

The Trail Of Tears

(continued)

The Jackson government saw this split as an opportunity to get a treaty signed. The Treaty Party elected its own Principal Chief, and the Federal Government entered into negotiations with both groups, knowing that success could only be achieved with the Treaty Party. So in December 1835 Jackson's treaty commissioner organized a meeting at New Echota, the former Cherokee capital (the capital had been moved to Red Clay, TN in 1832 under pressure from the state of Georgia), attended by the leaders of the Treaty Party and about 500 of the approximately 18,000 Cherokee. On December 30, twenty-one leaders of the Treaty Party, with no authority to represent the Cherokee Nation, illegally signed the *Treaty of New Echota*. The treaty was taken to Chief Ross who, as expected, refused to sign as he considered the treaty a fraud. Nonetheless, the treaty was presented to the U.S. Senate, which approved it on May 23, 1836 by a single vote.

The *Treaty of New Echota* gave the Cherokee people 2 years to gather their belongings and leave. When 2 years passed in the summer of 1838, General Winfield Scott, recently returned from fighting the Seminoles in Florida and later to become a significant leader in the Union army during the Civil War, arrived with troops to force compliance with the treaty. The state of Georgia had already held lotteries to distribute the Cherokee homes and lands to lucky Georgians. So as General Scott's troops led the Cherokee away from their homes with only what they could grab from around them, they looked back to see the joyous Georgians either moving in or looting their just abandoned homes.

You probably know how the Cherokee were herded into quickly built stockade compounds and held with little shelter until the hot summer months had passed and the weather was judged more favorable for travel. However, it meant that most of the groups had to travel in the dead of the 1838-'39 winter without suitable clothing. Many died, including Chief Ross' wife, who gave her blanket to a cold child and subsequently contracted pneumonia and passed on the trail. In the stockades and along the several routes of the *Nu na da ul tsun yi*, people died at 20 to 30 a day. In

all, it is estimated that over 4000 of the 16,000 Cherokee rounded up failed to make it to Indian Territory.

On July 12, 1939 in their new home in Indian Territory, the principle leaders of the Treaty Party were killed in accordance with Cherokee law that forbade the sale or transfer of Cherokee lands. Major Ridge was shot and killed while riding his horse. John Ridge was dragged from his sick bed and stabbed to death in front of his terrified wife and young son. Elias Boudinot was lured to an isolated lane and hacked and stabbed to death. Three weeks later the tribal council declared the three were outlaws for signing the treaty, and the treaty itself null and void. Nobody was ever identified as the killers.

Although the Old Settlers were reluctant to disestablish their government and surrender control to the newly arrived masses of their brethren from the East, they ultimately relented and joined the newly established Cherokee Nation.

There are many other chapters to this story, some pure legend but many factual: About those who managed to remain in the East, later to become the Eastern Band of the Cherokee? About the hard feelings between those who left and those who stayed behind, and how it wasn't until 1984 that the tribal councils of the Cherokee Nation and Eastern Band of the Cherokee met together for the first time since the *removal*, significantly at Red Clay, TN, the last capitol of the Cherokee Nation before the *removal*.

Complete books have been written on the Cherokee Trail of Tears, an important part of our history as descendants of the Cherokee. My personal family history tells of a family of my ancestors that traveled the trail along its northern route. As this trail passed through southwestern Missouri, the mother became gravely ill and the family "deserted" the trail to settle there. If you are interested in the Trail of Tears, let me encourage you begin the research to make it real for you.

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(*Utsadv Unole -
"Many Winds"*)



Winter River Crossing



Arrival In Indiana



Death On The Trail