the Cherokee make any headway against this weakness, and the fact that it was often exploited by white men to their own advantage made constant vigilance necessary. In 1824, when rules and regulations were laid down concerning the school at Valley Towns, it was found necessary to stipulate that children would be subject to expulsion for getting drunk. John Ridge's report to Albert Gallatin in 1826 candidly stated, "In regard to Intemperance, we are still as a nation grossly degraded. We are however on the Improve." He then explained that five years previously even the chiefs were in the habit of overdrinking, but that the same offense at that period would be sufficient cause to expel them from Council.

Within seven months a number of articles on the subject appeared in the national newspaper. Three of the titles read: "The

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58 Peck, pp. 495, 393.
59 Ibid., p. 392.
60 Payne Manuscripts, VII.
End of a Drunkard," "Drunkenness: Its Causes and Preventives," and "Hot Coffee vs. Rum"; a fourth made known to the Cherokee the quantity of ardent spirits consumed in the United States, in an effort to warn them against its evil effects. These and like efforts met with some measure of success, as can be gathered from the general deportment at the Council held in 1837 to discuss the treaty of New Echota. Temperance was strictly enforced on this occasion, and the only cases of disturbance noted by one missionary during the whole meeting were caused by "... some vile white smugglers of whiskey who could not escape the vigilant Cherokee officers..." Still some backsliding occurred; it was a known fact that even one of the native preachers had become so despondent over the loss of his property that he had become intoxicated, and even though "[i]t was a single fault, and he appeared penitent... he had fallen, and his schools were closed."

Of the four Christian denominations working for the Cherokee in the early nineteenth century, the foregoing information bears testimony of the emphasis placed upon the duties connected with converting these pagans to belief in salvation through Jesus Christ. While sermons, prayer-meetings, and exhortations were the

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61 Cherokee Phoenix, February 28, March 6, July 9, September 3, 1828.


63 Tracy, p. 289.
means used to influence the adults, the missionaries knew enough
psychology to fit their instruction of the children to a child's
capacity. This field of their work was definitely cultivated with
the purpose of sending forth Christian youths who would, in turn,
become parents of families, and inculcate there a love of Chris-
tian virtues. To this effect we read a comment of the Reverend
Jones that among the school children there had been two or three
"hopeful conversions," and several were in the habit of "... re-
tiring together for social prayer." Some were settled in life
and "... were exerting a good influence as heads of Christian
families ..." and continuing to take an active interest in the
mission. 64 The piety of the children was attributed to a diligent
attention to the study of Dr. Baldwin's Catechism, the contents of
which, though not described, may be surmised from the effects pro-
duced. Other religious lessons in Mr. Jones's schools included at
one time "... daily instruction in the scriptures ..." 65 and
we may be sure that the missionaries based their moral teachings
on religious foundations.

This was certainly the case at the Moravian missions, for
from the very beginning of the school at Springplace "[t]he scholar-
ars were at once taken to all the meetings, except Holy

64Peck, pp. 392-393.
65Ibid., p. 390.
They met for prayer both morning and evening, and as opportunities presented, were exhorted privately, as on the occasion of the children's festival in 1810. In this regard Mr. Gambold reported: "Before this day each of the scholars had been spoken with individually, and they had promised, moved to tears, to give their hearts to the Saviour." These duties were taken most seriously, considered, in fact, the main work of the school, as the following indicates: "... the spiritual interests of the scholars were always the first concern of the missionaries. Besides the class instruction in the Bible, the scholars were individually dealt with, lovingly and prayerfully, as to personal salvation."

If there were no other basis for the assumption that the missionaries endeavored to instill into the children a spirit of personal devotion, a perusal of one of the Payne Manuscripts would furnish sufficient proof. This particular manuscript is composed of various letters written by the children at Brainerd, about which a word of explanation will first be necessary. The contents of the letters make known that the missionaries encouraged their pupils to carry on a correspondence with certain benefactors, some of whom were personal friends of the former. It seems that this

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66 Schwarze, p. 80.
68 Ibid., p. 115.
was one method chosen of keeping these benefactors acquainted with the good work being carried on at the missions, while, at the same time the children got practice in English expression and the art of penmanship. The letters are typically child-like—the children thanked their benefactors for gifts; asked to be remembered; described their school, their studies, their friends, etc. At the same time they unconsciously manifested how the missionaries tried to impress their charges with religious convictions, the necessity of being saved and of observing the Sabbath, and the uselessness of superstitions. It is with these indications of religious feeling that we are now concerned.

Two of these letters, written by the daughters of a Cherokee convert, have been quoted earlier in this chapter. Another from Nancy Reece shows that the missionaries inveighed against certain "unenlightened" practices, such as the attending of ritualistic dances. Elizabeth Taylor, another Cherokee girl, wrote of the great value she placed on the instructions of her teachers, stating that "... if it were not for them these children that are here would be without any knowledge of God, and now most of them can read and write; and for a short time they have thought more about religion. ... There are a number of Cherokee children at this station to receive instructions, who a few years ago were without any knowledge of God." In the same strain Polly Wilson expressed her gratitude to God "... for his kindness that he sent the good missionaries, [for without them] we should have been ignorant [sic]
and known nothing." Ann Vail, daughter of one of the missioners, felt a desire to make known "... the seriousness that has been at this station. ... There has been much more feeling at this place upon the subject of religion since you left us. Many have felt the need of a Saviour." After giving thanks to God that some had "expressed a hope" she concluded: "Many of the smaller girls have been serious but we fear that they do not feel their sins as they ought." 69

These devout teachings were able to be impressed, however, only on those who were actually in attendance at the schools. Many there were who "... dont [sic] send their children to school and dont care anything about the Sabbath." 70 The spiritual betterment of these was also considered by the missionaries as part of the task to which they had given themselves. They looked upon engaging in "secular employments" as decidedly foreign to their calling, and were fearful lest they be distracted from their main purpose of converting the Indians to a belief in Christ. Both the American Board and the Baptist Convention warned their subordinates against becoming too involved in managing farms and blacksmith shops to the detriment of their preaching duties. This delicacy of conscience can be determined from the reports given to the Boards and from the counsels received from these governing

69 Payne Manuscripts, VIII.
70 Ibid., letter of Lucy Campbell.
In 1821, for instance, the superior at Brainerd told of sickness among the missionaries due to "... excessive but unavoidable cares and labors." They were described as "... feeble and worn down ..." and it was said that they "... could neither adequately meet the calls made upon them for instructions, nor superintend efficiently the labor of the boys, so that the farm was not a source of profit." Yet the farm was considered a necessity, as the Indian boys "... must be instructed in agriculture and the mechanic arts." After a series of such dejecting reports, the American Board decided that the instruction of the Indians in Christian knowledge and true piety should "... never be merged under a mass of secular cares." The conclusions adopted at this time illustrate effectively what was considered the primary purpose of the missions. They read in part as follows:

That the mission schools, which afford so many favorable means of access to the people, are principally to be valued by the missionaries, on account of the use which can be made of them in communicating divine truth:--That our main reliance must be placed on the plain doctrines of the gospel, for any permanent melioration of the character and condition of any heathen people:--That the secular labors of each station, even the largest, should be as few and as simple as possible:--That, therefore, it is better that the natives should get mechanics to live among them, unconnected with any missionary station, than that the attention of missionaries should be distracted by diversifying and complicated labors:--That the number of missionaries and assistants in one place should be as small as can be consistent with the care of a large

71 Tracy, pp. 99-100.
Accordingly, changes were deemed necessary in the arrangements at Brainerd. This mission had become a large establishment, responsible for the administration of various activities, including preaching, teaching, boarding the pupils, managing the farm, the mills, and mechanics' shops, distributing stores, making purchases, paying debts, and receiving visitors. All of this, going on under the direction of various individual department heads, had become very complicated, so that a solution was advisable, if only for the sake of more harmonious relationships. Consequently, a decision was reached directing that more missionaries be distributed among the smaller stations, and that the duties in no way connected with spiritual advancement be given over to the direction of laymen, who would report separately to the Board. This seems to have been a satisfactory solution, for in 1826 "... a general disposition among the brethren, to diminish the secular cares and labors of the missions ..." was remarked.73

72 Ibid., pp. 132-133.
73 Ibid., p. 159.
to the great object of saving souls among the Indians."\(^{74}\)

A complete divorce from what were looked upon as worldly pursuits, however, was impossible, as government support remained dependent upon a satisfactory growth in civilization. In a circular sent by the Secretary of War to societies and individuals interested in the civilization of the Indians, September 3, 1819, may be read: "But it will be indispensable, in order to apply any portion of the sum appropriated in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of boys, extend to the knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls to spinning, weaving, and sewing. . . . Reports must be sent in by those desiring government aid as to location, numbers of pupils, and of teachers, subjects taught, and resources."\(^{75}\) In addition to the information demanded by this circular, the schools were subject, after 1828, to an annual inspection by four members of the Cherokee General Council.\(^{76}\) Therefore, the missionaries were obliged to include the subjects favored by the government in their program or risk the termination of federal aid and/or the displeasure of the chiefs as well.

