ABSTRACT

Dr. Edmund Danziger, Advisor

Elias Boudinot (1804 – 1839), editor of the Cherokee Phoenix and a Cherokee leader during his people’s political fight to remain a sovereign nation during the first third of the nineteenth century, remains a controversial figure in American history. Throughout most of his life, Boudinot, a Christian who was educated by Eastern missionaries, was a staunch opponent of the Indian removal movement. In 1835, however, Boudinot and a group of unauthorized “Treaty Party” men signed the Treaty of New Echota against the wishes of the majority of Cherokees - a treaty that sold the Cherokees’ land to the United States and obligated them to emigrate from their homeland. For his part in the treaty, Boudinot was assassinated by a group of Cherokees. He has been remembered variously as a patriot and a traitor, but even some historians sympathetic to his position share common ground with his detractors in implying that Boudinot suffered from poor or corrupt judgment.

This thesis makes the case for Boudinot’s “rational mind.” It draws on his published writings – a speech from 1826, personal letters, Cherokee Phoenix editorials, and an 1837 “apologia” – to trace the evolution of Boudinot’s ideas concerning removal. It focuses on three distinct periods in Boudinot’s life: early life, his tenure as editor of the Cherokee Phoenix, and the years following his shift to treaty advocacy. From his early letters as a student at the Foreign Mission School in Cornwall, Connecticut, through his Cherokee Phoenix editorials to his final published work, Boudinot’s writings demonstrate
his very rational mind. In 1832, convinced that Andrew Jackson would not uphold a
decision by the Supreme Court that recognized Cherokee sovereignty, Boudinot
determined that the Cherokees safety and progress in “civilization” lay in making the best
deal possible with the United States and emigrating from their ancient homeland. This
thesis shows that, like his earlier actions as an opponent of the removal movement,
Boudinot’s decision to sign the Treaty of New Echota was based on sound reasoning and
a desire to “benefit the Cherokees.”
“The time will come when there will be only here and there those who can be called upon to sign a protest, or to vote against a treaty for their removal – when the few remnants of our once happy and improving nation will be viewed by posterity with curious and gazing interests, as relics of a brave and noble race. Are our people destined for such a catastrophe? . . . May God preserve us from such a destiny.”

- Elias Boudinot

---

To my mother, Sheila Filler
ACKNOWLEDGEMENTS

I wish to thank the members of my committee, Dr. Edmund Danziger and Dr. Ruth Wallis Herndon, whose direction and careful reading of preliminary drafts have made this thesis stronger and myself a better historian. There is still so much to learn, but the venture now appears more pleasurable.

Thank you also to those who have, in one way or another, helped me find the road to writing this thesis: Dr. Jim Buss, Dr. Walter Grunden, Dr. Don Rowney, DeeDee Wentland, Carol Singer, Barbara Toth, Dustin McLochlin, Helena Riha, Sheila Filler, Jude Filler and Stephen Filler.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER I. TRANSITIONS</th>
<th>..........................................................</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHAPTER II. BOUDINOT THE CHEROKEE (1804 – 1828)</td>
<td>.......................................................................</td>
<td>21</td>
</tr>
<tr>
<td>CHAPTER III. THE CHEROKEES, GEORGIA, AND THE UNITED STATES (1828 – 1832)</td>
<td>.......................................................................</td>
<td>50</td>
</tr>
<tr>
<td>CHAPTER IV. ALONG THE ROAD TO NEW ECHOTA (1833 – 1835)</td>
<td>.......................................................</td>
<td>81</td>
</tr>
<tr>
<td>CHAPTER V. CONCLUSION</td>
<td>..................................................................................</td>
<td>113</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>..................................................................................</td>
<td>140</td>
</tr>
<tr>
<td>APPENDIX A. EXCERPT OF A LETTER FROM ELIAS BOUDINOT</td>
<td>.......................................................</td>
<td>146</td>
</tr>
<tr>
<td>APPENDIX B. EXCERPTS FROM “AN ADDRESS TO THE WHITES”</td>
<td>....................................................</td>
<td>148</td>
</tr>
<tr>
<td>APPENDIX C. SELECTED CHEROKEE PHOENIX EDITORIALS</td>
<td>.......................................................</td>
<td>151</td>
</tr>
<tr>
<td>APPENDIX D. EXCERPTS FROM “LETTERS AND OTHER PAPERS RELATING TO CHEROKEE AFFAIRS: BEING A REPLY TO SUNDRY PUBLICATIONS AUTHORIZED BY JOHN ROSS”</td>
<td>.......................................................</td>
<td>160</td>
</tr>
</tbody>
</table>
# LIST OF FIGURES/ ILLUSTRATIONS

<table>
<thead>
<tr>
<th>Figures/Illustrations</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Elias Boudinot</td>
<td>iv</td>
</tr>
<tr>
<td>2. Major Ridge</td>
<td>13</td>
</tr>
<tr>
<td>4. The Foreign Mission School</td>
<td>24</td>
</tr>
<tr>
<td>5. Harriet Gold Boudinot</td>
<td>29</td>
</tr>
<tr>
<td>6. Page from the <em>Cherokee Phoenix</em>, February 21, 1828</td>
<td>37</td>
</tr>
<tr>
<td>7. Map of the Cherokee Nation (East) After 1820</td>
<td>54</td>
</tr>
<tr>
<td>8. Andrew Jackson</td>
<td>58</td>
</tr>
<tr>
<td>9. Wilson Lumpkin</td>
<td>62</td>
</tr>
<tr>
<td>10. Chief John Ross</td>
<td>84</td>
</tr>
<tr>
<td>11. John Ridge</td>
<td>96</td>
</tr>
<tr>
<td>12. First Signature Page, Treaty of New Echota</td>
<td>108</td>
</tr>
<tr>
<td>13. Stand Watie</td>
<td>115</td>
</tr>
<tr>
<td>14. Map of the Southern Indian Nations Before and After Removal</td>
<td>120</td>
</tr>
<tr>
<td>15. Samson Occom and William Apess</td>
<td>123</td>
</tr>
<tr>
<td>16. Interior of the Print Shop at New Echota</td>
<td>139</td>
</tr>
</tbody>
</table>
I. Transitions

Elias Boudinot, influential Cherokee leader during his people’s political struggle to remain a sovereign Nation throughout the 1820s and 1830s, saw his efforts reach their culmination at two events in New Echota, Georgia, in December, 1835. That winter, several hundred Cherokees gathered at the Nation’s capital. The children laughed and talked together as if attending a festival while their parents smoked in silence, waiting for the proceedings to begin. The mood of the adults reflected the seriousness of the occasion: they had come to New Echota to make a treaty that would sell their homeland in Georgia and move their people to a new country west of the Mississippi River.

The leaders of the assembled Cherokees were self-appointed; they met at the capital city without authorization from the elected leadership or the blessings of the majority of their people, who boycotted the meeting. On December 24, 1835, Major Benjamin F. Currey read the proposed treaty before a crowd gathered in the council house. As the Cherokees considered the words of the United States agent, shouts of “fire, fire!” filled the air, and the Indians poured outside to see the roof in flames. This ill omen did not stop the business at hand. The fire was soon put out and the proceedings carried on.¹ If Boudinot, former editor of the *Cherokee Phoenix* and “Treaty Party” member, was unsettled by the incident, it is not recorded. He was determined that a treaty would be made.

Five days later, a committee of twenty met in Boudinot’s house along with United States treaty commissioner John F. Schermerhorn. None of the Indians looked on the task

at hand with any enthusiasm; they asked questions, smoked, and sat in silence well into the evening, but no one rose to take pen in hand. Finally, a Cherokee named John Gunter stood. He announced that he was not afraid, that he was ready to sell the whole country, and signed his name to the treaty. One after another the rest of the committee followed suit. Elias Boudinot was the fifth to sign. Shortly before midnight the business was completed. A Cherokee Nation still stood west of Arkansas – its citizens had emigrated there seven years earlier in response to white encroachment onto their lands – but in the eyes of the United States’ government the eastern Cherokee Nation ceased to exist on December 29, 1835.\(^2\)

Less than three years later, Elias Boudinot was dead. His assassins had been part of a forced emigration, soon to be known as the Trail of Tears, to land west of Arkansas. At least 4,000 had died along the way, and many of the survivors directed their rage at the “Treaty Party” members. The recent suffering may have expedited Boudinot’s death, but he was a marked man according to Cherokee law when he took part in selling his people’s land.\(^3\)

Why does Elias Boudinot’s story matter? First, his assassination galvanized Cherokee factions into civil warfare that would haunt the Nation for generations. The course of Cherokee history from the nineteenth century on is inextricably linked to Boudinot’s life and death. Second, in a larger context, Boudinot’s story reflects the


dilemma that many Indian leaders faced as brokers between their people and white American society. His assassination reflected the impossibility of satisfying these two uncompromising cultural forces. Pulled between the expectations of many Cherokees to secure their land and the physical might of the United States and Georgia, both of which clamored for the Cherokees’ removal, Boudinot voted his conscience. His story reveals the hard decisions Indian leaders had to make in the face of irresistible white settlement.

Boudinot was not the first Indian to treat with the United States against the wishes of his people, nor was he the first to suffer mortal consequences. Earlier in the century, and among the Southeastern Indians alone, Cherokees killed Chief Doublehead for selling their land. Neighboring Creeks disposed of Chief William McIntosh ten years before the Treaty of New Echota for doing the same. The two leaders had something more in common: they sold their people’s land for material reward.

Boudinot’s story is less straightforward. He was born into a prominent family with impeccable credentials in the struggle against removal. As a youth, his family supported him in obtaining an exceptional education among missionaries in the East to prepare him to interact easily in white society. Upon returning to the Cherokee Nation he became the first editor of the Cherokee Phoenix, the nationalistic newspaper of the Cherokees. In the most critical years of the removal crisis he argued for the Cherokees’ right to remain in their eastern land that bordered the State of Georgia – land that Georgia claimed was its own. Ultimately, President Andrew Jackson’s disregard of a Supreme Court decision recognizing Cherokee sovereignty was decisive in Boudinot’s shift toward advocating a treaty of removal for his tribe; he determined that reasonable arguments fell

---

4 Wilkins, Cherokee Tragedy, 39 - 41, 165.
5 For a detailed account of Boudinot’s relationship to the Ridges see Wilkins, Cherokee Tragedy; for Boudinot’s arguments against removal see Perdue, Cherokee Editor.
on deaf ears and that the safety of the Cherokees depended upon quickly signing a treaty and emigrating out of Georgia.⁶

Although many Cherokees of his day reviled Boudinot, posterity has been kinder to him. In his history of the Ridge-Boudinot family, *Cherokee Tragedy: The Ridge Family and the Decimation of a People*, the historian Thurman Wilkins wrote a sympathetic account of the motivations of the “Treaty Party.” Wilkins’s perspective on Boudinot’s treaty advocacy is best expressed in the title of his tenth chapter, “Maneuvers of Desperation.” The historian Gary E. Moulton, John Ross’s biographer, wrote of Boudinot matter-of-factly, describing his part in the Treaty of New Echota as originating from a conviction “that Cherokee salvation lay in removal only.” Historians Allen Guttmann and Colin Calloway, too, wrote without qualification that the “Treaty Party” believed removal was the Cherokees’ only alternative.⁷

Other historians have questioned Boudinot’s soundness of mind. Theda Perdue characterized him as a self-loathing Indian whose conception of his people was based on “a fantasy.” Bernd Peyer believed Boudinot made an “error in judgment” in assuming that the majority of Cherokees would approve of his action if they knew the hopelessness of their situation.⁸ Bethany Schneider found a parallel to Boudinot in Benedict Arnold, as the Cherokee leader also refused to acknowledge what she labeled as his traitorousness.

---

⁶ See *Worcester vs. Georgia*, 31 U.S. Lexis 489 (1832); for Jackson’s reaction to the Supreme Court’s ruling see Wilkins, *Cherokee Tragedy*, 236. For an example of Boudinot’s beliefs, see “Propositions Offered By The Treaty Party” in Boudinot, “Being a Reply,” 179 – 180.


R.S. Cotterill referred to the Ridge Party, of which Boudinot was a member, as being “corrupted” into making the deal at New Echota. These characterizations imply an inherent flaw in Boudinot’s judgment and do not account for the possibility that his actions were grounded in a sober assessment of reality. Labeling Boudinot mentally unstable or a victim of misinformation takes away from the purposefulness of his actions. Such depictions minimize Boudinot’s understanding of the gravity of his defection.

This essay seeks to explore the reasoning behind Boudinot’s “change.” It argues that far from being deluded concerning the state of the Cherokee Nation within Georgia or mistaking the wishes of his countrymen, Boudinot acted rationally and adaptively throughout the removal crisis. The written evidence shows that although he often operated according to his evangelical Christian beliefs, his worldview also encompassed his loyalties as a Cherokee and as an Indian. Beyond spiritual mission and nationalism, Boudinot acted according to what seemed possible. Boudinot initially advocated for Cherokee sovereignty in their ancestral land through arguments directed toward United States’ citizens; however, white Americans who coveted Cherokee lands were uninterested in reasonable argument. Later, when he was convinced that the Cherokees’ welfare depended upon emigrating westward, Boudinot argued just as strenuously for his countrymen to make a treaty of removal. Most Cherokees had no tolerance for rationale that required them to leave their country, land intimately connected to their spiritual beliefs. In an age of unreason, Boudinot was a very realistic pragmatist. To support this

---

argument, the following chapters will analyze Boudinot’s reactions to pivotal events in his life in the context of the removal era.

Chapter II looks at the early life of Boudinot (1804 – 1828) and shows that while his acculturation influenced his life’s decisions, he clearly considered himself an Indian, and his foremost loyalties were to the Cherokees. In short, his signature at New Echota did not stem from self-hatred or alienation from his people as Theda Perdue has contended.

Chapter III concerns four of the peak years of the removal crisis (1828 – 1832). It examines the State of Georgia and the Jackson Administration’s opposition to the Cherokees’ bid to remain in their eastern lands; it also covers the debate among United States’ legislators that led to the Indian Removal Act (1830), a debate heavily influenced by states’ rightists and Eastern missionaries. In the context of this larger national discussion, Chapter III analyzes Boudinot’s editorial arguments in relation to his evolving reasoning. It tests the editor’s words according to the events of his times and argues that his infamous “change” to treaty advocacy was a process, rational and adaptive over time.

Chapter IV explores Boudinot’s own contention that the majority of Cherokees suffered from a “want of proper information” concerning the removal crisis. The chapter will focus particularly on the actions of Principal Chief John Ross, who headed the opposition to removal within the Cherokee Nation. Chapter IV also examines the formation of the Ridge Party, or “Treaty Party,” of which Boudinot was a principal member. Boudinot accused John Ross of misleading the Cherokees about their prospects for resisting removal. Chapter IV shows that Ross’s suppression of dissenting opinions
within the Nation and misrepresentation of his failed negotiations in Washington substantiates this allegation.

Chapter V concerns parallels in history to Boudinot as well as the Cherokees’ attempts to preserve their homeland through the practice of what is today termed “civil resistance.” It considers lost possibilities for the Cherokee Nation as a result of Boudinot’s murder, and it further weighs the reasonableness of Boudinot’s treaty advocacy in the context of his times.

Throughout these chapters it will be shown that an underlying theme in the editor’s life was a remarkable consistency in his core values. In “Letters and Other Papers Relating to Cherokee Affairs: Being a Reply to Sundry Publications Authorized By John Ross,” his final published work and defense of his signature at New Echota, Boudinot made a provocative point. He argued that he had not “changed.” His primary motivations remained the same. “My language has been ‘fly for your lives’ – it is now the same . . . fly from the moral pestilence that will finally destroy our nation.” While he believed salvation of the souls and bodies of the Cherokees could best be accomplished in the eastern Nation, Boudinot fought for their right to remain; however, when he judged his people to be helpless in their ancestral lands, he argued for their removal to a country where they had a “better prospect” to remain a sovereign people. In this respect, Boudinot had indeed not “changed” but adapted.

An understanding of Boudinot’s motives concerning removal is still important in evaluating the removal crisis era. The Trail of Tears that followed the signing of the Treaty of New Echota marks one of the greatest tragedies in American history and has been the subject of much scholarly consideration. The tremendous human cost of the

---

Cherokee removal during the winter of 1838 and 1839 is the most obvious illustration of that tragedy – perhaps a fifth of the Nation died along the way - but another tragedy remains in the shadows.\textsuperscript{11} During the 1830s a Cherokee leadership that had so admirably modernized their society and staved off removal divided into irreconcilable factions. This divide contributed to the disaster of the Trail of Tears and prompted factional violence in the Cherokees’ new land. Lingering enmity and division split the Nation once again during America’s Civil War.

Who were these controversial and influential men that sold the land of the Cherokees and why did they do it? Boudinot’s story and this study offer important answers. Boudinot left personal correspondence, an 1826 speech, numerous editorials, and an “apologia” that explain his evolving thinking on a solution for his tribe’s troubles. Many Indians made decisions for their people in circumstances as desperate as those of the Cherokees, and many died without leaving a record that explained their actions. Elias Boudinot, the first Native American editor of the first Native American press, was not one of them.\textsuperscript{12}

This study largely uses Boudinot’s published work to help answer the research questions noted above. Many of his writings were published in Theda Perdue’s \textit{Cherokee Editor: The Writings of Elias Boudinot}.\textsuperscript{13} Perdue divided Boudinot’s writings into four sections, which correspond to distinct periods in his life: “Contributions to Periodicals,”

\textsuperscript{11} Wilkins, \textit{Cherokee Tragedy}, 328. Wilkins tallied the 4,000 Cherokee dead to be “nearly one-fifth of the entire Cherokee population.”

\textsuperscript{12} The \textit{Cherokee Phoenix}. For Boudinot’s place in Native American journalism, see Sam G. Riley, “The \textit{Cherokee Phoenix}: The Short, Unhappy Life of the First American Indian Newspaper,” \textit{Journalism Quarterly} 53, no. 4 (1976), 666.

\textsuperscript{13} Theda Perdue, ed., \textit{Cherokee Editor: The Writings of Elias Boudinot} (Knoxville: The University of Tennessee Press, 1983).

Perdue reprinted all of Boudinot’s publications that she could locate “except repetitious and nonanalytical” Cherokee Phoenix editorials. In total, Cherokee Editor contains about one-fourth of his editorials.14 Perdue utilized these writings to support her theory of Boudinot’s self-loathing and delusion. Using the same sources, this study has come to altogether different conclusions on Boudinot’s character and motivations.

Boudinot’s published letters are found in Theresa Strouth Gaul’s To Marry an Indian: The Marriage of Harriett Gold & Elias Boudinot In Letters, 1823–1839 and Edward Everett Dale and Gaston Litton’s Cherokee Cavaliers: Forty Years of Cherokee History As Told In The Correspondence of the Ridge-Watie-Boudinot Family.15 Most of the letters in Gaul’s book were written by Harriet Gold’s family during the “crisis” of her engagement to Boudinot, but the book also contains correspondence from Harriet and Boudinot to their in-laws in the East after the couple moved to the Cherokee Nation in 1826.16 This study primarily draws from eight letters Boudinot and Gold wrote to their in-laws, the Vaills, between 1827 and 1832. Gaul’s book also includes useful material from the American Board of Commissioners for Foreign Missions (ABCFM) archives,

14 Perdue, Cherokee Editor, ix, 89.

16 Letter from Elias and Harriet Gold Boudinot to Herman and Flora Vaill, January 5, 1827. Boudinot wrote “We came here [to the Cherokee Nation] the 1st day of December [last].” In Gaul, To Marry An Indian, 153.
including extracts of letters from Jeremiah Evarts, David Brown, and Daniel Butrick. Since no letters from Boudinot survive from the time of his engagement, these materials provide important information about this period of his life.

*Cherokee Cavaliers* contains just two letters written by Boudinot; most of the correspondence belongs to Stand Watie and other surviving members of the Ridge-Boudinot family. Boudinot’s letters are nevertheless important, since they were written following the *Worcester vs. Georgia* ruling and give insight into Boudinot’s feelings about the decision.17

This study is indebted to numerous other sources. Among the most important are Allen Guttmann’s *States’ Rights and Indian Removal: The Cherokee Nation v. The State of Georgia* and Theda Perdue and Michael D. Green’s *The Cherokee Removal: A Brief History with Documents*. These books provide excellent contextual and statistical information on the Cherokee removal, along with transcriptions of letters, treaties, speeches, laws, and memorials from removal’s advocates and opponents. Other notable sources include treaties between the Cherokees and United States, Gary Moulton’s voluminous *The Papers of Chief John Ross, Volume I, 1807 – 1839*, Frank W. Griffin’s “Walking ‘The Same Path’: Indian Voices and the Issues of Removal,” and Thurman Wilkins’s *Cherokee Tragedy: The Story of the Ridge Family and the Decimation of a People*.18 Griffin’s study contains transcripts from the Congressional removal debate, while Wilkins’s narrative remains the authoritative history of the Ridge family. Its

---

17 For information on *Worcester vs. Georgia*, see Chapter III, 71 - 73.
balanced history of the principal Cherokee leaders of the removal era combined with its depth in primary research make it indispensable for scholars of the “Treaty Party” and the removal crisis. Taken together, these sources contribute to the evidence that Boudinot lucidly perceived the forces and arguments behind the removal movement and that his treaty advocacy and ultimate signature at New Echota were rational actions.

To understand Elias Boudinot and the context of the removal crisis, one must hearken back to the eighteenth century when the Cherokees first realized that the dominant American society would irreversibly change their way of life. Boudinot lived during an era when the attitude of the United States toward Indians was in the process of transformation. Prior to the 1820s, the federal government had in principle promoted a policy of “civilization” in regard to America’s native inhabitants since the time of President George Washington. In the Treaties of Hopewell (1785) and Holston (1791) the United States had plainly stated its obligations to the Cherokees. The most important were that the Indians were to consider themselves solely under its protection; that Congress was to have the “the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs”; that the United States would guarantee and protect Cherokee lands not already ceded; and that the federal government would provide “useful implements of husbandry” to influence a transition toward an agrarian existence. Upon the recommendation of Henry Knox, Washington’s Secretary of War, “[m]issionaries, of excellent moral character” were sent as agents of change. In line with the ideals of the time, Knox directed that the missionaries not be “concerned in trade, or the purchase of land . . . They should be [the Indians’] friends and fathers.”

While Knox’s recommendations contained many humane principles, they were made with an eye toward future gains for America. The secretary scorned avarice in dealing with the Indians, but he still desired their land. As historian Allen Guttmann characterized it, the Founding Fathers did not consider incompatible mentoring the Indians in the ways of civilization while at the same time acquiring their lands by treaty. Washington was confident enough in his policy and the potential of Indians to “civilize” to predict that the 125,000 Indians who lived east of the Mississippi would acculturate within fifty years.20

Cherokee society underwent dramatic changes in response to the “civilization” program of the United States. At an unprecedented pace, a generation began to adapt white American customs, industry, and governance in an effort to empower their nation. Leading Cherokees permitted missionary schools in their Nation so that their children could learn the language, customs, and knowledge of whites. The Ridge, Boudinot’s uncle, whose name referred to his vision for the future as if he stood on the backbone of a mountain, was one of the audacious agents of change.22 As a young man The Ridge was among the “recalcitrant braves” who continued to resist the United States, but he surrendered to the inevitable when John Sevier’s army defeated the last large scale

20 Guttmann, States’ Rights, 10.
22 For examples of Cherokee adaptation to American industry, see Wilkins, Cherokee Tragedy, 32 – 33. Major Ridge “placed his faith in education as the instrument to ensure his people’s salvation” and was “one of the staunchest champions of education in Cherokee history,” Ibid., 96; For the formation of the Cherokee government, see Moulton, John Ross, 32; for Cherokee receptiveness to bringing an English education to their children, see Wilkins, Cherokee Tragedy, 97. For the meaning of The Ridge’s name, see Wilkins, Cherokee Tragedy, 15.
Cherokee force at Etowah in 1793.\textsuperscript{23} Henceforth, The Ridge dedicated his life to preserving his people through diplomacy rather than force.

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{figure2}
\caption{Major Ridge. Source: Thurman Wilkins, \textit{Cherokee Tragedy}, 5.}
\end{figure}

In the years after Etowah, The Ridge cleared land, raised livestock, and acquired slaves in the manner of whites. The explanation for this change of heart went beyond simple surrender to irresistible force. In the words of a contemporary Cherokee, “The hunting is almost done & we must now live by farming, raising corn & cotton & cattle & horses & hogs & sheep. We see that those Cherokees who do this live well.”\textsuperscript{24}

\begin{flushright}
\textsuperscript{23} Wilkins, \textit{Cherokee Tragedy}, 23, 26.
\textsuperscript{24} From “Unidentified Talk,” National Archives, RG 75, Records of the Cherokee Agency in Tennessee, M-208, Roll 3; cited in Wilkins, \textit{Cherokee Tragedy}, 33.
\end{flushright}
The late 1790s saw significant portions of the Cherokee lands sold to the United States by unscrupulous chiefs, none more infamous than Chief Doublehead, the Speaker of the Nation, who was widely regarded by United States commissioners as a man that “could always be bought.” But the aptly named Doublehead’s selfishness and deceit caught up with him. The Ridge believed in acculturation, but he was also committed to Cherokee sovereignty and would not tolerate agreements made without the consent of his tribe. When he and an accomplice ended Doublehead’s life, “No one mourned the slaughtered chief.”

Such was the conviction of The Ridge that the Cherokees’ future lay in embracing the United States. Therefore, when a civil war broke out among the Creeks in 1813, a conflict in which the United States was entangled, he volunteered to serve under United States command and raised Cherokee forces to do the same. In 1814 he fought with distinction at Horseshoe Bend, the site of the Creek’s decisive defeat by the forces of Andrew Jackson. Following his service with the United States, The Ridge adapted the title of his commissioned rank as his first name and was thereafter known as Major Ridge.

