

UNIVERSITY OF WISCONSIN-EAU CLAIRE

IN THE NAME OF CIVILIZATION: JACKSON, FORSYTH AND THE
INDIAN REMOVAL ACT OF 1830

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HISTORY 489: RESEARCH SEMINAR
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NOVEMBER 10, 2006

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ABSTRACT

The intent of this paper is to discuss Andrew Jackson's controversial actions and policies affecting Native Americans, most notably the Indian Removal Act of 1830. This act required all Native American tribes east of the Mississippi river to move west into designated frontier territories. The native migration would allow the white Americans to possess new farmlands to increase the union's crop output. White settlers supported the act unanimously due to the promise of state improvement, but many natives would claim that the act was either a great shame or a declaration of war. This paper will examine Jackson's rise to the presidency and how Jackson's stance on the Native American issue increased his popularity amongst southern whites. This paper will also examine the correspondence of Fort Armstrong Indian Agent, Thomas Forsyth. The content of these letters help to provide a rationale for the Jackson's course of action. Although it is unknown if Jackson ever met Forsyth, the information contained in Forsyth's correspondence reflect contemporary concern with the "Indian problem." Confrontations from forcibly removed tribes and conflicts such as the Black Hawk War and the Second Seminole War will be addressed as well. Finally, this paper will examine contemporary praises and/or criticisms of Jackson's Indian removal policies provided by contemporary historians.

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INTRODUCTION

The most notable events of history become notable due to a dramatic shift. Socio-cultural norms are challenged and altered dramatically and have a lasting impact on the present. Drastic changes are the most memorable changes. Andrew “Old Hickory” Jackson altered the course of American History with his policies of Indian Removal. From Jackson’s time as a Major General in the Tennessee militia during the War of 1812 until the last days of his presidency, annexing Indian land was a pivotal component to Old Hickory’s success as a leader. Jackson’s most powerful policy was the Indian Removal Act of 1830. This law required every Indian tribe living east of the Mississippi river to relocate west to allow for white territorial gain.

Jackson was not the first influential politician to introduce the idea of Indian relocation, but his skills as a military commander and a negotiator made the policy all the easier to execute. What made Jackson’s policies so desirable to the southern white population? The promise of new farm land, the economic prospects of new crop output, and the diminished threat of Indian raids upon white settlements all contributed to the public approval of Jackson’s legislation.

Old Hickory was a respected military presence and an expert on Indian affairs, yet there is a possibility that his decision to enact removal was not governed by his experiences alone. A man named Thomas Forsyth was granted the title of Indian Agent by President James Monroe. Forsyth was stationed at Fort Armstrong in Rock Island, Illinois and he kept a regular correspondence with notable players in the Indian relations realm including Missouri-territory governor, William Clark. Forsyth’s letters expressed many causes for concern: Indian tribal warfare, violence between white settlers and

Indians, a massive whiskey trade, and even threats of British-Canadians influencing the Indians to attack the Americans. Forsyth established a clear point that federal intervention was necessary in the Northern territories as well as in the South. These conflicts could not go unnoticed any longer. There are limits to what can be deduced through Forsyth's letters. We are not certain if Jackson and Forsyth ever knew each other, yet it is known that Forsyth wrote a number of letters to William Clark; an associate and advisor to Jackson.

Re-locating the native tribes proved to be much more difficult than selling the plan to the American citizens. Indians were not asked to leave their ancestral lands, they were coerced, harassed and even forced to leave. The Removal Act inspired contempt amongst most Indian tribes. That contempt spawned various forms of rebellion such as the Black Hawk War and the Second Seminole War. Native American retaliation attempts proved to be futile as American military power crushed the insurgencies.

There are always two sides to every story. One person's victory is another's defeat. One person's hero is another man's nemesis. Many historians today "have adopted a 'devil theory' of American Indian policy. And in their demonic hierarchy Andrew Jackson has first place."¹ It is never enough for people living in the present to look into events of the past and demonize an influential political figure by present-day social norms. The portrayal of Andrew Jackson as an Indian-hating imperialist is overly-simplistic. In his article *Andrew Jackson's Indian Policy: a Reassessment*, author F.R. Prucha suggests that this view of Jackson is completely unacceptable. "Although his years in the West had brought him into frequent contact with the Indians, he by no means

¹ Prucha, F.R. "Andrew Jackson's Indian Policy: a Reassessment." *Journal of American History* (1969,) 527.

developed a doctrinaire anti-Indian attitude.”² Robert V Remini suggests that many historians are unwilling to grant Jackson any motive other than his own selfish gains as justification for removal. “To suggest that Jackson might have had nobler feelings toward the Indian is to invite ridicule.”³ The goals of American civilization and territorial gain were achieved, but at a tremendous loss of human life and identity. However, the course of Action that Jackson took may have been the “least of all evils.” As insulting as this notion might sound, other scenarios may have produced horrifying results as well.