\(^{74}\)Peck, p. 393.

\(^{75}\)American State Papers, Class II, II, 201.

\(^{76}\)Laws of the Cherokee Nation: Adopted by the Council at Various Periods (Tahlequah, Cherokee Nation, 1852), p. 94.
The fact is that sometimes men were sent out to the missions for the express purpose of teaching agriculture and trades. For example, among nine additions to the staff at Brainerd in 1823 were William Holland and Josiah Hemmingway, farmers, and Ebenezer Bliss, mechanic.\textsuperscript{77} At Valley Towns Baptist mission, too, the overseeing of the blacksmith shop was the duty assigned to Isaac Cleaver, while the supervision of the farming and weaving activities was the responsibility of John Farrier.\textsuperscript{78} Even in the early years at Springplace it was noted that among the Moravians there could be found carpenters, joiners, coopers and weavers; and the Conference at Salem, in deliberating over the choice of Gottlieb Byhan, took into account that "... he had proficiency in weaving and baking."\textsuperscript{79} Among the accomplishments attributed to Mr. and Mrs. Gambold was their success at teaching "... domestic and agricultural arts."\textsuperscript{80} Taking part in the labor in both garden and field under the direction of these worthy missionaries, was remembered twenty years later by John Ridge when he wrote a summary of Cherokee progress in 1826.\textsuperscript{81} A letter written by a Cherokee pupil at Brainerd in 1828 indicated that the girls of the school were

\textsuperscript{77}Tracy, p. 119.
\textsuperscript{78}Moffitt, p. 18.
\textsuperscript{79}Schwarze, p. 61.
\textsuperscript{80}Payne Manuscripts, V.
\textsuperscript{81}Ibid., VIII.
assigned to the various women of the mission for instructions in sewing.\textsuperscript{32} This must have been the practice at Valley Towns, also, for it was noted that the girls there "... had made good progress in the use of the needle, and in knowledge of household labor." One was especially proficient in spinning and weaving; while another, "... a full Cherokee, fourteen years old, was able to cast accounts, and cut out and make any common garment."\textsuperscript{33}

That such forms of practical education would be expected from the various missionary societies can be ascertained from the original correspondence concerning the matter between Secretary of War Crawford and Cyrus Kingsbury in 1816. In making the proposal that the government aid Indian education, Mr. Kingsbury had written, "It is not requested that any approbation be made for my support, or for the support of any persons who may be employed in the school; but that it should be appropriated for the erection of suitable buildings, and to the purchase of such mechanical instruments and implements of husbandry as may render the establishment respectable and useful."\textsuperscript{34} From the Secretary's answer one may gather what education he expected the schools primarily to foster. The answer read, "In the first instance, the agent will be directed to erect a comfortable school-house, and another for the teachers, ... to

\textsuperscript{32}Ibid.
\textsuperscript{33}Peck, p. 394.
\textsuperscript{34}American State Papers, Class II, II, 478.
furnish two ploughs, six hoes, and as many axes, for the purpose of introducing the art of cultivation among the pupils." For the girls the agent would be directed to supply "... a loom, and a half-dozen spinning wheels, and as many pair of cards.... He would be directed, from time to time, to cause other school houses to be erected, as they shall become necessary, and as the expectation of ultimate success shall justify the expenditure." 35

It is not surprising, then, that points bearing upon those given above were emphasized in the Morse Report, which, we recall, had for its purpose the enlightenment of Secretary Calhoun as to the best manner of distributing the funds appropriated for Indian civilization in 1819. Concerning Brainerd, the Secretary of the American Board was careful to point out to Dr. Morse that the men and women employed there, possessed "... theoretical and practical knowledge of agriculture, carpentry, smithery, coopering, tanning, tailoring, and several other trades, and to these various occupations expect[ed] to apply themselves...." The report continued, saying that Brainerd's children learned, besides academic subjects, "... various labors ... and the rural and domestic arts." 36 The section of the report dealing with Spring-place likewise made reference to instructions in "... spinning, sewing, knitting, and marking ..." for the girls; and to the

36 Morse, pp. 162-163.
"... agricultural labors ..." of the boys. Charles Hicks, who was Morse's agent in gathering the information concerning the schools, being unable to secure particulars about the Baptist mission, turned in an estimate of the number of students, which was included in the official statistical table, accompanied by the rather ambiguous note, "These are flourishing schools." The assumption was, no doubt, that they were flourishing according to government standards, for Valley Towns came in for its share of the appropriation.

As has been noted in Chapter III, the annual government allowance to the schools among the Cherokee averaged $3,127.80 between 1820 and 1825. As the manner of reporting was not consistent from year to year, it is impossible to ascertain the exact amounts received at the various schools or the explicit purposes for which each grant was used. In some instances the allowances were accompanied by stipulations, as was the case on April 5, 1820, when $500 was granted "... on account of buildings for the school at Valley Towns ..." or on August 25, 1820, when $652 was allotted for "... quarterly tuition for Spring Place and Brainerd...." At another time it was simply noted that $1,000 was forwarded to

87 Ibid., p. 154.
88 Ibid., pp. 171-172, 394.
89 American State Papers, Class II, II, 272.
Return J. Meigs for "... civilization of Cherokee Indians."  

Probably as more schools were opened it was found most convenient to make the payment to the one in charge at the head station of each denomination, allowing distribution among dependent stations as he should see fit.

Because of this aid the number of schools increased after 1820. Their names, with dates of establishment and denominations in charge, were as follows: Moravians: Springplace, 1801; Oothcaloga, 1825; American Board of Commissioners for Foreign Missions (Congregationalist and Presbyterian): Brainerd, 1817; Carmel (Taloney), 1819; Creek Path, 1820; Hightower, 1823; Wills-town, 1823; Hawes, 1823; Candy's Creek, 1824; New Echota, 1827; Amohee, 1831; Red Clay, 1835; Running Waters, 1835; Baptists: Valley Towns, 1820; Tinsawatee, 1821; this station was moved to Hickory Log, 1829; Notley, 1827; Amohee, 1835. Hiwassee

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90 Ibid., p. 444.
91 Schwarze, p. 64.
92 American State Papers, Class II, II, 587.
93 Tracy, p. 334.
94 American State Papers, Class II, II, 459.
95 Moffitt, p. 19.
96 Peck, p. 494.
97 Ibid., p. 593.
98 Ibid., p. 497.
seems to have been used synonymously with Valley Towns, which was located on the Hiwassee River.

No school under the direction of Methodists is mentioned in any of the government reports. This fact strengthens the probability that Methodist schools were not permanent establishments, for without some form of aid it would hardly have been possible to keep six schools in continual operation. In the references that are made to them, remarks concerning subjects taught are confined to spelling, grammar, reading, and writing, with no mention of manual arts, which would have been required if the government had been sharing any of the responsibility for upkeep. 99

A summation of the work of the religious groups among the Eastern Cherokee makes it clear that their influence had two purposes—to Christianize and to civilize. The former was the ultimate aim of the missionaries, but the latter was a necessary factor in this accomplishment. Government aid was essential in enabling the various groups to establish permanent bases of operations from which they later extended their activities. To insure this cooperation the missionaries were obliged to collaborate with the government in establishing a mental climate favorable to advancement in the ways of civilization. This was the work of the schools. In their establishment both the missionaries and the government manifested belief in the principle that the habits of

99Posey, pp. 86-87.
an adult generation depend upon the care that has been given in the formative years. Efforts have been made in the course of this chapter to show that the schools were advantageous in the two desired fields, an atmosphere profitable to the growth of a religious spirit, and an opportunity to become acquainted with agricultural and household arts.

Missionary activity among the Cherokee was, then, both idealistic and practical, but perhaps its most significant feature was that, when once set upon a solid foundation and given an opportunity to expand, its influence was limited to not more than one generation.
CHAPTER V

A CONVENIENT YARDSTICK

During the opening months of 1828 there arose in the House of Representatives of the United States an unusual discussion concerning Indian affairs. On March 3 the House, desiring information of the President concerning a recently adopted Cherokee Constitution, asked to be informed as to "... the extent to which such new Government has been recognized by the Executive of the United States, and how far it is considered as changing or disturbing to relations heretofore existing with the said tribe, and advancing or obstructing the policy of the United States towards them."\(^1\)

The agitation thus exhibited in Congress stemmed from the report of a committee on Indian affairs which communicated to the lower house events of July, 1827, among the Cherokee. It was during that month that representatives of the eight districts of the nation, as the Cherokee styled their remaining lands, met at their capital, New Echota, and formally adopted a constitution binding upon all their people.

It will be well to explain here that the concern of the Representatives was due to the delicate relations existing at that

\(^1\)House Document Number 211, 20th Congress, 1st Session.

