

CHEROKEE ADAPTATION TO THE IDEALS OF THE AMERICAN  
REPUBLIC 1791-1838: SUCCESS OR FAILURE?

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The establishment of the first English colony at Jamestown, Virginia, in 1607, initiated a new era in the history not only of Europeans in the New World but also of Native Americans. Two patterns of interaction, both of which utilized treaties, emerged. Cooperative agreements between the two groups insured the survival and success of each new European colonizing effort. Such agreements also extensively altered the economy of the natives by introducing European trade goods and by providing a wider market for the natives' traditional ones, like furs. Yet, cultural differences persisted and were often used as justification for the second pattern of interaction--treaties to remove the Native American from the vicinity of the European. As the European colonies grew in population, their demands for land for new settlers, their economic self-sufficiency in regard to native trade goods, disputes over property rights, and arguments about the savage and heathen nature of the Native American led the colonial leadership to pursue a policy of removal. Many times, warfare resulted and, for some tribes, annihilation occurred. For others, the threat of annihilation and continual social, economic, or military conflict, resulted in land cessions and treaties culminating in westward migration.

Like all Native American tribes, the Cherokees experienced both patterns of interaction. Yet, because of their efforts to cooperate with the Europeans and their adoption of European lifestyles and forms of governance, many Cherokees believed they could halt the process of removal once and for all. They were, of course, tragically wrong. From 1790 to 1838, the Cherokees pursued a course of development remarkably like that of the American republic. Yet, despite their adaptation, the Cherokees faced insurmountable obstacles in their fight to remain in their homeland. This is the story not only of the evolution of the Cherokee republic, but also of its fight for survival.

More than any other Native American tribe, the Cherokees willingly, even sometimes eagerly, adopted the outward forms of white civilization. The use of European styles of dress, material goods, and housing were the first symbols of Cherokee adaptation and were highly visible in the Cherokee Nation by the mid-

1700s. During this period, the Cherokees also began to change their governmental structure in response to white pressures.

Traditional Cherokee government relied on the town as the key political structure. During peacetime, within each town three groups of elders provided leadership: the priest-chief and his assistants, representatives from each of the seven clans--the social structure of the Cherokees--and the beloved men. Governmental matters were discussed among these elders and with all members of the town during open council meetings. When all groups and even individuals had presented their ideas, a consensus of opinion was reached. This could take several days to accomplish. The clans normally assisted the process by functioning as groups which discussed issues and presented unified positions through their representatives at the council meeting. If a group could not accept the action or decision proposed by the majority, it was expected to withdraw from the council for the sake of harmony. The group was not expected, however, to abide by the decision of the council.<sup>1</sup> This procedure seems not only democratic but also a unique way to protect minority rights. For the Cherokees, it proved highly effective--until the coming of the Europeans.

Europeans did not understand or appreciate the complexity or methodology of Cherokee government. It was easier for them to choose an elder of one of the Cherokee towns and crown him king than to deal with each town and its leadership individually. Therefore, influential elders often became the voice of the Cherokees and, according to the Europeans, the legal authority in treaty negotiations. Obviously, any town council could decide to ignore such treaties obtained without their participation and consent. As a result, dissension within the Cherokee Nation increased sharply. To deal with this problem and others caused by the lack of central authority, the Cherokees established a tribal government in the mid-1700s.<sup>2</sup>

Tribal council meetings were held annually and all Cherokees could attend. Leadership usually consisted of the elders involved in the town councils. Through this system, greater communication and cooperation between towns developed. Consensus was still the goal, and any town could withdraw from the council if the town disagreed with an adopted policy. This happened during the American Revolution when the towns were split between support for the British and the Americans. The Chickamauga, or Lower, towns continued to fight the Americans until 1794, despite every effort on the part of the tribal council to put



an end to hostilities. Since the younger warriors of the Chickamauga towns seemed primarily responsible for the continued fighting, the tribal council decided to open its membership to younger men and place more emphasis on working out differences between the towns.<sup>3</sup> Thus, the Cherokees initiated the process of centralization and the broadening of representation and participation in government in response to their experiences in the American Revolution.