NEW BEGINNINGS FOR AMERICA

1783 was an epic year for the United States. The Treaty of Paris brought the United States and Great Britain to a significant peace agreement. The treaty also entitled the United States to all territories lying east of the Mississippi River and south of the Great lakes. The provisions of the Treaty of Paris only applied to the colonial confederation. The Native American tribal nations were left out of the peace agreement.⁴ Many native tribes earned infamous reputations for hostility in the years of the revolutionary war. Anthony Wallace asserts in his book *The Long, Bitter Trail*:

To the north, most of the Iroquois joined the British, ravaging frontier settlements in a wide arc from the Mohawk Valley in New York, across central Pennsylvania, to the borders of Maryland. Shawnees and Delawares attacked in the Ohio Valley. And in the south, the Cherokees once again waged war on the frontiers of Georgia, North and South Carolina, and Virginia. (Wallace 1993, 26)

² Prucha, *Andrew Jackson's Indian Policy*, 527.

³ Remini, Robert V. *The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery* (Baton Rouge: Louisiana State University Press), 1988, 4.

⁴ Wallace, Anthony F.C. *The Long, Bitter Trail: Andrew Jackson and the Indians* (New York: Hill and Wang), 1993, 26.

Colonial retaliation was swift and brutal. Scorched Earth raids through Indian Territory were common amongst colonists and western frontiersmen. Attacks from both sides intensified the animosity for generations.

Americans were under intense pressure to acquire Indian land as a means to pay off debts from the war. One way to earn the essential revenue was through the sale of public land. Various speculators saw great fiscal opportunities “from the sale of thousands of square miles of virgin timber and agricultural acreage.”⁵ Americans had a vested interest in the land that is now northeastern Ohio. The United States could alleviate some of the war debt by allotting some of the territory to veterans as payment for their service in combat. The other portion of the land would go to private speculators and land companies.⁶ The Americans operated under the theory that the Indians were a vanquished people, defeated in the Revolutionary war. The U.S. had earned the land Indian-occupied land through winning the war. Wallace claims:

The U.S. commissioners at the treaties of Fort Stanwick, Fort McIntosh, and Fort Finney in 1784, 1785, 1786 “gave” peace to the Iroquois and the Indians of Ohio. In return, the Indians present at these meetings promised that their tribes would vacate much of their land north of the Ohio River and restrict themselves to reservations within the area ceded. (Wallace 1993, 31)

The Ohio tribes denounced the negotiations. The allegations made were outrageous and unrepresentative. The Indians present at the treaties were “unauthorized individuals who did not represent the tribes and allowed themselves to be threatened, bribed, and plied with liquor until they signed away their own and their neighbors’ birthright.”⁷ The tribal outrage prompted the U.S. to re-evaluate its current conquest-claim theory. Congress

⁵ Wallace, *The Long and Bitter Trail*, 31.

⁶ Wallace, *The Long and Bitter Trail*, 31.

⁷ Wallace, *The Long and Bitter Trail*, 32.

could not justify initiating a war with the Indians, so the Northwest Ordinance was created in 1787 to organize new territory and secure peaceful relations. The ordinance stated that Indian “land and property shall never be taken from them without their consent.”⁸ The Northwest Ordinance became the first real “law of the land” and was the pivotal document that allowed for any future treaty negotiation to occur.

PRE-PRESIDENCY

The nation’s policy towards the native tribes from the War of 1812 forward can be seen in the military career of Andrew Jackson. Jackson became the Major General of the Tennessee militia in 1802 after brief forays as a lawyer and a judge. Jackson fought diligently in the War of 1812 with the Tennessee militia and earned the rank of Colonel in 1813.⁹ 1813 was a year of tremendous military success for Jackson. On August 30th, 250 whites were massacred by the Red Stick faction of Creek Indians at Fort Mims in Alabama. The militant Creek band was lead by Chief Red Eagle and his actions were not condoned by the entire Creek nation.¹⁰ This discrepancy led to the Creek War, an Indian civil war, and Tennessee governor William Blount was charged with summoning 5,000 militiamen to tackle the Red Stick threat. Blount summoned Jackson to lead the Tennessee army at Fayetteville and Jackson recognized that this was an opportunity would not come along again. He accepted the task. Jackson led 2,500 militia men into Mississippi territory to rendezvous with General John Coffee and his cavalry. The two commanders led the troops into Creek territory at Fort Strother. The hostile Creek village of Tallushatchee and approximately 200 Indian warriors were stationed only thirteen miles east of the Fort. Jackson gave the order to Coffee and the cavalry to destroy the

⁸ Wallace, *The Long and Bitter Trail*, 32.

⁹ Wallace, *The Long and Bitter Trail*, 4.

¹⁰ Remini, Robert V. *The Life of Andrew Jackson* (New York: Harper and Row), 1977, 71.

village. On November 3, 1813, 1000 soldiers circled the village and slaughtered the warriors inside.¹¹ The victory was incredible for Jackson and led many Indian villages to ally themselves with Old Hickory.