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time, and not to surprise that such a step had been taken. Anyone acquainted with the development of Indian affairs would have known that the Cherokee had been slowly advancing toward democratic practices since the early part of the century, considering this a definite step forward in the civilization so much desired of them by the United States. When John C. Calhoun was Secretary of War in 1822, he wrote to the President that, regarding the civilization of the Indians, there was "... certainly much encouragement to hope for the best, from the fact that the Cherokee nation, which has made the greatest progress in education, has also made the greatest towards this desirable state... They have adopted some written provisions for their government... which... I would respectfully refer to the House, as furnishing the best testimony of the actual progress that nation has made toward civilization."\(^2\) A report from the mission at Brainerd to the American Board in October, 1820, likewise stated that during that month "... the General Council of the Cherokee nation was held. Its proceedings showed a great advance in civilization, and encouraged bright hopes for the future."\(^3\) Charles Hicks, also, in supplying information to Jedidiah Morse for his report to the Secretary of War, wrote the following details:

\(^2\) *American State Papers, Class II, II, 275-276.*

\(^3\) *Tracy, p. 85.*
The Cherokee Nation is governed by the acts of one National Council, held once a year by a national Committee, and members of Council, constituted in separate bodies. A reform in this has been attempted, and it has been thought necessary to divide the nation into districts, with powers to hold Councils, or Courts in each of them, to settle all controversies brought before the District and Circuit Judges appointed for that purpose; from which a hope is entertained, that much good may result to the convenience of the people in the present arrangements, when they become well acquainted with the laws that are now, or hereafter may be made for their government. It is believed that the fewer the laws devised the better; too great a number would but clog the memory.  

All this points out the fact that a foundation for democratic processes had been slowly being laid, and that the adoption of a constitution in 1827 was not something for which there had been no preparation. When Charles Hicks referred to "... the laws that are now ..." he was indicating that some steps had already been taken in setting the wheels of progress in motion in this regard. The Laws of the Cherokee Nation published in 1852 include some enacted as early as 1808. Councils were held at Broomstown, Oostanallah, and Amoah, before New Town was made the seat of government in 1819. The name of the latter became New Echota in 1826, and it was from there that the majority of the laws were issued.  

Although Charles Hicks had written that the leaders believed "... the fewer the laws devised the better ..." the Cherokee had proclaimed, by 1829, 198 decrees. The year 1828 was the most

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4 Morse, pp. 169-170.

5 Laws of the Cherokee Nation, pp. 3-148.
prolific, during which forty-five pieces of legislation were enacted. The explanation for the increase, particularly noticeable after 1824, is probably due to the success of the Cherokee syllabary which enabled all the members of the tribe to learn to read and write their native language, a feat most remarkable in their eyes. The fact that this "invention" was reported at length in both the journal of the Brainerd missionaries and the official records of the Office of Indian Affairs in the year 1825 gives reason to believe that it was at that period that its greatest impact was felt.

The facts of the story are few and can be easily recounted. Convinced that he could devise a method by which it would be possible to "... put down a 'talk' and it would stay there,..." Sequoyah, an uneducated Cherokee, after much thought and deliberation, isolated eighty-five separate Cherokee syllables for each

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6 Ibid., pp. 94-117.
8 Tracy, p. 147.
9 Samuel C. Williams, "Nathaniel Gist, Father of Sequoyah," East Tennessee Historical Society's Publications (Knoxville, 1933), V, 39-54. Sequoyah was the son of Nathaniel Gist, a Virginian, and Wut-teh, "... a member of one of the leading Cherokee families." Pp. 44-46. His English name was George Gist, sometimes rendered Guess, or Guest.
of which he drew a different character. By learning the signs for each of the syllables, anyone who could speak the Cherokee tongue was soon able to read and write the language. It was claimed that after success was once demonstrated, the Cherokee learned the method quickly. With this newly acquired knowledge it was no longer necessary to "... clog the memory,..." as copies of the laws could be circulated throughout the nation.

Democratic forms of government had been making progress, however, even before the success of Sequoyah. Changes had begun to take place, so that one could no longer write, as had Henry Timberlake in 1762, that "... [t]heir government, if I may call it government ... has neither laws nor power to support it. ... There is no punishment for this [stealing], or any other crime, murder excepted, which is more properly revenged than punished."12

In 1808, when decisions reached at meetings of the Council were first looked upon as laws binding upon all the people, a Principal Chief was chosen in the capacity of an executive. He was given an assistant called Second Principal Chief, and a Secretary, or clerk, to record those decisions which would have to be promulgated throughout the nation. In 1810 a new office was filled, that of Speaker of the Council. At the assembly of 1817 a further innovation brought into existence the National Standing

12 Williams, ed., Timberlake's Memoirs, pp. 91, 93.
Committee of thirteen members elected for two years. This body had the power to settle the annuities with the agency, and to regulate the affairs of the nation, but subject to the unanimous consent of the chiefs in Council. In October, 1819, John Ross was President of the National Committee, from which position he rose to that of Principal Chief, the post he occupied in 1838.  

With ten years of experience in self-government to their credit the Cherokee were, in 1820, at the point referred to by Charles Hicks when he wrote that a reform had been attempted in order to divide the nation more conveniently. This took place at the Council meeting that year, with the laying off of the nation into eight districts. They were named: Chickamaugge, Chattoogee, Coosawattee, Amoah, Hickory Log, Etowah, Tahquoohee, and Aquoohee, each represented by four members in the National Council. Court was to be held in each district on the first or second Monday of May and September, and was to sit for five days. One judge was appointed for each district, and circuit judges for every two districts. In 1822 a Court of Appeals was organized in conjunction with the annual Council meeting.  

The matter of remuneration to public officials was also discussed during the General Council of 1820. The Principal Chief,  

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15 Laws of the Cherokee Nation, p. 28.
Path Killer, was allowed an annual stipend of one hundred fifty dollars; Charles R. Hicks, the Second Principal Chief, received two hundred dollars, "... considering the burden of writing and interpreting which devolves on him." During sessions members of the Council were each allotted one dollar a day, the Speaker one dollar and a half, and the clerk two and a half. Salaries for the members of the National Committee were somewhat higher, two dollars for ordinary members, two dollars and fifty cents for the clerk, and one dollar more for the President. Money for the payments was to be drawn on the National Treasury which was authorized to receive the annuities. Other means for raising revenue consisted of taxes, tolls laid on a national turnpike, and fines.

Regarding the first, a law was enacted which read: "That each head of a family shall pay a poll-tax of fifty cents, and each single man under the age of sixty years shall also pay fifty cents per annum, to be collected by the marshals in each district, and paid into the national treasury, to be applied for such purposes as the national committee and council shall deem proper." Defaulters were to have their property seized, sold to the highest bidder, and their taxes paid out of the money thus obtained. Merchant citizens of the nation were required to pay a yearly tax of

16 Ibid., p. 15.
17 Ibid., p. 45.
18 Ibid., p. 13.
twenty dollars, while that for pedlars, not citizens, was set at eighty dollars. These amounts were later reduced to twelve and fifty dollars respectively. In 1825 the tax on merchants was suspended for two years, along with the poll tax on all citizens. Finally, in 1829, the suspension of both was prolonged indefinitely. 19

The erection of a tollgate was authorized on the national road in 1820, and tolls were arranged so that those charged by owners of private roads would be in agreement with national standards. A wagon, a team of horses, or a carriage was charged fifty cents; a cart or gig, twenty-five cents; men on foot or with a lead horse were to pay twelve cents each; while cattle, hogs, or sheep would cost three cents a head. 20

Fines were ordained for a number of offenses, e.g., any citizen who permitted "... his negroes to trade in or for intoxicating liquors ..." was fined fifteen dollars. White persons, not citizens of the nation, convicted of this crime were subject to a fine of one hundred dollars, half of which would go to the informer. If it could be proved that any Cherokee cooperated with white men in this offense, they were subject to the same fine. Another was against all merchants, peddlers, and mechanics who failed to suspend business on the Sabbath, in keeping with the practice of

19 Ibid., pp. 29, 30, 48, 56, 139.
20 Ibid., pp. 13, 21.
the General Council. Five dollars was the amount levied on anyone who set fire to the woods before the month of March.\textsuperscript{21}

The heaviest penalties were laid on those who in any way were guilty of undermining the strength and unity of the nation. Any person who chose to emigrate, and with this purpose in mind, sold his improvements, was fined one hundred fifty dollars; and not only was he considered as an offender, but the one with whom the business was transacted fell into the same class and was required to pay the same amount. In comparison with the other sentences this could be considered quite heavy. But what was looked upon as an offense even greater was sponsoring the entrance of a white family without requisite permission from the Council. The fine for this infraction of the law was set at five hundred dollars.\textsuperscript{22}

Thus far we have made reference to those laws which had a bearing on the operation of the government. Besides these, there were other divisions; some dealt with practical matters, some were of a social nature, and there were a few that were intended to raise the cultural level of the Cherokee people. In order to avoid much repetition of dates, a short explanation here will place the entire legislative period in its proper time element. Although the Council's first legislative enactments were recorded in 1808, only three have been preserved for the period 1808 to 1819. It

\textsuperscript{21}Ibid., pp. 15, 31, 39-41.