Occurring at the same time as the changes in the Cherokee government was the emergence of the American republic, at first through a loose confederation of states under the Articles of Confederation. The unicameral legislature of this government functioned in ways similar to the tribal council. The states enjoyed virtual independence of action and attempted to conduct business through consensus politics. However, like the Cherokee towns, both external and internal forces (trade, currency, rebellion, etc.) soon convinced many American leaders of the necessity for further centralization of power.

When the founding fathers wrote the Constitution of the United States and established a federal government of three branches whose power checked and balanced each other, the world, including the Cherokees, witnessed the birth of a new form of republic. When George Washington assumed the presidency in 1789, he and the thousands of believers in the American republic became missionaries attempting to persuade the world of the superiority of the American way of governance. Washington, like most Americans of his day, failed to comprehend the political common ground of the Cherokees and the Americans. Cultural differences obscured the similarities. Cherokees were considered uncivilized because of several factors including their religious practices, matrilineal kinship patterns, clan system, tribal ownership of land, hunting as a primary occupation, lack of a written language, and practice of blood revenge. The fighting between American settlers and the Cherokees of the Chickamauga towns provided further evidence that the whites could use in declaring the Cherokees "savages" and urging the government to remove them. Washington concluded that the only hope for lasting peace and cooperation between whites and natives, and therefore an end to removal policies, lay in the process of civilizing the Native Americans. Consequently, in the Treaty of Holston in 1791, Washington set forth his policy in regard to the Cherokees:

That the Cherokee Nation may be led to a greater

degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will from time to time furnish gratuitously the said nation with useful implements of husbandry.<sup>4</sup>

The acculturation process that Washington hoped to initiate was to be facilitated by agents who would reside in the Cherokee Nation in order to assist the process.

Bloody Fellow, Cherokee leader of a rebellious Chickamauga town, interpreted this cooperative agreement:

The treaty mentions ploughs, hoes, cattle, and other things for a farm; this is what we want; game is going fast away among us. We must plant corn and raise cattle, and we desire you to assist us....We wish you to attend to this point. In former times we bought of 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....We came to Philadelphia with our eyes full of tears. But since we have seen General Washington,...our tears are wiped away, and we rejoice in the prospect of our future welfare, under the protection of Congress.<sup>5</sup>

Bloody Fellow's perspective indicates a realistic assessment of the economic future of the Cherokees. Hunting alone would soon provide less than an adequate living for most Cherokees. Farming was becoming a more acceptable alternative. In fact, many Cherokees already had farms, orchards, and livestock. It remained for government agents, beginning with Benjamin Hawkins in 1796, to convince the rest of the Cherokees of the financial benefits of agricultural development of their lands. Although at first the elders laughed at Washington's approach, enough of them became convinced for a new era of cooperative interaction to begin. The women learned to spin and weave. The men learned how to cultivate diverse crops, as well as carpentry, blacksmithing, and other skills.<sup>6</sup>

During this period, missionaries were encouraged to move into the Cherokee Nation. Certainly this was consistent with Washington's civilization program, a program continued by Presidents John Adams and Thomas Jefferson, for the missionaries not only brought Christianity, but also English educations for Cherokee



children. The Moravians established a school at Spring Place, Georgia, in 1801, and the Presbyterians founded a school near Tellico, Tennessee, in 1803. Although traditional Cherokees resisted such developments, more and more Cherokees accepted the Christian faith. By the 1820s, there were about eight churches and thirteen schools in the Cherokee Nation.<sup>7</sup>

In 1826, John Ridge, son of prominent Cherokee leader Major Ridge and a graduate of the Foreign Mission School in Cornwall, Connecticut, documented the status of the Cherokee people.

I take pleasure to state [, tho' cautiously,] that there is not to my knowledge a solitary Cherokee to be found who depends upon the Chase for subsistence. Every head of a family has his own farm and House. The hardest portion of manual labor is performed by the men & women occasionally lend a hand in the field more by choice & necessity than anything else. Justice is due to the females of the poorer class of whom I now speak. Duties assigned them by nature as Mothers or Wives are well attended to...and cheerfully do they prepare our meals, & for the family they sew, they spin and weave and are in fact a valuable portion of our citizens. The African Slaves are...mostly held by half breeds and full blooded Indians of [distinguished] talents. The valuable portion of property is retained in this class [and their farms are conducted in the same style with southern white farmers of equal ability in point of property].