Like Ridge, the Cherokees cast their lot with the United States in order to survive. Cherokee leadership centralized politically during this time with the same objective. Traditionally, the Indians had practiced a system in which each town regulated its own affairs. The Cherokee town councils were highly democratic in nature; every member was allowed to speak and issues were discussed until a consensus emerged. This unity

---

25 Wilkins, *Cherokee Tragedy* 38 - 40; quotes from 38 and 40.
of sentiment was made possible by the withdrawal of voices that represented minority opinion. It was an expected grace. If a Cherokee could not agree with the majority, he was duty bound not to get in the way. But this system was not sustainable in an era where the United States held the entire body of Cherokees accountable for the actions of its individual towns. It was in this environment that the Cherokees decided to change their governmental structure.\(^{28}\)

By the end of the eighteenth century the Cherokees created the office of principal chief to preside at the national council and act as a spokesman for the entire Nation in dealings with the United States. In 1819 representatives from fifty-four towns and villages gathered at New Town (New Echota) and adopted common articles of governance with the intent of “obviat[ing] the evil consequences” of the illegal “disposition of our common property of lands.” The Cherokees formed a standing committee of thirteen to administer the affairs of the Nation with the expressed duty of protecting the Nation’s common property and individual improvements.\(^{29}\)

In 1827 the Cherokees authored a constitution that provided for a republican government fashioned after that of the United States. It placed the principal chief in the executive office, created upper and lower legislative houses, and a supreme court.\(^{30}\) The new government was representative of the hybrid ethos of Cherokee society. A principal chief represented the entire tribe but, like the town councils of earlier days, he was

\(^{28}\) Perdue, “The Conflict Within, 469, 470.
\(^{29}\) Ibid., 471, 473; Laws Of The Cherokee Nation, 4-5.

\(^{30}\) Perdue and Green, The Cherokee Removal, 14.
expected to lead by following the wishes of the majority. A chief could quickly be deposed for straying from the will of the people.\(^{31}\)

The Cherokees may have derived great satisfaction from their advances, but not all looked upon these developments with joy. The State of Georgia strongly believed that the Cherokee Nation lay within its boundaries. In 1802 Georgia sold the United States its western colonial claims with the understanding that it would one day “at [the federal government’s] own expense, extinguish, for the use of Georgia, as early as same can be peaceably obtained, on reasonable terms, the Indian title to the country [within Georgia].” This arrangement promised to rid Georgia of an undesired Indian population, but it conflicted with past treaties made with the Cherokees, who were not consulted about the 1802 agreement.\(^{32}\)

Georgia expected the United States to expedite the Cherokees’ emigration, and the state had a particular destination in mind for the Indians. The idea of removing the eastern Indians to the “empty” western lands of the Louisiana purchase originated during Thomas Jefferson’s administration, but it was not until the second decade of the nineteenth century that opponents and advocates of removal clashed in heated national debate.\(^{33}\) By this time the “five civilized tribes” of the Southeast, the Cherokees included, had lost their ability to resist white encroachment by force.\(^{34}\) These Indians relied on the sanctity of past treaties to protect them from their land-hungry neighbors.

---


\(^{32}\) “Georgia Cession,” April 26, 1802, American State Papers 028, “Public Lands” vol. 1, 7\(^{th}\) Congress, 1\(^{st}\) Session, Publication No. 69; Carl J. Vipperman, “Forcibly if We Must: The Georgia Case for Cherokee Removal, 1802 -1832,” Journal of Cherokee Studies 3 (1978), 104.

\(^{33}\) Wilkins, Cherokee Tragedy, 45. On the mounting pressure for the Cherokees to remove from the 1820s onward, see Calloway, First Peoples, 211 – 213.

\(^{34}\) Gary Moulton wrote that the Creeks “lost their ability to resist” white encroachment at Horseshoe Bend in 1814. He speculated that John Ross’s experience in the Creek War (1813 – 1814) taught him that “the result of armed resistance was annihilation.” See Moulton, John Ross, 12.
Significant numbers of Cherokees had agreed to land sales in the past. Almost a third of the tribe had given up their land and moved to the Arkansas Territory in 1817. The emigration did not speak well for the policy of removal and its promise of perpetual sovereignty for the Indians in their new country. The Arkansas Cherokees quickly felt the pressure of white settlers who encroached on their new land. In 1828 the United States negotiated a new treaty moving these Cherokees further west to land which is today Oklahoma.\(^{35}\)


In 1819 the Cherokees were forced to concede a proportionate amount of their eastern land in payment for the Arkansas land where their countrymen had removed.\(^{36}\)

---


\(^{36}\) Moulton, *John Ross*, 22.
Georgia benefited from this transaction, but the state considered its gains negligible. At
the beginning of 1822, a committee headed by George Gilmer of Georgia charged that
the United States had violated the Compact of 1802 and demanded that the federal
government provide the ways and means to extinguish the Cherokees’ land title. James
Monroe found it expedient to authorize funds for Cherokee removal and to send enrolling
agents into the Indians’ country. This would be the Cherokees’ last “voluntary” sale of
land. In 1822 their government passed a resolution which declared “unanimously, with
one voice and determination, to hold no treaties with any Commissioners of the United
States to make any cession of lands, being resolved not to dispose of even one foot of
ground.”

This policy was barely sustainable during the presidential terms of James Monroe
and John Quincy Adams. Both administrations drafted plans for Indian removal, but they
were unwilling to uproot the Indians against their will. Adams’s successor Andrew
Jackson was not inhibited by such sentiment; he strongly believed in removal and was
determined that the Indians should go. In his first annual message, Jackson gave his
support to Georgia’s cause and proposed “setting apart an ample district west of the
Mississippi” where voluntary Indian emigrants could be placed. The idea was
formalized when Congress passed the Indian Removal Act in 1830. It empowered the
President to exchange American land in the West for Indian lands in the East, guaranteed
perpetual title to the Indians in their new home, and promised to pay for the expenses of

37 Vipperman, “Forcibly if We Must,” 106; Laws of the Cherokee Nation, October 23, 1822, 23.
38 Jon Meachum, American Lion: Andrew Jackson in the White House (New York: Random
House, 2008), 94; For Monroe’s position see Vipperman, “Forcibly if We Must,” 106; For Adams’s
position see Francis Paul Prucha, American Indian Treaties: The History of a Political Anomaly (Berkeley:
University of California Press, 1994), 157; Andrew Jackson, First Annual Message, December 8, 1829,
jackson&st1=.
removal. By the mid 1830s, the President insisted that all Indians east of the Mississippi had to remove.\textsuperscript{39}

A generation of acculturated Cherokee leaders prevented the immediate execution of a removal plan. In 1801 Moravians had established the first mission school at Spring Place in the northwest corner of the Cherokee Nation. The mission got off to a bad start. The Cherokee Council thought that the missionaries were spending too much time preaching and too little time offering practical education. Leading Cherokees based their support for the missionaries on the understanding that they would teach Cherokee children the knowledge of whites. The council gave the missionaries six months to establish a proper school or to move out.\textsuperscript{40} The Christian God was uninteresting to the Cherokee leadership but would be tolerated for the sake of education.

Elias Boudinot came of age during this experiment. He was among the earliest students at the Spring Place mission. Upon completion of his education in Connecticut, Boudinot became part of a small but growing group of Cherokees who knew God better than their native deities and spoke English as adeptly as Cherokee. Encouraged by their missionary mentors, acculturated but much attached to the idea of Cherokee sovereignty, articulate and forceful, these Cherokees presented a considerable challenge to the removal movement. Lacking the economic and military power of their opponents, leaders such as Principal Chief John Ross and Elias Boudinot publicly argued on behalf of their people by appealing to principles established by the United States. Yet, they could only take the argument so far. When the time came that the Constitution had been reduced to selective quotation by champions of the removal movement and past treaties with the Indians were heedlessly ignored or their language contested in support of removal (in the words of representative Henry Stores speaking in frustration during the 1830 congressional Indian Removal Bill debates, “Words no longer mean what words import, and things are not what they are!”), difficult decisions became the order of the day.\textsuperscript{41} Elias Boudinot believed in the promises of the missionaries. He believed in the Constitution and the

\textsuperscript{39} Guttmann, States’ Rights, 43. Lewis Cass conveyed Jackson’s “absolute imperative” in a message to John Ross in 1835, see Moulton, John Ross, 60.

\textsuperscript{40} Wilkins, Cherokee Tragedy, 100.

\textsuperscript{41} Register of Debates in Congress, 21\textsuperscript{st} Congress, 1\textsuperscript{st} session, 1008 found in Griffin, “Walking ‘the same path,‘” 45.
integrity of past treaties. He was almost thirty years old before he surrendered his hopes for federal intervention in the removal crisis.
II. Boudinot the Cherokee (1804 - 1828)

From boy to man Boudinot was an advocate for the Cherokees and publicly argued for their worth and sovereignty. He was in some ways removed from his people, most notably in his evangelical Christian beliefs, but this distance from his native culture was not so far that it led him to delusion. In his early twenties the public reaction to his marriage to a white woman awakened him to the racial divide between Indians and whites. The experience left Boudinot a hard realist and, arguably, more committed to his identity as an Indian. In the mid-1820s Boudinot initiated the first of a series of arguments to protect Cherokee sovereignty in their eastern lands. He appealed to America’s Christian community to foster the Cherokees based on their common humanity and progress in “civilization.” These early years demonstrate that Boudinot was a strategic thinker who used his words toward a specific end: protecting the Cherokee people. Militarily weak, the Cherokees were limited to public argumentation to preserve their sovereignty. Boudinot’s early actions as an advocate for the Cherokees shows that his choice of strategy was a sound means of soliciting support from white Americans. The strategy was not reckless or random; it was sober and calculated.

“I was born as thousands are, in a stately dome and amid the congratulation of the forest oak, I first drew my breath; and in a language unknown to learned and polished nations, I learnt to lisp my fond mother’s name.”\(^1\) With these words Elias Boudinot introduced himself to white audiences during an 1826 speaking tour of the East. These humble words were calculated to impress his listeners with the great changes he had undergone in his life. Boudinot was born into a family where acculturation was

---

\(^1\) Elias Boudinot, “An Address to the Whites Delivered in the First Presbyterian Church on the 26th of May, 1826, by Elias Boudinott [sic], A Cherokee Indian” (Philadelphia: William F. Geddes, 1826) found in Perdue, *Cherokee Editor*, 69.
considered a virtue. To appreciate his later disillusionment with white society and his subsequent life course, it is important to understand the value he placed on the first part of his life. This early background is also necessary in order to properly evaluate the reasonableness of his responses to the challenges in his later life.

Galagina, or “Buck,” Watie, was born around 1804 in the town of Oothcaloga near what is today Calhoun, Georgia. He was a teenager before he assumed the name Elias Boudinot in honor of the American Bible Society’s President of the same name. Boudinot’s father, Oo-watie, embraced Washington’s “civilization” program and set up his home and industry as a model of western sensibilities: clearing fields, fencing in his lands, and living in a log cabin. Oo-watie’s nine children took his name, Watie, as their surnames, a break from traditional matrilineal identification and further evidence of the Waties favoring American custom. The Ridge-Watie family identified themselves as full-blooded Cherokees, but this was technically incorrect. Scottish blood ran in the Watie line. The Ridge-Watie family’s preferred identification is significant because it spoke to a purposeful upbringing: Oo-watie may have pushed Boudinot to study the ways of whites, but he wished him to identify as an Indian.²

From about the age of seven, Boudinot attended a Moravian mission school run by the Reverend John Gambold and his wife, Anna, at Spring Place in the Cherokee Nation. For the next six years Boudinot spent his days at the mission school in a highly-regimented environment that included religious and secular instruction.³ The missionaries believed that the Indian children were best served by having as little time as possible in

² Perdue, *Cherokee Editor*, 3, 6, 5; Wilkins, *Cherokee Tragedy*, 4, 6. The Oklahoma Historical Society marker at Boudinot’s grave places his year of birth at 1802. Thurman Wilkins, who provided the information that John Ridge’s was born in 1803 and that Boudinot was a year younger than his cousin, confirms Perdue’s date of 1804. See *Ibid.*, 34, 102. Boudinot’s birthday is unknown.
the company of their people and arranged to have them boarded on the premises. The
students got up and went to bed early, rising and falling to sleep in prayer. At Spring
Place, there was little time to be idle and, the missionaries hoped, less time to be an
Indian. Still, evidence points to Boudinot having substantial association with his people,
and as an adult he spoke Cherokee fluently and remained close to his large family.4

The transition into the missionaries’ regimen was not seamless; as a man,
Boudinot remembered his shame and sense of “singularity” when he was first made to
dress like a “white boy.” Nevertheless, Boudinot along with his cousin John Ridge
excelled in their studies at Spring Place. The two stood out as the pride of their
schoolmasters – especially Boudinot. His trusting and gentle nature endeared him to the
Gambolds. Unlike his cousin who “showed a colder, more calculating manner,” Boudinot
came to “develop that quality so dear to missionaries, the trait they described as ‘piety.’”
Boudinot became so attached to his teachers that when the day came for him to leave
Spring Place and continue his education elsewhere, he openly wept.5

In 1817 Boudinot and Ridge were invited to study in Cornwall, Connecticut, at a
school under the aegis of the ABCFM, an interdenominational Protestant missionary
society with Eastern roots.6 The town of Cornwall was home to “deeply religious [and]
puritanical residents” who initially welcomed a school whose mission was to convert
“unenlightened” peoples to Christianity. Indeed, they had actively bid to have the honor.7

Some of the young scholars hailed from far off lands – Hawaii, China, the Azores – but

4 Perdue, Cherokee Editor, 6. For Boudinot’s bi-lingual adeptness, see Gaul, To Marry An Indian, 163; for examples of the intimacy of the Watie family, see Elias and Harriet Gold Boudinot to Herman and Flora Gold Vaill, January 5 and November 27, 1827, in Ibid., 154-155, 159-160.
5 Boudinot’s memory was related in a letter from Samuel Worcester to William S. Coodey, date unknown, found in Bass, Cherokee Messenger, 99; Wilkins, Cherokee Tragedy, 102-103, 106. Quote from Ibid., 103.
6 Perdue, Cherokee Editor, 6.
the larger part of the school’s student body was American Indian: Tuscarora, Oneida, Seneca, Narragansett, Chippewa, Chocktaw, Osage, and Cherokee. It was the school’s fond hope that their graduates would return to their native lands as missionaries and spread the Gospel of Christianity.⁸

During his years in Cornwall, Boudinot converted to Christianity and embraced the calling to “civilize” “savage” races, his own included. He demonstrated his faith and sense of mission in his earliest surviving correspondence – letters to supporters of the Foreign Mission School, later published in religious periodicals. These early letters testified to a subject that occupied Boudinot’s life: spiritual salvation for the Cherokees. In 1821 he wrote to a benefactor of the Cornwall school about his “ardent desire” to teach

---

⁸ Delly, “Episode at Cornwall,” 445, 446.
the Cherokees the way to salvation. This ambition was not limited to his own
countrymen; in later years he would write that “it is not a visionary thing to attempt to
civilize and Christianize all the Indians, but highly practicable.”

Boudinot learned much from the missionaries. Besides cultivating his intellect
and spirit, he became a skilled promoter. The missionaries felt obliged to exhibit the fruit
of their labors, and so they employed their students in writing to the Foreign Mission
School’s benefactors to show their faith and erudition. It was no accident that his early
letters were published in religious periodicals. The pious and articulate words of the
young Indian served to inspire supporters and loosen purses. In this context, it becomes
clear that even Boudinot’s early letters were written with a larger audience in mind.

Boudinot progressed into more overt promotion of Cherokee progress. An 1825
submission to the *Boston Recorder and Telegraph* showcased a change in Boudinot’s
writings; henceforth his letters took the form of an argument. Intended to solicit funding
for a Moral and Literary Society in the Cherokee Nation, the letter showed two major
themes that Boudinot employed when he argued for Cherokee rights during this period of
his life: their humanity and their “civilization,” which in no small part meant their move
toward Christianization. It was on the basis of their responsibilities as Christians that
Boudinot called upon his readers to act:

Do you wish well to the Indian character? – evince that wish by deed. Do you
pray for Indian improvement? – support your prayers to the God of nature, by
assisting the needy, feeding the hungry, and enlightening the benighted. Are you a

---

9 Perdue, *Cherokee Editor*, 9; Elias Boudinot, letter to the Baron de Compagne, *Missionary
February 21, 1828 in Perdue, *Cherokee Editor*, 94.
10 Perdue, *Cherokee Editor*, 41.
philanthropist, and do you desire your Aboriginal friends to be respected and honored? – spread knowledge and religion in their slippery path, and obstruct their way to oblivion, by the charms of education. What true lover of his country is there, who is not also a patriot of his neighbors? What true Christian is there, who does not drink the sweet draughts of benevolence?¹¹

Boudinot’s letter also gave insight into his concern for the Cherokees’ safety. By making qualified admissions of Indian culpability and using careful expressions of reproach, he attempted to gain white protection. First, he conceded that whites had suffered at the hands of Indians; he then recognized that some Americans harbored feelings of revenge strong enough to call for Indian extermination. But this admission was followed by words that showed Boudinot’s true purpose:

Our fathers, too true, did you the injury, - but where are they? Their bones now moulder beneath some lonely shed, and the scanty earth which covers them is now all they can claim; and perhaps even that is cleft in twain by the plough that procures you nourishment. Their possessions once were great – a boundless country, supplying them with game – and the multitude of the watery elements were theirs. You now live on their ruins! Can you still harbor revenge?¹²

¹² Boudinot, “From The Cherokee Nation” in Perdue, Cherokee Editor, 47. Boudinot returned to this theme in “An Address To The Whites” (1826): “It is not necessary . . . to place before your eyes the scenes of Muskingum Sahta-goo and the plains of Mexico, to call up the crimes of the bloody Cortes and his infernal host; and to describe the animosity and vengeance which have overthrown, and hurried into the shades of death those numerous tribes. But here let me say, that however guilty these unhappy nations may have been, yet many and unreasonable were the wrongs they suffered . . . ” See Perdue, Cherokee Editor, 70.
With these words Boudinot accomplished two objectives. In his admission to Indian transgressions, he placed the acts in the past tense while also using the opportunity to convey white culpability in Indian dispossession and, indeed, extinction. The letter respectfully asked for aid even as it articulated the moral and spiritual responsibilities of its audience. Not least of all, Boudinot expressed his opinion of the worth of Indian peoples when he wrote, “like yourselves they are God’s workmanship.”

Boudinot finished his formal education in 1822. He had done well in his studies, which included history, geography, surveying, and trigonometry. He had read Virgil and Englefield and won some recognition for his calculation of a lunar eclipse. His mentors hoped that he would continue his education at Andover Theological Seminary, be ordained as a minister, and return to his nation to evangelize to his people. Boudinot’s health did not permit this. He was bothered by a stomach ailment accompanied by fever that forced him to return to his family home in 1822. During his convalescence he wrote letters to Harriet Gold, “one of the fairest, most cultured young ladies” of Cornwall and the youngest daughter of a family with strong connections to the missionary school.

In 1824 Boudinot’s cousin John Ridge married Sarah Northrop, the daughter of a trustee at the Foreign Mission School. The marriage caused many of Cornwall’s residents to reconsider their support for a school whose “savage” students might one day think themselves equal to the local whites - enough so as to aspire to marry one of Cornwall’s daughters. Isaiah Bunce, editor of the newspaper The American Eagle in neighboring

---

13 Boudinot, Ibid., 47.
14 Gaul, To Marry an Indian, 7, 8; Wilkins, Cherokee Tragedy, 134; From a letter written by Eunice Wadsworth Taylor to her daughter in Edward C. Starr A History of Cornwall, Connecticut: A Typical New England Town (New Haven: Tuttle, Morehouse, and Taylor, 1926), 154 quoted in Gaul, To Marry an Indian, 43; for Harriet’s relationship to the Foreign Mission School, see Ibid, 5.
Litchfield, was one of the most vocal and persistent critics of the marriage. He wrote that the public at large was aggrieved by the union and that some called for Northrup to “be whipped, her husband hanged and her mother drowned.” He charged that a new kind of “missionary machinery” was in action and blamed the school for the recent outrage.  

Persons affiliated with the Foreign Mission School found themselves on the defensive. Seven prominent men in the community, including the Deacon Benjamin Gold, signed a letter refuting the mission school’s connection to the Ridge-Northrup marriage. But Gold’s high ground crumbled beneath him almost a year later when his daughter, Harriet, asked his permission to marry Elias Boudinot. At first, Gold flatly refused but relented when Harriet became so ill he feared she would die, having “lost the will to live” while pining for Elias.

Members of the ABCFM were furious when they heard that the marriage would take place. The school’s existence, they believed, could not survive another scandal of this sort. They issued a ban calling all parties to the union criminal and pronounced the engagement an insult to the Christian community. The citizens of Cornwall took to the streets. One evening “[r]espectable young people Ladies & Gentlemen” gathered amidst the ominous tolling of bells, which Harriet later concluded symbolized “the departure of a soul.” Harriet’s brother Stephen lit a barrel of tar on fire onto which a painting “representing a beautiful young Lady & an Indian” was thrown. The fury over the

---


17 Delly, “Episode at Cornwall,” 448, 449.

engagement grew to such proportions that the Foreign Mission school had to permanently close down. 19

Back in Cherokee country, Boudinot received abusive and threatening letters. One Sunday he wandered from his father’s home onto a Cherokee game of ball and sat to watch. By his own account he did not go “because he expected to derive any pleasure from being present. He had no distinct object in view. He was very wretched, & did not care what became of him.” Traditional Cherokee ball play was a violent sport intended to

19 Perdue, Cherokee Editor, 10.
prepare young men for battle, but perhaps the most horrifying element of the game to missionaries who warned away their converts was that the participants played naked while women watched on the sidelines. Somehow news of this Sabbath day activity reached Boudinot’s benefactors in the East and caused them great consternation. Boudinot later spoke of the incident to Jeremiah Evarts, but as the American Board’s secretary related, he would neither “justify or excuse himself. He only stat[ed] the facts.”

None of Boudinot’s correspondence survives from this time of distress. A letter written by a fellow Cherokee who attended the Cornwall school, David Brown, however, gave some insight into the effect the news had on the Cherokee community and probably reflected Boudinot’s thoughts:

Your missionaries have told us that the people of New England were our firm friends & that we might at all times lean on them for assistance; & we have felt peculiarly greatful [sic] for their kind offices. But you will not be supprized [sic] to hear that our confidence is now somewhat shaken. We are necessarily led to inquire, whether our friends in New England have always acted from love to us & and a desire to do us good. If they loved us how could they treat us in this manner[?] . . . If white men may marry among us without offence, how can it be thought wicked for us to marry among them[?]  

---


Boudinot retained his faith. He had long lived among the missionaries and his convictions were not so easily discarded. Besides, not all of Boudinot’s missionary friends deserted him, and several expressed their dismay at the racism and hatred shown to their friend. The ABCFM missionary Daniel Butrick, hearing that “half the state would rise up” against Boudinot if he returned to Connecticut, wrote: “that polished, that pious, that holy state? . . . Rise against him? What! [A]gainst our dear brother Boudinot? . . . [H]umanity sickens at the thought.”

According to historian Theda Perdue, the scenes in Cornwall awakened Boudinot to an unbridgeable racial divide between himself and the white society he had come to emulate. She argued that he thereafter determined the Cherokees would maintain a distinct identity apart from whites and “civilize” through their own institutions. True, Boudinot never forgot New England’s slight. Years later, in a letter requesting that his relatives in Cornwall enlist subscribers for the Cherokee Phoenix, he ruefully added, “if any are to be had in Connecticut, the land of intermarriages.” Still, it is important to qualify the effect that the public reaction to Boudinot’s engagement had on his life. Boudinot did marry Harriet Gold at her parent’s house in a quiet ceremony on March 28, 1826. Assimilation for him was not theory.

Equally important to understanding Boudinot’s anxiety to keep the Cherokees a distinct people was the feasibility that Cherokees could become citizens in the states where their lands lay. As this thesis will later show, from the late 1820s on, nothing ever

---

22 Daniel Butrick to Jeremiah Evarts, March 1826, ABCFM Papers 18.3.1, vol. 4. in Gaul, To Marry An Indian, 18.

23 Perdue, Cherokee Editor, 10.

24 Elias and Harriet Gold Boudinot to Herman and Flora Vaill, November 21, 1827 in Gaul, To Marry An Indian 159.

25 Gaul, To Marry An Indian, 43.
pointed to assimilation being a viable option. Boudinot’s experience with white racism erased his idealism and alerted him to the predominant, although not universal, sentiment of white America on race relations. Arguably, the experience reinforced in Boudinot his sense of being an Indian. He demonstrated his sense of “self” in several significant actions. First, he refused to explain his attendance at a Cherokee ball game to his missionary friends. Second, he wrote a letter (which he wanted published) to the Reverend Timothy Stone demanding that the agents of the Foreign Mission school recant their pronouncement of his engagement as “criminal” if they could not offer any proof. In another letter he denied that the missionary agents had any authority over his “choices or behavior.”

There were two important implications to these actions. The alacrity with which he expressed his independence from his Christian mentors suggested that his acculturation was less profound than one might imagine after his many years under their tutelage. Boudinot’s subsequent return to his nation and continued interest in Cherokee “civilization” showed that his goals in life remained fixed. His independence from missionary direction demonstrated that he had separated his creed from the institutional hierarchy of white Christians. Overall his responses to the Cornwall “uprising” were appropriate and rational, and they spoke to his strength of character, even at so young an age.

In October, 1825 Boudinot was given a commission from the Cherokee General Council to solicit funding for a national academy and a newspaper. The importance of such an endeavor, he would later say, was to correct misinformation on the Indian

---

26 Gaul, *To Marry An Indian*, 20, 22-23; quote from 23.
character among whites. A newspaper written by Indians, within Indian country would provide “a vehicle of Indian intelligence” toward this end. To raise the necessary funds, he embarked on a tour of major American cities that extended from South Carolina to Boston. During his travels, Boudinot arranged for the publication of his oft-repeated speech, “An Address to the Whites,” in pamphlet form.²⁸

This year was a watershed in Boudinot’s life. He had progressed in his promotional efforts to medias that promised a much larger audience. As before, he called upon the Christian patriotism of his audiences. With his speaking tour and the publication of his speech, Boudinot achieved two objectives: he managed to raise the requisite $1,500 for a bi-lingual printing press and also promoted Cherokee “civilization,” thereby making an argument for the Indians’ right to remain in their eastern lands unmolested.²⁹

“An Address to the Whites” was the most comprehensive of Boudinot’s pre-Cherokee Phoenix published writings. There are several ways in which Boudinot’s speech from his tour can be understood. The appeal’s content showed no indication that his idea of “civilization” allowed room for the survival of traditional Cherokee culture. But how did Boudinot define “civilization”? The young Cherokee certainly believed it could be quantified in terms of material things in the Cherokee Nation such as livestock, spinning wheels, ploughs, grist-mills, schools, and books - items he claimed that had at least increased, if not doubled, in number in the previous decade and a half.³⁰ More importantly, he spoke glowingly of the prospects for the Christianization of his people,

²⁸ “An Address to the Whites,” 76 – 77. Quote from 77; Perdue, Cherokee Editor, 67. The National academy was not established until after the Cherokee removal.
²⁹ Information on the amount of money Boudinot raised comes from Perdue, Cherokee Editor, 67.
recently expedited by the translation of the New Testament into the Cherokee written language. With the barrier of language overcome, Boudinot informed his listeners:

The shrill sound of the Savage yell shall die away as the roaring of far distant thunder; and the Heaven wrought music will gladden the affrighted wilderness . . .