\textsuperscript{22}Ibid., pp. 13, 19.
was with the revision of the government in 1820 that clear-cut procedure became the basis of a regularly organized governmental body. At annual meetings held from that date forward, new legislation was enacted at each session. The Cherokee passed no more laws, however, after the State of Georgia extended jurisdiction to the limit of her chartered boundaries. Although they fought for the recognition of their independence, circumstances were such that regular procedure was at first severely hampered and finally rendered impossible. Hence, the year 1829 marks the end of legislative extension in the Cherokee Nation before the removal.

Laws discussed here will illustrate the development of trends from 1820 to 1829, for the most part, and in a few cases during the earlier period.

When Lieutenant Timberlake remarked in 1762 that among the Cherokee murder was "... more properly revenged than punished, ..." he touched upon the basic difference between the convictions of the Indian and the white man on this subject. To the Cherokee murder was something personal, to be settled between the family of the victim and the murderer. Before any steps could be taken to make this crime punishable in a court of law, the basic issue had to be recast, making murder a crime against society at large, instead of against an individual family only. The first hint of progress in reshaping the minds of the Cherokee on this point was

the law of 1808, which ruled out revenge in a case of self-defense. This was followed by an enactment of 1810, restraining revenge-killing in all cases, and making it a matter of public concern when murder was committed within the family circle. At the same time it was declared that "[i]f life is lost without malice intended, the innocent aggressor shall not be counted guilty." As it was stipulated that fratricide was to "... be accounted as murder and treated accordingly, ..." there must have been a penalty, although the Laws of the Cherokee Nation do not tell us what it was. Gradually, opinion was so molded that before the close of the next decade it was possible to bring murder cases before the courts for lawful trial; the death penalty was decreed as applicable in all cases of willful murder. 24

Another matter which was of early concern to legislators was robbery. In this regard development along agricultural lines required some method by which those in possession of implements or animals would be secure in the ownership of their property. The earliest law in this connection was aimed specifically at the suppression of horse stealing. Later another was enacted requiring the District and Circuit Judges to return horses stolen from citizens of the United States to the Agent resident in the nation. Severity was deemed necessary to curb the evil, as a law of 1824 made persons convicted of robbery subject to any punishment the

24Laws of the Cherokee Nation, pp. 3, 4, 104.
court might impose except death.  

Certain measures contained in the Cherokee code seem to manifest the effectiveness of religious influence. One such was the act of 1820, in which the hand of the schoolmaster is unmistakably evident. In an effort to overcome the baneful effects of absenteeism it became obligatory under law that scholars when once enrolled in the schools "... by the voluntary consent of their parents or guardians ..." were to finish their respective terms, or their parents would "... be bound to pay all expenses incurred by their children to the mission establishments, for clothing, board, and tuition. ..." Apparently the measure bore some fruit, as a committee on Indian affairs reported a few years later that the schools were increasing, and many children had to be refused.

Reflecting still more the religious influence were those laws concerning marriage. It was very difficult to transform opinion on this matter among a people whose traditional practice had allowed polygamy. Some of the chiefs, however, anxious to reflect progress in Christian living, succeeded in having polygamy abolished by law for all white men wishing to marry into the nation. Furthermore, if these men desired citizenship, it became obligatory that their marriage be performed before a minister of the

\[25\text{Ibid.}, \text{pp. } 3, 19, 38.\]
\[26\text{Ibid.}, \text{p. } 14.\]
\[27\text{American State Papers, Class II, II, } 458.\]
Gospel. At this time, 1819, the provisions of this law were only recommended to the Cherokee. An attempt to extend its force to all Indians as well as white citizens was made in 1825, when it was recorded in the statutes that "... it shall not be lawful hereafter for any person or persons whatsoever, to have more than one wife." Although theoretically polygamy was thus ended, we know from the words of John Ridge that the law was not enforced, and that Christian marriage rites did not completely supplant older ceremonials. He wrote: "In respect to marriage we have no law regulating it and polygamy is still allowed to Native Cherokees. ... We attempted to pass a law regulating marriage, but as nearly all the members of our Legislature, tho' convinced of the propriety—had been married under the old existing ceremony, were afraid it would reflect dishonor on them, it failed. Time will effect the desired change in this system."30

Children born of mixed-blood marriages were entitled to all the privileges of the nation, and the white spouse was also admitted to citizenship. However, if the Cherokee husband or wife were to die, and the couple had no children, the white partner was thereby deprived of citizenship, by the death of the

28 Ibid., p. 285.
29 Laws of the Cherokee Nation, p. 57.
30 Payne Manuscripts, VIII. John Ridge to Albert Gallitin, 1826.
31 Laws of the Cherokee Nation, p. 57.
Cherokee citizen or citizens that created his or her right. . . .32

This last decree was not promulgated until 1829, and is explained by the animosity existing between the Cherokee and white residents of Georgia at that period.

If lawful marriages were at first allowed and later tolerated between Cherokee and white persons, they were completely forbidden between any citizen of the nation and a Negro person. In fact, discrimination against Negroes was absorbed in all its forms from the neighboring states. That this should have happened is not surprising, intent as the Cherokee were in the imitation of the white man's customs and manner of life. That Negroes were held in the status of slaves and denied any rights of their own is evident from the fact that their owners were held responsible for their transgressions of the law and liable to the payment of fines resulting therefrom. Free Negroes seeking admittance into the nation were not to be allowed residence without a permit from the National Committee. Negro slaves were strictly prohibited the possession of horses, cattle, or hogs, and any who happened to own such at the time of this enactment, were obliged to dispose of the same within twelve months under penalty of confiscation. The punishment meted out to those parties involved in an Indian-Negro marriage was fifty-nine stripes to the man and twenty-five to the woman. Further, the owner of the Negro party was obliged to a

32 Ibid., p. 131.
fine of fifty dollars. Discrimination was also evident in the Constitution which withheld "... any office or profit, honor, or trust" from all persons of Negro or Mulatto parentage.

We have had occasion in Chapter III to comment upon the efforts of the missionaries to modify the tendency of the Cherokee toward alcoholism. To the energies of the missionaries was added the assistance of those leaders who strove to eradicate the prejudices of the white population in regard to their people. Fines were laid on anyone convicted of selling liquor in the nation, be he a citizen or an intruder, with special attention to the Council House during sessions. Other special occasions that lent themselves to much disorderly conduct were "... ball-plays, all-night dances, and other public gatherings..." and it seems that on these occasions even the marshals and sheriffs sometimes disgraced themselves. Because of this it was necessary to require rigid enforcement of the law at any festive affair, and impose punishments on those officers who failed in their duty. If convicted of neglect, they were subject to fines up to one hundred dollars.

The general misconduct which seems to have prevailed at social affairs throws some light upon the regulation at Valley Towns by

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35 Laws of the Cherokee Nation, pp. 27, 37, 39, 40.
which a child was liable to expulsion from school for attending
the ball-play.36

Besides the influence of religious ideas, the Cherokee laws
also indicate the effects of the policy of the government in seeking
to promote civilization. One of the chief trends encouraged
under government supervision was the use of machinery in ways suitable to their condition. This had been in the plan of Benjamin
Hawkins during the early days of development, was further promoted
by the treaty promises, and included in the arrangements by which
the government contrived to spread its policy through support of
the schools.37 Results of these efforts can be observed in a number of laws. There was one, for instance, that allowed school-
masters, blacksmiths, millers, salt petre and gunpowder manufac-
turers, ferrymen, turnpike keepers, and other manufacturers residence in the nation, with the added privilege of cultivating and
improving twelve acres of ground.38 Superintendents of schools

36 Peck, p. 392. The Cherokee ball-play might be called the
national sport. A good description of it is given in the Payne
Manuscripts, IV. Despite the disapproval of the missionaries they
never succeeded in persuading the Council to outlaw the practice.
One author, quoting from the diary of Nathaniel Reinhardt, whose
family purchased Cherokee land in 1834, provides the following:
"1837—I was at a large Indian ball and dance in the fall season
of the year, at the Indian ball-ground near Father's. The exercise
opened by a game of ball in which the men participated actively.
The trees over and around the playground were filled with women,
children, and spectators, looking on." Marlin, p. 50.