...I suppose there are one third of our people who are able to read and write in the English Language. In the Cherokee Language, there is a large majority who read and write in George Guess' (Sequoyah's) syllabic character. Mr. Guess is an Indian unacquainted with the English Language--but an untutored Philosopher, who has succeeded in a few months as it were to educate a Nation....It is in contemplation to establish a printing press composed of the English and Cherokee types at our Seat of Government, and a weekly paper will be edited in both languages at the same place.

The latter was accomplished in 1828.<sup>8</sup>

Certainly the Cherokees had altered their lifestyles as Washington had hoped. Many Cherokees ran successful stores, taverns, and ferries. With every year, improvements to the land and the economy

of the Cherokees increased. Why then did Ridge append this comment to his account of Cherokee Advancement?

It is true, we enjoy self Government, but we live in fear, and uncertainty foretells our Fall. Strangers urge our removal [to make room for their settlements], they point to the West and there they say we can live happy. Our National existence is suspended on the faith and honor of the United States alone.<sup>9</sup>

Obviously, lasting peace and prosperity and an end to the removal treaties were not guaranteed by the acculturation of the Cherokees, as Washington intended. Cherokee leadership probably never placed as much significance on these cultural changes as did the Americans. Instead, the Cherokee leadership of the early nineteenth century placed increasing faith in legal and political reforms of Cherokee government to secure the blessings of prosperity for their people.

By the turn of the nineteenth century, the tribal government began to recognize that its democratic practices and consensus politics could not guarantee the security of the nation. As early as 1802, Jefferson illustrated this in a compact with Georgia which suggested the fate of the Cherokees: in return for the cession of Georgia's western lands, the United States would guarantee to extinguish, "for the use of Georgia, as early as the same can be peaceably obtained upon reasonable terms, the Indian title to the lands lying within the limits of that state."<sup>10</sup>

Through Indian agent Return Meigs, Jefferson negotiated a series of land cessions with Chickamauga chief Doublehead in 1806. Because the treaty proceeded without the consent of the tribal council, now called the National Council, Major Ridge executed Doublehead for treason in June of 1807.<sup>11</sup>

In 1808, a deputation from the Upper and Lower Cherokee towns went to Washington to seek Jefferson's advice and assistance in solving the nation's internal difficulties. Those Cherokees from the Upper towns asked that the nation be formally divided at the Hiwassee River and that Jefferson support their agricultural pursuits and establishment of a "regular government." The Cherokees of the Lower towns were willing to discuss a division--on their terms, but some wanted to continue their traditional lifestyle. After hearing both sides, on January 9, 1809, Jefferson responded. To the Cherokees of the Upper towns, he proposed the adoption of his version of a classical republic--majority rule, representative



government, private ownership of property, industrious occupations, fixed laws, and a court system. In a second speech on the same day, Jefferson offered the Cherokees of the Lower towns another choice--removal across the Mississippi. Accepting Jefferson's promise of financial aid and an exchange of lands, over one thousand Cherokees, later called Old Settlers or Cherokees West, migrated to Arkansas. The duplicity is evident: Jefferson offered hope to a people eager to become civilized by the contemporary definition, yet seized the opportunity to hasten the removal of as many Cherokees as possible.<sup>12</sup>

The Cherokee leadership from both sections of the nation recognized the threat posed by Jefferson's policies. They abandoned plans to divide the nation and, instead, began to take steps to reestablish unity and strengthen their government. In 1808, the National Council had established light horse companies to enforce Cherokee laws. From this period on, many new laws were approved--one of the most significant of which was the abolition of blood revenge in 1810.<sup>13</sup>

In creating their republican government, the Cherokees accepted some of the advice and instructions of Jefferson, Meigs, and the missionaries within the nation. They also passed laws in response to external pressures from white settlers and used the lessons learned from their experiences in the War of 1812 (which forced the removal of the Creeks) to try to fortify their position. In 1816 and 1817, the corruption of a few Cherokee officials in negotiating a series of land cession treaties compelled the National Council to make even more substantive changes in their government.<sup>14</sup>