Already do we see the morning star, forerunner of approaching dawn, rising over the tops of those deep forests in which for ages have echoed the warrior’s whoop. ³¹

Boudinot evoked stereotypical images of the Indian to impress upon his audience the passing of a way of life. This was also shown when he detailed the branches of the Cherokee government and the organization of their state. In doing so he emphasized the presence and effectiveness of law and order in the Cherokee Nation. He expounded on this subject with a litany of specific laws: “Polygamy is abolished. Female chastity and honor are protected by law. The Sabbath is respected by the Council during session . . . The practice of putting aged persons to death for witchcraft is abolished and murder has become a governmental crime.”³² Attention to these details showed Boudinot’s desire to assure white audiences of the Cherokee Nation’s stability. He described a society that would meet with the approval of whites, one where they might walk in safety.

The choice of themes did not reveal a man enamored with his native culture. Yet there is another way to understand this 1826 speech. Theda Perdue has observed that Boudinot was particularly sensitive to charges that his people were “savages.”³³ Such

³¹ Boudinot, “An Address to the Whites,” 69, 72, 74.
³² Ibid., 75.
individuals could be removed west of the Mississippi, but the person and property of a “civilized” Indian might be protected by the United States. Indeed, within “An Address to the Whites” Boudinot stated: “There are, with regard to the Cherokees and other tribes, two alternatives; they must either become civilized and happy, or sharing the fate of many kindred nations, become extinct.” \(^{34}\) Considered in this way, the speech was an expression of deep insecurity about the immediate preservation of the Cherokees.

There is still another way to understand Boudinot’s 1826 speech. If he was not ready to concede the virtues of traditional Cherokee culture, he was also not prepared to admit the inferiority of Indians as a race. There was a persistent undercurrent in Boudinot’s speech that spoke of the Cherokees as equals to whites. One passage was particularly telling:

> What is an Indian? Is he not formed of the same materials with yourself? For “of one blood God created all the nations that dwell on the face of earth.” Though it be true that he is ignorant, that he is a heathen, that he is a savage; yet he is not more than all others have been under similar circumstances. Eighteen centuries ago what were the inhabitants of Great Britain? \(^{35}\)

Boudinot was also careful to impress upon his listeners that even the humblest Cherokee had the capability to “civilize”: “You here behold an Indian, my kindred are Indians, and my fathers sleeping in the wilderness grave – they too were Indians. But I am not as my fathers were . . .”\(^ {36}\) Here, too, Boudinot set up a contrast between a past that

\(^{34}\) Perdue, “Rising From the Ashes,” 216–217; Boudinot, “An Address to the Whites,” 78.

\(^{35}\) Boudinot, “An Address to the Whites,” 69.

\(^{36}\) Ibid.
he distanced Indians from and a present to which he linked them to. But there was an interesting twist to this introduction; Boudinot told his audiences that, “broader means and nobler influences” had given him greater advantages than most Indians. This was significant because Boudinot implicitly told his listeners that given the opportunity, all Indians might, like himself, become educated, refined, saved.  

“At An Address to Whites” was nothing short of an appeal to a larger Christian community. Evidence suggests that Boudinot believed in his message - the civilization he described rang true with his own beliefs and sensibilities – but there is little doubt that his words contained a large degree of calculation. When he told his listeners, “If [the Cherokee Nation] complete her civilization – then may we hope that all our nations will – then, indeed, may true patriots be encouraged in their effort to make this world of the West, one continuous abode of enlightened, free and happy people,” he was attaching the Cherokees to the larger Christian community, one worth saving physically and spiritually.

In October of 1827 the Cherokee Nation published a prospectus announcing the establishment of a bi-lingual weekly newspaper to be called the Cherokee Phoenix. Its sole purpose, wrote editor Elias Boudinot, was for “the benefit of the Cherokees.” Almost five months later he published the first issue of the newspaper. Above the title was an image of a phoenix rising from a blanket of flames, and between its wings was written the word “Protection.” On either side of the phoenix were Cherokee characters that translated into “The Phoenix Will Rise.” The newspaper was supplied at a discount to

---

37 Boudinot, “An Address to the Whites,” 69.
Figure 6. Front page from the Cherokee Phoenix, February 21, 1828. Source: The Digital Library of Georgia; http://dlg.galileo.usg.edu/cgi-bin/meta.cgi?action=query&query=cherokee%20phoenix&cc=1
its subscribers who could read only Cherokee; its English reading audience paid $2.50 - $3.50 depending on whether they paid in advance or at the year’s end. On the front page Boudinot printed in parallel columns the Cherokee Constitution in English and Cherokee.

In his first editorial, Boudinot signaled not only his support but his understanding that the majority of Cherokees opposed removal. He wrote of his paper’s commitment to “invariably and faithfully” report majority sentiment, “[we] are willing that the public should know what we think of this policy, which, in our opinion, if carried in effect, will prove pernicious to us.” His use of the first person plural is noteworthy. It at once expressed Boudinot’s understanding of majority opinion as well as his individual belief.

Boudinot’s first editorial contained seeds of the conflict that would one day estrange him from the Cherokee government. He announced that his newspaper was a national newspaper and would be devoted to national purposes - a clear statement of the its partisanship - but he also wrote that he would consider the Phoenix “a free paper,” one that would “always be open to free and temperate discussions on matters of politics, religion, &c.”

There was no contradiction between these two expressions of policy. As his actions within a few years would show, devotion to “national purpose” was not confined to supporting the policies of the Cherokee government, or even the will of the majority of his people. Boudinot promised that the pages of the Phoenix would be devoted to the benefit of the Cherokees, but he did not claim any single strategy to meet this objective. In his first editorial Boudinot established a position from which he did not waver.

---

39 Althea Bass wrote that the paper was supplied free to Cherokee readers, see Althea Bass, Cherokee Messenger (Norman: University of Oklahoma Press, 1996), 4. The paper itself states that Cherokee readers would be charged $2.00 - $2.50 depending on the date of payment.
40 Elias Boudinot, “To The Public,” 93.
41 Ibid., 92.
The Cherokee editor’s choice of content is useful in understanding his motivations. In a quantitative study by journalist Ann Lackey Landini of every issue of the *Cherokee Phoenix* under Boudinot’s editorship, there were indicators that Boudinot believed he best served the Cherokees by directing its content to white Americans. According to a census taken in 1835, about half of Cherokee households had a Cherokee reader, but only 18 percent of the Nation’s houses had an English reader. Nevertheless, just 16 percent of the articles published during Boudinot’s tenure as editor were printed in the Cherokee language. This can in part be explained by the disproportionate amount of time it took to set the Cherokee type. Landini, on the other hand, argued that the paucity of articles in Cherokee pointed to the Indians not being the focus of the newspaper. As Landini showed, more significant than all of the categories by which the paper can be analyzed was the fact that it was run by a Cherokee editor, in Cherokee country, under the sponsorship of a Cherokee government. Whether the paper provided locally written news (one-third of the content during its entire run), or reprinted stories from other newspapers, it demonstrated the sophistication and piety – one might better say the modernity – of the Cherokee people.

Boudinot’s editorials also revealed his sense of himself as a human being. Theda Perdue has contended that “[Boudinot] could not accept his people, his heritage, or himself,” but her own selections of his editorials revealed evidence of Boudinot’s conviction that he, the Cherokees, and Indians in general were as worthwhile as whites.

---

44 Perdue, *Cherokee Editor*, 33; Because Boudinot often used the terms “Cherokee” and “Indian” in his editorials, some words are in order to help explain his understanding of these words. His editorials show that his use of these terms was very near modern usage: the former referred to his specific people, while the latter signified a general term for Indians. Boudinot often used the subject of “Indians” as a device to open a discussion about the Cherokees (as he did in “An Address To The Whites); he was just as
There is no better illustration of Boudinot’s self regard than an early incident in his association with the *Cherokee Phoenix*. He nearly turned down the honor of editing the newspaper when he learned that the white printer, Isaac Harris, would be paid $100 dollars more than himself. It was only through the petitioning of the missionary Samuel Worcester, Boudinot’s friend and collaborator in translating the Gospel into Cherokee, that the ABCFM subsidized Boudinot’s salary to match Harris’s.  

Boudinot’s immediate concern was for the well-being of the Cherokees, whom he considered a distinct people. He repeatedly asked that his readers not generalize the character and circumstances of all Indians. His editorials might, at various times, disassociate the Cherokees from reports of northern Indian tribes decimated by disease or from violence carried out by Great Plains Indians against whites. In another editorial he “protested” the tendency of newspapers to speak of Southern Indian tribes as a single people; he did not wish the Cherokees to be linked to reports of the Creeks “rapid decline” and “degradation.”

likely to take the opposite approach to speak on behalf of all Indian peoples. The present day reader may take his terminology at face value and read his intentions in the context of specific documents.

45 Perdue, *Cherokee Editor*, 15. For Boudinot’s collaborations with Worcester in translating the Bible into Cherokee, see Chapter II, 44. Worcester, an ABCFM missionary, had experience as a printer and played a principal role in facilitating the creation of the *Cherokee Phoenix*. His subsequent association and labors for the *Phoenix* were also substantial. Worcester’s biographer Althea Bass went so far as to call him “the head of the press.” His role must be qualified, however. Worcester did contribute articles to the *Phoenix* and was involved in the press’s operation, but he did not direct the content. White Americans who couldn’t (or chose not to) believe that Boudinot, as an Indian, was capable of authoring his own editorials and managing a paper attributed the Cherokee editor’s writings to Worcester’s pen. In 1831 Worcester wrote an article for the paper in which he denied reports that he was “the real editor of the Cherokee Phoenix.” In fact, Boudinot authored more articles than any other single contributor to the *Phoenix* during his tenure (15.1 percent). See Bass, *Cherokee Messenger*, 18, 78, 83; Samuel Worcester, *Cherokee Phoenix*, June 25, 1831 found in Jack Fredrick Kilpatrick and Anna Gritts Kilpatrick, eds., *New Echota Letters: Contributions of Samuel A. Worcester to the Cherokee Phoenix* (Dallas: Southern Methodist University Press, 1968), 93; Landini, “The Cherokee Phoenix,” 79.

The distinction that Boudinot made between the Cherokees and other Indian tribes was not gratuitous; he was ever concerned that the Cherokees be seen as a progressive and thriving people. He best expressed this anxiety in an 1828 editorial in which he called upon Cherokee officers to crack down on the increased criminality in a particular Cherokee district. He openly worried that “these frequent thefts and murders will go to confirm the world in the opinion that we are still savages.”

Even while he singled out the achievements of the Cherokees, Boudinot never suggested that his tribe was an inherently superior race of Indians, and his writings show that his advocacy extended to all Indians. In the first issue of the Cherokee Phoenix, for example, he wrote: “Sufficient and repeated evidence has been given, that Indians can be reclaimed from a savage state, and that with proper advantages, they are as capable of improvement in mind as any other people.” Over a year later in an editorial campaigning for the establishment of a “seminary of a respectable grade” in the Cherokee Nation, Boudinot opined that the chief difference between the Cherokees and their “brethren” was their level of education: “What but a larger share of information makes [the Cherokee] more respected?”

Boudinot was careful not to distance the Cherokees from Indians as a whole, or attribute the Cherokees’ advances to those who had white ancestry. There is evidence that Boudinot took pride in his heritage and had a conception of the Cherokees as a part of a larger population of Indian people. In response to an article from the North American Review that claimed Indians could not progress in “civilization” because of an innate

---

47 Boudinot, Cherokee Phoenix, April 3, 1828, in Perdue, Cherokee Editor, 97 – 98.
48 Perdue made this point in Cherokee Editor, 18; Boudinot, “To The Public,” 94; Boudinot, “National Academy,” Cherokee Phoenix, February 18, 1829, in Ibid., 106. A “seminary” was the equivalent of a high school. See Perdue, Cherokee Editor, 148.
attachment to a more primitive society, he wrote: “One thing is certain, before the writer can establish his positions, he must prove that the Cherokees are not Indians.”

Another editorial showed that Boudinot remained, at some level, influenced by traditional Southern Indian conceptions of race. Responding to an article written in a North Carolina newspaper that claimed Cherokee advances were carried out by white men and “half-breeds,” on the basis of many members of the Cherokee government having Anglo names, he wrote: “amongst the 56 [members] were some half-breeds, but not a single white man.”

The Cherokee editor sometimes said as much in what he chose to print as in what he wrote. In 1831 he edited and reprinted a history of the life of George Guess, or Sequoyah, the creator of the Cherokee system of writing. Boudinot had come to consider the Cherokees’ acquisition of written language to be preeminent evidence of their “civilization.” One element of the biography of Guess that made Boudinot’s decision to publish it remarkable was a passage that described the inventor:

[Sequoyah] adhered to all the customs of his country . . . he was dressed in all respects like an Indian. [He] is a man of diversified talents . . . [and] passes from metaphysical and philosophical investigation to mechanical occupations, with the

49 Boudinot, Cherokee Phoenix, June 10, 1829 quoted in Perdue, Cherokee Editor, 18.

50 Boudinot, Cherokee Phoenix, September 10, 1828 quoted in Perdue, Cherokee Editor, 18.

51 Elias Boudinot, “To The Editor of the American Annals of Education,” American Annals of Education, April 1, 1832 in Perdue, Cherokee Editor, 49. The story is a combination of Boudinot’s commentary and passages from an account of Guess’s life written by Samuel Lorenzo Knapp, a white man, from his Lectures on American Literature, With Remarks on Some Passages of American History (New York, 1827). Boudinot had previously reprinted the lecture in the Cherokee Phoenix in 1829. Guess had become obsessed with acquiring the powers of the “talking leaf” in his youth. He believed that white men had made greater advances than Indians solely on the basis of their ability to transmit their knowledge over generations through the written word: “To remedy this was one of his great aims.” By 1821, after much reflection and error, Guess developed written characters for the eighty-six syllables of the Cherokee language. The system was easily learned. After Guess’s great achievement was recognized by the Cherokees in the early 1820s, its use spread rapidly throughout the Nation. See Ibid., 51 – 52, 57, 58.
greatest ease . . . [He] became a white and silver smith, without any instruction . . .

[and] has a great taste for painting . . . [His] habits [are] those of the most
assiduous scholar . . .”

Boudinot gave his readers an account of a Benjamin Franklin among the Cherokees, whose inherent abilities and curiosity led him to great innovation. Sequoyah was no Christian and he had none of the appearances of acculturation. He was a Cherokee nationalist, and Boudinot wished his story to be known far and wide.53

While on his speaking tour in 1826, Boudinot indicated his belief that the fate of the Cherokees and all Indians were interconnected: “[I]f the Cherokee Nation fail in her struggle, if she die away, then all hopes are blasted, and falls the fabric of Indian civilization.” This sentiment illustrated Boudinot’s conviction that the Cherokees stood at the vanguard of acculturated, ordered, and sovereign Indian peoples. If they should fail, he expressed, then what hope was there for other less “civilized” Indians. In 1829 he formalized his larger sense of mission by changing the name of his newspaper to The Cherokee Phoenix and Indians’ Advocate.54

Boudinot’s sensitivity to general statements about Indians extended to other people from whom he wished to distance the Cherokees: slaves. The historian Bernd Peyer wrote that Boudinot’s editorials dealing with the issue of slavery were few and generally limited to “pietistic sketches with titles like ‘The High-Minded Slave.’” In one

---

52 Boudinot, “To The Editor,” 56 – 57. Guess, as Boudinot knew, was of mixed white ancestry, making his choice to honor him as an “Indian” with no qualification noteworthy. See Ibid., 51.
53 The editor did not neglect to mention the utility of Guess’s invention in making passages of the Bible available to the Cherokees, whom he claimed read the books “with great interest.” see Boudinot, Ibid., 58.
54 Boudinot “An Address To The Whites,” 78. Boudinot framed this statement in terms of Indian conversion to Christianity; for the newspaper’s change of name, see Perdue, Cherokee Editor, 18.
editorial, apparently in response to a statement made by a Georgian newspaper editor, and on the subject of western Indians, Boudinot expressed his conception of slaves as a degraded people: “The red men of the west are not yet slaves – their judgment and freedom of speech are not yet muzzled by some proud and earthly master . . . they are not thus brought down to the level of negro slaves . . . a cause of much chagrin to [the Georgian editor] and his brethren.”55

This study does not analyze Boudinot’s view of “negroes,” but his opinion of the institution of slavery is plain.56 Considering his evangelical Christian background and the occasional inclusion of “abolitionist material” in the Cherokee Phoenix, Boudinot almost certainly shared the missionaries’ “embarrassment” that some Cherokees kept slaves. Boudinot demonstrated his distaste for slavery in an 1829 editorial in which he advised the editor of the Milledgeville Recorder to temper his enthusiasm that with the Cherokees’ removal Georgia would ascend to greater importance in the Union. Boudinot wrote that even if the Cherokee country was added to Georgia, it would still not rival great states like New York, Pennsylvania, or Ohio. Why? “She will have to overcome one great obstacle before she becomes a great state – slavery,” he wrote. It is significant that Boudinot did not choose to speak of Virginia as a great state: no slaveholding state made his list.57

The paucity of editorials by Boudinot on slavery may be partly explained by the delicate position he occupied as editor of the Cherokees’ national paper. Leading men

56 Boudinot did request that his Eastern audiences remember that “of one blood God created all the nations that dwell on the face of earth.” Boudinot, “An Address To The Whites,” 69.
57 Peyer, “Elias Boudinot and the Cherokee Betrayal,” 189; Boudinot, Cherokee Phoenix, July 1, 1829 in Perdue, Cherokee Editor, 110 – 111.
such as John Ross and John Ridge owned slaves, and the twelve signers of the Cherokee constitution owned 355 slaves among them, or “23 percent of all bondsmen in the Cherokee nation.” Indeed, the Cherokee Phoenix occasionally carried advertisements for runaway slaves. Still, Boudinot was not one to “bite his tongue” and so it may be assumed that his relative inattention to the subject of slavery indicated that manumission was secondary in his concerns.

Another racial label repeatedly found in Boudinot’s writings is the term “whites.” Like his use of the word “negroes,” his use of the word “whites” is helpful in understanding his conception of the hierarchy of American society and so where he believed Indians fell within that order. Did he apply this term to all people with white skin or was it a descriptive word for non-Indians in general? Evidence suggests that he used the term to describe people exclusively of Euro-American descent, whether in reference to the citizens of Georgia, Tennessee, Alabama and North Carolina (“white neighbors” or, at times, “white thieves”), a general population of the past and present (“It is to be lamented that ardent spirits should have ever been introduced among the Indians by the white man . . .”), or the missionaries who labored in the Cherokee Nation.

He applied the term “whites” to both friend and foe. For example, he wrote of the Georgia legislation that demanded an oath of loyalty for all whites who lived in the Cherokee Nation as “disastrous.” The “tendency” (not to say the “design”) of the

---


legislation, he wrote, was to deprive the Nation of useful white mechanics and Ministers of the Gospel.\(^6^0\)

Boudinot might also emphasize the distinction between Indians and whites in a sardonic remark. In one editorial he spoke of the inequity between the President’s treatment of his “redchildren” and his “malicious white child” (Georgia). It remained important, however, for Boudinot to qualify the role of white “friends” who worked within Cherokee society. Amidst allegations that missionaries pulled the strings that enabled Cherokee advances, Boudinot wrote that the missionaries’ contributions were limited to “religious instruction” and declared “once and for all, that no white man has had anything [sic] to do in framing our constitution, and all the public acts of the Nation.”\(^6^1\)

In sum, Boudinot generally used the word “white” to describe skin pigmentation, although he did not consider Indians of mixed ancestry white, regardless of their skin color. He undoubtedly also associated the word “white” with what he saw as white American “culture.” Culture and skin color were not mutually exclusive in nineteenth century America, however: one must have both to have been considered a white American.\(^6^2\) There was no better example of the limitations that the right blend of culture


\(^{62}\) Although Europeans “had a long intellectual tradition that supported the unity of humankind and their fundamental equality,” and many intellectuals of the Enlightenment at least professed that environment and education determined character and human worthiness, by the nineteenth century Euro-American conceptions of race were changing. Americans were increasingly influenced by thinking (earlier articulated by the Romanticists) that linked culture to skin color as immutable. Such ideas (conveniently) overshadowed Jeffersonian theories that Indians were capable of being assimilated into American society. See Theda Perdue, “Mixed Blood”*Indians: Racial Construction in the Early South* (Athens: The University of Georgia Press, 2003), 71, 80 – 81.
An examination of Boudinot’s use of racial terminology is useful in evaluating how he identified himself and, ultimately, his sense of self. A look into Boudinot’s youth shows pride in his Indian heritage, peace of mind in being a Cherokee Christian, and his steady character. In the context of his entire life, it is clear that his later treaty advocacy was no break from reality but, rather, consistent with his earliest motivations. It is true that his formative years among the missionaries left him with many of the aesthetic sensibilities of the upper class of white society, but there is little evidence to suggest that Boudinot was delusional in regard to the wishes of the Cherokees. Rather, his responses to his early life’s contingencies were reasonable actions. The racism directed at him in the East caused him to rethink what it meant to be a Christian Indian. He did not shed his faith or his evangelical mission, but he recognized that religion alone would not protect the Cherokees. This philosophy was apparent in his frequent allusions to Cherokee “civilization.” Efforts to distance the Cherokees from their past traditions were part of a calculated strategy to win over the support of white Americans. Boudinot argued that Christians had a moral responsibility to support a budding enlightenment among the Cherokees. The Cherokee Phoenix editorials, directed as they were to white audiences, were the greatest examples of Boudinot’s promotional strategies.

It is also noteworthy that Boudinot recognized in these early years that the Cherokees overwhelmingly opposed removal. There is little reason to think that his
access to this information changed in later years. In short, if he could perceive Cherokee majority opinion in 1828, he could perceive it in 1835.

This essay has added to the literature on Boudinot in several key aspects of his life. Historian Bernd Peyer has previously commented on Boudinot’s rationality, in particular as it related to his role in the Treaty of New Echota; he has also written of Boudinot’s peace of mind regarding his Indian and Christian Identity. This chapter has shown that the term “rational” also applies to the Cherokee editor’s early life. As for Boudinot’s sense of “self,” the years in which he most unquestioningly believed in the teachings of white men do not contradict the point that Boudinot was at ease in his identity as an Indian and a Christian. When he reached manhood, he did away with “childish things” and, as is the tendency in the human life-cycle, his beliefs became more nuanced.63

Perdue has pointed to the debt Boudinot owed to his missionary benefactors for the manner in which he promoted his people’s progress.64 Chapter II has taken this contention one step further by emphasizing the purposefulness of all of Boudinot’s early writings. It also has traced the beginning of his published writings taking on the form of an argument, the signature of his later editorials.

This chapter has shown that Boudinot occupied a less conflicted position in life than Theda Perdue has surmised. His alleged “elitism” did not arise from self-contempt, nor was it cultivated. It was the product of his original environment.65 Boudinot’s sense of identity was complex. Raised to be a nationalist and to learn the traditions of whites, he was born into a life that required bi-culturalism. He apparently believed in the

---

63 See Peyer, “Elias Boudinot and the Cherokee Betrayal,” 223, 222.
64 Ibid., 42.
65 See Perdue, Cherokee Editor, 33, 42.
superiority of white civilization but not in the inherent superiority of the white race, and his words said as much.

Finally, this chapter has emphasized the strength of Boudinot’s character, even as a young man. It suggests that his later campaigning for the Cherokees to accept removal be understood as a stage in a developing strategy rather than a revolution of principles.

The following chapter examines Boudinot’s adaptive arguments in opposition to removal during his tenure as editor of the *Cherokee Phoenix*. 
III. The Cherokees, Georgia, and the United States (1828 – 1832)

By 1828 Georgia pressed vigorously for Cherokee removal. Some years earlier, the Indians had determined never again to allow the sale of their lands, a position that culminated in a written constitution that declared as much. Georgia did not welcome the Indians’ claim to independence, and the state passed a series of legislation that annexed the Cherokees’ territory and outlawed their government. As editor of the Cherokee Phoenix, Boudinot wrote a running commentary on the events of the removal crisis.

His editorials are useful in tracing and analyzing Boudinot’s thought process in regard to Indian removal. They demonstrate his rational and adaptive arguments in response to a succession of unfavorable events. Boudinot intended the Phoenix to influence public opinion outside of Cherokee country, and the editor tried variously to appeal to Americans on the basis of common Christian morality, the legal obligations of the United States, and the integrity of the Union. Through his arguments, Boudinot attempted to shame white Americans into upholding Cherokee rights, whether in his attention to contradictions within the removal argument or in speaking to the interests that white Americans had in the crisis’s outcome.

This chapter uses the same editorials from which Theda Perdue based her contention that Boudinot was delusional. It argues, however, that these editorials reveal Boudinot’s very rational mind.¹ They demonstrate that Boudinot lucidly understood the hypocrisy and contradictions within the arguments of removal’s advocates, and he wrote deliberately to win American support for the Cherokees. In the context of the times, it is

¹ That is, the editorials from 1828 – 1831 (none are included from 1832) in Perdue, Cherokee Editor. For examples of scholars who have implied Boudinot’s irrationality, see Chapter I, 4 – 5.
apparent that Boudinot’s ultimate belief that rational argument had run its course and that the removal movement was irresistible was a reasonable conclusion.