37 Letters of Benjamin Hawkins, p. 135. American State Papers,
Class II, I, 698, 704; II, 201.
38 Laws of the Cherokee Nation, p. 6.
were urged to select from among their pupils those who gave evidence of mechanical ability, and to provide special training for them. As an encouragement to youths who may have been so inclined, they were promised, upon the completion of their training, a complete set of tools with which to practice their trade. 39

When the schools were unable to provide the instructions, mechanics of several trades were permitted entrance to the country in the interest of the improvement of youth. Such persons were bound to take in apprentices to whom they would teach their respective trades. At the Council of 1828, fifty-seven dollars and twenty-five cents was appropriated to purchase a set of blacksmith tools for George Candy, a native, who was one youth to successfully complete his apprenticeship. He was supplied with one bellows, one anvil, one vice, one screw-plate, three hammers, one rasp, and a half-dozen files. 40

In this matter too, however, the animosity shown the Cherokee by the Georgians prompted a reply in kind. In 1829 the Council repealed the law which had authorized a five-year residence for mechanics. Thereafter, it was not lawful for anyone to issue permits to any person for more than one year. 41

40 Laws of the Cherokee Nation, pp. 61, 90.
41 Ibid., p. 134.
Sometimes both mission influence and government policy can be seen intermingled in decrees of the Council. This is true with regard to the pronouncement of 1826 by which the Principal Chiefs, members of the National Committee and Council, judges of courts, and other officers were obliged to take an oath "... to discharge their duties faithfully and impartially..." In this there is an obvious imitation of procedure followed at United States inaugurations. It was declared further that "... no person who disbelieves in the existence of the Creator, and of rewards and punishments after death, shall be eligible to hold any office under the government of the Cherokee Nation, nor be allowed the privilege of his or her testimony in any court of justice." Desire to imitate United States practices is here combined with a basic appreciation of Christian belief. Moreover, by a converse interpretation, this law testifies to the existence of an unchristian segment of the people, still faithful to pagan beliefs.

The years 1825 and 1826 mark the strengthening of a nationalistic tendency, cleverly devised in order simultaneously to unite the Cherokee and impress interested parties. During these two years plans were made for a national capital which would be, besides the seat of government, a cultural center. Agents were appointed to solicit funds throughout the United States for the

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42 Ibid., p. 77.
various projects. The Council visualized a National Academy to be built of brick, with a library attached, and the organization of a Moral and Literary Society of the Cherokee Nation. A printing office was to be built and furnished, and a newspaper established, with the articles printed in both English and Cherokee; official title was to be the Cherokee Phoenix. The editor of the weekly paper would be responsible for content and format; he would also have to be capable of translating from English to Cherokee and vice versa. This position devolved upon Elias Boudinot, one of the youths who had been educated at the Academy of the American Board in Cornwall, Connecticut. Isaac H. Harris was named official printer.

Within the year the Council House and Court House were erected according to specific dimensions and New Echota became the seat of all national business until the controversial treaty of 1835 brought about the closing of the Council House. As to the National Academy, this remained a dream; it was never advanced beyond the planning stage. Of the three ideas so enthusiastically set forth in 1825, the most far-reaching proved to be the establishment of

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43 Ibid., pp. 47, 62.
44 Payne Manuscripts, VIII. John Ridge to Albert Gallatin.
45 Laws of the Cherokee Nation, pp. 81, 85.
46 Peck, p.393.
47 Laws of the Cherokee Nation, p. 84.
the Cherokee Phoenix.

By 1827 sufficient funds had been gathered to permit steps to be taken toward the fulfillment of the plan. The Council, therefore, requested the American Board "... to procure for them a font of type, press and furniture... The type was made in Boston, and the whole apparatus for a national printing office was forwarded in November." The intermediary in this action was the Reverend Samuel A. Worcester of the American Board who was stationed in the Cherokee country. After a final lapse of three months the first issue of the Phoenix appeared on February 21, 1828. It was to continue informing its readers, both within and without the nation, until the final edition of May 31, 1834.

The Cherokee Phoenix carried, besides copies of the laws enacted in General Council, interesting correspondence between Cherokee leaders and United States Government agents. It also published articles of interest about events that occurred at various times between the nation and the United States. Most articles of this nature were printed in both English and Cherokee, as were the regular features of the poetry column, the translations from

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48 Tracy, p. 149.

49 Mooney, p. 111. Samuel A. Worcester was the most celebrated of all the missionaries to the Cherokee. His term of service began in 1825, and he stayed throughout the troublesome removal period, eventually emigrating to the Indian Territory. Tracy, p. 335. Worcester's part in the case of Worcester vs. Georgia is told in John Spencer Bassett, Life of Andrew Jackson (New York, 1911), II, 688-692; and Albert J. Beveridge, The Life of John Marshall (Boston, 1919), IV, 547-552.
Scripture, and some instructions on morals or religious practices. Many of the latter, however, along with world news, biographical sketches, regional descriptions, and anecdotes, were given in English only. All notices were usually rendered in both languages.

Subscription rates, beginning at two dollars and fifty cents, rose to three dollars and fifty cents for those who were not willing to pay in advance. But one dollar was subtracted from the accounts of all subscribers who could read only Cherokee. Advertisements were printed at a cost of seventy-five cents per square foot.50

The editor made known in the first publication his policy: "As the Phoenix is a national paper we shall feel ourselves bound to devote it to national purposes... Matters relating to the welfare and conditions of the Cherokees as a people, will be faithfully published... the columns of this paper shall always be open to free and temperate discussions on matters of politics, religion, etc."51 He was soon made aware, however, that the national newspaper was under the direction of the General Council, and that he did not have perfect liberty in his editorial policy. On November 19, 1828, it was decreed in Council that the editor be required to withhold from the columns of the paper "... scurrilous communications, or inserting under the Editorial head, anything on

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50 Cherokee Phoenix, February 28, 1828.
51 Ibid.
religious matters that will savour [of] sectarianism."

A further policy proclaimed by Editor Boudinot was to be "... advancing the improvement of our people..." References have been made in a former chapter to articles which were intended to bring about a reform in drinking habits. Some writings aimed at the advancement of Christianity have also been cited. A further example of the religious theme was this "Literal Translation of the Lord's Prayer from Cherokee into English," which appeared in the earliest issue. It read: "Our Father, who dwellest above, honored be thy name. Let thy empire spring to light. Let thy will be done on earth as it is done above. Our food, day by day bestow upon us. Pity us in regard to our having sinned against thee, as we pity those who sin against us. And lead us not into any place of straying, but on the other hand, restrain us from sin. For thine is the empire, and the strength, and the honor forever. So let it be."

Moral and character improvement were often selected topics, as subscribers were warned against gambling and swearing, and guided in the proper formation of character. In one issue there appeared "Advice to Young Men" paralleled in another by "Advice to Young Ladies," while in a third, the latter came in for quite a

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52 Laws of the Cherokee Nation, p. 114.
53 Cherokee Phoenix, February 21, 1828.
lecture against the evils of "Tight Lacing and Thin Clothing." Negligent parents were admonished for the improper training of their children, as illustrated in the following paragraph: "The child that is permitted to act habitually from temper is in the prospect of ungovernable passions and the swing of the gallows and its blood will be required at the hands of its imprudent parents, whose folly and wickedness are equalled in magnitude only by the momentous consequences they ensue and the awful responsibility which the parents incur. The greatest calamity that ever befell a child is an indiscreet parent who knows nothing of family discipline."  

Lifting the idea of improvement out of the area of subjective morality, the Phoenix endeavored to picture to its readers places and events in other parts of the world. Those who were totally unacquainted with scenes beyond their own valleys and rivers were given descriptions of such far removed spots as Hawaii, Canada, Calcutta, and the South American pampas. News of the Greek revolt was related, with other articles providing information of battles in Turkey, Russia, and Persia. Accounts were published of natural disasters like the earthquake in Lima, the flood at

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54 Ibid., May 14, February 28, September 3, October 8, September 17, April 3, 1828.
55 Ibid., May 14, 1828.
56 Ibid., February 28, March 20, July 30, October 22, 1828.
57 Ibid., March 20, March 27, 1828.
St. Petersburg, and the outbreak of the plague at New Orleans.

As the laws reflected the results of efforts that had been made to promote agricultural progress, so too, did the Phoenix. Informative articles appeared from time to time instructing the people on some useful subjects such as, how to tell a good horse, the manner of curing bacon properly, the fattening of swine, or economy in feeding cattle. Those of a more intellectual bent could glean from the columns of their paper an explanation of the correct way to read the Cherokee alphabet, the Cherokee manner of counting to one million, or they could read "The True History of Robinson Crusoe." Scientific studies were occasionally included, an example being an explanation of the cause and effects of spots on the sun.