A set of articles in 1817, established a thirteen member Standing Committee, later called a National Committee, to perform the functions of an upper house and an executive. A body of thirteen influential Cherokees could more easily reach consensus and then use their influence to guide the larger Council to final decisions. In addition, these articles specified that the office of Principal Chief held only symbolic power and did not authorize an individual to negotiate treaties.<sup>15</sup>

Several scholars, including Theda Perdue and Grace Steele Woodward, have suggested that the primary purpose of Cherokee government from this point was to protect Cherokee property. Certainly, the threat of removal was a serious one, and the Cherokees responded over the next ten years with the gradual adoption of a governmental structure on the pattern of the American republic. In 1820, the Cherokee Nation was divided into eight districts. In 1822, a National Superior

Court was created. In 1823, the National Committee began to approve the actions of the National Council, thus establishing a system of checks and balances.<sup>16</sup>

A set of articles in 1825 clarified the power of the General Council (the National Committee and the National Council) and specified that principal chiefs lacked power to act on their own, especially in matters relating to treaties, property, and court judgments. Article III specifically noted that only the General Council could dispose of public lands, although Article VI guaranteed citizens the right to sell their improvements to the land, primarily homes and businesses, to other Cherokees. In that same year the Council passed a resolution to build a permanent capital called New Echota, at a place where the Coosawattee and Conasauga Rivers formed the Oostanaula.<sup>17</sup>

For many Cherokee leaders, the Articles of 1825 did not go far enough in providing a governmental structure that could protect Cherokee life, liberty, and property. Only a pattern of government directly parallel to the American republic could do that. A movement began, led by men like John Ross, Major Ridge, William Hicks, George Lowrey, and others, to adopt a constitutional form of government with greater federal powers. This movement culminated in the writing of the Cherokee Constitution at a convention called for that purpose, appropriately enough, on July 4, 1827. The new Cherokee government consisted of three distinct branches: executive, legislative, and judicial.

Only the power of the executive indicated a distinct difference from the previous structure. The Principal Chief had powers corresponding to the President of the United States and was selected by the General Council for a term of four years. The members of the General Council were elected by the Cherokee people every two years. The Principal Chief held the veto power over council legislation, but the General Council could override the veto with a two-thirds vote. Additional measures secured the system of checks and balances, while giving the executive power to act.<sup>18</sup>

One of the greatest concerns of those who formulated the Cherokee government was a clear statement regarding property rights. Traditional tribal ownership of land was firmly rooted in the new constitution. Only improvements on the land were held as private property. Thus, the Cherokees did not abandon all of their cultural distinctiveness. They simply created a new system to preserve it.<sup>19</sup>

The Cherokee Constitution was adopted on July



26, 1827, and portions were published in the newspaper of the nation, *The Cherokee Phoenix*, in February 1828. In the first constitutional elections in the fall of 1828, John Ross was elected Principal Chief by the General Council. Major Ridge became the Counselor.<sup>20</sup>

The Cherokees had triumphed. They had successfully completed the process of civilization, even to the point of adopting a constitutional republic. Cherokee leaders were proud and hopeful for their future. Unfortunately, the glow of success faded quickly. Instead of acclamation and support from the American people, the Cherokees faced misunderstanding, criticism, and even resistance.

Opposition to the new Cherokee republic, although it differed little from previous Cherokee practice, came immediately and from a wide variety of sources. Within the Cherokee Nation, a group emerged that might be compared to the antifederalists who objected to the power of the central government in the United States Constitution. This group was very vocal at first, but gradually came to accept the government in the spirit of harmony of the Cherokee culture.<sup>21</sup>

The gravest threats to the Cherokee government came from state and national authorities. Congressman Wilson Lumpkin, Chairman of the House Committee on Indian Affairs and later Governor of Georgia, launched a crusade in Congress for an Indian Removal Bill. He rationalized his campaign by the legal conflicts which developed when Georgia tried to enforce its laws in Cherokee territory; the Cherokees ignored Georgia laws and enforced their own, and the United States claimed its authority over the territory. Lumpkin offered four additional arguments to support the need for removal: to rid his state of "the incumbrance of her Indian population"; to better the condition of the Indians by establishing clear federal authority over them; to give the Indians "a permanent home" where missionaries could continue the work of "Christianizing and civilizing a most interesting heathen people"; and to provide for the possibility that one day the Indians might form a state of their own. Lumpkin received the support of Indian agents, missionaries, and even Commissioner of Indian Affairs Thomas McKenney, who explained that he feared the Cherokee Constitution might "operate independently of our laws." Principal Chief Ross replied that if only McKenney would read the document he would see that in no way did it affect the relationship between the United States and the Cherokee Nation.<sup>22</sup>