Boudinot devoted many editorials to the progress and potential of the Cherokee as a Christian people. By repeatedly emphasizing this subject, Boudinot sought to bind the Cherokees’ destinies to America’s larger Christian society. Eastern missionaries, most notably members of the ABCFM, supported the Cherokees and lent them the mantle of Christian respectability. The fact that the Cherokees were “endorsed” by a prominent missionary organization and that a significant portion of the Cherokees identified as Christians presented formidable challenges to the Indians’ enemies. It was unseemly for a white Christian to persecute fellow believers or to be seen as an obstacle to the “enlightenment” of a “savage” people.²

For the Cherokees’ opponents, the key to shattering this association was to convince white Americans that Indians remained stubbornly unredeemable. After the War of 1812, removal’s advocates portrayed Indians as a species on the verge of extinction.³ Lewis Cass and Wilson Lumpkin, for example, wrote of the total failure of Indians to civilize despite the best efforts of philanthropists. Indians might survive, went the argument, if they were removed from the cause of their decline - white civilization.⁴

In 1829 advocates of removal created a rival organization to the ABCFM, the Indian Board for the Emigration, Preservation, and Improvement of Aborigines of

---

² As of 1835, perhaps 10 percent of the Cherokees belonged to a church. See Perdue and Green, *The Cherokee Removal*, 45.
America (IBEPIAA). Its members, who were associated with Andrew Jackson’s administration, came from different denominations than the ABCFM, but they were Christians and they argued that removal best suited God’s designs for the Indians. With God’s will subject to competing claims, Boudinot responded by shifting his arguments to a more secular and rational path.

In 1828 the House Committee on Indian Affairs called for the appropriation of $50,000 for the President to use in effecting removal. The committee justified its proposals by contending that it was impossible to “enlighten” the Indians in their present vicinity to white populations and that removal would save them from extinction as a people. Boudinot responded to the report in a March editorial. He conceded that Indian populations had historically waned when they had come into contact with whites but denied that it had to always be so:

We contend that suitable measures to a sufficient extent have never been employed [to ensure Indian prosperity]. And how dare these men make an assertion without sufficient evidence? What proof have they that the system which they are now recommending, will succeed[?] Where have we an example in the whole history of man, of a Nation or tribe, removing in a body, from a land of civil and religious means, to a perfect wilderness, in order to be civilized.6

In May Boudinot responded to a letter written by Thomas L. McKenney, head of the Indian Office, to the Secretary of War concerning McKenney’s estimates for the cost

---


6 Boudinot, Cherokee Phoenix, March 13, 1828 in Perdue, Cherokee Editor, 95 – 96.
of removing the Chickasaw Indians. Based on the “foundation” from which McKenney premised his estimates, Boudinot calculated (conservatively, he claimed) the value of his countrymen’s houses, improvements, industries, shops, and livestock. These plus the cost of removal, education, and military protection amounted to $2,229,662 - more than four times the cost McKenney believed necessary for Chickasaw removal. Boudinot suggested that if removal was truly intended to benefit the Cherokees, it would be better to allocate funds toward civilizing the Indians where they currently resided, especially for the establishment of schools. “What would be the consequences?” he wrote, “If we fail to improve under such efforts, we will agree to remove.” Boudinot occasionally issued similar challenges to his readers, volunteering that the Cherokees undergo various tests in order to tangibly show their progress. Advocates of removal had no interest in subjecting their allegations to quantifiable investigation. Rather, repeated public characterizations of the Indians as incorrigible savages bound for extinction served as their “facts.”

Georgia had long-standing claims to the Cherokee country. The state believed that the compact of 1802 had settled the question of land title but soon found that the United States’ timeline for meeting its obligations was ambiguous. In the years following their service in the Creek War, Congress gave the Cherokees funds to promote agriculture, permission to establish schools in their nation, and a $10,000 annuity for their continued

---

efforts toward "civilization." It was not lost on Georgians that this policy encouraged the Cherokees to believe their lands were secured for posterity. 8

In 1822 Georgia’s congressional delegation pressed James Monroe to get the Cherokees moving, to which he agreed in principle. Yet, the next year the President told members of the Cherokee government that they would not be removed involuntarily. “Georgians were furious,” wrote historian Carl J. Vipperman, “Monroe had interpreted the peaceable and reasonable terms clause of the compact to mean that the United States merely promised to ask the Indians to remove from Georgia, and now recognized their right to refuse.” 9

8 Vipperman, “Forcibly If We Must,” 105.
9 Ibid., 105, 106.
Cheered by the United States’ policies and in a move calculated to promote the competency of the Cherokee government to Northern sympathizers, the Indians adapted a constitution on July 26, 1827 modeled on that of the United States. It not only delineated the structure of the government but marked out the boundaries of the Nation, declaring that, in accordance with previous treaties, the territory would “forever and hereafter remain unalterably the same,” as the common property of the Cherokee Nation.  

In publicly proclaiming their sovereignty, the Cherokees provoked Georgia into enacting a series of laws that disenfranchised their people. First, Georgia declared that it held complete sovereignty over the Cherokees’ lands and defined the Indian’s relationship to the state as “tenants at will.” According to historians Theda Perdue and Michael Green, these early resolutions implied that the United States had no jurisdictional prerogatives in their Indian affairs except in matters of commerce. The Georgia resolutions, they wrote, were a message to the Cherokees and United States government that Georgia’s land claims would not be revoked. In June, 1829, by act of the State Assembly, Georgia gave notice to the Cherokee Nation that its lands would be incorporated into five of Georgia’s counties a year from the act’s passage. The act declared Cherokee law “null and void” from the date of annexation. The following year, Georgia forbade the Cherokee government from meeting or legislating. In a move intended to deprive the Indians of their missionary allies, the assembly mandated that whites who resided in the Nation after March 1, 1831, would be required to take a loyalty oath to the State of Georgia. 

---

10 Wilkins, Cherokee Tragedy, 203; Laws of the Cherokee Nation, 118 – 119.  
Georgia became even more insistent that the Indians remove after gold was discovered in the southeastern part of Cherokee country. During the summer 1829 white prospectors flooded onto Cherokee territory. Georgia would only intervene to protect its own interests in the gold mines, which it considered, like the rest of the Indians’ land, its property. Georgia threatened the Cherokees with imprisonment if they dug for gold in their own country.\textsuperscript{12}

Boudinot’s editorials during this time sought to defend his people by reminding white Americans of the principles of the nation’s Founding Fathers. In his editorial of January, 1829, Boudinot evoked President George Washington as a measure of God’s intentions toward the Indians. Printing his name in bold capital letters, Boudinot spoke of Washington as an instrument of God who would have rejoiced to see that his policies had transformed the Cherokees into herdsmen and cultivators of the soil. The State of Georgia, on the other hand,

had taken a strong stand against us, and the United States must either defend us in our rights, or leave us to our foe. In the former case, the General Government will redeem her pledge solemnly given in treaties. – In the latter, she will violate her promise of protection, and we cannot, in future, depend consistently, upon any guarantee made by her to us, either here or beyond the Mississippi.\textsuperscript{13}

This passage is an early example of the editor’s attempts to impress upon Americans that the integrity of their government depended on the outcome of the removal

debate. Furthermore, he alerted his readers that emigration to a new homeland held no
appeal for the Indians if earlier treaties could be violated.

One American who remained unswayed by Boudinot’s argument was the newly
elected President, Andrew Jackson. Jackson publicly voiced his sympathy for Georgia.
He considered the state within its rights to refuse Cherokee sovereignty within Georgia’s
borders. The President spoke of a dying race, its extinction tied to an expanding white
civilization’s need for the Indians’ resources. He proposed that they be removed west of
the Mississippi, far from the jurisdictional claims of the Union’s states, where they could
enjoy their own governance and continue to be assisted by missionaries in becoming
civilized people. Jackson conceded that the removal should be done voluntarily but
warned that those who remained in their eastern lands had to submit to the laws of the
states and expect to amalgamate into the general population.14

Jackson had a long association with the Cherokees. Many had served with him
during the Creek War. The Indians’ sacrifice for the United States, however, did not
change his opinion of their rights as human beings. In 1815 he maneuvered to have a
Cherokee-Creek boundary settled in favor of the Creeks – land he later claimed for the
United States. Less than a year later, Jackson obtained further land cessions through
bribes to certain Cherokee chiefs.15 In getting what he wanted, Jackson showed tenacity
and deviousness that would mark his future dealings with the Indians.

Throughout his life Jackson professed concern for the well being of America’s
Indians. He thought himself not only fair but generous toward them. True, he had been

14 Andrew Jackson, First Annual Message.

15 Wilkins, Cherokee Tragedy, 89, 93, 94, 96.
known to seek punishment for whites who did harm to his Indian allies, but his “no-nonsense policy” in regard to Indian trespasses proved excessive. “[F]ear is better than love with an Indian,” he wrote in 1812, and he demonstrated his commitment to this philosophy early in his career when he outlined to a correspondent how best to deliver a captive white woman from Indian hands. He believed himself justified, he wrote, in “laying waste their villages, burning their houses, killing their warriors and leading into Captivity their wives and children [until the captives were freed].”16

16 Andrew Jackson to Willie Blount, June 17 and July 3, 1812 in John Spencer Bassett, ed., *Correspondence of Andrew Jackson*, I, 227 - 228, 230 quoted in F. P. Prucha, “Andrew Jackson’s Indian
Jackson communicated his purposes to the Cherokee government through his Secretary of War, John Eaton. In an 1829 Cherokee Phoenix editorial, Boudinot reprinted a letter from Eaton to the Cherokee government. Eaton had written that the Cherokees’ declaration of sovereignty had provoked Georgia into heavy-handed measures. The Secretary characterized Cherokee sovereignty as long settled; it ended when the Indians found themselves on the losing side of the Revolutionary War. Even if Georgia’s claims somehow proved illegitimate, he continued, the federal government would not intervene, as “The sword might be looked to as the arbiter in such an interference.”

Boudinot accompanied the letter’s publication with a reference to the policies of Jackson’s predecessors:

It appears now . . . that the illustrious Washington, Jefferson, Madison and Monroe were only tantalizing us . . . Why were we not told long ago, that we could not be permitted to establish a government within the limits of any state? . . .

[H]ow happens it now, after being fostered by the U. States, and advised by great and good men to establish a government of regular law . . . when we as “children” of the President, have followed his instructions and advice . . . when everything looks so promising around us, that a storm is raised by the extension of tyrannical

Policy: A Reassessment,” Journal of American History 56, no. 3 (1969), 530; Jon Meachum, author of a recent celebrated biography of Andrew Jackson, wrote that Jackson was “neither a humanitarian nor a blind bigot. He thought of himself as practical.” According to Meachum, Jackson initially based his rationale for removing Indians from their Eastern lands on national security. Taking Indian lands and filling them with white settlers helped expand American power and bolstered the strength of its borders; it also removed the Indians as a source of possible alliance with Spain and England. Later, Jackson was both at the vanguard and a reflection of white America’s insatiable desire for land. In this movement “[p]ower was paramount” – “the American people of the time . . . wanted the land. So they took it.” See Meachum, American Lion, 96, 95.

and unchristian laws, which threatens to blast all our rising hopes and expectations?\textsuperscript{18}

In his past writings, Boudinot had used God’s name in an effort to win over his white American audience. He used the names of the Founding Fathers in much the same way, the difference being that the 1829 editorial attempted to shame his readers for falling short of America’s ideals. Another noteworthy aspect of the article was its utilization of reason. The idea Boudinot presented was thought provoking: would America’s “wise men” have nurtured the Indians if they believed them to be irredeemable? Would they have approved of casting off “civilized” Indians? The logic was simple but forceful; he asked Americans to reflect upon the ideals of their saints.

In February 1830, an Indian Removal Bill was introduced to the House and Senate. The bill proposed empowering the President to exchange western territory for the eastern lands of Indians who agreed to remove. It guaranteed the Indians’ new homelands against future encroachment, promised to compensate them for improvements on ceded land and pay for transportation beyond the Mississippi. The bill appropriated $500,000 toward these ends.\textsuperscript{19}

In the course of the Senate and House debates, there was more talk about the Indians’ decline and inherent savagery. The House Committee of Indian Affairs issued a report that stated, “the condition of the common Indian is perceptibly declining, both in the means of subsistence and the habits necessary to procure them.”\textsuperscript{20} The statement

\textsuperscript{19} Guttmann, \textit{States’ Rights}, 43.
referred to an earlier contention that Indians remained incorrigible hunters even as their
game dwindled to extinction. The “habits” alluded to were the Indian’s indolence and his
“thirst for spirituous liquors.” The report admitted that it lacked the statistical data to
back up its claims, but reported that its conclusions were based on information from
“proper source[s].”

In an April editorial Boudinot published excerpts from the report. He challenged
the statement that statistical information was unavailable to speak for the state of
Cherokee “civilization.” Boudinot wrote that the information the committee claimed did
not exist could have been supplied by the Cherokees, if asked. Surveys had been
conducted in 1809 and 1824, the former by the Indian agent Return J. Meigs, the latter by
the Cherokee government. Instead of consulting legitimate sources, Boudinot wrote, the
committee obtained its evidence from enemies of the Indian who looked upon the

22 Boudinot, Cherokee Phoenix, April 21, 1830 in Perdue, Cherokee Editor, 117. Boudinot was
well acquainted with the censuses’ data; he made a point of comparing them in his 1826 speech (See
Boudinot, “An Address to the Whites, 71 -72.) The censuses do indeed indicate Cherokee “progress” and a
turn to the life of herdsmen and farmers. For example, livestock in the Nation had increased in number
across the board – sometimes dramatically. At 46,732 swine and 2,566 sheep listed in the 1824 census,
these animals’ numbers had almost doubled in fourteen years. With 2, 923 ploughs in the Nation, Cherokee
ownership had increased almost sixfold. The 2, 486 spinning wheels in the Nation indicated that an
additional 914 such devices had come into the Nation since 1809. By 1824, schools (18) and students to fill
them (314) had tripled in number. Since 1809 sixty-two blacksmith shops, nine stores, and two tanyards
had come into being. With the exception of “Whites,” every category in the 1824 census showed an
increase. The numbers are most striking when considering that the population of the Cherokees was only
16, 060 in 1824 - a jump of 30 percent (not including “whites” and “slaves”) since 1809. For data from the
1809 and 1824 censuses, see Cherokee Census of 1809, Moravian Archives, Winston-Salem, N.C. and
Cherokee Census of 1824, in Laws of the Cherokee Nation (Knoxville, Tenn.: Heiskell and Brown, 1826)
both in Douglas C. Wilms, “Cherokee Land Use in Georgia Before Removal” in Anderson, Cherokee
Removal: Before and After, 7.
proceedings with an eye to take “possession of the spoil, obtained by means the most unmanly and iniquitous.”

Those who advocated dispossessing the Indians rationalized their position variously as philanthropy, due justice, and a fair exchange – all very much in line with the rhetoric of men like Jackson and Lewis Cass. Senator Robert Adams of Mississippi argued that past treaties with America’s Indians had been made underhandedly and that, in order to restore honor to the United States, they had to be considered of no legal consequence! Senator John Forsyth of Georgia opined that the land of the Indians was more than a fair trade for the gift of salvation given them by white Americans in teaching them to know God.

---


Georgia representative Wilson Lumpkin’s speech touched on the regional divide that affected the removal debate. He claimed that he held no personal malice towards the Cherokees, but he found them encouraged by “cant and fanaticism, emanating from the land of steady habits; from the boasted progeny of the Pilgrims and Puritans” in a course, he assured, that would end in their ruin.  

Opponents of the removal bill were indeed influenced by figures from “the land of steady habits.” Jeremiah Evarts, the corresponding secretary for the ABCFM, had written a series of essays under the pseudonym William Penn that spoke against removal. His arguments were based on common and higher ethics and were frequently referenced by champions of the Cherokees. Senator Theodore Frelinghuysen, for one, spoke at length of the self-serving designs of his opponents: “The question has ceased to be – What are our duties? An inquiry much more embarrassing is forced upon us: How shall we most plausibly, and with the least possible violence, break our faith?”

With their opponents speaking of Indian treaties as “mere names” and “forms of intercourse,” several of the representatives argued for the integrity of the written word. Senator Peleg Sprague of Maine, paraphrasing the Northwest Ordinance (1787), offered a satirical indictment of the easy way in which his opponents chose to understand treaties of the past:

‘The utmost good faith shall always be observed towards the Indians,’ which means that we may violate all our engagements at pleasure; ‘their lands and

---

27 Representative Henry Stores, *Register of Debates in Congress*, 1008 found in Griffin, “Walking the ‘Same Path,’” 45.
property shall never be taken from them without their consent,’ that is, both may be taken by violence, against their utmost resistance! ‘In their property, rights, and liberty, they shall never be invaded or disturbed,’ . . . the true construction of all which is, that a State may make war upon them at pleasure[!] . . . To such arguments are gentlemen of great ability compelled to resort.  

The removal bill passed in the Senate in April and the House in March, the latter by a very narrow margin. Jackson obviously saw it as a watershed moment. He directed his enrolling agents to suspend small-scale operations. Removal had become an absolute imperative.  

The outcome of the debates disgusted Boudinot. After the Senate had rejected amendments that would have given the Indians substantial protection, the House changed the bill to state that past treaties with the Indians would not be violated! According to Boudinot, the very men who had argued that Indian treaties were unconstitutional were the first to agree to this amendment, a fact that showed the amendment was “a mock show of justice.”  

He wrote:

we [cannot] discern the consistency of contending for the unconstitutionality of these treaties, and yet at the same time, declaring that they shall not be violated, which a man of common sense would take to be the meaning of the amendment.

---

28 Senator Peleg Sprague, Register of Debates in Congress, 351 – 352 found in “Walking the ‘Same Path,’” 38.

29 Perdue and Green, The Cherokee Removal, 122. The bill passed in the Senate 28 to 19 “along party lines”; in the House, the difference was 102 to 97; Grant Foreman, Indian Removal: The Emigration of the Five Civilized Tribes of Indians (Norman: University of Oklahoma Press, 1976), 231.

30 Boudinot, Cherokee Phoenix, June 19, 1830 in Perdue, Cherokee Editor, 119.
If a treaty is unconstitutional, it is of course null and void, and cannot be violated. If a treaty *may not be violated*, it is taken for granted that it is binding; and if it is binding, the parties have a right to demand its enforcement.  

Boudinot’s reasoning concerning the amendment’s contradiction was sound. It was also a further indication of his comprehension of the sophistry of the removal argument. Like Frelinghuysen, Stores and Sprague, Boudinot understood the benign sentiment attached to the Indian removal bill for what it was: an empty promise. The Cherokee editor’s evaluation of the legislation (“*a palpable injustice . . . meditated against the poor Indians!*”) displayed his understanding of its larger implications. The Removal Act opened the floodgates to legitimizing removal at the federal level.  

The pressure from the United States for the Cherokees to remove was compounded by a crisis that threatened the integrity of the Union. Since 1828, South Carolina had threatened to nullify federal tariffs on imported goods. John Calhoun outlined the theory of nullification in his *South Carolina Exposition and Protest*. It argued that a state had the right to nullify federal laws not expressly granted in the Constitution. If the United States government was determined to uphold a contentious law, Calhoun argued, then it must specifically amend the Constitution – a cumbersome process that entailed a two-thirds majority vote in both houses of Congress, or a constitutional convention ordered by two-thirds of the states.  

---

32 Ibid.  
choose to secede from the Union rather than comply. Jackson considered the doctrine of nullification and secession “absurd and wicked,” but he proceeded cautiously so as not to alienate states that sympathized with South Carolina on the basis of their own provincial rights. On the seriousness of the situation, editor and historian Jon Meachum wrote, “Nullification was, as Calhoun and others had shown, an intellectually respectable enough proposition that Virginia, North Carolina, Georgia, Alabama, and Mississippi took a long look at the doctrine.” Jackson did not think it impossible that some of the eastern states, the tariff reduced, might themselves threaten secession.

The issue of states’ rights was to have a critical role in the eventual dispossession of the Cherokees. The entanglement of the Cherokees’ affairs with the Nullification Crisis began in the summer of 1830 when Georgia Guardsmen arrested a Cherokee named Corn Tassel for the murder of one of his countrymen in Cherokee territory. The murder took on a larger symbolic importance for the Cherokees: if their jurisdiction in the matter was upheld, then by extension the Supreme Court recognized their sovereignty. The Cherokees secured the services of William Wirt, a former attorney general, to press for an injunction from the Supreme Court. It was so ordered, but a Georgian judge ignored the directive and hung Tassel.

---

34 Meachum, *American Lion*, 58.
36 Meachum, *American Lion*, 238.
37 Boudinot, *Cherokee Phoenix*, January 8, 1831 found in Perdue, *Cherokee Editor*, 120.
Within the drama of Corn Tassel’s case, Boudinot shifted gears in his editorial arguments. “God’s will” was a malleable commodity and the sanctity of treaties had not stopped the Removal Act from passing. What would be the consequences of Indian removal for the whites? In January 1831, Boudinot wrote:

The conduct of the Georgia Legislature is indeed surprising – one day they discountenance the proceedings of the nullifiers of South Carolina – at another, they even out-do the people of South Carolina, and authorize their Governor to hoist the flag of rebellion against the United States! If such proceedings are sanctioned by the majority of the people of the U. States, the Union is but a tottering fabric, which will soon fall and crumble into atoms.38

Boudinot attempted to paint Georgia’s leaders as secessionists and potential instruments of disunion, like South Carolina. Although the Cherokees were the true subjects of his concern, he wrote of the Indians’ safety incidentally and emphasized instead Georgia’s breach of the Constitution. The argument was another shift in tactics by the Cherokee editor. He had petitioned on philanthropic grounds and had tried to shame Americans into supporting his people by reminding them of their own ideals. In 1831 he attempted to win support by appealing to his readers totally on the grounds of their self-interests. A February column advanced this idea to its logical end. Georgia had mandated that whites who remained in Cherokee country after March 1, 1831, were required to take a loyalty oath to Georgia. Boudinot used this legislation as the basis for another argument. Of the legislation he wrote:

38 Boudinot, Cherokee Phoenix, January 8, 1831 in Perdue, Cherokee Editor, 121.
It is certainly oppressive on the whites, even admitting that the state of Georgia has an undoubted jurisdiction over the Cherokee territory. Why is it that it is required of them to take the oath, when by extension of that jurisdiction, they were admitted as citizens of the state? Is such a requirement made of other citizens? Do the constitution and the laws recognize such a case? – Here a white man cannot enjoy that liberty without going to the penitentiary.  

Boudinot characterized Georgia’s treatment of the missionaries as something like the state’s treatment of Indians. If white Americans would not stand up for his people, he implicitly asked, would they not stand up for their own kind? Like his comparison of Georgia to South Carolina, this argument had a specific objective. Masked behind admonitions that whites look to the states of their own houses, the argument was employed to protect Cherokee resources.

In March of the following year, the Cherokees brought before the Supreme Court the issue of jurisdiction initiated by the events of Corn Tassel’s case. The Court recognized the Cherokee Nation as a state, though “not a foreign state in the sense of the constitution,” and therefore unable to “maintain an action in the courts of the United States . . . at least in the form in which these matters are presented.” John Marshall’s words left the possibility for the Cherokees to redress their grievances with Georgia in the future. In the meantime, the Court defined the Indians relationship to the United States as “that of a ward to his guardian” and acknowledged the “unquestionable, and heretofore, unquestioned right [of the Indians] to the lands they occupy.”

---

39 Boudinot, Cherokee Phoenix, February 19, 1831 in Perdue, Cherokee Editor, 121.
40 Cherokee Nation vs. Georgia, 30 U.S. Lexis 337 (1831), 9, 8.
Georgians understood the decision as a victory for themselves. Whites increased their intrusions onto Cherokee land, stealing livestock, burning property, and acting violently towards the Indians. Georgia’s forthcoming land lottery promised to divide the Cherokee lands among “fortunate drawers,” and numerous squatters arrived in the Indians’ country in anticipation of the future dispossession. In November Principal Chief John Ross narrowly escaped assassination while riding to see off a Cherokee delegation to Washington.  

The jubilation of Georgians following the Supreme Court’s ruling continued a pattern of selective interpretation of events by enemies of the Indians. Boudinot felt compelled to write an editorial that addressed Marshall’s specific wording and came to an altogether different conclusion:

The only question before [the Court] was, whether it had original jurisdiction - whether the Cherokee nation was a foreign state in the sense of the constitution, & the decision went no further than to say, as we understand it, that the Court has not original jurisdiction, and that the Cherokee nation was not a foreign state in the sense of the constitution. How such a decision can be understood and construed as sustaining the pretensions of Georgia and the views of the President of the United States, we are not able to say.

Boudinot correctly understood the legal significance of the decision. The Court abstained from deciding on jurisdiction in The Cherokee Nation vs. The State of Georgia

---

41 Wilkins, Cherokee Tragedy, 225; Carter, Cherokee Sunset, 113-114; Moulton, John Ross, 47 – 48.

based on semantics. This was apparent in the supportive language that John Marshall’s opinion extended to the Cherokees and in the Supreme Court’s ruling on the next Cherokee case of major consequence. In 1832, when the tribunal had a plaintiff of legal standing (a white American) who framed his complaint in recognized terms (jurisdiction in the context of the violation of an American’s rights) the Court intervened.\textsuperscript{43}

With the increased white intrusions into Cherokee country following \textit{The Cherokee Nation vs. The State of Georgia}, Boudinot did not lack material for his editorials. And he was not one to allow an occasion to pass that exposed the hypocrisy of Americans who professed adherence to the Constitution. When he was subjected to humiliation by members of the Georgia Guard, he wrote of the incident as a breach of the Constitution’s guarantee of freedom of the press.