In the years following the War of 1812, the notion that Spain was unable to hold any adequate authority in the Florida province prevailed. The British deserted the territory after the war's end and Spain was incapable, in the eyes of the United States, of administering or defending the province. Remini asserts that the Spanish population was anticipating intervention from Andrew Jackson and America.¹² An American rationale for intervention was that the Spanish government in Florida was allegedly offering violent Indian bands a safe haven within the Florida territory. The treaty of Fort Jackson established a means for America to lay claim to particular lands after the Creek War, but several rogue bands resisted all efforts of forced relocation. Neamaltha, the leader of a Seminole party, was an exceptionally daring chief.¹³ The Chief notified General Edmund P. Gaines that any attempt to remove the Seminoles from their settlement in Fowltown, just north of the Florida border, would result in "a bloody encounter."¹⁴ An American expedition was departed for Fowltown in November of 1817 in which U.S. soldiers burned the town and chased off the inhabitants. Nine days later, Neamaltha sought revenge by attacking and massacring an open boat carrying soldiers, women and children along the Apalachicola River. President James Munroe summoned Jackson and gave him the order to lead a campaign to Georgia to combat the Creeks and the Seminoles.

¹¹ Remini, *The Life of Andrew Jackson*, 72-73.

¹² Remini, *The Life of Andrew Jackson*, 116.

¹³ Remini. *The Life of Andrew Jackson*, 117.

¹⁴ Remini. *The Life of Andrew Jackson*, 117.

During the excursion, Jackson pursued two notable British loyalists: Alexander Arbuthnot and Robert Armbrister. Arbuthnot engaged in frequent trade with local Seminoles and Spanish in Florida. Arbuthnot also preached insidious propaganda to the Seminoles; he told the Indians that “they had been cynically used and then abandoned by the English as well as robbed and murdered by the Americans.”¹⁵ Jackson captured Arbuthnot at St. Marks after Jackson took the fort. Armbrister was caught in Bowleg’s Town. General Gaines presided over the trials of both men at St. Marks. Arbuthnot was charged with acting as a spy for the Indians and exciting them to war while Armbrister pleaded guilty to “assuming command of the Seminoles to wage war against the United States.”¹⁶ The penalty for both criminals was death. Arbuthnot swung at the end of a noose attached to the yardarm of his own ship. Armbrister’s penalty was death by firing squad. In the eyes of the Seminoles, Andrew Jackson and the United States became the new great enemy.

Jackson received information that an enormous gathering of Indian warriors was assembling with the Spanish military at Pensacola. The Spanish/Seminole plan was to attack American settlements. On May 24, 1818, Jackson marched his army into Pensacola, obliterated a small Spanish army, and pursued the fleeing Spanish governor, Colonel Jose Masot to Fort Barranacas. After a moments-long assault on the fort with an arsenal of Howitzers, Masot surrendered to Jackson and the Seminole war was over. The Spanish ceded the Florida territory, on the grounds of improper governance, and Jackson was named the Florida territorial governor.¹⁷

FORSYTH’S OBSERVATIONS

¹⁵ Remini. *The Life of Andrew Jackson*, 119.

¹⁶ Remini. *The Life of Andrew Jackson*, 121.

¹⁷ Remini. *The Life of Andrew Jackson*, 123-128.

1820-1825

The early nineteenth century saw the beginning of a great migration of white settlers into frontier territory. The wild frontier had a romantic, untamed appeal and a promise of fortune that was unmatched in urban dwellings. However, this wild frontier was inhabited by any number of different Indian tribes. Information on the behaviors and beliefs of the Indians was scarce, so Indian agents were hired and assigned to work with the Indians to create a peaceful, working relationship. One of these agents was a man named Thomas Forsyth.

Thomas Forsyth was born in 1771 in Detroit, Michigan. Forsyth became an Indian agent when he was appointed by President James Monroe in 1820. Forsyth was sent to Fort Armstrong on Rock Island, Illinois to interact with and care for the needs of local Sauk and Fox Indians. While stationed at Fort Armstrong, Forsyth kept a regular correspondence with influential figures such as Missouri-Territorial Governor, William Clark; Michigan-Territorial, Governor Lewis Cass; and Secretary of War, John C. Calhoun. The letters convey a definite desire to meet the Indians' needs and encourage peaceful relations, but there is also a sense of apprehension in several of Forsyth's accounts.

In a letter to Calhoun, Forsyth explained that war party of Sauk and Fox warriors set out on a retaliation raid on their Sioux enemies. Evidently, the Sioux slaughtered a Sauk/Fox hunting party and vengeance was the only option. Inter-tribal warfare was common amongst the Indians, but that form of social justice was frightening to the American citizens. In the same letter, Forsyth expressed concern about alcohol rations. The trade in whiskey was overabundant and Forsyth felt that the Indians were threatened

by it. Excessive amounts of whiskey made Indians mischievous and more prone to aggression, so an over-abundance of whiskey in the hands of Indians was a cause for concern. “It has always been customary...to give a little whiskey to influential chiefs and to Indians for religious ceremonies and I have always been careful to deal it out to them sparingly.”¹⁸

One specific duty that Forsyth had was to keep white settlers off of sacred Indian land. Forsyth wrote Lewis Cass on March 4, 1824 regarding white transgressions against Indians. He reported that a band of sixteen white men beat an Indian known as the Sun. The band of white men added insult to injury when they stole the Sun’s rifle. The Sun made a complaint to Forsyth and warned of vengeance on the white men. Forsyth convinced the Sun not to act on vengeful impulse, otherwise he would face the penalty of U.S. authority.¹⁹ In a letter to Frederick Dickson, Forsyth stressed the importance of vacating the Indian lands. Certain laws of intercourse forbade white presence on sacred Indian territories. Forsyth writes: “and by doing so [moving off the lands] you will save much troubled expenses and perhaps even bloodshed.”²⁰

By 1825, Forsyth had reported to William Clark in regards to the on-going inter-tribal warfare. White settlers and traders began moving into Indian battlegrounds in large amounts. Forts were erected and garrisoned to protect the white population, but eventually federal intervention was needed.²¹ Tribal peace was required for the safety of the white population and in August of 1825, a grand conference at Prairie du Chien attempted to deliver that peace.