The most powerful opponent of the Cherokee Constitution and proponent of the removal of all Native Americans west of the Mississippi was elected

president of the United States in 1828. According to Theda Perdue, Jackson objected to the Cherokee constitution because it established a strong central executive, similar to a national authority, at a time when he was attempting to weaken national authority in favor of democracy and states' rights.<sup>23</sup> In every instance when Georgia's authority conflicted with the Cherokee Nation's, Jackson backed the state of Georgia.

Support for the Cherokees' position, outside the nation itself, came primarily from Jeremiah Evarts, secretary of the American Board of Foreign Missions. By writing letters, pamphlets, and petitions to Congress, Evarts tried to prevent the passage of the Indian Removal Bill, arguing on legal grounds that the United States was bound to protect the Indians from threats by individuals or states.<sup>24</sup>

The Indian Removal Bill passed in May of 1830. From this point on, Ross turned to the courts to defend the rights of the Cherokees. Having adopted their republican form of government, the Cherokees were confident that justice could be secured through this system. The courts could, once and for all, secure their legal rights.

In the famous *Worcester v. Georgia* decision in 1832, John Marshall, Chief Justice of the Supreme Court, maintained the sovereignty of the Cherokees, declared Georgia laws over the Cherokee Nation unconstitutional, and proclaimed, as Evarts had, that it was the responsibility of the United States government to protect the native tribes in their homeland. The court's decision was never enforced. Instead, with the full support of President Jackson that same year, Georgia ordered surveyors into the Cherokee country. The state began to distribute Cherokee lands by lottery in 1833.<sup>25</sup>

When the General Council met in July of 1832, it decided to keep current officials in power rather than risk their imprisonment for violating Georgia laws against their assembling and holding elections. Ross expressed hope that legal means might yet prevent the enforcement of the Indian Removal Bill. He believed removal would threaten the independence of the Cherokee Nation, because former treaties would no longer have legal status. He was also worried that the situation for the Cherokees would be no better in the west. As early as 1828, when Georgia began to extend its laws over the Cherokees and the Georgia gold rush into Cherokee country began, Ross had said, "There is no place of security for us, no confidence left that the United States will be more just and faithful towards us in the barren prairies of the



west, than when we occupied the soil inherited from the Great Author of our existence."<sup>26</sup>

At the same Council meeting in 1832, however, some Cherokee leaders expressed a desire to negotiate a favorable removal treaty. Among these men were Major Ridge, John Ridge and Elias Boudinot. Boudinot, the editor of *The Cherokee Phoenix*, resigned from his position when he was instructed not to present the pro-removal argument in the paper. He strongly believed that the issue should be publicly debated. By denying the traditional Cherokee method of discussion to reach a consensus of opinion, Ross only strengthened the charges of authoritarianism hurled at him from within and without the Cherokee Nation.<sup>27</sup>

Boudinot, the Ridges, and other members of the Treaty Party, as it was called, continued their efforts to convince the Cherokees to voluntarily move west and to support a treaty with the government for this purpose. They even traveled to Washington to discuss the matter with Jackson and his supporters. On May 18, 1835, John Ridge wrote to Governor Lumpkin, "John Ross is unhorsed in Washington and you must unhorse him here." Joined by his father, Elias Boudinot, and approximately one hundred Cherokees, Ridge signed the Treaty of New Echota at the Cherokee capital on December 29, 1835. Despite the fact that the signing of such a treaty was a clear violation of Cherokee law under the present constitution, and despite the fact that many of the Cherokees, led by Principal Chief Ross, objected to the treaty, it passed by a one-vote margin in the Senate on May 23, 1836. The Cherokees were given two years--until May, 1838--to remove. Approximately two thousand complied.<sup>28</sup>

The majority of the Cherokee people continued to have faith in Ross and his position that the legal system of the American republic would prevent the fraudulent treaty from being enforced. Yet, the state of Georgia continued to distribute Cherokee lands by lottery to Georgians, who took the property by force when necessary. Ross had already moved his wife Quatie and their children from their Georgia home to Tennessee. Other Cherokees had been similarly displaced, although not all.<sup>29</sup> More than anything, the Cherokees--whether in Georgia, Tennessee, Alabama, or North Carolina--wanted to remain in their homeland.