The most prominent articles, however, were those concerning the affairs of the nation, its laws, and relations with the United States. From November 16 to December 3, 1829, was published a series of reprints from the National Intelligencer on the condition of the Cherokee Indians. Any narrative of this type which manifested a sympathetic attitude on the part of United States citizens was not denied space. When the Vermont Chronicle printed its views

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58 Ibid., August 27, August 6, 1828; September 30, 1829.
59 Ibid., March 6, August 13, October 1, 1828; January 28, 1829.
60 Ibid., February 21, February 28, August 6, 1828.
61 Ibid., February 11, 1829.
on the subject of Cherokee removal, the column was promptly reprinted in the Phoenix as follows: "Removal of the Cherokees--On this subject we confess we are not sorry to see the Cherokee Phoenix speak a decided language. To remove them would be to overthrow their incipient establishments, and to check their progress in those arts, institutions, and habits, which give to civilized and Christian life, its charm--its dignity and worth. The attempt to do this--however great the bribe we may offer as the price of their degradation--seems to us most iniquitous.---Vermont Chronicle."\textsuperscript{62}

That the chief purpose of the Phoenix had, from its beginning, been the promotion of Cherokee independence is proved from this portion of the letter in which Elias Boudinot tendered his resignation as editor of the paper. He wrote: "I believe the continuation of the Phoenix, and my services as its editor, has answered all the purposes that it can be expected to answer hereafter. Two of the great objects which the nation had in view in supporting the paper were, the defence of our rights, and the proper representation of our grievances to the people of the United States."\textsuperscript{63}

Similar in purpose was the constitution, adopted at New Echota in July, 1827. An official report concerning it stated: "The committee have seen their [Cherokee's] Constitution in a printed form;

\textsuperscript{62}Ibid., April 24, 1828.
\textsuperscript{63}Senate Document Number 121, 25th Congress, 2d Session.
and if that instrument is to be relied on as embracing the views of the Cherokee Indians, no doubt can be entertained of their determination to locate permanently in their present abode. They declare, amongst other things, that their present boundaries shall forever remain unalterably the same; and that sovereignty and jurisdiction of their Government shall extend over the country which they occupy at this time." Two weeks after this observation had been communicated to the Representatives, the Constitution itself was presented. In accord with this document the three departments of government were to be retained, as were also the eight districts laid off in 1820. Legislative power was vested in two branches, the Committee and the Council, the former consisting of two members from each district, the latter of three. The chief executive was to hold office for four years. In the justice department a reorganization was to take place with regard to the number of inferior courts, but the basic framework was unchanged.

Although the constitution established little that had not already been in practice, its promulgation gave the Cherokee Nation a more definite and permanent form of government. Its real aim was recognized by all interested parties in Article I, Section 2, which denied to citizens "... the right to dispose of improvements to the United States, individual states, or individual citizens of those states." Anyone who moved out of the nation

64 House Document Number 67, 20th Congress, 1st Session.
automatically lost his citizenship. It is evident, therefore, that the adoption of the Constitution of 1827 came, not as a prelude, but as a climax in the governmental development of the Cherokee. They strove by all means within their power to maintain jurisdiction over their lands, even legislating, with this intent, the death penalty against "... any person or persons who shall ... agree to sell or dispose of any part or portion of the National lands defined in the Constitution of this Nation."66

Although the laws, the constitution, and the national newspaper of the Cherokee were directed at the preservation of the nation, they serve, nonetheless, as a convenient yardstick in measuring their progress in civilization.

66 Laws of the Cherokee Nation, p. 137.
CHAPTER VI

CONCLUSIONS

As it was from certain claims set forth regarding Cherokee civilization that the original question of this study sprang, we must return to these claims for a clarification of the issues involved. Now, however, it is possible to view them in a more detailed manner. Results of United States Government activity and missionary labors, accompanying the bare statements, give us circumstances that must be weighed in the balance. Native efforts at advancement are also to be considered. That Indian delegation, for instance, which so fearlessly protested the efforts to extinguish their land title in 1824, can now be considered anew, if we take into account the combined effects of government policy, development of educational facilities, and the birth of republicanism in the nation. The purpose of the delegation was to impress upon the government the fact that the Cherokee would never again cede any more of their land. At the bottom of most of Cherokee claims to civilization lay the removal controversy.

The address of the chiefs and warriors in 1818, reminding the Indian agent of their progress in agriculture, religion, and

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1American State Papers, Class II, II, 487.

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the civilized life, significantly followed one of the earlier proposals of an exchange of lands in the east for those west of the Mississippi. The progress mentioned must be interpreted only relatively, as also must the use of the term "many" to refer to those upon whom the religious spirit had had an influence. For in the same year the Secretary of War, in reporting on the alteration of the Indian trade, referred to the "... little progress in civilization ..." on the part of the Southern Indians. Furthermore, religious influence was necessarily limited, as only two missionary stations were operating among the Cherokee then.

Analysis of other claims to civilization on the part of the Cherokee themselves reveals the identification of these claims with the matter of their land rights. In concluding his letter to Albert Gallatin in 1826, John Ridge predicted his people's destiny as intimately connected with the United States. "We may live this way fifty years," he wrote, "and then we shall be Natural causes merge in and mingle with the U. States." Elias Boudinot's first editorial, when considered in the light of his purposes, can be understood as a plea for the recognition of the Cherokee right to possess their lands in peace. One can almost feel the emotion present in these words:

... and let it be remembered, notwithstanding the assertions of those who talk the contrary, that this improvement

\(^2\text{Ibid.}, p. 182.\)

\(^3\text{Payne Manuscripts, VIII.}\)
can be made not only by the Cherokees, but by all the Indians in their present locations. We are rendered bold in making this assertion by considering the history of our people within our remembrance, when darkness was prevalent and when ignorance abounded amongst us—when strong and deep-rooted prejudices were directed against many things related to civilized life—and when it was thought a disgrace for a Cherokee to appear in the costume of a white man. We mention these things not by way of boasting, but to show to our readers that it is not a visionary thing to attempt to civilization and Christianize all the Indians, but highly practicable.  

To no avail were such pleadings, however, as the editor fully realized when the bill for the removal of the Indians became law in 1830. Two years later he resigned the editorship, convinced that the friends he had hoped to make in the United States were too engrossed in local and sectional interests to be concerned.

Other Cherokee leaders there were, though, who stayed with the program to the end. Never did they cease to declare it their due to be granted freedom of choice as to their location. The greater the pressure upon them, the more did they reply in distress. As late as February, 1837, a Memorial of the Delegates of the Cherokee Nation was received by the Congress of the United States. The appeal became at times eloquent, as the memorialists laid before Congress "... in much detail ... the facts of our case!" The document enumerated what the Cherokee considered their three areas of cultural achievement; advancement in the arts of civilized life, the political principles that had been imbibed,

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4 Cherokee Phoenix, February 21, 1828.

and religious faith. They called attention ". . . to the progress which, under your auspices, we have made, to the improvements which have marked our social and individual state; our lands brought into cultivation, our natural resources developed, our farms, workshops and factories approximating in character and value to those of our brethren. . . ." All these claims, however, were followed by the pathetic admission: " . . . we indulged in the anticipation that the time was not far distant when we should be recognized on the footing of equality by the brethren from whom we had received all that we were now taught to prize."6

At the basis, then, of Cherokee claims to civilization lay the strivings to retain as a tribal possession the last fragments of a once spacious domain. Some statements encountered in the writings of the school children at Brainerd unwittingly detract from the picture painted by the nation's official spokesmen. One girl referred to " . . . the unenlightened parts of this nation [who] assemble for dances around a fire. . . . Their dishes," she commented, "are made by themselves of clay. . . . Eight or ten will often get around one of these on the ground, with one wooden spoon, and will take a mouthful and pass it on to the other."7 Another, after enumerating various agricultural achievements, concluded: "But a great many of the Cherokees are poor and ignorant

7 Payne Manuscripts, VIII. Letter of Elizabeth Taylor.
and live so poorly that they have scarcely any houses or clothes.

This type of remark, too, must be judged in the light of motives, which in these two incidents was to impress "... Christians [with] the importance of sending missionaries." However, they illustrate the fact that the majority of references to overall advancement of the Cherokee did not make allowances for the various stages of progress within the nation.

In evaluating remarks concerning Cherokee civilization culled from official correspondence, we must be guided by points in United States policy toward that Indian nation. Federalists undertook the work of reorienting Cherokee interests, seeking to transform them into an agricultural people. This remained the essential issue in government policy until 1830, but by that time it had been progressively weakened by two forces. Early in the 1800's the idea of relocation west of the Mississippi had been proposed as an alternative solution. The determination of the State of Georgia to exclude all Cherokee from her boundaries militated further against the possibility of a peaceful settlement. These two forces joined hands, as it were, to produce a succession of crises resulting in both favorable and unfavorable comments concerning the Cherokee. Dividing the crises into categories we find: the 1817-1819 period, during which much pressure was exerted through treaties to induce a westward emigration; the 1823-1824 period of

Ibid., Letter of Lucy McPherson.
Georgian coercion; Georgia's extension of her laws over the Chero­kee nation in 1829 combined with the passage of the Removal Bill and the Supreme Court trials; finally, the treaty of 1835 and its aftermath of Cherokee discontent.