¹⁸ Forsyth, Thomas to John C. Calhoun, 2 June 1824, in *The Forsyth Papers*.

¹⁹ Forsyth, Thomas to Lewis Cass, 4 March 1824, in *The Forsyth Papers*.

²⁰ Forsyth, Thomas to Frederick Dickson, 30 September 1824, in *The Forsyth Papers*.

²¹ Danziger, Edmund Jefferson Jr. *The Chippewas of Lake Superior* (University of Oklahoma Press: Norman and London) 1979, 76.

The Treaty at Prairie du Chien

Territorial Governors Lewis Cass and William Clark presided over the Treaty at Prairie du Chien, but Forsyth had notable role in aiding in the planning of the conference. In a letter to William Clark in April of 1825, Forsyth helped to establish an appropriate date for the treaty processions. He informed Clark that August would be the best time to hold the treaty negotiations. Finding a date where all tribes could be represented fairly was impossible, (the Chippewa began their corn harvest during the scheduled meeting,) but Clark arranged the meeting in the fairest manner possible.²² Forsyth also warned Clark about the risk of serving whiskey to the Indians at the treaty. Forsyth believed that distributing liquor would heighten mischievous behavior and sentiments of jealousy amongst rival tribes.²³

The conference itself was a grand spectacle. The Chippewa, Sioux, Potawatomi, Winnebago, Sauk, Fox and Iowa tribes were all represented by more than 1,000 tribal headmen and their families.²⁴ Over the next fifteen days, Clark and Cass negotiated tribal boundary settlements. No land cessions were granted towards white settlers, but an inter-tribal peace was established. However, the peace agreement at Prairie du Chien did not last very long.²⁵

1826-1830

In the years following the Prairie du Chien treaty, tensions between the tribes and the white settlers became increasingly severe. The Sauk and Fox nations continued to war against the Sioux, but reports also emerged of Indian threats towards the white

²² Forsyth, Thomas, to William Clark, 9 April 1825, in *The Forsyth Papers*.

²³ Forsyth, Thomas, to William Clark, 9 April 1825, in *The Forsyth Papers*.

²⁴ Danziger, *The Chippewas of Lake Superior*, 75.

²⁵ Danziger, *The Chippewas of Lake Superior*, 76.

population. Rogue Indians were reported to have been spreading rumors about Canadian-British assistance in an impending Sauk war with the settlers.²⁶ These rumors were proven false and the lying messenger would be hunted down and killed by the Sauk. To Forsyth, these threats were not entirely impossible. Even though the initial rumors were debunked, tension between the whites and the Indians grew stronger.

By 1828, more and more whites began squatting within Indian lands. Forsyth wrote Clark in June of 1828 on the topic of white intrusion. The Sauk came into contact with white men who were mining on Indian territory. The men were urged off of the land without any real conflict.²⁷ Less than one month later, two white parties were intruding on Sauk land and building timber yards. Forsyth urged the timber companies off of the land, but this time he met opposition. The Smith Brothers co. argued that there wasn't a better source for timber anywhere and the Indians were not using it. Forsyth agreed to let the Smith Brothers remain in the territory provided that they would not sell whiskey to the Indians. The timber company agreed to the terms, but broke the promise several days later.²⁸ The white population in and around the area grew and demanded more land belonging to the Indians. Forsyth continued to write about incidents of intrusion and conflict until his removal from his position in 1830. Prior to Forsyth's removal, he recognized that drastic action on behalf of the federal government demanded initiation. The situation could not be left to remedy itself.

SELLING THE ACT

After a losing the Presidential race to John Quincy Adams in 1824, Jackson ran for office again in 1828. He won the election on the democratic ticket and promised a

²⁶ Forsyth, Thomas, to William Clark, 16 June 1828, in *The Forsyth Papers*.

²⁷ Forsyth, Thomas, to William Clark, 10 June 1828, in *The Forsyth Papers*.

²⁸ Forsyth, Thomas, to William Clark, 10 June 1828, in *The Forsyth Papers*.

series of reforms. Arguably the most controversial reform was the promise of territorial gain and Indian migration to territories east of the Mississippi. Southern frontiersmen and Northern settlers gave Jackson the winning votes to attain the Presidency because of this reform.