In August 1831, the editor was summoned to the office of Georgia Guardsman Colonel C.H. Nelson, threatened and berated for libel. Boudinot requested that specific articles be shown to substantiate the accusation but was only told that it was the “general course and character” of his paper that gave offense. When Guardsmen again came to the \textit{Phoenix’s} office to summon the editor, Boudinot refused to comply. For this, seven armed men came to his home and brought him to another interview with the colonel.\textsuperscript{44}

It was even more heated than the first. Nelson flew into a rage when the editor told him he “did not care any thing about his threat” to beat him.\textsuperscript{45} News of the incident spread in the Nation. Boudinot clarified for his readers that he had not intended to “dare”

\textsuperscript{43} \textit{Worcester vs. Georgia}, 31 U.S. Lexis 489 (1832).
\textsuperscript{45} \textit{Ibid.}, 134 – 135.
the colonel, nor had he intended to imply the threat of violence did not affect him. His true meaning was that physical punishment would be but a trifling consideration in my mind when compared with the dictates of my conscience, and what I consider to be the line of honest . . . I would be unworthy of the confidence of my countrymen and friends, if, for fear of a personal chastisement, I should be guilty of a dereliction of duty.  

As in other editorials, Boudinot wrote of a twofold injustice: the effects of oppression on Indians and the repercussions for white men. However, this article was even more personal. Boudinot was not removed from the events he recorded, and the “interviews” left him angry and humiliated. In closing, he wrote:

I would respectfully inquire, would a white man have been treated as I have been? If it is possible that a white editor can be treated in this manner, what would be the feelings of the people? In this free country, where the liberty of the press is solemnly guarantied, is this the way to obtain satisfaction for an alleged injury committed in a newspaper? I claim nothing but what I have a right to claim as a man – I complain of nothing of which a privileged white editor would not complain.”  

As far as Jackson was concerned, Georgia was to remain unhindered in its policy toward the Cherokees. The ABCFM had been in a partnership with the government’s “civilization” program since Washington’s days, but its advocacy for the Cherokees created problems for Jackson, and so he cut the missionaries loose. When Samuel

47 Ibid.
Worcester evaded arrest for refusing to take a loyalty oath to Georgia on the basis of his position as postmaster in the Cherokee Nation, Jackson had him fired. In July 1831, Georgia Guardsmen came to the Worcester home and arrested him along with ten other white men. The prisoners were forced to walk sixty miles in chains to a Georgia jail. Of the eleven members, nine agreed to take loyalty oaths or leave the Cherokee territory. Only Worcester and another missionary, Elizur Butler, refused, and so they remained in prison.\footnote{Moulton, \textit{John Ross}, 45; McLoughlin, \textit{Cherokees and Missionaries}, 262.}

Georgia’s imprisonment of the Cherokees’ missionaries – white, Christian American citizens, no less! – and Jackson’s toleration of the act showed that Georgia would go to boundless lengths in order to remove the Cherokees. In the midst of these troubles, Boudinot took various approaches to expose the strained logic of Indian removal rhetoric, but his resources were not infinite. After the passage of the Indian Removal Act, he expressed that the Cherokees’ remaining hope lay in the adjudication of the Supreme Court.\footnote{Boudinot, \textit{Cherokee Phoenix}, May 15, 1830 in Perdue, \textit{Cherokee Editor}, 118.} For all of his arguments, it was apparent to the editor that reason did very little to open the closed and determined minds of many Georgians and Washington officials. An editorial from November 12, 1831, conveyed the editor’s weariness. There is a bored and valedictory air to the article, which once more listed Cherokee claims to sovereignty and the injustice done them:

\begin{quote}
the \textit{guardian} has deprived his \textit{wards} of their rights – The sacred obligations of treaties and laws have been disregarded – The promises of Washington and Jefferson have not been fulfilled . . . a neighboring power is now permitted to extend its withering hand over [the Cherokees] . . . Their intelligent citizens . . .
\end{quote}
abused and insulted, represented as avaricious . . . Ministers of the Gospel . . . have been arrested, chained, [and] dragged away . . . 50

The litany stopped abruptly and Boudinot asked his readers, “Is not here an array of difficulties?” In answer to his own question, Boudinot ended the editorial with a blunt conclusion, “A desire to possess the Indian’s land is paramount to a desire to see him established on the soil as a civilized man.” 51

The Cherokees had yet another legal recourse to remedy their “array of difficulties.” The imprisonment of Worcester and Butler provided the Cherokees with men of legal standing to bring their grievances before the Supreme Court. In the spring of 1832 the Supreme Court ruled that the missionaries had been imprisoned “under colour of a law . . . repugnant to the constitution, treaties, and laws of the United States,” and the Court mandated that Georgia’s extended laws be annulled. The decision thus reaffirmed the United States’ role as protector of the Cherokees and recognized the Cherokee Nation as a “distinct community occupying its own territory” in which Georgia had no right to extend its laws or enter without the Cherokees’ consent. 52 The decision’s implications were enormous: federal enforcement of past treaties, expulsion of white intruders, and an end to the removal question. If enforced, it was everything for which the Cherokees could have asked.

In a show of distain for the proceedings, Wilson Lumpkin, now the governor of Georgia, had refused to send lawyers to Washington. His contempt knew no bounds; in

50 Boudinot, Cherokee Phoenix, November 12, 1831 in Perdue, Cherokee Editor, 118, 141-143.
51 Boudinot, Ibid., 143.
52 Worcester vs. Georgia, 33, 30, 33.
the previous year he publicly let it be known that he would “disregard all unconstitutional requisitions” and would defend Georgia’s rights by any means necessary. He also opined that the Supreme Court was consistent only in its federalist agenda and meddling in the affairs of individual states. Jackson, for his part, did nothing. The missionaries remained in a Georgia prison.53

Worcester and Butler’s imprisonment nevertheless remained a potentially volatile issue between Georgia and the federal government. In November, 1832, South Carolina passed an ordinance of nullification and Governor Robert Hayne called on his countrymen to arm themselves. In this context, the missionaries’ expected appeal was extremely unwelcome to Jackson. He needed to be sure of Georgia’s support.54 Many people had an interest in seeing that the two missionaries were set free. Vice-president Martin Van Buren saw his dream of a political alliance between “plain” New Englanders and Southern planters in jeopardy. His “Albany Regency” worked quietly to ensure that neither constituency was alienated. The New Yorkers wooed Wilson Lumpkin and Georgia senator John Forsyth, assuring them of the President’s support. Their efforts culminated in a virtual promise from Lumpkin to pardon the missionaries, if Worcester and Butler should humbly request such a thing.55

The missionaries’ sponsors, the ABCFM, were in a quandary: by continuing to agitate the removal issue they might tip the United States into civil war. In view of the emergency, on Christmas day 1832, the Board resolved that Worcester and Butler be

53 Guttman, States’ Rights, 77; Address to the Georgia Legislature, November 25, 1831 in Ibid., 77; Address to the Georgia Legislature, November 6, 1832 in Ibid., 79; Meachum, American Lion, 203.
advised to drop their appeal. On January 16, two days after Lumpkin “graciously” pardoned the missionaries, Jackson sent a message to Congress asking for the authority to force South Carolina to comply with federal law.\textsuperscript{56}

Jackson’s refusal to enforce the Supreme Court’s decision was made with two objectives in mind. He did not want to antagonize another Southern state in light of the crisis with South Carolina, and he believed that leaving the Cherokees to the Georgians’ mercy would expedite their removal. Furthermore, the occasion also allowed him to exercise his conception of Executive powers, in the words of historian Jon Meachum, that “no single institution in American life or government was all-controlling, and that as president he had to do what he thought was right.” In July, 1832, Jackson formalized his notion of presidential powers when he vetoed a bill to recharter the national bank, writing: “The Supreme Court must not . . . be permitted to control the Congress or the Executive when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.” In other words, Jackson refused to execute the decision because he did not personally agree with it. Boudinot later wrote, “There is a doctrine laid down in the veto Message of the President, returning the Bill to recharter the Bank of the United States, which bears directly upon the interest of the Cherokees; it is, that the Executive is not bound by the decisions of the Supreme Court.”\textsuperscript{57} He continued:

\begin{quote}
[T]he system of oppression carried on by acts declared to be unconstitutional by the highest tribunal of the country, is permitted to proceed steadily to its final consummation, and the Chief Magistrate [of] the land, to whom is intrusted [sic]
\end{quote}

\textsuperscript{56} Miles, “After John Marshall's Decision,” 537, 538, 539, 541.
\textsuperscript{57} Meachum, American Lion, 205, 210, 211. Quote by Meachum, Ibid., 210; Jackson quoted in Richardson, comp., Messages and Papers of the Presidents, 1145 in Ibid., 211; Boudinot, Cherokee Phoenix, August 11, 1832 quoted in “Being A Reply,” 167.
the execution of the laws, views with apparent complacence the mischief as it progresses.”

Boudinot’s change to advocating a treaty of removal for the Cherokees can be attributed to his recognition that Jackson would not execute the Supreme Court’s ruling. This realization might be traced to one moment. Shortly after *Worcester vs. Georgia*, John Ridge, who had been on a speaking tour of Eastern cities with Boudinot, traveled to Washington with his cousin to learn the President’s mind. Ridge secured an audience with Jackson and asked him directly if he intended to abide by the Court’s decision. The President informed him that he did not. This was a turning point for Ridge, and Jackson knew it. He later wrote, “I believe Ridge has expressed despair, and that [it] is better for them [the Cherokees] to treat and move. In this he is right, for if orders were issued tomorrow one regiment of militia could not be got to march to save them from destruction and this the opposition know[s].”

Except for the tenacious John Ross and the majority of the Cherokee people, the aftermath of *Worcester vs. Georgia* led even staunch allies of the Cherokees to express defeat. Former supporters in Congress as well as Justice John McLean told the Ridge delegation that their cause was lost and advised they make a treaty for removal. Apparently Boudinot was not at the meeting with Jackson, but he undoubtedly saw Ridge

---

just after. In the spring of 1832 at the Capital City the two cousins came to their decisions to support a removal treaty.\footnote{Andrew Jackson to Brigadier General Coffee, April 7, 1832 quoted from John Spencer Bassett, ed. *Correspondence of Andrew Jackson*, IV (New York, Kraus Reprint Co., 1969); Wilkins, *Cherokee Tragedy*, 236, 237, 238, 237.}

Boudinot’s writings began to express resignation. Shortly after the Supreme Court’s decision, the editor seemed to have accepted that it would not affect the immediate crisis. Instead, he focused on the larger implications of the ruling. To his brother Stand Watie, he wrote:

> It is a great triumph on the part of the Cherokees so far as the question of their rights were concerned. The question is for ever settled as to who is right and who is wrong, and the controversy is exactly where it out to be, and where we have all along been desirous it should be. It is not now before the great state of Georgia and the poor Cherokees, but between the U.S. and the State of Georgia, or between the friends of the judiciary and the enemies of the judiciary.\footnote{Elias Boudinot to Stand Watie, March 7, 1832 in Dale, and Litton, *Cherokee Cavaliers*, 4.}

In this statement and in other editorials, Boudinot revealed how important it was to him that the moral righteousness of the Cherokee cause was recognized. “As respects the Cherokees,” he had once written, “their duty is plain – they cannot err . . . If those guaranties must now be violated with impunity for purposes altogether selfish, the sin will not be at our door, but at the door of our oppressor and our faithless Guardian.”\footnote{Boudinot, *Cherokee Phoenix*, December 21, 1831 in Perdue, *Cherokee Editor*, 145.} It is too much to suggest that the Supreme Court’s recognition of Cherokee sovereignty satisfied Boudinot’s anger at the great injustice done to the Cherokees, but as Jackson...
refused to enforce the decision, vindication before God and America’s highest tribunal was all that was available. The editor had exhausted his arguments in “civilized” society.

Boudinot’s editorials provide a window into his thought process about the removal crisis. They show the evolution of the reasoning that led him to decide to sign the Treaty of New Echota. Considering the era in which he lived and his many attempts to meet the contingencies of the removal crisis, Boudinot’s decision to support removal was a reasonable action. Repeated failures rather than an unstable mind led him to ultimately advocate a removal treaty.

Boudinot’s editorials indicated a calculated strategy. His arguments changed over the years as he saw that former strategies had become useless. As opposed to his first public arguments on behalf of the Cherokees, which were based on appeals to Christian charity, many of Boudinot’s Cherokee Phoenix editorials employed various avenues of secular rhetoric. One of these was an attempt to persuade his readers by rational argument. This included demanding from his opponents tangible evidence of the Cherokees’ decline and degradation, agreeing to test generalizations on the Indian’s character and prospects with quantifiable data, and scrutinizing and clarifying the language of legislation related to Cherokee sovereignty. Boudinot also tried to shame white Americans into supporting the Cherokees by pointing out inconsistencies between the language of their Constitution and the actions of their state and federal governments. Self-interest was his final card. Later editorials sought to convince a white readership that injustice done to the Cherokees had implications for the rights of white Americans, particularly with regard to the foundation of the Union.
A final (perhaps, most important) aspect of the editorials from the peak years of the removal crisis is that the Cherokee editor never accepted the arguments of the opposition. He consistently hammered away at the contradictions of removal rhetoric. There was never a moment when he acknowledged that the Cherokees were in the wrong. After the *Worcester vs. Georgia* decision in 1832, he wrote that henceforth the Cherokees “cannot err.” His statement indicated he believed the Indians had won a moral victory, the decision’s execution notwithstanding. This conclusion conceded that the issue of removal was out of the Indians’ hands.

Historian Angela Pulley Hudson has previously written about the calculated strategy within Boudinot’s editorials in regard to the removal crisis. By referencing the Constitution, she argued, Boudinot indicted the United States government for failing to abide by its own principles. This chapter has taken a broader look at Boudinot’s rhetorical strategies, which included appeals to America’s Christian community as well as arguments intended to win over white Americans that were not based on the sanctity of the Constitution.62

Chapter III also adds to the scholarship on the Cherokee removal by placing Boudinot’s commentary side by side with the events he chronicled. It contributes the perspective that Boudinot adapted his arguments as circumstances changed. Finally, it reveals just how grudgingly Boudinot came to surrender the Cherokees’ cause: the duration and ingenuity of his arguments most strongly illustrate this fact.

---

By 1832, having failed to influence most white Americans to support the Cherokees in their struggle to remain in their eastern lands, Boudinot came to the conclusion that his tribe’s safety and continued progress in “civilization” depended on quickly making a treaty and emigrating west of the Mississippi. Many Cherokees remained unconvincing that they had to accept removal and opposed him up until and beyond the making of the Treaty of New Echota. Two years after signing the infamous treaty, Boudinot wrote an apologia defending his actions. His central argument was that John Ross had misinformed many Cherokees about their prospects for victory in the removal contest. The following chapter tests the validity of this very provocative allegation.

IV. Along The Road To New Echota (1833 – 1835)

Until 1832, Boudinot’s position on removal coincided with that of the Cherokee government, but he broke with majority opinion following *Worcester vs. Georgia*. Boudinot had come to the conclusion that the removal movement was irresistible. In 1832, along with his cousin, uncle, and a minority of leading Cherokees, Boudinot began publicly advocating making a treaty, a position that brought him the enmity of many Cherokees. After being shut out of legitimate avenues for expressing his opinions, Boudinot and his family formed a separate political party, the Ridge or “Treaty Party,” dedicated to providing relief to the Cherokees through a treaty of removal.¹

In 1835 the Ridge Party and the National Party, the authorized Cherokee government under the leadership of Principal Chief John Ross, briefly united in their negotiations with the United States, but the two parties were ultimately unable to compromise their respective philosophies. With John Ross away in Washington and only several hundred Cherokees present to give their consent, members of the Ridge Party signed the Treaty of New Echota. The Senate ratified the document and Jackson proclaimed it into law in May of the following year. According to the treaty’s terms, the United States allowed the Cherokees two years to settle their affairs and emigrate.²

John Ross continued his campaigning in Washington to stay removal. Following Senate ratification of the Ridge treaty, he published two pamphlets explaining his


opposition to removal. Ross’s characterization of the Treaty of New Echota as “deceptive to the world and a fraud upon the Cherokee people” stung Boudinot, and he published a pamphlet in the form of an extended letter to Ross in defense of the Ridge Party’s actions. “Letters and Other Papers Relating to Cherokee Affairs: Being A Reply To Sundry Publications Authorized By John Ross” (1837) is filled with the Boudinot’s great indignation, self-righteousness, and personal attacks on John Ross. Yet, like his earlier writings, “Being A Reply” for the most part was cogently argued, and its contentions were supported by letters and documents from Cherokees involved in the politics of removal, Boudinot’s own included.

This chapter focuses on the central argument of “Being a Reply.” Boudinot charged that the majority of Cherokees suffered from “a want of proper information” in regard to the removal crisis. He conceded that most Cherokees were against removal but argued that they would prefer to remove if they were informed of the hopelessness of their struggle to remain in their eastern lands. He blamed Ross for their misinformation.

John Ross prevented many Cherokees from fairly appraising the facts of the removal debate. By censoring Cherokees who advocated making a treaty and publicly impugning their motives, the Principal Chief shut down legitimate venues for debating

---


5 Ibid., 161-162.
removal within the Cherokee Nation. This chapter will show that Ross did not share crucial information with his constituents about his failed negotiations in Washington or his deviations from the Cherokees’ mandate to preserve their homeland. Thus, the evidence supports Boudinot’s allegation that many Cherokees were under-informed about their prospects during the removal crisis. Boudinot’s accuracy on this subject is important in testing the soundness of his mind and judgment in regard to the Cherokee removal. His apologia is further demonstration that Boudinot remained a rational man even as he signed the Treaty of New Echota.

“Sir, it was with much astonishment I read in the last number of our paper, the remarks contained in the letter of General Newnan, as those statements are well calculated to mislead the public mind.” So read a letter from John Ross to Elias Boudinot written in May, 1832, reprimanding him for the content of a recent issue of the Cherokee Phoenix. The previous month John Ridge had met with Secretary of War Lewis Cass, who proposed a treaty for removal liberal enough to interest the Cherokee leader. Shortly after the meeting, the Cherokee Phoenix, then under the stewardship of Boudinot’s younger brother Stand Watie, published a statement from Georgia Congressman Daniel Newnan that members of a Cherokee delegation in Washington had agreed to recommend a treaty of removal to their people. Historian Thurman Wilkins has suggested that Boudinot, who directed Watie from afar, was behind the move and intended the article to gauge the Cherokees’ willingness to remove. It was not unusual

---

6 It is Gary Moulton’s belief that Ross drove the “Treaty Party” into their illicit negotiations with the United States; Moulton speculated that their influence might have been curbed had they been treated as the “loyal opposition.” See Moulton, John Ross, 53.

7 John Ross, “To Elias Boudinot,” May 17, 1832 in Moulton, The Papers of Chief John Ross, 244.

8 Peyer, “Elias Boudinot and the Cherokee Betrayal,” 202, 203; Wilkins, Cherokee Tragedy, 238.
for Boudinot to publish statements from the opposition, but he had done so in the past with disapproving commentary. The article’s publication marked the beginning of a rupture between Boudinot and Ross that never found resolution.

Figure 10. Chief John Ross. Source: Moulton, John Ross: Cherokee Chief, ii.

Principal Chief John Ross was a man determined to keep the Cherokees unified in resisting removal. He had fought for the United States during the Creek War and witnessed the nascent republic’s overwhelming power. He had seen the disastrous results of Creek factionalism. First serving his country as a delegate in the wake of the Creek

---

10 Moulton, John Ross, 11-12. The Creek upper and lower towns divided over how best to deal with an advancing white population – appeasement or resistance. In the Creek War of 1813 – 14, the upper
War, Ross rose to President of the National Committee, then to Principal Chief during the 1820s. In his early career as a politician, Ross secured a reputation for honesty, most notably in his exposure of the corrupt Creek Chief William McIntosh.  

Ross did not look the part of a Cherokee hero. The Scottish strain of his ancestry ran strong, and his light complexion led strangers to mistake him for a white man. His white father had been a successful merchant, and Ross was educated by missionaries, but he identified most strongly with his Indian heritage. For the Cherokees there was no question of Ross’s identity. In Southern Indian society “the concept of ‘biculural’ or ‘mixed race’ simply did not exist.” Blood quotient did not determine a person’s “Indianness”; tribal recognition was based on a person’s matrilineal inheritance. Louis Philippe, a Frenchman who spent time with the Cherokees during the late eighteenth century, recognized this tradition and observed: “The family [of Southern Indians] is reckoned around women rather than men as in our society.” Ross’s mother was a Cherokee and therefore so was he.  

Ross did not always have the unqualified support of most Cherokees. When he served as president of their constitutional convention in 1827, the fledgling republic narrowly avoided an open rebellion by Cherokee traditionalists who feared the growing discrepancy in power between themselves and the rising elite. The traditionalists’
goodwill was ultimately secured by the new constitution’s commitment to protect the Nation’s common land.\(^\text{13}\)

In the years of the removal crisis, Ross’s unwavering position on removal won him the loyalty of the majority of the Cherokees. Despite being one of the wealthiest men of his Nation, Ross’s home was open to all of his people. And, though he spoke Cherokee poorly, his adherence to traditional etiquette and custom endeared him to the Cherokees. His influence over many of them was uncontested. According to historian Marion Starkey, an examination of missionary letters from the removal era revealed that the Cherokees trusted John Ross, sometimes to the point of blindness. Thurman Wilkins speculated that Ross’s popularity lay in leading the Cherokee people according to “their profoundest desires, their deepest bent, their instinctive will.”\(^\text{14}\) John Ross gave his people hope that their land would remain their own, and forever.

In May, 1832, the Ridge delegation met privately with the Principal Chief to discuss their experiences in Washington. No documentation from the meeting survives, but from events that followed it is evident that Ross learned of Ridge and Boudinot’s treaty advocacy and determined on a course to counteract their influence. In July, against the wishes of Ross, the Cherokee Executive Council voted to hold a special council to give Elisha Chester, an emissary for the United States, a hearing on a proposed treaty.\(^\text{15}\)

The council was held at Red Clay, Tennessee, just north of the Cherokees’ Georgia border and “out of the legal range of the Georgia Guard.” In addition to its


\(^{14}\) Starkey, The Cherokee Nation, 224; Moulton, John Ross, 2; Wilkins, Cherokee Tragedy, 271. Ross’s ability in the Cherokee language was so poor that he chose to give his speeches to the Cherokees in English; his words would then be translated for his people. See Perdue, Cherokee Editor, 229.

\(^{15}\) Wilkins, Cherokee Tragedy, 242; Starkey, The Cherokee Nation, 183.
rejection of Chester’s treaty, the July special council at Red Clay had three significant outcomes. First, future members of the Ridge faction lost their credibility with many of the Cherokee people. By publicly favoring a removal treaty, the delegates were met with “intense hostility.” According to Thurman Wilkins, John Ross “whipp[ed] sentiment against” the returned Washington delegates by having a copy of the Daniel Newnan article posted to a tree. Chester later reported that the assembled Cherokees understood the article to mean that the delegation had been bribed. Moreover, the delegates were denied an opportunity to defend their good names.16

The second crucial development from the meeting at Red Clay was the council’s decision to retain current members of the Cherokee government in power indefinitely, an act in response to Georgia’s prohibition of the meeting of the Cherokee government. The Ridges believed that the decision to keep Ross in power was intended to prevent them from communicating their views to the Cherokee people. It certainly prevented John Ridge from running for the office of principal chief – a position that he apparently aspired to hold and for which he thought he was the superior candidate. Boudinot believed that the measure by the council interfered with due process by the people. The so-called majority vote, he later wrote, was made by a committee of twenty-four members, himself included, chosen by the only 200 Cherokees assembled that July at Red Clay. 17 He guessed that, even several years after the act, “three out of five” Cherokees were unaware of the manner in which their elective process was circumvented.18

---

16 Wilkins, *Cherokee Tragedy*, 242, 244; Carter, *Cherokee Sunset*, 137.


There is no explicit evidence that Ross arranged to secure his office indefinitely, but the Principal Chief did maneuver to shut down sentiment that he regarded as a threat. Ross was already aware of the returned Cherokee delegates’ intentions; thus he came to the July council prepared to influence the assembled Cherokees to oppose even considering a treaty of removal. Posting the Newnan article turned the Indians against the returned Cherokee delegates, and rumors of treason seemed credible in the context of their speaking in favor of a treaty.

True, members of the government’s terms were about to end, and the council had to make a decision on whether or not to hold national elections; moreover, the council’s vote to suspend elections was done openly.\(^{19}\) Still, the council came to its decision in the context of a burgeoning movement in favor of emigration. The Cherokee government had managed to meet in spite of Georgia’s prohibitions. Later on, Ross was able to obtain thousands of Cherokee signatures for the petitions he brought before the United States.\(^{20}\) To hold an election would not have been easy, but it could have been done.

The third consequence of the July council at Red Clay was Boudinot’s resignation as editor of the *Cherokee Phoenix*. Ross had taken him aside after the meeting to tell him not to publish an account of the council’s discord. This attempt at censorship did not sit any better with the Cherokee editor than his experience with Colonel Nelson. Therefore, Boudinot tendered his resignation on August 1, 1832.\(^{21}\)

---

\(^{19}\) Wilkins, *Cherokee Tragedy*, 243.


\(^{21}\) Carter, *Cherokee Sunset*, 138. For Boudinot’s encounter with Colonel Nelson, see Chapter III, 21 - 22.
The *Cherokee Phoenix*’s new editor (and John Ross’s brother-in-law) Elijah Hicks wrote an editorial in which he labeled Boudinot’s turn to treaty advocacy a “breach in the patriotic rank of the Cherokees.” Boudinot felt compelled to defend his patriotism, which he defined in a letter to the new editor as “the *love of the country, and the love of the People*”:

They are inseparable if the people are made the first victim . . . But if the country is lost, or is likely to be lost to all human appearance, and the people still exist, may I not, with a patriotism true and commendable, make a *question* for the safety of the remaining object of my affection?  

Hicks refused to print the letter, thereby confirming the policy of the Principal Chief that even making a “*question*” for the wisdom of removal was unacceptable.  

Theda Perdue has pointed out that the Cherokee constitution did not guarantee freedom of the press. Still, at the paper’s inception, the government had resolved that the editor of the *Cherokee Phoenix* was “expressly empowered to use his discretion in every respect, in order that the Nation may be benefited by the institution.” Ross had used his discretionary powers as head of state to censor the content of the *Cherokee Phoenix*.