A sympathetic English visitor who attended a council meeting at Red Clay, Tennessee, in August of 1837, observed

This spectacle...led me into reflection  
upon the opinion which is so generally

entertained of its being impossible to civilize the Indian....Here is a remarkable instance which seems to furnish a conclusive answer....A whole Indian nation abandons the pagan practices of their ancestors, adopts the Christian religion, uses books printed in their own language, submits to the government of their elders, builds houses and temples of worship, relies upon agriculture for their support, and produces men of great ability to rule over them....Are not these the great principles of civilization?

They were driven from their religious and social state then, not because they cannot be civilized, but because a pseudo set of civilized beings, who are too strong for them want their possessions!<sup>30</sup>

In December of 1837, the Superintendent of Cherokee Removal attempted to justify the government's removal policy in a letter to the Cherokee chiefs published in the *Athens Courier-Extra*:

For your houses, your fields, etc., you will receive generous prices in good money--ample remuneration will be given to you for all losses you have sustained at the hands of your white neighbors...the expenses of your journey to your new homes will be paid by the Government, and on your arrival West of the Mississippi, you will be put in possession of lands infinitely superior to those you will leave....You will again be the inhabitants of an Indian land; and your tribe may again attain its high standing among the Nations of the Earth. Your own laws, administered by your people, will form your rule of right; and you will become, what you never could be East of the Mississippi, a free, great, prosperous, and happy people!<sup>31</sup>

In May of 1838, General Winfield Scott took command of the forced removal of approximately 14,000 Cherokees. Although at least 4,000 Cherokees died on the "The Trail Where They Cried," the official government position was that the removal was a success. In 1864, General Winfield Scott wrote of the experience:

Many of the miseries of life they had experienced; but hope--a worldly, as well as a Christian's hope, cheered them on. Scott followed up the movement nearly to the junction



#### NOTES

<sup>1</sup>V. Richard Persico, Jr., "Early Nineteenth Century Cherokee Political Organization," *The Cherokee Indian Nation: A Troubled History*, ed. Duane R. King (Knoxville: The University of Tennessee Press, 1979), pp. 93-94.

<sup>2</sup>*Ibid.*, pp. 95-96.

<sup>3</sup>*Ibid.*, pp. 97-98; Grace Steele Woodward, *The Cherokees* (Norman: University of Oklahoma Press, 1963), p. 116.

<sup>4</sup>Woodward, *Cherokees*, pp. 112-13.

<sup>5</sup>*Ibid.*, pp. 117-19.

<sup>6</sup>*Ibid.*, pp. 118-19, 122; John Ridge, "John Ridge on Cherokee Civilization in 1826," ed. William C. Sturtevant, *The Journal of Cherokee Studies* (Fall, 1981): 87.

<sup>7</sup>Woodward, *Cherokees*, p. 123; Ridge, "Ridge on Cherokee Civilization," 85-86.

<sup>8</sup>Ridge, "Ridge on Cherokee Civilization," 79, 85-86; Theda Perdue, ed., *Cherokee Editor: The Writings of Elias Boudinot* (Knoxville: The University of Tennessee Press, 1983), p. 87.

<sup>9</sup>Ridge, "Ridge on Cherokee Civilization," 88.

<sup>10</sup>Woodward, *Cherokees*, p. 130.

<sup>11</sup>*Ibid.*, pp. 128-30; Charles J. Kappler, comp. and ed., *Indian Treaties 1778-1883* (Washington: Government Printing Office, 1904; New York: Interlaken Publishing Inc., 1974), 2: 90-91.