Jackson knew very well that the legislation was controversial and needed to be handled delicately. Jackson had earned most of his fame fighting Indians in the frontier. Convincing critics that the initiative was not going to deliberately oppress the Native Americans proved to be a challenge. Old Hickory argued for support of the bill on the basis of states' rights and fair treatment of Indians. Jackson stated "The emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers, and seek home in a distant land."²⁹ Jackson met intense opposition from several political opponents as well as the American Board of Commissioners of Foreign Missions. The bill came close to defeat in the House due to the fear of religious reprisal within political districts. On May 15th, 1830, New York Senator Henry R. Storrs accused Jackson of:

Attempting to overthrow the constitutional securities of the states and their authority as well as assume the power of congress to abrogate existing treaties in cases of necessity or war. (Remini 1973, 214)

Senator Wilson Lumpkin of Georgia dismissed Storrs' claim as party prejudice.

Lumpkin asserted that the democrats were proposing a means of protection from genocide. Removal was "their only hope of salvation," Lumpkin asserted.³⁰

In the name of prosperity, states' rights, and territorial gain, the Indian Removal Act was enacted into law on May 28, 1830 by a vote of 102 to 97. The Removal Act

²⁹ Cave, Alfred A. "Abuse of Power: Andrew Jackson and the Indian Removal Act of 1830," *The Historian* 65, (Winter 2003), 1332.

³⁰ Remini. *The Life of Andrew Jackson*, 214.

allowed Jackson to “exchange unorganized public land in the trans-Mississippi west for Indian land in the east.”³¹

AFTERMATH

State Sovereignty

The removal act was enacted as a voluntary opportunity for Indians to emigrate west of the Mississippi. Jackson’s administration could not forcibly remove the Indians from their ancestral lands, but Jackson’s men expressed the benefits of removal with all of their power. Jackson was famous for his friendly public-speaking tone towards Indians. He addressed the Indians as “father” and emphasized that emigration was for their own good. “They and my white children are too near each other to live in harmony and peace.”³² Publicly, Jackson praised the Indians and carried out his removal act with their best intentions in mind. However, Jackson held higher priorities in the championing of States’ rights in the situation of removal. In 1830, Mississippi had the right to extend the jurisdiction over the Indian population residing in the state. The federal government was obligated to uphold the right and Jackson could only help the Indians if they emigrated across the Mississippi River. Essentially, the choices granted to the Indians were either to stay and adhere to the laws of Mississippi or emigrate and be free to live under their own jurisdiction. Jackson promised the emigrating Indians “land of their own, which they shall possess as long as grass grows and water runs.”³³

The Southern states gained developed tactics of harassment and abuse to push the Indians west. If removal was voluntary, the South had every goal to make the Indians move. Several states extended their sovereignty over various tribes and abolished tribal

³¹ Remini. *The Life of Andrew Jackson*, 215.

³² Wallace, *The Long and Bitter Trail*, 74.

³³ Wallace, *The Long and Bitter Trail*, 74.

governments. The Indians were subjected to demeaning legislation, taxes, and militia duty. State governments even encouraged white settlers to intrude on Indian lands before they had been ceded. Georgia even prohibited Indians from digging their own gold out of their own land while hundreds of white prospectors made their fortunes.³⁴ This gross extension of State sovereignty was permitted by Jackson's administration because it sped up the emigration process.

Not long after the passage of the Removal Act, the Congress adjourned for a summer vacation. Jackson was anxious to implement his policy, so in order to organize the treaties to remove the southern tribes, so he utilized his vacation to speed up the emigration process by inviting the Chickasaw, Choctaw, Cherokee and Creek tribes to a treaty conference at Franklin Tennessee. The Cherokees and Creeks adamantly rejected the invitation and the Choctaws abstained, but the Chickasaws were convinced to meet in Franklin. Jackson warned the tribe that he had no power to protect the Indians from Mississippi state law. Secretary of War John Eaton and General John Coffee provided bribes to Chickasaw Chiefs and convinced them to emigrate. By 1832, the Chickasaw population was removed from Mississippi.³⁵

The Choctaw Tragedy

Eaton and Coffee were sent as emissaries to the Choctaw nation following the negotiations with the Chickasaws. The Choctaws agreed to meet Jackson's men at Dancing Rabbit Creek on September 15, 1830.³⁶ The treaty became the first Senate-approved removal plan. The treaty stated that the Choctaws agreed to leave their homes in Mississippi for Arkansas territory (Oklahoma.) The stipulations were incredible:

³⁴ Wallace, *The Long and Bitter Trail*, 75.

³⁵ Wallace, *The Long and Bitter Trail*, 77.