Ross did so because he considered the times exceptional; he did not think the Cherokees could afford to allow an open forum of debate, and he was willing to sacrifice republican ideals in view of the emergency. Ross articulated this policy in his annual

address of 1833: “It is a self evident truth, that no community can successfully surmount an opposing difficulty and attain the object of desire, unless the members thereof can and do exercise a controlling influence of common interest.” Adhering to a traditional concept of majority rule, Ross believed it was the duty of the minority to yield; patriotism and virtue, he said, sanctioned this course. In the summer of 1833, he put his position succinctly, “A man who will forsake his country . . . in time of adversity . . . is no more than a traitor and should be viewed – and shunned as such.”

With Ross repeatedly blocking their petitions to consider removal at council, Boudinot, the Ridges, and Stand Watie enrolled for emigration in 1833. Even so, the principal leaders of the pro-treaty faction were not content to be bystanders. Boudinot and Major Ridge joined a delegation of like-minded Cherokees to present their own views to the President in Washington.

The unauthorized Cherokee delegation’s presence in Washington understandably threatened Ross. He could not afford to be seen as a mere obstructionist and felt obliged

---


26 Enrollment for emigration meant that an Indian formally registered with the United States to remove west of the Mississippi. Depending on the circumstances, Indians might receive funds for their improvements, travel expenses, and other aid toward establishing themselves in new lands. The United States had actively encouraged the Cherokees to emigrate west since at least 1817. At Jackson’s urging Cherokee Indian agent Hugh Montgomery “stepped up” his previous efforts and persuaded 500 Cherokees “and their blacks” to emigrate in 1829. Georgia, too, did its part by passing legislation that forbade “any persons or body of persons” from preventing any Cherokee “from enrolling as an emigrant” at pains of hard labor in a penitentiary for a term “not exceeding four years.” Most Cherokees made clear their unwillingness to move from the start. At the end of 1831, superintendent of Indian Affairs Benjamin F. Currey had only enrolled about 250 Indians for emigration and many of these were “n’er-do-wells and drifters, seeking a handout in the West.” In 1836, 600 Cherokees enrolled for emigration, but most of them were “comfortably fixed members of the Treaty Party.” By 1836 enrollment allowed Cherokees to make monetary claims against the United States in advance of their emigration. The ever-present Wilson Lumpkin acted as a claims commissioner for the expected removal. Hundreds of Cherokees came to his office but the “disbursing agent” arrived late, preventing (according to Major Benjamin Currey) from 1500 to 2000 Cherokees from “voluntarily” emigrating. See Moulton, John Ross, 20, 38; “Georgia Law of 1829” quoted from Nile’s Weekly Register, XXXVIII, March 13, 1830, 54 – 55 in Guttmann, States’ Rights, 40 – 41; Carter, Cherokee Sunset, 126; Wilkins, Cherokee Tragedy, 300, 296, 299 – 300; Foreman, Indian Removal, 231; Peyer, “Elias Boudinot and the Cherokee Betrayal,” 207.
to show a willingness to compromise at some level. In March, Ross offered his first major concession to the United States. He proposed that if President Jackson could guarantee the security of their remaining lands, a portion of the Cherokee land would be given to satisfy Georgia. After being informed by the President that he could offer no such guarantees, Ross voiced his conclusion that the “existence and permanent welfare [of the Cherokees] as a people, must depend upon that relation which will eventually lead to an amalgamation with the population of this great republic.” He once again offered to cede part of the Nation to Georgia but added the proposal that the Cherokees would accept citizenship in the states where their lands lay. Jackson also rejected the second offer.  

Meanwhile, Andrew Ross (John’s brother), a member of the pro-treaty faction in Washington, though an unimportant figure in the Cherokee Nation, had made a preliminary treaty of removal with Jackson against the wishes of Boudinot and Major Ridge. Andrew sold the Cherokees’ land for a paltry sum and also secured special considerations from which he could profit in the future – a general clause allowing Cherokees to sell liquor in their new lands, and proprietary rights for himself to a turnpike road. The treaty was, in any case, unacceptable to the Senate, which voted it down.  

Nevertheless, the Cherokees assembled at the August council blamed Boudinot and Major Ridge for Andrew Ross’s actions. In the midst of the uproar over the unauthorized treaty, the details of John Ross’s negotiations in Washington slipped past

27 John Ross, “To Andrew Jackson” March 12, 1834 and March 28, 1834 in Moulton, The Papers of Chief John Ross, 278, 282; Moulton, John Ross, 50.

28 Moulton, John Ross, 56.
the assembled Cherokees unnoticed. Biographer Gary Moulton wrote, “[Ross] lightly passed over the proposition for uniting his tribe with the United States, saying such an event was remote and need not even be considered.”

Elijah Hicks came to the August meeting with a petition signed by 144 Indians from six districts, John Ridge’s included, calling for the impeachment of the Ridges and another leading Cherokee, David Vann, for supporting removal. The council voted to remove them from their government offices, but the charge was tabled until the October meeting. Tempers ran high at the August council. John Ridge took a round-about way home that evening; his uncle had been bitterly denounced and threats were made “that if some men did not take care they would drop from their ponies.” A prominent pro-treaty man, John Walker, Jr., was murdered that night.

The Ridges were never granted a hearing. At the October council, John Ross, who directed the proceedings, did not follow through with the impeachment charges; he also did not withdraw them. Boudinot later referred to these events as “the second triumph over discussion.” He also pointed out that the Ridges’ treaty advocacy was still limited to their exhortations at council to make a treaty. The Ridges and David Vann were impeached, not for any acts on their part, but “for holding opinions that were contrary to those entertained by the authorities.” This series of events, — impeachment, denial of a

29 Ibid., 57.
30 Wilkins, Cherokee Tragedy, 263; Rachel Caroline Eaton, John Ross and the Cherokee Indians (New York: AMS Press, 1978), 58. Major Ridge had been serving as counselor to John Ross; John Ridge was president of the National Committee. See Wilkins, Cherokee Tragedy, 205, 216.
public hearing, refusal to withdraw the charges – Boudinot pointed out, had the effect of keeping his family under censure, affecting their expulsion, and stifling a discussion on removal.32

On November 27, 1834, pro-removal Cherokees formed a political party under the leadership of John Ridge, with Boudinot and Alexander McCoy as his assistants. In a series of resolutions, the party made clear their views that fighting removal was hopeless, that their burdens increased daily from contact with intruding whites, and that “the lot of the Exile” was “immeasurably” preferable to living under the laws of the states.33

Circumstances compelled the Ridge Party to seek the protection of the United States and Georgia. Upon Ridge’s request, Georgia Governor Wilson Lumpkin granted Ridge Party members exemption from the land lottery that forced many other Cherokees from their homes. This was not done just for the sake of receiving special treatment; Ridge Party members lived under the threat of assassination. In 1835, John Ridge wrote to Wilson Lumpkin to ask that he take measures to break up the “band of outlaws” John Ross used to threaten pro-treaty Indians and “blind the eyes” of other Cherokees.34 Breaking up this “incubus,” Ridge wrote, would “unhorse” John Ross in the Cherokee Nation.35

Ridge was convinced that the unseemliness of acting independently of the authorized Cherokee government would be forgotten if he could receive favorable terms for a treaty. In 1835, Ridge actively engaged in negotiations with United States

---

Commissioner John F. Schermerhorn. As Jackson had shown previously in his dealings with Andrew Ross, the President was not averse to making a treaty with a minority of the Indians, but he still preferred to negotiate with authorized representatives.\textsuperscript{36}

The threat of a separate peace influenced Ross to make two enormous concessions. In late February, he wrote to Lewis Cass that he was “now deeply impressed” that his people would not be allowed to exist as a “distinct” and sovereign people within America, nor be supported by the United States over the interests of its states. He therefore proposed that his people cede extensive territory and be permitted to remain on only a small tract of country on the borders of Tennessee and Alabama. Ross asked that his people be allowed citizenship in the states where their remaining land lay and that they be granted fee simple title to their property.\textsuperscript{37}

Ten days later, in a letter to Cass, Ross expressed his astonishment that Jackson had rejected his concessions:

We are sorry to discover that nothing short of transplanting all the different tribes from the Country East of the Mississippi to the West of the river will satisfy the government . . . [W]e are now driven by the dire necessity of the case . . . to meet the proposition of the President for an arrangement on the basis of a gross sum being paid to our nation for its title to all the lands lying within the charter limits of Georgia, [North Carolina], Tennessee, and Alabama . . . [in exchange for] the gross sum of Twenty Millions of Dollars . . . [W]e would with the President distinctly to understand, that, we do it solely from our sincere desire to extricate our distressed people from the lamentable situation into which they are placed . . .

\textsuperscript{36} Dobkins, “John Ridge,” 103; Wilkins, \textit{Cherokee Tragedy}, 267. \\
\textsuperscript{37} Ross, “To Lewis Cass,” February 14, 1835 in Moulton, \textit{The Papers of Chief John Ross}, 321.
[because] we are convinced that their interest, under all circumstances, demands it.\textsuperscript{38}

Ross also wrote of his willingness to advise the Cherokees to accept these terms but warned Cass that any sale under the proposed amount would be unacceptable to his people. Paradoxically, he emphasized to the Secretary that “money can never purchase [the Cherokees’] love of country – but the love of freedom may compel them to seek an asylum in other climes, in the far regions of the West.” Jackson sent Ross word that he considered his terms “extravagant.”\textsuperscript{39}

Ross had another proposition waiting. Calling on Jackson’s promise to abide by the Senate’s most liberal terms in compensation for the Cherokee lands, Ross asked the President to submit the matter to the Upper House for its arbitration. Ross assured Cass that he was prepared to abide by the Senate’s findings and to recommend the same to his people.\textsuperscript{40} To Ross’s consternation, the Senate awarded just $5,000,000 for the Cherokees’ lands. The Principal Chief was shaken enough by the decision to look into finding sanctuary for his people in Mexico.\textsuperscript{41}

Although he seemed to accept the judgment, Ross also began to back peddle. He complained that Cass had not given him a record of the Senate’s proceedings as the Secretary promised; he also informed Cass that he had to take the matter before the Cherokee people so as not to compromise them on “any premature act on our part.”\textsuperscript{42}

\textsuperscript{38} John Ross to Lewis Cass, February 25, 1835 in Moulton, \textit{The Papers of Chief John Ross}, 324-326.
\textsuperscript{39} Ibid., 326; John Ross to Lewis Cass, February 27, 1835 in \textit{Ibid.}, 327.
\textsuperscript{40} John Ross to Lewis Cass, February 27 and 28 in \textit{Ibid.}, 327, 328.
\textsuperscript{41} Moulton, \textit{John Ross}, 61, 62.
\textsuperscript{42} “To Lewis Cass,” March 6, 1835, 331; March 9, 1835, 332-333. Both in Moulton, \textit{The Papers of Chief John Ross}. 
John Ridge had no such reservations. In March, following Ross’s failed negotiations, Ridge and Boudinot, among others, worked out a treaty with Commissioner John F. Schermerhorn in the Capital City. Ridge believed that the treaty was “very liberal in its terms.” It promised to exchange 7,000,000 acres of land west of the Mississippi for the Cherokees’ eastern lands, in addition to $4,500,000 and another 800,000 acres (the “Neutral Lands,” land south of the Kansas Territory) valued at $500,000.43 The treaty stipulated various other compensatory features, including a perpetual annuity and

Ross withheld the details of his recent negotiations from his people; he also worked to keep the Cherokees from learning the terms of the preliminary treaty John Ridge had worked out in Washington. In April, 1835, Ridge and United States agent Benjamin Currey held a “special” council at Ridge’s estate, Running Waters, located near the southeastern end of the Oostanaula River in the Cherokee Nation. Although their primary goal was to read the terms of their treaty, they added, as a point of business, a vote on how the Cherokees’ federal annuity would be distributed. Hoping for a large attendance, the two men believed that their explanation of the treaty would prepare the Cherokees for the autumn council when “U.S. commissioners would seek the will of the Nation” on the proposed treaty.45

Ridge was no longer a popular leader, and his attempt to subvert the legitimate council ended in failure. Ross sent out couriers and convinced most Cherokees to boycott the meeting. “No more than a hundred” Cherokees attended.46 Ridge and his father rationalized that the meager attendance was due to poor timing (it was planting season) and the recent heavy rain; they believed that more Cherokees would attend their council

---

45 Wilkins, *Cherokee Tragedy*, 269 – 270, quote by Wilkins, *Ibid.*, 270. In 1830 President Jackson had the Cherokees’ federal annuity discontinued “on the pretext that [the funds] had to be paid to individual Cherokees.” Having never settled the manner of disbursement, the annuity remained unpaid until 1834 when federal officials decided to allow the Cherokees to choose how their monies would be dolled out - individually or in a lump sum (see Moulton, *John Ross*, 58). This newfound willingness to let the Cherokees vote on their annuity was calculated to get a large number of Cherokees to attend Ridge’s councils at Running Waters.
46 Wilkins, *Cherokee Tragedy*, 270.
at a more opportune time and so Ridge and Currey deferred the annuity vote and planned a second council at Running Waters for July.\(^{47}\)

In May, Ross held a meeting at Red Clay, Tennessee, where he reported on Ridge’s treaty. The Principal Chief kept the account of his own recent negotiations vague and “touched only lightly on his actual promises.” According to Thurman Wilkins, Ross omitted “cardinal portions” of the treaty and focused instead on condemning the actions of the Treaty Party members.\(^{48}\) Of his negotiations with the President, Ross said:

> [I]t is indispensably necessary that the propositions which were submitted for the consideration of the President & rejected by him, should be clearly understood: by offering to make a concession of certain rights to the United States for the adjustment of our difficulties, that it has not been done from any binding obligation on our part . . . that, by the rejection of those propositions on the part of the President, our rights have not been impaired, nor is the Cherokee people in the slightest manner committed or entramelled by those propositions.\(^{49}\)

On July 18 almost 4,000 Cherokees turned out for John Ridge’s second council at Running Waters. Ross had called upon them to attend, concluding that he might lose control of the Cherokees’ annuity by his absence.\(^{50}\) Just prior to this second “special” council at Running Waters, Ridge learned that Ross had told some Cherokees that he

\(^{47}\) Wilkins, *Cherokee Tragedy*, 270.


\(^{50}\) The vote itself was a struggle for power among the Nation’s leaders. In an attempt to weaken Ross’s faction, John Ridge petitioned to have the funds individually allotted. The final vote determined the issue: 114 in favor of individual payments, 2,225 in favor of a lump sum deposit, see Moulton, *John Ross*, 64. The vote demonstrated that John Ross was unmatched in his influence over most Cherokees.
could get them a “better treaty” at the coming October council at Red Clay. Ridge therefore solicited a letter from the War Department to present at the July council stating that there would be no “better” offer forthcoming. John Schermerhorn was present at Running Waters to read over the terms of the treaty he had worked out with Ridge earlier in Washington. He spoke for over three hours. Schermerhorn’s secretary reported that the Indians listened attentively, but other observers noted that they idled about and drifted into the woods during the talk, apparently at the encouragement of Ross.⁵¹

After the July meeting at Running Waters, Ross reached out to the Ridge Party. They came to a tenuous agreement to “bury into oblivion” the unpleasantness of the past and act as a unified front. Public reconciliation was much needed; Ross never publicly condoned violence toward the Ridge faction, but Ridge and his followers lived under the threat of violence. In the summer of 1835 “[h]ardly a week went by that a Ridge adherent did not fall at the hands of Ross partisans,” and lonely sentinels, “wrapped to the eyes in blankets,” loomed on the outskirts of John Ridge’s home. Ridge’s followers, too, had acted provocatively. In August the Georgia Guard, accompanied by Boudinot’s brother Stand Watie, seized the Cherokee Phoenix press.⁵²

Prior to the tenuous unification, each party had submitted to the other resolutions of purpose. They plainly asserted the philosophies of each faction, the Ridge Party desiring to speedily make a treaty, the National Party qualifying that a treaty would not be made unless certain requirements were met.⁵³ What followed in that pivotal October

⁵¹ Wilkins, Cherokee Tragedy, 271 – 273; Dobkins, “John Ridge,” 108; Moulton, John Ross, 64.
⁵² Boudinot, Untitled Unity Agreement, October 24, 1835 in “Being A Reply,” 181; Wilkins, Cherokee Tragedy, 277, 270; Moulton, John Ross, 65.
council was a series of actions that demonstrated both factions had united with conflicting expectations of the other.

Ross immediately rankled Boudinot when he added an additional representative to the bi-partisan delegation without consulting the Ridge Party. Boudinot was also angered by the Principal Chief’s characterization of the Ridge Party’s adherents as prodigal sons during his speech of reconciliation before the council. Rather than being spoken of as “brethren” and “fellow sufferers,” Boudinot believed that he and members of the Treaty Party were portrayed as “servile sycophants, deserting the great cause of Cherokee emancipation, upon which we had staked our all.” Boudinot simmered as the principal chief’s words drew “audible assents” from the assembled Cherokees. 54

According to Boudinot, Ross’s speech implied that the Ridge Party had been the source of the Cherokees’ land insecurity. The Principal Chief’s characterization of the players involved in the removal crisis, Boudinot understood to be thus: “The constituted authorities love the land, and are striving to save it. They have been prevented from succeeding, thus far, by the treaty party, who wish to sell the land. That party has now united with the proper chiefs – Therefore, the county is now saved.” 55

Was such a characterization a distortion of the Cherokees’ understanding? Years later Boudinot wrote that Cherokees who had continued to oppose a removal treaty did so because they believed Ross was “trying to reinstate them in their country.” Boudinot

---

54 The unity agreement called for the number of delegates to be based on proportional representation; three from the Ridge Party, sixteen from the National Party. See Untitled Unity Agreement, October 24, 1835 in Boudinot, “Being A Reply,” 182; Boudinot almost certainly understood Ross’s words correctly. In December, with John Ross’s consent, the writer John Howard Payne wrote an appeal to the United States on behalf of the Cherokee Nation in which the Ridge faction was written of as having been for a time “bewildered” by promises from the United States, but lately “awoke[n] . . . to a sense of the proper course.” See John Howard Payne, John Howard Payne to His Countrymen, ed., Clemens de Baillou (Athens: University of Georgia Press, 1961), 51, 56.

argued that when the Cherokees authorized Ross to negotiate on their behalf, they were not just authorizing him to get more money for their lands. The Cherokees expected that he would secure their land; “their whole instructions has tended to that point,” he wrote.  

Herein lay the contradiction. Boudinot publicly advocated selling the Cherokees’ land and removing beyond the Mississippi; for this he was reviled by citizens of his Nation. Ross, on the other hand, discreetly negotiated with the United States on these same bases. Boudinot knew of Ross’s negotiations and believed that the Principal Chief misrepresented himself before the Cherokees. Ross did not fully inform the Cherokees of his propositions to the United States and publicly continued to affirm that he would not bend on the Cherokees’ land rights. Ross’s followers, Boudinot argued, understood his mission to get a “better treaty” as one that did not require the Cherokees to leave their lands. Boudinot believed it was Ross’s obligation to explain to the Cherokees that the only treaty the United States would find acceptable would be a treaty of removal. Boudinot wanted the Principal Chief to speak candidly to the Cherokees and inform them “to treat is to sell the land.”

Evidence suggests that Boudinot was correct in his understanding of traditional Cherokees’ expectations of their Principal Chief. They believed that their Nation lay at the center of the earth; “For them, migration meant leaving the landforms that their mythology incorporated, the rivers and caves that were sacred, and the herbs and minerals that were essential to healing and divination.” Traditional Cherokees were concerned about another aspect of their beliefs in regard to their land: the country where

57 Dobkins, “John Ridge,” 108; for examples of Boudinot’s allegations see Boudinot, “Being A Reply,” 188, 190, 200; quote from Ibid., 191.
58 Perdue, Cherokee Editor, 28 – 29.
the United States proposed to send them lay west of their Nation, “the tomb of the sun where the shades of the dead found a final dwelling.” In 1831, a group of missionaries who lived in the Cherokee Nation wrote of their absolute certainty that “the whole mass of the Cherokee people, including all ranks, and with scarcely a few individual exceptions, are totally averse to a removal.” Cherokees from the Aquohee District of the Nation framed the issue thus: “The bones of our fathers lie here in security, and we cannot consent to abandon them to be crushed by the feet of strangers.”

During the removal era, many Cherokees remained attached to their native beliefs and customs in which their land held a paramount place. Widespread adherence to various traditions indicated a conservatism that would not likely have condoned significant land sale. Most Cherokees remained non-Christians; by 1835 perhaps 10 percent of the population belonged to a church. The missionaries recognized this lingering attachment to native spiritual beliefs, observing in 1831 that “[s]uperstition still bears considerable sway.” Many Cherokees were probably polytheists. The spirits these Cherokees prayed to related to their land and surroundings. They might include the “apportioner,” or the sun, the “Long Man,” or river, or the “Red Man” who was associated with thunder. Although many had come around to accepting missionaries in their country as educators, “the full-bloods remained almost to a man skeptical and intolerant [of Christian beliefs].”

---

59 Carter, Cherokee Sunset, 166. Quote from Carter; “Resolution and Statement of the Missionaries,” from The Missionary Herald, XXVII, March 1831 in Guttman, States’ Rights, 68; Testimony from Cherokees of the Aquohee District published in the Cherokee Phoenix, October 14, 1829 in Bass, Cherokee Messenger, 106.

In 1826, John Ridge reported that Cherokee law still favored the prerogatives of Cherokee women in matters of personal property—particularly, he wrote, among the “less civilized.” I.P. Evans, who lived among conservative Cherokees during the removal era, wrote that the Indians still practiced the green corn ceremony, lived in *asis*, or “hot houses,” during the colder months, and practiced polygamy. Another missionary reported that each town continued to be governed at the local level by headmen.  

The Cherokees most likely to follow traditional practices (and therefore most likely to be totally opposed to removal and land sale) were the full-blooded Cherokees who remained the majority of the Nation. In a public resolution advocating for the Indians in 1831, missionaries who lived in the Nation were careful to qualify that acculturation was not limited to the Cherokees of “mixed blood,” but they conceded that “upon an average” Indian “progress” was largely to be found among this group. This along with the fact that a third of the population voluntarily removed after 1819, makes it clear the most of the remaining Cherokees did not wish to emigrate or sell their land at any price.  

Ross may have been able to maintain his people’s support with a partial cession of land; Cherokees may also have acquiesced to becoming citizens of the United States as long as they understood that their distinct identity and way of life could be preserved. But Ross had proposed amalgamation with the United States. He had also attempted to

---

62 “Resolution and Statement of the Missionaries,” 65; John Ridge estimated that 1 in 4 Cherokees were of mixed descent; he based this figure on an 1825 census; the afore mentioned missionaries estimated Cherokees of white descent to be “not less than one fourth part of the people.” An 1835 census placed the Cherokee population at 16, 542 Cherokees, including 201 intermarried whites, and 1,592 African American slaves. The category “full blooded” accounted for 77.27 percent of the Nation. Information from Perdue and Green, *The Cherokee Removal*, 35; Guttman, *States’ Rights*, 65; Perdue and Green, *The Cherokee Removal*, 50; Vipperman, “Forcibly If We Must,” 105.
negotiate on the basis of total removal for monetary compensation. The Principal Chief’s supporters were not informed of these propositions; if they had been known, the multitude of Cherokees would likely have deserted him.

One of Ross’s most overt manipulations of the removal debate occurred during the October council at Red Clay, when he brought forth a document for his people’s approval empowering the delegation of twenty to negotiate on behalf of the nation. The document contained two contradictory provisions: it at once gave the delegates full power to negotiate as they saw fit while it also stated that the Cherokees would “never consent to a treaty made upon the basis of the five millions of dollars.” 63

The refusal to accept a treaty on the basis of “five millions of dollars” was made explicitly in reference to the Senate’s arbitration. As John Ridge reported the proceedings, the question “Are you willing to take five millions of dollars for your country?” was put before the Cherokees, who answered with a resounding “No, no.” 64 The response undoubtedly captured the will of the Cherokees, but the Principal Chief conducted the vote disingenuously: he presented the United States’ proposal as an insult to which the Cherokees could only respond in indignation and refusal. Ross later said of the Senate’s decision that “had I been ever so much disposed to regard the opinion as an award, the VETO OF THE NATION settled the matter finally.” But the veto was made without discussion and in ignorance of Ross’s negotiations that led to the specific figure of $5,000,000. 65

---

65 Ross, “Letter From John Ross” found in Moulton, The Papers of Chief John Ross, 451. John Ridge reported that there was no deliberation on the proposed treaty, see Wilkins, Cherokee Tragedy, 280.
By framing the resolution as emanating from the people, Ross extricated himself from his promise to abide by the Senate’s arbitration and recommend the same to his people. He also obscured his recent willingness to negotiate for total land sale. Furthermore, Ross characterized his negotiations as simply discussion; he told the Cherokees that they were not bound by the results, especially since, he claimed, the Senate had not understood its decision to be binding. But, Cass and Jackson had a different understanding; they considered that a deal had been made and expected Ross to abide by his promises.  

Toward the end of the council, John F. Schermerhorn was given the opportunity to put forth the United States’ proposed treaty. Schermerhorn was already unpopular with the Cherokees, who referred to him privately as “the Devil’s Horn.” Ross embarrassed the commissioner by telling him his credentials were inadequate to negotiate a settlement. Even waiving these objections, Schermerhorn was told that the council had already resolved that a treaty on the basis of $5,000,000 was unacceptable. Surprisingly, John Ridge, Boudinot, and David Vann signed off against it, assenting to majority rules. Ross decided a delegation would be sent to Washington to negotiate with the proper authorities. Boudinot and Ridge were to go as well. They still hoped that making a treaty was the Principal Chief’s object.

The events at the October council displeased Schermerhorn. He wrote to Ross that the present treaty was “the last overture” Andrew Jackson would make, and that his delegation would not be received in Washington. He warned that if Ross broke off

---

67 Moulton, John Ross, 68, 61, 63, 68; Wilkins, Cherokee Tragedy, 280.
negotiations with him, he was empowered to make a treaty with a “General Council of the tribe.” Indeed, the Principal Chief also received a letter from Secretary of War Cass confirming that he would not be seen in Washington. Nevertheless, on December 2, Ross and his delegation left for the Capital City.  