<sup>12</sup>Thomas Jefferson, "Thomas Jefferson's Advice to the Cherokees," from *The National Intelligencer*, 10 March 1809, published in *The Journal of Cherokee Studies* (Spring, 1979): 64-66; Woodward, *Cherokees*, p. 131; R. S. Cotterill, *The Southern Indians: The Story of the Civilized Tribes before Removal* (Norman: University of Oklahoma Press, 1954), pp. 157-59.

<sup>13</sup>Cotterill, *Southern Indians*, pp. 159-60; Persico, *Cherokee Indian Nation*, p. 99; James Mooney, *Myths of the Cherokee*, 19th Annual Report of the BAE (Washington: Government Printing Office, 1900; Nashville, Tennessee: Charles and Randy Elder--Booksellers, 1982), pp. 86-87.

<sup>14</sup>Cotterill, *Southern Indians*, pp. 198-204; Mooney, *Myths of the Cherokee*, pp. 102-04; Kappler, *Indian Treaties*, 2: 141-44; Gary E. Moulton, *John Ross, Cherokee Chief* (Athens: The University of Georgia Press, 1978), pp. 18-20.

<sup>15</sup>Persico, *Cherokee Indian Nation*, pp. 100, 105.

<sup>16</sup>Ibid., pp. 100-101; Woodward, *Cherokees*, pp. 138, 145; Theda Perdue, "The Conflict Within: Cherokees and Removal," *Cherokee Removal: Before and After*, ed. William L. Anderson (Athens: The University of Georgia Press, 1991), p. 59.

<sup>17</sup>Persico, *Cherokee Indian Nation*, p. 101; Woodward, *Cherokees*, p. 151.

<sup>18</sup>Persico, *Cherokee Indian Nation*, p. 101; Moulton, *John Ross*, p. 32; Dale Van Every, *Disinherited: The Lost Birthright of the American Indian* (New York: William Morrow & Company, 1966), pp. 76-77.

<sup>19</sup>William G. McLoughlin, "Who Civilized the Cherokees?" *The Journal of Cherokee Studies* (1988): 77.

<sup>20</sup>Woodward, *Cherokees*, pp. 153-54; Moulton, *John Ross*, p. 37.

<sup>21</sup>Persico, *Cherokee Indian Nation*, p. 108; Rennard Strickland, *Fire and the Spirits: Cherokee Law from Clan to Court* (Norman: University of Oklahoma Press, 1975), p. 52.

<sup>22</sup>Moulton, *John Ross*, p. 33; Wilson Lumpkin, *The Removal of the Cherokee Indians from Georgia* (New York: Dodd, Mead & Company, 1907), pp. 43-46; William G. McLoughlin, *Cherokee Renascence in the New Republic* (Princeton, New Jersey: Princeton University Press, 1986), p. 435.

<sup>23</sup>Perdue, "The Conflict Within," p. 55.

<sup>24</sup>Jeremiah Evarts, *Cherokee Removal: The "William Penn" Essays and Other Writings*, ed. Francis Paul Prucha (Knoxville: The University of Tennessee Press, 1981), pp. 6, 202-203.

<sup>25</sup>Moulton, *John Ross*, pp. 41, 46, 57; Perdue, *Cherokee Editor*, pp. 144-45; Woodward, *Cherokees*, pp. 174-76.

<sup>26</sup>Moulton, *John Ross*, pp. 39, 47-49.

<sup>27</sup>Ibid., pp. 50-51, 53; Perdue, *Cherokee Editor*, pp. 144-45; Woodward, *Cherokees*, pp. 162-64.



<sup>2</sup>Woodward, *Cherokees*, pp. 179-82, 190-95; Thurman Wilkins, *Cherokee Tragedy: The Ridge Family and the Decimation of a People*, rev. 2nd ed. (Norman: University of Oklahoma Press, 1966), pp. 271-90.

<sup>3</sup>Woodward, *Cherokees*, pp. 175-76.

<sup>4</sup>*Ibid.*, p. 197.

<sup>5</sup>"To the Chiefs, Head-men and People of the Cherokee Nation," *The Journal of Cherokee Studies* (Summer, 1978): 135.

<sup>6</sup>General Winfield Scott, "If Not Rejoicing, At Least in Comfort: General Scott's Version of Removal," *The Journal of Cherokee Studies* (Summer, 1978): 140.