³⁶ Remini. *The Legacy of Andrew Jackson*, 67.

money, household equipment, farm equipment and subsistence for an entire year were just a few of the advantages of emigration.³⁷ The Choctaws emigrated in waves; the first one left in the fall of 1830. The Choctaw leader, Chief Greenwood Leflore; became overly ambitious about the migration. Before the treaty as Dancing Rabbit Creek was ratified, the Chief encouraged his people to sell their land and begin the move without any proper escort service or preparation. Leflore led his people on the migration during one of the coldest winters in history. Approximately 1000 Indians left Mississippi. Only 88 reached the settlement. Many lives were lost to hypothermia and starvation.³⁸ News of this tragedy traveled across the country and the incident “typified all too accurately the agony of Indian removal during the entire Jacksonian era.”³⁹

The Black Hawk War

Jackson’s Indian Removal Act of 1830 was pivotal legislation established as an effort to remove Native American tribes from the southern area along the Gulf of Mexico. By the spring of 1832, the act applied to all Native American tribes east of the Mississippi River.⁴⁰ The northwestern parts of the union were far less attractive settlement destinations than the southern states, but Indian relocation would leave a mark in that territory as well.⁴¹ A large portion of the tribes of the Old Northwest (present day Midwest) had been removed or given territorial boundaries by previous treaties such as the treaty of Praire du Chien in 1825. This treaty called for the Sac, Fox, Sioux,

³⁷ Remini. *The Legacy of Andrew Jackson*, 67.

³⁸ Wallace, *The Long and Bitter Trail*, 78-79.

³⁹ Remini. *The Legacy of Andrew Jackson*, 67.

⁴⁰ Remini, Robert V. *Andrew Jackson and his Indian Wars* (New York: Penguin Group), 2001, 258.

⁴¹ Wallace, *The Long, Bitter Trail*, 107.

Winnebago, Chippewa, Potawatomi tribes to migrate west across the Mississippi river into the Iowa frontier.⁴²

Forcible relocation did not appeal to the best interests of several Native Americans and notions of rebellion would become popular to many natives. On April 6, 1832, the Sac Chief Black Hawk and his band of Sac and Fox Indians departed from their allotted territory in Iowa. Black Hawk and his band found the territory to be unsatisfying due to the absence of a stable food source. The Sac and Fox band crossed the Mississippi and returned to Rock Island, IL as a simultaneous act of defiance and survival. The white settlers within the area deemed the migration an invasion and notified Governor John Reynolds at once. Reynolds would retaliate by deploying a state militia to combat Black Hawk's band of 1000 Indians. The charge was led by General Henry Atkinson.⁴³

Atkinson had gained fame and prestige as a general while serving under Andrew Jackson in the War of 1812. Prior to the call from Reynolds, Atkinson also led two successful expeditions into Yellowstone. When Reynolds recruited Atkinson to duty, the general only had 400 men at his disposal. Reynolds reluctantly requested that Reynolds provide 3000 soldiers to combat Black Hawk's insurgency. Unknown to Atkinson, the Illinois governor had previously called upon 1700 militiamen to meet with Atkinson and the 400 regulars near Rock Island, Illinois.⁴⁴

These 1700 men were no fighting force. Author William T. Hagan makes his criticisms of the Illinois state militia evident. Hagan asserts that the troops called out by Reynolds were notably undisciplined and spent little time properly preparing for active

⁴² Remini. *Andrew Jackson and his Indian Wars*, 258.

⁴³ Hagan, William T. "General Henry Atkinson and the Militia," *Military Affairs* 23, no. 8 (Winter 1959-1960), 194.

⁴⁴ Hagan, *Military Affairs*, 194.

combat.⁴⁵ The militia proved their inadequacy at the battle of Stillman's Run on May 14, 1832. At a camp established in Dixon, Illinois, many of the militiamen had been drinking heavily because the only place that they could properly store their whiskey supply without abandoning it was within their stomachs.⁴⁶ Black Hawk sent five of his warriors to meet with Atkinson's troops to organize a truce. In the midst of confusion, militia soldiers killed two of Black Hawk's negotiators and captured the other three. When the troops and the captured Indians reached the base camp, the Indians attempted to make an escape. One more Indian was killed in the escape attempt but the other two retreated successfully. The captives led the pursuing troops into an ambush. The renegade Indians took a few white scalps and the surviving militia soldiers ran scared all the way back to the base camp.⁴⁷ Black Hawk knew that the whites would seek vengeance so he led his band north into Wisconsin in an attempt to flee. The Illinois militia proved to be completely ineffective. After the defeat, militia soldiers fled Atkinson's command in droves. Atkinson pleaded to his superiors to understand the incredible task he had with commanding such a militia. Eventually, Andrew Jackson called upon a federal army as well as Sioux Indians to aid in putting down Black Hawk's band. Atkinson was also blessed with a welcome instance of good luck; he received a tip that the rival band was heading west towards the Mississippi in an attempt to use the river as a barrier between the whites and the Indians.⁴⁸ The combined forces of militiamen and federal army soldiers met Black Hawk's band where the Bad Axe River meets the Mississippi. The rogue band of men, women and children, encountered gunships and were slaughtered.

⁴⁵ Hagan, *Military Affairs*, 195.

⁴⁶ Cole, Cyrenus. *I am a Man: The Indian Black Hawk*, (Iowa City: Iowa State Historical Society) 1938, 149.

⁴⁷ Hagan, *Military Affairs*, 195.

⁴⁸ Hagan, *Military Affairs*, 196-197.