By the time of Ross’s departure, Boudinot had become convinced that Ross had no intention of making a treaty. Among other evasive actions, Ross had rewritten a document signed by the “Treaty Party” as part of the reconciliation and substituted the word “treaty” for “adjustment of difficulties,” a frequently-used expression of Ross’s that, as Boudinot wrote, “may mean this or that.” Moreover, with the Principal Chief’s consent, John Howard Payne, the renowned writer, composer, and “adventurer,” had just published a memorial in the name of the Cherokees stating that they would rather accept citizenship in the states where they resided than be moved out West. Boudinot found it inexcusable that a “stranger” had been employed by a single member of the delegation to speak in the name of the entire Cherokee Nation and to “[avow] political doctrines abhorrent to the people, at least never agitated by them.” Convinced that Ross had no intention of making a treaty, Boudinot resigned from the delegation.

Schermerhorn remained in the Cherokee Nation. Boudinot initially attempted to convince him to return to Washington, but when he saw that the commissioner was determined to have his treaty council in New Echota later that month, Boudinot agreed to

---

68 Moulton, John Ross, 68; John F. Schermerhorn to Ross, October 30, 1835 in Moulton, The Papers of Chief John Ross, 370 - 371; Moulton, John Ross, 70.
69 Wilkins, Cherokee Tragedy, 280-281; Starkey, The Cherokee Nation, 265 – 266; Boudinot, “Being A Reply,” 178; Wilkins, Cherokee Tragedy, 284; Payne, John Howard Payne to His Countrymen, 59.
translate a notice that stated absence from the council would be counted as assent to the
treaty.  

The Treaty of New Echota was signed on December 29, 1835. Never was the trust
the Cherokees had in Ross more apparent than in their boycott of Schermerhorn’s
council. The preamble stated that it was made in the presence of “Chiefs[,] Head Men[,] and People of the Cherokee tribe”- technically true, but wishful exaggeration, as only 400 - 500 Cherokees were present. The votes cast that day amounted to just eighty-two: seventy-five in favor of the treaty and seven against.

The treaty addressed the absence of the legitimate government by emphasizing
John Ross’s failure to abide by the Senate’s award from the previous February as well as
his recklessness in proceeding to Washington, though he was warned he would not be seen. As to the Cherokees who had not attended, the document stated that they had been warned that nonattendance would be counted as “assent and sanction.”

The principal terms of The Treaty of New Echota were very similar to Ridge’s
treaty from the previous March. The Cherokees received $5,000,000 for “all the lands
owned or claimed or possessed by them east of the Mississippi river.” The treaty also included the 800,000 acres of the “Neutral Lands” and a perpetual outlet west. It stipulated that the western Cherokee Nation would never be incorporated into the United States without the Cherokees’ consent and promised to protect the Indians “from

---

domestic strife and foreign enemies . . . [and] against interruption and intrusion from citizens of the United States.”

The treaty also included compensation for spoliation claims, improvements, transportation, and one year’s subsistence. It promised various perpetual annuities, including education and orphan funds. Surprisingly, the treaty contained an article that

75 Moulton, John Ross, 75; “Treaty of New Echota,” 442.
76 Ibid., 443, 444.
allowed Cherokees “desirous to become citizens of the States where they reside” to share in the treaty’s allowances and to receive “preemption rights” to 160 acres of eastern land, as long as they were “qualified or calculated to become useful citizens.” The following May, however, Jackson expressed his “desire . . . that the whole Cherokee people should remove together and establish themselves in the country provided for them west of the Mississippi river.” The section for preemption rights and reservation was subsequently “relinquished and declared void.” On May 18, 1836, the Senate ratified the Treaty of New Echota by a single vote. According to the document, the Cherokees had two years to remove themselves from the date of ratification.77

Ross gathered 16,000 Cherokee signatures for a memorial authored by John Howard Payne in protest of the unauthorized treaty. Even considering that many of the names affixed to the document were fraudulent, there was no mistaking the widespread anger coming from the Cherokee Nation. Many Americans, too, were outraged. Protests and memorials poured into the offices of United States officials. John Quincy Adams, for one, called the treaty an “eternal disgrace upon the country.” It was in response to this public indictment of the Treaty of New Echota that led Boudinot to write “Being A Reply.”78

“Being A Reply” was at times, an inconsistent document. For example, Boudinot acknowledged that the majority of Cherokees were opposed to a treaty of removal when he wrote: “we can see strong reasons to justify the action of a minority . . . to do what the

---

77 “Treaty of New Echota,” 444 and “Supplementary Articles to a Treaty Concluded at New Echota, Georgia, December 29, 1835, Between the United States and Cherokee People, March 1, 1836,” in Ibid., 448; Moulton, John Ross, 77. The final vote was 31 to 15 “one vote more than the necessary two-thirds majority to bind the pact”; “The Treaty of New Echota,” 446.
78 Wilkins, Cherokee Tragedy, 292; Adams’s quoted in Ibid., from Woodward, The Cherokees, 193.
majority would do if they understood their condition.” On the other hand, Boudinot spoke of the “illusive appearance” that a majority of Cherokees opposed the Treaty of New Echota.\footnote{Boudinot, “Being A Reply,” 162, 161.}

There is another conflict in his ridicule of John Ross’s fear that the United States would one day make the Cherokees “legally extinct” in their western land in order to dispossess them in the future. His derision of Ross’s insecurity conflicts with Boudinot’s previous argument for the sense of removal, which was based on his conviction that the United States could not be relied upon to protect the Cherokees.\footnote{\textit{Ibid.}, 217, 218. Ross’s fear of “legal extinction,” unfortunately, came to pass. See Chapter V, 26.} That said, Boudinot’s central argument from “Being A Reply” - that John Ross misled the Cherokees about their prospects during the removal crisis - holds up under scrutiny.

The trust and affection of the Cherokees belonged to John Ross. He would always claim that he only followed the will of the Cherokees, but he was less candid about the ways in which he shaped the removal debate. Boudinot’s allegation that the Cherokees were underinformed is corroborated by John Ross’s actions that inhibited a free debate within the Nation. Just as relevant to the “want of information” charged by Boudinot was that Ross did not fully share his experiences in Washington. He minimized his sometimes reckless and desperate negotiations. The Cherokee people were never allowed to know of the fallible John Ross. By withholding the details of his failed Washington negotiations, Ross presented a false picture of hope for the future.

Outside of Theda Perdue’s annotated publication of “Being A Reply,” the document has not previously received scholarly consideration as a subject within itself, nor has it been used specifically to test Boudinot’s allegations. This chapter has differed
with Perdue’s interpretation on an important point. Perdue wrote of Boudinot’s apologia as a “diatribe . . . replete with error and exaggeration.” While acknowledging the emotion within the document, this study has argued that the central argument of “Being A Reply” is corroborated by events and the Principal Chief’s own words.

The historian Gary Moulton wrote of Ross’s failure to share the specifics of his negotiations in Washington with his people. This chapter has given a more detailed account of the content of those failures and also emphasized the gravity of the omissions. It was also Moulton who suggested that John Ross used his lack of authority as an excuse to break his deal with Jackson. This chapter has carried the idea further. It has contended that Ross manipulated the Cherokee council’s discussion on the treaty for “five millions.” He did this to distance himself from his personal commitment to allow the Senate to determine the price of the Cherokees’ land sale to which he had agreed in principle.

Boudinot made the contention that Ross shaped the removal debate within the Cherokee Nation. He wrote that “notwithstanding Mr. Ross professes such obedience to the will of his people . . . yet he is the father, if not the writer, of every decree, order, or power, that comes from the Committee and Council.” This essay has confirmed Boudinot’s allegation and traced the various ways the Principal Chief influenced the Cherokees’ perception of the crisis with Georgia and the United States.

It is no small thing that Boudinot correctly assessed the role Ross had in misleading the Cherokees about their options during the removal crisis. Without that

---

81 Perdue, Cherokee Editor, 228.
82 Moulton, John Ross, 57, 63. As Moulton wrote “Ross was a strict constructionist on the Cherokee constitution which forbade anyone to make treaties independently without the Cherokee Nation’s consent.” See Ibid., John Ross, 61.
context, “Being A Reply” would only be a diatribe at best and an irrational utterance at worst. It is not a perfect document, and it undoubtedly contains some “error and exaggeration.” Nevertheless, many of Boudinot’s contentions are accurate. His 1837 apologia is no more irrational than his arguments against removal that preceded his infamous “change” to treaty advocacy. This information puts to rest the idea that Boudinot underwent a radical transformation in his beliefs. Given that he retained his reason even up until his final published work, one must consider Boudinot’s treaty advocacy to be the logical outgrowth of his previous strategy of resistance after reasonable arguments had been exhausted.

The accuracy of “Being A Reply” has larger implications. The Cherokees were utterly unprepared for their forced removal, which began in the spring of 1838. Soldiers pulled the Indians from their fields and dinner tables and hunted them from hidden cove to mountainside stream. Their livestock, furniture, and growing corn were all left unsold. Arguably, no other measure would have sufficed to compel them to leave their homes, but had Ross presented the true nature of his negotiations to the Cherokee at an earlier time, they might have better prepared for their painful transition.

The following chapter places Boudinot and the Cherokee resistance movement in further historical context. It discusses the irresistible tide of white American settlement, contingencies, and lost possibilities.

---

84 Wilkins, Cherokee Tragedy, 320; for descriptions of the removal, see Wilkins, Ibid., 319 – 328 and Moulton, John Ross, 96 – 106.
V. Conclusion

Heartsick and angry, the survivors from the Trail of Tears met their western brethren for a general council on June 3, 1839, near present day Tahlequah, Oklahoma. The meeting ended in frustration; old and new settlers quarreled over the terms under which their governments would unify. Boudinot, his brother Stand Watie, John Ridge and Major Ridge appeared at the council’s start but quickly departed due to the hostility they encountered. Some of the new immigrants believed that the Ridge Party leaders had caused not only the meeting’s discord but also the misery of the Trail of Tears.¹

A group of eastern Cherokees held a secret meeting not long after the council. The “blood law” was read before representatives from the clans of the accused. At least seven treaty party members, Boudinot included, were marked to die. All in attendance save one drew lots to determine the executioners. Allen Ross, the son of the Principal Chief, was directed to be by his father’s side and keep him ignorant of the intrigue. On June 22, a party of twenty-five came to the home of John Ridge, some to whom the Ridges had reportedly given food and clothing in previous days. Three men stole into the house while the “Treaty Party” leader slept and dragged him outside to meet a dreadful end before the eyes of his children. Ridge cried out, but his assassins’ shouting drowned out his words. They had been instructed not to listen to the Cherokee leader “lest they would be persuaded not to kill him.” Stabbed repeatedly, Ridge soon ceased to speak. His assassins walked upon his body as they left their work.²

¹ Wilkins, Cherokee Tragedy, 330 -333.
² Ibid., 334 -335. Quote from John R. Ridge, Poems, preface, 7 quoted in Wilkins, Cherokee Tragedy, 335.
That same morning four Cherokees approached Boudinot outside of his house, then under construction. The party requested medicine for their families. As Boudinot led two of the men to the nearby mission he was stabbed from behind, and then dealt seven blows to the head with a hatchet. His assassins bolted to a nearby wood, where men and horses waited, then fled the scene. Samuel Worcester and Mrs. Boudinot witnessed Boudinot “breathe his last.” Major Ridge also fell that morning. He was shot from his horse on the way to attend to a sick slave. Of the Ridge Party’s principal leaders, Stand Watie alone escaped murder. Samuel Worcester alerted him of his brother’s assassination, and Watie fled to safety on the back of the missionary’s horse. Later, amidst a gathering crowd, Watie stood over the body of his brother and announced he would pay $10,000 for the names of the men “who made that mark on my brother’s face.” He never forgot the killings of his brother and kin, nor the man whom he blamed, John Ross.3

No small amount of misfortune would result from this conviction. By the spring of 1840, United States officials still had failed to make a truce between Ross’s people and the faction of Ridge followers and Old Settlers.4 Watie’s brother-in-law, John Candy, best summarized the impasse that had produced “near anarchy” in the Nation following


the killings: “murders . . . [are] a stumbling block which will haunt this people until
satisfaction is had . . . [and to] think that it will be quashed by [federal mediation] is a
vain thing.” Not until 1846 would the cycle of retribution that followed the 1839 killings
subside, only to rise again during America’s Civil War.\textsuperscript{5}

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{figure13.png}
\caption{Stand Watie. Source: Wilkins, \textit{Cherokee Tragedy}, 337.}
\end{figure}

A bad reputation is easier to acquire than to shake. An unpopular opinion or a
single action can eclipse a lifetime’s service to one’s country. Characterizations of
Boudinot as having a disturbed mind or flawed judgment are directly related to his legacy
as a traitor. Cherokee leaders who remained opposed to removal described Cherokee
treaty advocates as traitors or as having taken leave of their senses. They did this in order

\textsuperscript{5} Quote from John Candy to Stand Watie, April 24, 1840, Cherokee Nation Collection in Franks, \textit{Stand Watie}, 71.
to explain to their constituents how some of the Nation’s most esteemed leaders could have turned to treaty advocacy. Using this kind of language reinforced the idea that a Cherokee who promoted removal could not possibly be directed by good sense or patriotism.

The allegations of Boudinot’s “flight from reason” began with his public endorsement of a treaty for removal. Men like Principal Chief Ross and John Howard Payne spoke early on of pro-removal Indians as “lost to their own true interest” and “bewildered” by promises from the United States. Such depictions allowed the Ross faction to avoid an open and fair debate on the removal question. If Cherokee treaty advocates were shown to be well-intentioned and reasonable men, more Cherokees might consider their position valid, creating more dissent and thereby disrupting Ross’s cherished value of unanimity.⁶

These early insinuations of Boudinot’s irrationality have continued through the years. Historian Grace Steele Woodward, for example, characterized Boudinot’s treaty advocacy in 1832 as “seemingly forgetting his anti-removal declarations of the year before.” The belief that Boudinot’s reasoning behind making the Treaty of New Echota was flawed may be found even in statements by historians sympathetic to Boudinot’s position. Bernd Peyer, for example, contended that Boudinot “err[ed] in judgment” when he assumed the majority of Cherokees would condone his action if they knew all the facts.⁷ Critics and admirers alike have perpetuated the image. Whether made in the

---

removal or modern era, these statements imply the assumption that the Treaty of New Echota was either corrupt or ill conceived.

This thesis has drawn heavily on Boudinot’s own words in exonerating him from charges of irrationality. That Boudinot’s published writings contain his personal bias, there is no doubt. “Everyone loves a good name,” the Cherokee Editor wrote in 1837. Nevertheless, Boudinot’s writings are objective in many of their contentions. A comparison of the documents from three periods in Boudinot’s life show a remarkable consistency in his motivations that belie the implications that historians such as Woodward have made that the Cherokee editor underwent a dramatic change in his convictions. Considered in total, his writings give evidence to a purposeful, rational, and adaptive mind.8

This essay has considered two principal aspects of Boudinot’s life in order to show that he acted rationally during the removal era. Chapters II and IV have primarily considered his perception of reality. Chapter II established that Boudinot’s religious convictions and acculturation were central to his beliefs and his actions; still, they did not lead him to be delusional. Boudinot strongly identified with his Indian heritage and believed himself equal to any white man. In his early life Boudinot signaled his awareness that the majority of Cherokees opposed removal and his own conviction that removal was unjust.

Chapter IV has also tested Boudinot’s perception of the world. His contention that John Ross misinformed his people could be written off as mere bitterness or evidence of an unreasonable mind were it not for the documentary evidence. Ross did indeed

withhold crucial information on the removal crisis from his people and led them to understand he was negotiating solely on the basis of securing their land.

Chapter III has addressed Boudinot’s understanding of the nuances of the removal crisis but has most strongly focused on his capacity to adapt his arguments to the changing political conditions of his era. Continuing a theme introduced in Chapter II, Chapter III has shown that Boudinot tailored his arguments, variously, from appeals to Christian goodwill to American patriotism; from utilizing rational arguments to emphasizing the interests that white Americans had in the Cherokees’ cause. Chapter III also has served to test the Cherokee editor’s judgment. Time after time, Boudinot demonstrated a healthy understanding of the removal debate, whether he demanded evidence of the Cherokees’ decline from removal’s advocates or correctly read the implications of federal legislation. Nothing speaks more clearly about his opinion of removal than his dogged skepticism about the process by which his people were dispossessed.

Overall, Boudinot’s writings show that there was an arc to his arguments: from a hopeful beginning when he believed the Cherokees might be supported by America’s Christian community, to his later disillusionment and surrender to removal. All of Boudinot’s arguments, including his later advocacy for removal, were intended, as he wrote in the Cherokee Phoenix’s prospective, “for the benefit of the Cherokees.”

There remains the incontrovertible fact that Boudinot signed the Treaty of New Echota against most of his people’s wishes. The action indicated that he believed the Cherokees had reached their “last alternative”; the time had come to make a treaty, a course which he had originally only attempted to “make a question” of for the Cherokees.

---

9 Boudinot, “Prospectus,” 90.
to debate.\textsuperscript{10} There are some indicators that Boudinot’s action was premature. After the failed October council in 1835, both Schermerhorn and Cass warned Ross that the Principal Chief would not be met if he insisted on traveling to the Capital City to continue negotiations. Yet, Ross was received by Washington officials and given reason to believe his propositions would be considered. Ross later won an additional 1.6 million dollars toward the treaty settlement through his talks with Secretary of War Joel Poinsett. He seriously considered Ross’s request that the Cherokees’ removal be postponed, an action that would have vindicated Ross’s “devious course of delay.”\textsuperscript{11}

Poinsett was prepared to allow the Cherokees a reprieve, and he wrote letters to states with Cherokee populations asking for their approval. Governor George Gilmer of Georgia ended the idea with a letter, writing Poinsett that if federal troops deployed to protect the Indians in Georgia beyond the deadline of May 26, 1838, “a collision between federal troops and the military might of the state would be the certain result.”\textsuperscript{12} This warning was the culmination of a decade of Georgian aggression toward the Indians and defiance of the Constitution. Georgia had the last word. The federal government was willing to bend on some of the details, but it was not an option for the Cherokees to remain in their eastern lands.

Of course, it was not Georgia alone that compelled the Cherokees to leave their homes, and the Cherokees were not the only Indians who suffered dispossession during the removal era. Throughout the eastern United States, the federal government worked in tandem with individual states to push Indian tribes west of the Mississippi. The year 1832

\textsuperscript{10} Boudinot, “Being A Reply,” 171 - 172. For Boudinot’s “question,” see Chapter IV, 9.

\textsuperscript{11} Moulton, \textit{John Ross}, 73, 74, 94; Wilkins, \textit{Cherokee Tragedy}, 255.

was a momentous one for the fates of the so-called “five civilized tribes.” Georgia had ignored America’s highest tribunal, and Jackson was reelected by an overwhelming majority in spite of his previous obstruction of the Indians’ cause, his Bank Veto, and

his support for rebellious Georgia. Between March and October, the Creeks, Seminoles, and Chickasaws signed treaties of removal.\textsuperscript{13} Northeastern tribes fared no better. Aside from “a few inconsiderable reservations,” the land titles of Indians living in Illinois, Indiana, Missouri, and the Territory of Michigan had also been “extinguished.”\textsuperscript{14} After having been forcibly removed west of the Mississippi, hundreds of Sac and Fox Indians,

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure14}
\caption{Southern Indian Nations Before and After Removal. Source: Perdue, “Mixed Blood” Indians, xiii.}
\end{figure}

\textsuperscript{13} Meachum, \textit{American Lion}, 220. Jackson’s veto of the recharter of the Bank of the United States was another example of his belief that he “was bound to interpret the laws as he understood them regardless of what the [Supreme] Court said,” \textit{Ibid.}, 211. Riley, “The Cherokee Phoenix,” 668. The Choctaws had been “tricked” into signing a removal treaty in late 1830. See \textit{Ibid.}

including women and children, were killed by white militiamen when they attempted to return to their former hunting grounds in Illinois.\textsuperscript{15}

Being at the vanguard of the “civilized” Indians and having a well organized and publicized struggle to retain their lands and sovereignty, the Cherokees still hoped that they could avoid the fates of so many Indian peoples. But the year 1832 was also a momentous one for the Cherokees considering the aftermath of \textit{Worcester vs. Georgia}. In one of his last editorials, Boudinot spoke to the issue of continuing to place hope in a President who believed himself “\textit{not bound by the decisions of the Supreme Court}.” Boudinot put the reality simply: “We have nothing to expect from such an executive.”\textsuperscript{16} Jackson’s disregard of the Constitution and other developments indelibly impressed upon Boudinot that rational argument alone was insufficient to stave off the removal movement. In this context, Boudinot reached the reasonable conclusion that the “last alternative” was upon his people.

There are notable parallels to the experience of Elias Boudinot in American Indian history. Samson Occom and William Apess also lived through elation and disillusionment as Christians and likewise concluded that Indian survival hinged on their capacity to remain a distinct, sovereign community. In the eighteenth century the Mohegan Samson Occom (1723 – 1792) was pulled between the expectations of his Christian mentors and his desire to attend to his own people’s needs. A protégé of the Congregational “new light” minister Eleazar Wheelock, Occom converted to Christianity at the age of sixteen. Later, he served as a minister and teacher to the Montauk of Rhode Island and did missionary work among the Oneida Indians of New York. In 1765 at

\textsuperscript{15} The so-called Black Hawk War, May – August, 1832. See Meachum, American Lion, 202 -203.
Wheelock’s initiative, Occom undertook a fund raising tour of Britain that was a massive success. Unlike Boudinot, who experienced unqualified solicitude from his Christian teachers until his engagement to Harriet Gold, Occom suffered under his Christian sponsors. In Britain, however, Occom received respect, and he took from the experience a renewed sense of his worth. In the years following his tour abroad, he devoted himself to the service of the Mohegans. In 1784, after witnessing his people becoming “islands in the ocean of Euramerican settlement,” Occom, too, chose to remove himself and his followers (as best he could) from the United States. He led a contingent of seven Indian groups to form the community of Brothertown in Oneida, New York. Occom remained a Christian, though by mid-life his beliefs reflected his “nonconformist Protestantism” which allowed for the embracement of Indian identity and community. Historian Margaret Szasz speculated that this action gave Occom and his followers a sense of regaining some control over their lives, a statement that no doubt could be applied to Boudinot’s decision.17

The writer, missionary, and Indian advocate William Apess (1798 – 1839) also shared common experiences with Boudinot. Apess, a Pequot, was born into less fortunate circumstances than his Southern Indian contemporary. He was primarily raised by whites, for whom he labored as an indentured servant until he was a teenager. In his early life, Apess was separated from the culture of his heritage but, since the color of his skin alienated him from white society, he came to identify as Indian.18

As a young man he found God as a Methodist but quickly discovered that many Christians were unwilling to regard him as an equal. In his writings, Apess’s advocacy of the equality of all men placed him as one of the true humanitarians of his age. Nevertheless, the racism he experienced wounded him deeply, contributing to the alcoholism that afflicted him throughout his life.  

A journey toward disillusionment similar to Boudinot’s, can be seen in the writings of Apess in his initial “milder moralistic appeal to the American conscience . . . to a militant protest rhetoric exposing the moral deficit of the American political ethos.”

Like Boudinot, Apess concluded that Indians could not rely on whites to administer Indian affairs. In 1833 he employed his “organizational and rhetorical talents” to the

---

19 Peyer, “William Apess, Pequot,” 134. For examples of Apess’s discourse on race, see Ibid., 126, 158, 161, 165; for the effects of alcohol on Apess’s life, see, for example 137, 147, 148.

cause of the Mashpee Indians of Cape Cod in demanding their sovereign rights before the authorities of Massachusetts. Apess’s efforts culminated in a partial relinquishment of state oversight over the Mashpee community. 21 Most meaningfully, Apess aided the Mashpee in identifying themselves as a corporate group, a change that possibly allowed them to survive as a people. Today the United States recognizes their descendents as a Wampanoag community. 22

Occom and Apess enjoyed the esteem of Indian communities to the extent that they could make claims on leadership of their communities. Boudinot once held a high reputation among many Cherokees. 23 Why was he later unable to convince the majority of Cherokees of his virtue? From 1832 onward, Boudinot’s reputation definitely suffered from his vilification by John Ross and other anti-treaty men. Later, Boudinot was a beneficiary of the “special treatment” extended to the Ridge Party leaders by Georgia governor Wilson Lumpkin. The Georgia politician later wrote that the “great secret” through which the Ridge Party leaders had remained safe prior to removal was his warning to Ross that “awful retribution” would fall upon him and his people if the “Treaty Party” men were harmed. Lumpkin also exempted the Ridges and Boudinot from the infamous land lottery until they were ready to emigrate west. 24 In 1838, Lumpkin did

21 Peyer, “William Apess,” 136 – 137. For Apess’s involvement in the Mashpee “Woodland Revolt,” see Ibid. 141 – 147, quote from 140; for examples of the effects of alcohol on Apess’s life see Ibid., 137, 147, 148.
22 Ibid., 147.
23 See, for example, a testimony from Cherokees of the Aquohee District published in the Cherokee Phoenix, October 14, 1829 addressed: “To our beloved Brother Elias Boudinot” in Bass, Cherokee Messenger, 106.
24 Wilkins, Cherokee Tragedy, 250 – 251. Grant Foreman and Thurman Wilkins investigated the possibility that the Ridge Party leaders had been bribed. After years of careful research, Foreman found “not the slightest taint of dishonesty” among their leaders. Wilkins likewise found that “accusations of bribery lodged by the Ross faction and their sympathizers were based on groundless suspicion.” Incidentally, Gary Moulton’s research exonerated John Ross of any material dishonesty. See Foreman, “A History of Oklahoma,” 423 and Moulton, Chronicles of Oklahoma, XII, 1934, 307 quoted in Wilkins, Cherokee Tragedy, 251. Lumpkin, The Removal of the Cherokee Indians From Georgia, vol. 1, 368.
Boudinot the dubious honor of having about 400 copies of “Being A Reply” printed for the Senate as “Documents in Relation to the Validity of the Cherokee Treaty of 1835.” These events led many Cherokees to believe that the Ridge Party leaders had been “bought.”