Two documents of the 1817-1819 period furnish evidence of the way in which Cherokee ambitions were sparked by the exchange of lands theory. In July, 1817, the chiefs expressed to three treaty commissioners their distress "...with the alternative proposal to remove from this country to the Arkansas, or stay and become citizens of the United States." Declaring that they were not yet civilized enough to become citizens of the United States, they protested against being compelled to move to a country against their inclinations.9 After this it became their aim to emulate the social and governmental practices of the white man, specifically as a means of proving their worthiness to inhabit lands among them. They were given further impetus in these resolutions by messages such as the following from John C. Calhoun:

You are now becoming like the white people; you can no longer live by hunting, but must work for your subsistence. In your new condition for less land is necessary for you. Your great object ought to be to hold your land separate amongst yourselves, as your white neighbors, and to live and bring up your children in the same way as they do, and gradually to adopt their laws and manners. It is thus only that you will be prosperous and happy. Without this you will find you will have to emigrate, or become extinct as a people.10

9 American State Papers, Class II, II, 143.
10 Ibid., p. 190.
This was written in 1819, the year before the Cherokee initiated their republican form of government.

Considering such pronouncements as reliable, the leaders naturally thought it to their advantage to advertise their accomplishments. As an example, a prominent place was given in the Phoenix to a letter of the Indian agent, containing remarks "... of high commendation. ... They seek to be a people and to maintain by law and good government those principles which maintain the security of persons, defend the rights of property, etc."\(^{11}\) Such public proclamation of their advances, however, were calculated only to increase Georgia's anger, which had been gaining momentum since the failure of the treaty of 1823.

During the following year, when Governor Troup was militantly complaining of federal injustice toward his state in the matter of the Cherokee lands, Secretary Calhoun, in defending White House policy, logically brought forward what seemed to be its good points. He declared: "It cannot be doubted that much of the difficulty of acquiring cessions from the Cherokee nation, and the other southern tribes, results from their growing civilization and knowledge, by which they have learned to place a higher value upon their lands than more rude and savage tribes. Many causes have contributed to place them higher in the scale of civilization than

\(^{11}\)Cherokee Phoenix, February 21, 1828.
other Indians within our limits."\textsuperscript{12} Similar testimony was that presented in 1825 to Calhoun's successor, when it was reported that "[t]he Cherokee on this side of the Mississippi are in advance of all other tribes. Their march has been rapid."\textsuperscript{13} From the context, the reader can observe that this was intended to underline the good effects of the government's policy in the past, and in order to do so more effectively the letter of a Cherokee youth describing his people's progress was enclosed.

The same writer revealed some conclusions of a more negative sort in material communicated to Congress in 1828. Coming as this did four months after the Council of the Cherokee chiefs adopted their constitution, it was very probably part of a Congressional investigation. The point of view offered at this time, however, was that although many had been improved and raised to a higher civilized condition, "... the wisest and best among those who have gone forth to the help of these people, see that whilst benefits are experienced by them upon the one hand, serious evils are let in upon the other. Foremost upon the train of these evils is that which attends the enlightened Indian on his return from those nurseries of humanity. Agent McKenney, the writer of these lines, concluded in his flowery style by saying that when the Indian returned to his "wilderness home," finding none of the "comforts,

\textsuperscript{12}American State Papers, Class II, II, 462.

\textsuperscript{13}Ibid., p. 651.
... security, ... [and] well ordered society of the mission house ..." he soon resorted to his former mode of life.14

Other evidence that civilization was not uniformly advanced throughout the nation came from a Senate committee whose investigation was probably associated with the removal bill. This committee related on February 22, 1830, that the Cherokee leaders were well-educated, intelligent, and in the possession of property, but that these number only about one hundred out of the nation. The condition of the rest, the committee gave as very destitute, lacking industry.15 This information is strikingly similar to that offered by the pupils at Brainerd.

After 1830 nationwide attention was turned toward the Cherokee as the progress of their struggle with Georgia became matter for common discussion in some circles. We have noted sympathetic newspaper accounts dealing with their critical situation in both the National Intelligencer and the Vermont Chronicle. It was owing to the same cause that the Ladies of Burlington, New Jersey, protested against the Removal Bill in a memorial to the Senate. In an effort to determine the true status of Cherokee civilization, however, evidence of this kind cannot be considered of prime importance, as its prejudiced slant precludes the probability of an extensive investigation of the situation. At the time, though, these

14House Document Number 11, 20th Congress, 2d Session.
15Senate Document Number 61, 21st Congress, 1st Session.
incidents were heartening to the Cherokee in their plight.

The general theme of official correspondence after 1835 concerned efforts to break down the determination of the Cherokee. Reading it, one is able to extract opinions as to their state of civilization. Commissioner Harris, in requesting "... a supervisory power over [their] extensive legislation ..." in 1836, referred to "... their present state of civilization, advanced as it is represented and admitted to be." He was referring here particularly to the Cherokee method of government; an earlier section of the report dealt with their general condition. They were described as "... gradually progressing in civilization and the cultivation of the soil, and amongst them are many intelligent men. They raise corn, beef, pork, sheep, etc. to a considerable extent; and in travelling through their country you are quite comfortably entertained."\(^{16}\) These lines, addressed to the Secretary of War, are probably a fair estimate of the Cherokee's state. The report was not of a public nature; therefore the probability of a slanted version is minimized. But the expression, many intelligent men, again is indeterminate. A letter of Commissioners Lumpkin and Kennedy of September, 1837, referred to both "... the intelligent and wealthy portion of the Cherokee people ..." and "... the ignorant Indians who are scattered over a country embracing five

or six millions of acres of land. . . ."17 Considering that most contacts of United States commissioners were with Indians of humble mien, acquaintance with a tribe whose leaders carried on a regularly-erected republican government, and sent delegations to Washington, probably prompted conclusions of a generous nature.

Additional testimony as to the presence of both affluence and poverty in the nation can be found in the statements of Commissioner Mason, who was also delegated to the Cherokee country in 1837. Relating information concerning some who had already emigrated, he said that these were "... the very poor ... attracted by the daily rations served out to them, or the very wealthy, who foreseeing the horrors of a war leave the country to save their property."18 The officer in charge of conducting one party to their new homes in 1837 was evidently referring to the latter class when he wrote thus: "The keel boats are without stoves or fires in them, water in the hold, and present to those accustomed, as many of the emigrants are, to many of the comforts of civilized life, rather a revolting spectacle."19 In these cases, too, there is no reason to believe that the writers were passing on any details but what they honestly thought to be the truth. Combining

17 House Document Number 82, 25th Congress, 2d Session.
18 Ibid.
19 C. Lillybridge, "Journey of a Party of Cherokee Emigrants," submitted by Grant Foreman to Mississippi Valley Historical Review, XVIII (September, 1931), 239.
the opinions of these latter officers with those of Commissioners Harris, Lumpkin, and Kennedy, one is conscious of definite headway in the white man's mode of life. Their statements do not advance a theory, however, of total transformation nor of startling advances. It is interesting, therefore, to compare the tone of their words with that of the following "talk" delivered in the name of the President of the United States to the Cherokee Council in August of 1837. This was the period when the Indians were much agitated, wondering whether the United States would carry out the removal by force. The message proceeded in part:

The President loves you with the same regard that he feels for your white brethren. He has seen with deep interest your noble and successful efforts to escape from the ignorance and barbarism which was the lot of your forefathers, and to elevate your nation in the scale of civilization. He has witnessed with great satisfaction, your rapid improvement in the arts and comforts of life; the eagerness with which you have thirsted after education; and above all other things, the rapid diffusion of the blessed light of Christianity amongst those of you who, by position or facilities of instruction, have fallen within the reach of its influence. . . . There [the West] you can continue without interruption, the improvements in your moral and social condition which you have for many years pursued with laudable zeal and eminent success.

These words seem at first glance to contribute much to the position of an advanced state of civilization. But, when the motivating circumstances are reflected upon, many of the phrases take on a quality of artificiality that detracts from their credibility.