Sioux warriors enlisted by Jackson hunted down any survivors who reached the western shore of the Mississippi.⁴⁹ Black Hawk and several of his chiefs became captives. On September 21, 1832, peace was established and the parties agreed upon a treaty. The treaty declared that “the tribe paid an indemnity for expenses incurred in the Black Hawk War.”⁵⁰ In April of 1833, Andrew Jackson gave the order to detain Black Hawk at Fort Monroe until Jackson deemed it safe for the chief to return to his people. Black Hawk’s sentence lasted only one month. He would take a tour of the eastern states so that he would properly see the superiority of the white man’s lifestyle and “the futility of resistance.”⁵¹ His tour would begin in Baltimore where he once again met with Jackson. Jackson granted Black Hawk the right to return to his people and urged him to “bury the tomahawk and live in peace with the frontier.”⁵² After the meeting, Black Hawk departed for his frontier home. His freedom was restored, but the era of his people seemed to be coming to an end.⁵³

The Second Seminole War

In 1832, the Seminole Indians of Florida endured incredible turmoil. The Seminoles were poor, starving, and their territory suffered an intense drought that year. The tribe was offered the negotiation of a treaty presented by Colonel James Gadsen at Payne’s Landing. The Seminoles agreed to the removal treaty in an act of desperation. The provisions of the treaty were that an examination delegation would be sent to the

⁴⁹ Wallace, *The Long and Bitter Trail*, 108.

⁵⁰ Remini. *Andrew Jackson and his Indian Wars*, 259.

⁵¹ Remini. *Andrew Jackson and his Indian Wars*, 259-260.

⁵² Remini. *Andrew Jackson and his Indian Wars*, 259.

⁵³ Remini. *Andrew Jackson and his Indian Wars*, 261.

new territory and return with a satisfactory report. The Seminole chiefs also had to endorse the report before the migration became official.⁵⁴

The Chiefs embarked for Fort Gibson where they would meet the examination delegation and found that the treaty that they had agreed upon had been altered without their consent. The revised treaty stated that the exploring party had sole authority to deem whether or not the land was suitable.⁵⁵ The Seminoles were granted a three-period to emigrate west. By 1834, only 152 Seminoles left Florida for Spanish Texas. The remaining 5000 remained in Florida territory and failed to cooperate with Indian agents. On December 28, 1835, a young chief named Osceola led 40-50 Mikasuki warriors to Fort King where they killed agent Wiley Thompson and three others. The attack was a vengeance strike for Thompson imprisoning Osceola's wife and shackling Osceola for speaking out against removal.⁵⁶ On the same night, the warriors and a band of renegade blacks ambushed Major Dade's company while they were on their way to reinforce Fort King. Of the 110 men in Dade's unit, only three survived the attack.⁵⁷

This aggression was unacceptable. The hostile warriors refused to submit themselves to removal at all costs. Jackson appointed Major General Winfield Scott to combat Osceola's insurgency in 1836, but was relieved of his command after several months and replaced by General Thomas Jesup. Jesup utilized "less conventional methods to effect removal."⁵⁸ The General invited segments of the hostile population under a flag of truce to meet with him. This deceptive measure allowed Jesup and his soldiers to find any stipulation for seizure of the Seminoles. The captured Indians were

⁵⁴ Wallace, *The Long and Bitter Trail*, 95-96.

⁵⁵ Wallace, *The Long and Bitter Trail*, 96.

⁵⁶ Wallace, *The Long and Bitter Trail*, 96.

⁵⁷ Wallace, *The Long and Bitter Trail*, 96.

⁵⁸ Wallace, *The Long and Bitter Trail*, 98.

forcibly sent to Tampa Bay. The renegades were sent from Tampa to New Orleans before they would reach the western territory. It was estimated that Jesup removed about 2000 Seminoles in 1838.⁵⁹

The unpopular war waged on for another four years. In 1842, Osceola was captured and the remaining 2000 Seminoles were removed from Florida. Osceola died shortly after his capture of malaria. Jackson's administration spent roughly \$10 million dollars and 15,000 soldiers were killed in battle.⁶⁰

CONTEMPORARY VIEWPOINTS

The Tyrant Jackson

Slaughter. Forced Removal. Genocide. These accusations make up a mere sample of criticisms from contemporary many historians that study Andrew Jackson. "This monumental piece of legislation spelled the doom for the American Indian. It was harsh, arrogant, racist—and inevitable," asserts Remini.⁶¹ Alfred A. Cave provides a vicious assault on Jackson with "Abuse of Power: Andrew Jackson and the Indian Removal Act of 1830." Cave claims that Jackson lied and failed to honor promises he made in order to see the bill pass and hid his own private vendetta from the public eye. Jackson knew how to manipulate Indian negotiations through coercion and "regarded state harassment of Indians as a useful means of encouraging removal."⁶² Jackson was always able to present himself in a manner that could lead one to believe that Indian interests were in his best interest. Cave explains:

Jackson repeatedly warned those Indians who did not agree to removal would lose their right to self-government and be subject to the

⁵⁹ Wallace, *The Long and Bitter Trail*, 98.

⁶⁰ Remini, *The Life of Andrew Jackson*, 218.

⁶¹ Remini. *The Life of Andrew Jackson*, 214

⁶² Cave, "Abuse of Power," 1339.

laws of the states in which they resided. In doing so, he far exceeded his legal mandate under the Indian Removal Act of 1830. That law, as we have seen, explicitly upheld existing treaty rights and obligations. Rather than enforcing the laws that forbade white settlers on treaty lands, Jackson informed leaders that he lacked the power to protect them from even the most extreme and oppressive actions of the state governments and lawless whites. (Cave 2003, 1340)

The treachery extends beyond Jackson. Indians were inconvenienced by inept Indian agents such as William Ward. Ward was infamous for being drunk more often than not. He was seldom at the registration office. Ward destroyed records, and even refused to meet with any one who needed to obtain their promised allotments. These actions are not due to poor skill as an Indian agent, they are deliberate violation of treaty rights. When the administration found out, no real action was taken.⁶³

In the subsequent years following his presidency, Jackson still possessed influence on the Indian policy.

By the close of Jackson's two terms in office approximately 45,690 Indians had been relocated beyond the Mississippi River. According to the Indian Office, only about 9,000 Indians, mostly in the Old Northwest and New York, were without treaty stipulations requiring their removal when Jackson left office. (Remini 1988, 81)

Defending Jackson

As stated earlier, "To suggest that Jackson might have had nobler feelings toward the Indian is to invite ridicule."⁶⁴ Evidently, several authors are not afraid of ridicule, Remini included. In *The Life of Andrew Jackson*, Remini states that "His [Jackson] objective was not the destruction of Indian life and culture...he believed that the removal

⁶³ Cave, "Abuse of Power," 1342.

⁶⁴ Remini. *The Legacy of Andrew Jackson*, 4.

was the Indians' only salvation against certain extinction."⁶⁵ Ronald Satz asserts that Jackson has taken various, harsh criticisms from many historians. "His views on Indian policy were not governed so much by any personal negative attitude toward Indians as by his overwhelming concern for the nation's growth, unity and security."⁶⁶ F.R. Prucha argues that Jackson's charge of anti-Indian sentiment was actually anti-British. The British were coercive in their methods to convince the Indians to not trust the Americans. Jackson believed that the British were responsible for making him an orphan in the revolutionary war, so resentment is understandable.⁶⁷ Cave offers four possible methods for dealing with the "Indian problem." The first option would have been simple destruction. The Indians could have been killed through war, hounded out of their villages, or pushed by brute force. The second option was rapid cultural assimilation. Cave argues that the Indians had no universal plan for assimilating into American culture. Various tribes supported the idea while others defiantly opposed the notion. A third option was to protect the Indians in their own ancestral lands. The Indians would live in enclaves of white society. This would not work because of continuing pressure from white settlers and squatters invading the native territory. The federal government was unable to provide a standing army adequate to protect the Indians. To use the example of Greenwood Leflore, the Choctaw Indians operated independently from provided assistance.⁶⁸ The fourth scenario was removal and that is the approach that Jackson

⁶⁵ Remini. *The Life of Andrew Jackson*, 215.

⁶⁶ Satz, Ronald M. *American Indian Policy in the Jacksonian Era*, (USA: University of Nebraska Press, 1975), 9.

⁶⁷ Cave, "Andrew Jackson's Indian Policy," 528.

⁶⁸ Wallace, *The Long and Bitter Trail*, 78-79.

took.⁶⁹ No one scenario was flawless, in fact each scenario was terminally flawed, but Jackson had to make a decision beyond “just leave it alone.”

CONCLUSION

Robert Remini states:

The removal of the American Indian was one of the most significant and tragic acts of the Jackson Administration. It was accomplished in total violation not only of American principles of justice and law but of Jackson’s own strict code of honor. There can be no question that he believed he acted in the best interest of the Indian, but to achieve his purpose countless men, women and children suffered deprivation and death. Jackson’s humanitarian concerns—and they were genuine—were unfortunately shot through with ethnocentrism and paternalism that allowed little regard or appreciation of Indian culture and civilization. (Remini 1977, 219)

The aftermath of the Indian Removal Act is an embarrassment that this country may never live down. Roughly 50,000 Indians lost their ancestral homelands by migrating to west of the Mississippi river. That statistic does not include the thousands who were imprisoned for defiance or killed on a battlefield or on the migration. Prucha presented three other methods of dealing with the American “Indian problem,” and he predicted that not one of the three would have been as humanitarian an effort as the removal act was. Thomas Forsyth provides concrete observations of Indian behavior that do not entertain a notion of a peaceful co-existence with the growing white population. Forsyth’s letters fuel the fire of concern and emphasize a great necessity for action to be taken. Forsyth re-emphasizes Prucha’s notion that Jackson did not have the option of leaving the Indian situation alone. However, once the Indian removal act was enacted into law, Jackson was accused of standing idly by, “refusing to intervene with the

⁶⁹ Cave, “Andrew Jackson’s Indian Policy,” 534-535.

application of state laws.”⁷⁰ The idea of Andrew Jackson being a “heartless, Indian-killing menace” is too simplistic and very narrow-minded. The “devil-theory” is not entirely appropriate. I am not condoning the events that occurred almost two centuries ago, I am merely saying that sometimes the quest for a humanitarian means provides a tragic end.

⁷⁰ Wallace, *The Long and Bitter Trail*, 75.

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