One other source of observations relative to Cherokee civilization are the writings touching upon the works of the mission

House Document Number 82, 25th Congress, 2d Session.
establishments. Selections from these generally favor a more moderate view of Cherokee development, as expressed by both government employees and missionaries. Three years after the inauguration of the plan for providing aid to education, Calhoun looked upon it as "... the foundation of all other improvements."21 By 1824, when the system was under investigation in Congress, he wrote to President Monroe that the annual appropriation for this purpose had been applied "... in such a manner as very considerably to increase the extent and usefulness of benevolent individuals, and to advance the work of Indian civilization."22 The Secretary's opinion at this time was based upon knowledge supplied by the Commissioner of Indian Affairs, whose verdict regarding the plan for education was that it "... has been very judicious." He reported increased enrollment at all the schools, so that many children had to be refused. Especially convincing was the portion of the report which cited a general advance, socially and agriculturally, in the areas nearest to the missions. Its conclusion, while intended to support the decision in favor of continuing the policy, at the same time gave reason to view the progress on a limited basis. It read: "The instruction and civilization of a few enterprising youths will have an immense influence on the tribes to which they belong. As the means are constantly applied, the numbers reclaimed

21 American State Papers, Class II, II, 276.
22 Ibid., p. 462.
will increase, and an increase of numbers will insure . . . success for the future."\(^{23}\)

Taking part in the debate as to the practicability of applying government funds to civilize the Indians, the American Board sought to enlighten Congress. Education, they explained, was the best means "... to prepare them to enjoy all the blessings, and to fulfill all the duties of civilized life." The success of the experiments carried on at the schools supported by the Board were offered as proof which "... would be sufficient to satisfy any candid inquirer on this subject..."\(^{24}\) In this memorial, however, the interest that the Board had in securing monetary assistance would have been cause enough to present the situation in its most favorable light. One wonders, for instance, how far the condition of the Cherokee had advanced from that stated by Jeremiah Evarts, one of the memorialists, in earlier account. In 1822 he had written, "Notwithstanding these encouraging appearances, however, it is not to be disguised, that many things, still remaining among the Cherokees, are greatly to be deplored. Much poverty and wretchedness, several gross vices, particularly drunkenness, and an almost total ignorance of God, his law, and the plan of salvation, need to be chased away, before the people generally can

\(^{23}\) Ibid., pp. 458-459.

\(^{24}\) Ibid., p. 446.
reach the proper standard of rational immortal beings." 25

Some incidental remarks in the writings of the missionaries serve to bring out the less striking results of their labors. One quotation in the journal of the Brainerd mission aptly described the spiritual condition of the Cherokee in 1823. The journalist wrote that Mr. Butrick and John Arch, while on an extensive preaching circuit, were "... everywhere well received, though in many parts of the nation the spiritual darkness was profound; so that John Arch said he could begin to see the light when he came within 40 miles of Brainerd." 26

Another judgment on the conditions of the people not located near the larger mission stations was contained in the report relating the change of method at Brainerd in 1824. It will be recalled that upon the advice of the American Board, the staff at Brainerd had been decreased, thus focusing more attention upon the outlying districts. Referring to this, the report stated: "The specimens of civilization, too, exhibited at the small stations, were sufficiently in advance of the Cherokees to serve as models and stimulants; but at the same time were not too far in advance as to discourage them by a superiority which they felt unable to imitate." 27

25 Morse, p. 180.
26 Tracy, p. 118.
27 Ibid., p. 133.
Reports from the Baptist missionaries also lead one to conclude that considerable segments of the population were but rarely touched by the influence of Christianity. An account of progress for 1831 alluded to some places too distant for the missionary to visit,\(^{28}\) while as late as 1837 there was a settlement of three hundred Cherokee in North Carolina, which "... had been several times visited by pious Indians, but never by any white missionary."\(^{29}\)

Before offering the relevant testimony of the Moravian, Abraham Steiner, it will be well to recall that his first contacts with the Cherokee took place in 1799 when he was sent on an observation tour. He it was, too, who guided the first efforts of the congregation at Springplace in 1801. His references, therefore, to developments in Cherokee civilization covered several decades and were based upon quite lengthy observation. Furthermore, although by his own admission he was prompted to speak out through fear of the loss of the government's aid, his account, nevertheless, is devoid of exaggerations and false claims. Part of it is therefore presented here as a reliable evaluation of Cherokee civilization up to 1822. In January of that year Mr. Steiner wrote to the Secretary of War:

\begin{quote}
Just twenty years ago I first saw and visited them; and I can assure you, sir, though I had expected to see some signs
\end{quote}

\(^{28}\) Peck, p. 495.

\(^{29}\) Ibid., p. 499.
of civilization among them, that it far surpassed my expectation, comparing the people with the state I first saw them in. . . . What interested me much was their advance in agriculture, and their comfortable and decent mode of living, compared with former times. Surely we cannot say that it is uniformly so, but it is among them nearly as it is among their white neighbours: some are industrious, and advance in wealth and decency; whilst others go on careless, in the way of their fathers and remain poor beings. I have been with some who live altogether like our substantial farmers, in a very comfortable, nay, decent way, and their houses and furniture correspond to their advanced situation. In short, as far as I know, the Cherokees are advanced in civilization the farthest of the several tribes. This has been brought about, not only by the means of benevolent associations, but greatly . . . by the Government.

This statement indicates with a reasonable amount of dependability, that by 1822 Cherokee culture had undergone a significant change. Though such a transition augurs nothing in the nature of a complete transformation, on the other hand, this partial advance almost certainly precludes the chance of a retrogression.

The results of two censuses taken in the Cherokee nation during the sixteen years that elapsed between the statement of Abraham Steiner and the removal supply further facts concerning the subject of this investigation. The law of 1824, calling for the count of that year, provided for gathering information other than population data alone. Published in the Phoenix as "Statistical Tables of

30 Steiner had also been among some northern Indians, and twice to the Creek tribe.

31 American State Papers, Class II, II, 278.

32 Laws of the Cherokee Nation, pp. 43-44.
the Several Districts composing the Cherokee Nation," it listed the numbers of domestic animals as follows: cattle, 22,405; horses 7, 628; swine, 41, 517; sheep, 3, 017; and goats, 438. There were 17 grist mills and 13 saw mills, along with 2,512 ploughs, and 6 cotton gins. Cherokee citizens operated nine stores, ten ferries, and fifty-five blacksmith shops. Totals of 2,394 spinning wheels, and 769 looms showed increases of 40 per cent and 65 per cent respectively, over a similar count submitted by Gideon Blackburn to Jedidiah Morse some fifteen years earlier. Nearly a thousand Negroes were held as slaves by the most prosperous Cherokee farmers.

These statistics provide sufficient proof for a claim that Cherokee livelihood no longer depended upon hunting and the fur trade, and in publishing them the editor of the *Phoenix* relied upon the numbers given to show that "... possession can be considered as indicating the progress of civilization." However, he wanted to point out, secondarily, that "... some of the Districts are considerably farther advanced in improvement than others." To take one example, the nine native stores were all situated within four districts, almost half being concentrated within the single area of Chickamauga. As to agricultural equipment, a

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33 *Cherokee Phoenix*, June 18, 1828.
34 Tracy, p. 66.
35 *Cherokee Phoenix*, June 18, 1828.
comparison of the numbers of adult males in each district with the numbers of ploughs listed shows that for every hundred farmers, one district counted one hundred twelve ploughs, while another possessed only eighteen. The distribution of slaves was likewise very uneven, over 90 per cent being recorded in only one-half of the nation.

The census of 1835, taken under the auspices of the United States government, was carried out in preparation for the removal of the entire body of the Cherokees. Not having been patterned on the enumeration of the previous decade, it does not supply information under the same categories, but that which it does contain is most significant.

Of 12,463 full-bloods and 1,454 half-breeds, approximately 8 per cent were able to read English, and 21 per cent, Cherokee. Two thousand five hundred were classified as weavers, and three thousand as spinsters. Of the ten million acres of land in the nation, forty-four thousand were under cultivation. This is not a large percentage, but allowing for the mountainous areas, and considering that farms averaged fourteen acres in size, it represents a figure in keeping with the progress made by the Cherokee


37 Payne Manuscripts, VIII. John Ridge to Albert Gallatin, 1826.
in other fields.

This evaluation of Cherokee civilization, therefore, in its final analysis, is one of a moderate nature, due to the advance of the white population in which they became engulfed. The presence of a white element among the members of the tribe produced an influence which, while remaining stubbornly loyal to the Indian tradition of autonomy, endeavored to hasten the transformation of the tribe into a civilized community. This transformation was also the aim of the United States government and of the various religious groups that were associated with the Cherokee Nation. Yet, the goal which found agreement exteriorly, sprang from separate interior motives. It is this difference in motivation that accounts for the variation and sometimes contradictions in remarks concerning Cherokee progress in civilization. Many arguments, colored by political and sometimes dramatic circumstances which surrounded them, tended to overemphasize the amount of progress really achieved. While in most cases, actual examples existed to prove claims to an advanced status, a more thorough investigation would have revealed that this did not apply to the nation as a whole.

Statements concerning Cherokee progress in civilization before 1838 were therefore relative. Compared with the Indian mode of life in the nineteenth century an advance had definitely been inaugurated. Allowed time for the normal processes of growth this beginning contained the necessary ingredients for complete development, but peaceful conditions that this would require were
prevented by the situation then existing in the United States, itself a young, vigorous and expanding nation. Claims that the Cherokee were a civilized people can, then, be taken as true, but the reader must be sufficiently informed to be able to interpret this verdict in the light of the many shades of interpretation and the various overtones of policy which affected it.
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APPROVAL SHEET

The thesis submitted by Sister Cecilia Van Zandt, D.C. has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

Date  

Signature of Adviser  

Dec. 14, 1963