For all of his articulateness, Boudinot was unable to convince his people of the reasonableness of his course because he had come to be considered untrustworthy. Indeed, Boudinot falls in the category of what Margaret Szasz and others have identified as “cultural brokers,” people who learned to function as intermediaries between Indian and white societies. Covering the colonial through the modern era, Szasz’s *Between Indian and White Worlds: The Cultural Broker* is a collection of essays on the lives of such people. As the individual portraits attest, “[n]one was quite like the other,” but those who were not overwhelmed by the often-conflicting demands of Indian and white worlds shared some common ground. A “successful” cultural broker, according to Szasz, exhibited a receptiveness to the less known world; he or she was also determined, though not necessarily aggressive, in their negotiations between worlds. Most importantly, the cultural broker demonstrated trustworthiness. Boudinot arguably fulfilled the requisite qualities within Szasz’s model of a successful cultural broker; however, he was perceived by a number of Cherokees to be untrustworthy.

It is on this point that Szasz’s generalizations are inadequate. The view by some Cherokees that Boudinot was responsible for the Trail of Tears led a group of them to plot his assassination but, as this chapter has argued, it was a misconception. Rather than judging Boudinot’s “success” as a cultural broker by the perception of a number of his

---


contemporary countrymen (it should also be remembered that a minority did agree with
his action) or his assassination at Cherokee hands, it is more useful to look at the
rationale behind his decisions. Was Boudinot a principled man, and did he act in a
manner that may have plausibly relieved the Cherokees from their hardships in their
eastern lands? It is the answer to these questions that speak for his legacy.

In any discussion of Boudinot’s motivations, it is important to consider what
Boudinot believed he had done in signing the Treaty of New Echota. Did he understand
the ramifications that his act had for his life, much less for his people? At the New Echota
Council in 1835, he publicly expressed his acceptance that his life was forfeit. The day
before signing the treaty he asked the council, “[W]hat is a man worth who will not dare
to die for his people?”27 He also had no illusions that the Treaty of New Echota offered
anything more than a feeble promise of safety for the Cherokees. He wrote:

I am not disposed to enter into a defence [sic] of the treaty. I am not foolish
enough to tell [the public] that it is unexceptional . . . I have agreed to that
instrument, and signed it, but it does not follow that the details are such as I would
wish, or that I find no objection to the composition . . . But I waive my objections
– I take the treaty as the best that can be done for the Cherokees, under present

leaders predicted their own assassinations. Both Ridges stated that they had signed their “death warrants”
(Wilkins, Cherokee Tragedy, 289, 292). Boudinot appeared to know from which ranks his would-be killers
would come. During his final public speech before the signing of the Treaty of New Echota he remarked
that the consequences for the treaty signers would be that “Tom Foreman and his people will put us across
the river of death!” (Underwood, “Reminiscences of the Cherokees,” p. 1, col. 3). At the August, 1834
council at Red Clay, Tom Foreman, “a turbulent character who had become a sheriff of the nation,” had
incited some Cherokees to threats of violence against the pro-treaty Cherokees. A James Foreman and
Anderson Springston were implicated in the assassination of John Walker Jr. that evening. (Wilkins,
Cherokee Tragedy, 262, 263; King and Evans, “The Death of John Walker, Jr.,” 14). These two men later
took part in Major Ridge’s murder. General Matthew Arbuckle, the United States military commander at
Fort Gibson in the western Cherokee Nation, tried to bring the Ridge Party leaders’ killers to justice, and
his investigations uncovered the names of the assassins. Ross, however, granted amnesty to the killers and
refused to cooperate with Arbuckle (Franks, Stand Watie, 66 – 67, 60, 66).
circumstances – a treaty that will place them in a better condition than they now are.\textsuperscript{28}

The Cherokee editor also expressed this hard realism when he addressed John Ross’s concern that the roads and military posts to be built in the western Nation according to the terms in the Treaty of New Echota would one day be used to oppress the Cherokees. Boudinot asked, was not the protection of the United States what Ross had long petitioned for in the Eastern Nation? The military, Boudinot wrote, had always been, and would likely always be, necessary for the protection of the Cherokees. “That [the military] may be put to pernicious and oppressive purposes is another question, and a contingency, as I say, incidental to our very condition.” The Cherokees’ only alternative to avoid this possibility, he continued, was to leave the limits of the United States. He advised, however, that “instead of receding, approach this great people by a modified connexion [sic]; a connexion that will someday identify your interests with theirs, and theirs with yours.”\textsuperscript{29} In these words, one can see the means by which Boudinot hoped to protect his Nation. He asked his people to find a way to make a Cherokee partnership desirable to the United States, to make it less likely that they could be moved again.

Another striking aspect of Boudinot’s 1837 apologia was his sense of urgency to redress a danger he considered “immediate and appalling.” Boudinot was certain that the difficulties under which the Cherokees labored would “increase to affect them, in proportion to the delay of applying the remedy.”\textsuperscript{30} His fears sprang from the Cherokees’

\textsuperscript{28} Boudinot, “Being A Reply,” 216.
\textsuperscript{29} \textit{Ibid.}, 219.
\textsuperscript{30} A treaty of removal.
prostrate position in relation to the surrounding white population. “[T]hink, for a moment, my countrymen,” he wrote,

the danger to be apprehended from an overwhelming white population – a population not unfrequently [sic] overcharged with high notions of color, dignity, and greatness – at once overbearing and impudent to those whom, in their sovereign pleasure, they consider as their inferiors. They should have our sons and daughters, be slaves indeed.31

The threat of being overrun by an unscrupulous white population was very real. Whites had poured into Cherokee country since gold was discovered in 1829. Immigration increased as citizens of Georgia moved onto the Indians’ land in anticipation of Georgia’s land lottery. Men like “Rich” Joe Vann, Samuel Worcester, and even John Ross were ignominiously pushed off of their lands by 1835.32 When the Cherokees attempted to impose order in their country by removing squatters in 1830, “bands of armed white men rode about the Cherokee country” threatening the Indians and heedless of the consequences. Thieves prowled the Indians’ land, stole livestock, burned property and evicted homeowners. Bootleggers brought barrels of whiskey into the Nation, and the increased drunkenness and disorder that resulted added to the Cherokees’ misery. In the meantime, the Georgia Guard conducted “wholesale arrests” of Indians “who fell afoul of them.”33

And how could the Cherokees succeed in upholding their sovereign rights when many legislators’ support for them was incidental to their own partisan concerns? Church

32 Wilkins, Cherokee Tragedy, 209, 210, 225; Carter, Cherokee Sunset, 155, 159.
33 Wilkins, Cherokee Tragedy, 211, 213, 225.
groups that advocated for the Indians were invariably to be found in areas hostile to Jackson. Even the illustrious John Quincy Adams and Henry Clay were known to have revised their positions on removal when they saw in the Indians’ cause a challenge to Jackson. By the time federal troops came to round up Cherokees in the winter of 1838, the American public and former political friends were more concerned with their own economic depression, apparently having accepted the removal as a foregone conclusion.34

Boudinot did not believe the answer to the Cherokees’ problems lay in incorporating into the United States. As Theda Perdue has contended, his experience with white racism probably “reduced to an afterthought the idea of Indian assimilation.”35 But the Cherokee editor’s resistance to his Nation’s absorption into the United States was not grounded in a distaste for racial amalgamation; his experiences had shown him that in spite of his “refinement,” education, and Christian beliefs he was still regarded by many whites as their inferior. When John Ridge’s courtship to a white woman incited newspapers and preachers to condemn the union, Ridge wrote a letter to the Christian Herald which expressed his anger and frustration. Boudinot, who had many of the same experiences as Ridge, probably strongly sympathized with the letter’s outlook:

Prejudice is the ruling passion of the age, and an Indian is almost considered accursed . . . If an Indian is educated in the sciences, has a good knowledge of the classics, astronomy, mathematics, moral and natural philosophy, and his conduct

34 Peyer, “Elias Boudinot and the Cherokee Betrayal,” 212.

35 Perdue, Cherokee Editor, 11. Perdue further wrote that this position may have stemmed from Boudinot’s “subconscious acceptance of white racism.”
[is] equally modest and polite, yet he is an Indian, and the most stupid and illiterate white man will distain and triumph over this worthy individual.\footnote{Wilkins, \textit{Cherokee Tragedy}, 146; John Ridge, \textit{Christian Herald X}, December 20, 1823 in Peyer, “Elias Boudinot and the Cherokee Betrayal,” 182.}

Boudinot rejected assimilation as a realistic possibility because racial prejudice was “the ruling passion of his age” in which many whites regarded Indians as lesser people and treated them in kind.

Boudinot’s desire for the Cherokees to remain a people apart from the United States was also based on his perception that Indian populations disintegrated when they lost the ability to control their lives. The trend toward extinction that removal’s advocates endlessly emphasized, he believed, had very definite origins. In an 1829 editorial, he wrote:

\begin{quote}
The causes which have operated to exterminate the Indian tribes . . . [are] plain to us. [They] did not exist in the Indians themselves, nor in the will of heaven, nor simply in the intercourse of Indians with civilized man, but they were precisely such causes as are now attempted by the state of Georgia – by infringing upon their rights – by disorganizing them, and circumscribing their limits. While he possesses a national character, there is hope for the Indians. But take his rights away, divest him of the last spark of national pride, and introduce him to a new order of things, invest him with oppressive laws, grievous to be borne, he droops like the fading flower before the noon day sun.\footnote{Boudinot, \textit{Cherokee Phoenix}, January 28, 1829 in Perdue, \textit{Cherokee Editor}, 105.}
\end{quote}
In this context, it is clear that Boudinot’s determination that the Cherokees would remain a “corporate group” need not have been based on distaste for racial assimilation or barely suppressed feelings of racial inferiority.\(^\text{38}\) His true concern was for the Cherokees rights as human beings; the possibility of having their needs met while subject to laws made and enforced by a society unsympathetic to Indian rights was very uncertain. Because the Cherokees were, in a sense, outcasts from American society, unity and sovereignty were the best possibilities for them to thrive in security. For this reason men like Boudinot and John Ridge (both of whom married white women) were insistent that the Cherokees live under their own laws, “vine and fig-tree,” unencumbered by white interests.\(^\text{39}\)

The Cherokees’ story, and Elias Boudinot’s, illustrates a general trend in the experience of the American Indian: destructive factionalism. Though himself a Christian, William Apess criticized what he saw as the tendency of missionaries to foment division among Indian peoples, “It seems to have been usually the object to seat the Indians between two stools, in order that they might fall to the ground,” he once wrote.\(^\text{40}\) The metaphor may apply to many other circumstances in Indian history. In 1521, Cortes razed the city of Tenochtitlan to the ground with the help of the Aztec’s native enemies. During the Pequot War in 1637, Narragansett and Mohegan warriors aided the New English in exterminating a village of Pequots on the Mystic River.\(^\text{41}\) Farther North, the Iroquois-Dutch alliance helped the Five Nations destroy their Huron rivals and wreak havoc upon

\(^{38}\) Theda Perdue used the term “corporate group” to describe Boudinot’s desire for his people to remain a sovereign and distinct people. See Cherokee Editor, 11.


\(^{41}\) Taylor, American Colonies, 53 – 56, 195, 111 – 113.
other neighboring Indian peoples, only to split themselves during the Revolutionary War. In 1804, Delaware, Miami, and Pottawatomi leaders sold three million acres of their peoples’ land to the United States in return for annuities and material goods, thus striking a major blow against the Shawnee, Tecumseh, and his vision of pan-tribalism in defense of a common ground.42

The Cherokees, too, were weaker because of their infighting. “It is idle to ask whether the Cherokee Nation in the 1830s could have closed ranks and prevailed against the white settlers and their state,” Thurman Wilkins wrote, “The fact is that outside pressures had split the Cherokees apart; they were divided and ready to be conquered.”43

In many ways, Boudinot’s life story is not so dissimilar from the creative ways Indians throughout history have incorporated values and practices of whites into their own cultures. The Pueblo Indians of the seventeenth century, for example, saw in the Spanish priests a power that they tried to harness for their own use, accepting Christian belief and other aspects of Hispanic culture “they found useful or unavoidable.”44 Adopting the mores of dominant Euro-American peoples became a less calculated endeavor as time erased the origins of the foreign beliefs. The Seneca, Handsome Lake, and the Shawnee, Tenskwatawah, for example, instructed their people with the help of visions that contained elements of Christian dogma.45

43 Wilkins, Cherokee Tragedy, 4.
44 Taylor, American Colonies, 84, 85.
45 Among other borrowings from Christian belief, Handsome Lake incorporated concepts of Heaven and Hell and the practice of confession into his religious practices. See Anthony Wallace The Death and Rebirth of the Seneca (New York: Vintage Books, 1972), 251 – 253. Tenskatawah “blended both clerical and secular influences,” such as proselytizing and shaking hands, in his attempt to revive the “good ways” of old. See Edmunds, Tecumseh, 83.
Boudinot is a less obvious product of this phenomenon, given his promotion of white American practices over those of the Cherokees. In at least one Cherokee Phoenix editorial he even indicated his distaste for certain aspects of Cherokee culture such as ceremonial dances, traditional dress, and religious beliefs, which he referred to as “heathenism.” Yet, Boudinot principally directed his editorials to an audience outside of the Cherokee Nation, a fact that makes it impossible to conclusively speak for his personal beliefs. Moreover, in contrast to his written works, there is evidence that Boudinot followed at least some Cherokee traditions. In an 1828 editorial, for example, he spoke of “half-breeds” but “not a single white man” in the Cherokee government, an adherence to the Southern Indian conception of race. Later, in October of 1835, following the Cherokee tradition of majority rule, he signed a rejection of the Schermerhorn treaty that he favored.46 His nationalism, too, encompassed his desire for the Cherokees to remain a distinct group.

Regardless of the degree to which Boudinot believed in his message of “civilization” or followed the traditions of his Nation, his promotion of Western values was intended no less than the syncretism preached by Handsome Lake and Tenskwataawah to empower the Cherokees and help them cope with the transformation of their society. The diligence with which Boudinot worked to translate Western works into Sequoyah was the greatest example of his motivations: he considered it his life’s mission to make the knowledge of whites available to his people.47

Boudinot was not alone among the Cherokees in incorporating elements of tradition and modernity into his belief system. John Ross often spoke of the hallowed

---

46 Boudinot, Cherokee Phoenix, January 21, 1829 in Perdue, Cherokee Editor, 102 – 103; Ibid., September 10, 1828; Wilkins, Cherokee Tragedy, 280.
47 Gabriel, Elias Boudinot, 114.
“duty of the minority to yield, and united in support” of the majority, but in truth the Cherokee government was a combination of the old and the new. Strictly speaking, Boudinot’s failure to accept the majority position on removal was no more of a breach in tradition than Ross’s refusal to let the Cherokee Phoenix be a forum for “diversified views.” In the mid-eighteenth century, General James Edward Oglethorpe wrote this of Cherokee council procedure: “After [the chiefs] have done speaking, all the others have liberty to give their opinions also, and they reason together till they have brought each other into some unanimous Resolution.” John Ross arguably prevented Boudinot from fully enjoying his “liberty of opinion,” not only at council but also through applying this tradition in a modern incarnation of a public forum - the pages of the Cherokee Phoenix.

There is a further lesson to learn from the disastrous outcome of the removal crisis: the limits of civil resistance. Historian Walter H. Conser has compared John Ross’s strategies to stay removal to a class of resistance known as “non-violent action.” The point that Conser does not make is that Boudinot followed a similar path up until his surrender in 1832. The parallel between Ross’s tactics to prevent removal and those undertaken by Boudinot before his “change” was remarkable. Ross, too, emphasized the federal government’s obligations to its treaties. He also appealed to the United States on the ground of Cherokee “civilization,” self-interest, and basic reason.

---

50 Roberts wrote that the term “civil resistance” is largely synonymous with the term “non-violent action.” See Civil Resistance and Power Politics, 2.
The reasons for the failure of the Cherokees’ movement can be seen in the success of one of modern history’s civil resistance campaigns. In his essay “The US Civil Rights Movement: Power from Below and Above, 1945 – 70,” sociologist Doug McAdam argued that successful civil resistance movements depend on both “destabilizing change processes” of the status quo as well as the initiative of individuals in recognizing and exploiting opportunities for dissent. These conditions were manifest in Post World War II America. Southern economic leverage due to “King Cotton” was on the decline, and the Great Migration placed millions of black workers in Northern states, where they could exercise their rights to vote. Furthermore, with the outbreak of the Cold War “America’s racism suddenly took on international significance as an effective propaganda weapon of the Communists.”

White Americans in the postwar period had a myriad of reasons to support the rights of Black Americans.

Successful civil resistance struggles in history - from America’s Civil Rights Movement to Mohandas Gandhi’s campaigns in India - have taken place in societies that are “nearly just . . . well-ordered for the most part but in which some serious violations of justice nevertheless occur” – that is, societies with constituents who were nearly or already agreeable to the demands of the protesters. Martin Luther King and Gandhi’s movements were in large part effective because of the character of the societies toward which they directed their resistance, many of whose citizens were “enlightened” enough to abhor brutal treatment of black Americans and Indians.

---


Gandhi, the paragon of a successful civil resistance leader, once wrote, “I say, do not return madness with madness but return madness with sanity, and the situation will be yours.”\textsuperscript{54} The Cherokees’ response to the removal movement was absolutely sane; moreover, the Nation had individuals of courage, ingenuity and initiative who devised means and exploited opportunities for resistance. But aside from legal and moral arguments, the Indians had not the military, political, or economic leverage to resist Georgia or the United States. Furthermore, the Cherokees were in many ways isolated from citizens of the United States. The brutal nature of their removal occurred out of sight of most Americans. Few but the marching Cherokees witnessed the starvation, exposure, and disease which claimed so many Indian lives. There was also no significant response of moral outrage from white Americans, who were largely unaffected by the Cherokees’ sorrows. The Cherokee experience was one of many examples in history that demonstrated rationality and restraint are only as effective as time and place allow. During the removal era, there was still little room for Indian rights in America’s vision of the equality of men. Boudinot recognized this state of things. It was the editor’s sober assessment of the Cherokees’ weakness which led him to advocate a treaty of removal. For all of his evangelical beliefs, Boudinot had approached the removal crisis very rationally. But there was no rationale that could dissuade land hungry Americans from obtaining their spoils, and there was no rationale that could convince the Cherokees to voluntarily sell their land, which was for many of them the center of the world. The merits and the validity of Boudinot’s signature at New Echota may be debated, but

labeling him irrational diminishes the purposefulness of his actions. It also dismisses the possibility that his course may have best served the Cherokees’ interests.

Though historians such as Woodward have suggested that Boudinot’s treaty advocacy indicated a change in principles, it was actually consistent with the pattern of his life’s actions. Duty was his mantra, his guiding light. In 1831 he refused to temper the content of his newspaper to suit Colonel Nelson, even in the face of the Georgia Guardsman’s threats of violence. He resigned from the Cherokee Phoenix in 1832 because he would not continue as editor without the right to discuss removal, believing it would “paralyze” his usefulness to his people. At New Echota in 1835, he acknowledged the likelihood of his assassination, but proceeded to sign a treaty which he believed was in the best interests of the Cherokees. In 1837, after briefly considering moving his six children to the East, Boudinot decided to emigrate to the new Cherokee Nation, although so unpopular among the Western Cherokees that they “hardly suffer[ed]” Worcester to employ him at the new Cherokee printing press. Boudinot nevertheless recommenced his collaboration with Worcester, dividing his time between overseeing the construction of his house, working at the new press, and giving “long evenings” to translating the Scriptures with his friend, once again attending to his “life’s mission.”

America might mourn Boudinot today in consideration of “lost alternatives.”

When Georgia Guardsmen beat a Cherokee to death in 1830, Boudinot exhorted the Cherokees to “forbear, forbear – revenge not, but leave vengeance to him ‘to whom vengeance belongeth.’” This advice was intended to ward off further disaster - he

---

55 For Boudinot’s experience with Colonel Nelson, see Chapter III 70, 71; Boudinot, “Being A Reply,” 164; for Boudinot’s recognition of the danger of his act at New Echota, see Chapter V, 126; Bass, Cherokee Messenger, 200 - 201, 252, quote from 218; for Boudinot’s “life’s mission,” see Chapter V, 133. Harriet Gold Boudinot died of an “unspecified illness” in August 1836. Boudinot married Delight Sargent, a missionary teacher, in 1837. See Gaul, To Marry An Indian, 62, 65.
reminded his readers that the Indians’ enemies hoped to provoke them into “some
desperate act” – but there was another principle involved. Boudinot believed that God
would ultimately vindicate moral righteousness. In this way, perhaps, Boudinot was not
unlike Gandhi who thought that “there could be no distinction between ends and means:
the right means produced moral ends, while bad means inevitably produced immoral
ends.”

Violence ended Boudinot’s life and sparked bloodshed in the Cherokee Nation
that lasted through America’s Civil War, and its ripples extended into the twentieth
century. Cherokee division, which resulted in a faction of the Indians siding with the
Confederacy, gave the United States an excuse to force the Nation into giving rights-of-
way to the railroads following the Civil War. The enormous influx of white settlers on the
heels of the railroads caused the Indians to be a minority in their former lands by the end
of the nineteenth century. By 1907, the year the Indians’ land was incorporated into the
new state of Oklahoma, the United States had extinguished the Cherokees’ government
and broken up their common land into individual holdings.

We of the present day may imagine “alternate futures” for the Cherokees, but the
past is past and speculation serves little purpose. Nevertheless, in the context of
conflicting and pressing cultural demands, Boudinot’s story provides insight into the
dangerous politics of Indian leadership during America’s history. It is therefore
worthwhile to try to understand the circumstances and motivations behind the choice of
one Cherokee leader who died for his principles.

56 Boudinot, Cherokee Phoenix, February 10, 1830 in Perdue, Cherokee Editor, 113, 112; Judith
Civil Resistance and Power Politics, 47. Quote from Brown.
57 Perdue, Cherokee Editor, 233.
Figure 16. Interior of the [reconstructed] print shop at New Echota, “showing the desk at which Elias Boudinot worked and a portion of the type frames.” Source, Carter, *Cherokee Sunset*, second page of illustrations following page 154.
BIBLIOGRAPHY

Primary Sources

A. Books


B. Cases

_Cherokee Nation vs. Georgia_, 30 U.S. Lexis 337 (1831).

_Worcester vs. Georgia_, 31 U.S. Lexis 489 (1832).

C. Treaties


“Treaty With The Cherokee,” March 14, 1835


“Georgia Cession,” April 26, 1802. _American State Papers_ 028, “Public Lands” vol. 1, 7th Congress, 1st Session, Publication No. 69.
Secondary Sources

A. Books


B. Articles


C. Theses and Dissertations


Appendix A. Excerpt of a letter From Elias Boudinot

Excerpt of a letter from Elias and Harriet Gold Boudinot to Herman and Flora Gold Vaill, January 5, 1827 from the Herman Landon Vaill Collection, Manuscripts and Archives, New Haven, Connecticut. Reproduction found in Gaul, To Marry An Indian, 47. Original photo modified by author.
“has lain destitute for some time & indeed the Mission has declined much, & the School hardly exists. We came here the 1st day of December, to take charge of it for this winter only. The Mission find us, & we have $20 pr month. I expect to begin the School in a few days. I cannot tell how I shall succeed – it is quite discouraging. We have a good deal of company sometime, & I am afraid, that my dear wife does rather more than she aught to do. Every Sabbath we have preaching & I am generally the Interpreter. Mr. Worcester of Brainerd spent some time with us – while here we commenced systematizing the Cherokee language, & forming rules for the foundation of the Tenses. I presume the Cherokee verbs are the most complicated in the world – nothing like it in any language, whether learned or Savage, unless we except those spoken by the Indians generally. You will form a slight idea of the almost infinite forms in the Cherokee verbs, when I tell you that we have discovered 29 Tenses in the Indicative mode, in all the verbs, & 30 in some; & that in the verb *To tie*, there are not less than 178 forms, only in the present Tense Indicative mode. Mr. Worcester however proceeds rapidly in acquiring the language – he intends to preach in it – the blessing of God attend him. I have nearly finished, my part of the sheet – so I am obliged to be concise in every thing. We shall expect to hear from you again before a great while. Let no future Trade, Journey, or Wedding prevent you from writing & rejoicing the heart of

Your Indian Brother

E. Boudinott

Transcript of letter from Elias and Harriet Gold Boudinot to Herman and Flora Gold Vaill, January 5, 1827 (previous page) found in Gaul, *To Marry An Indian*, 153 - 154. Bouinot’s “part of the sheet” refers to his and Harriet’s practice of sharing the pages of letters to their Eastern family.
Appendix B. Excerpts from “An Address To The Whites”
ADDRESS, &c.

To those who are unacquainted with the manners, habits and improvements of the Aborigines of this country, the term Indian is pregnant with ideas the most repelling and degrading. But such impressions, originating as they frequently do, from infant prejudices although they hold too true when applied to some, do great injustice to many of this race of beings.

Some there are, perhaps even in this enlightened assembly, who at the bare sight of an Indian, or at the mention of the name, would throw back their imaginations to ancient times, to the savages of savage warfare, to the yells pronounced over the mangled bodies of women and children, thus creating an opinion, inapplicable and highly injurious to those for whose temporal interest and eternal welfare, I come to plead.

What is an Indian? Is he not formed of the same materials with yourself? For “Of one blood God created all the nations that dwell on the face of the earth.” Though it be true that he is ignorant, that he is a heathen, that he is a savage; yet he is no more than all others have been under similar circumstances. Eighteen centuries ago what were the inhabitants of Great Britain?

You here behold an Indian, my kindred are Indians, and my fathers sleeping in the wilderness grave—they too were Indians.

“You here behold an Indian.”
"I now stand before you delegated by my native country to seek her interest, to labour for her respectability, and by my public efforts to assist in raising her to an equal standing with other nations of the earth."
Appendix C. Selected *Cherokee Phoenix* Editorials

February 21, 1828 (excerpt) “[W]e are willing that the public should know what we think of this policy [removal], which, in our opinion, if carried into effect, will prove pernicious to us.”
March 13, 1828. “Where have we an example in the whole history of man, of a Nation or tribe, removing in a body, from a land of civil and religious means, to a perfect wilderness, in order to be civilized[?]”
February 10, 1830. “It has been the desire of our enemies that the Cherokees may be urged to some desperate act . . . we hope, notwithstanding the great injury now sustained, their wonted forbearance will be continued.”
Go or perish. And this is said when treaties are declared to be binding . . . Who would trust his life and fortune to such a faithless nation? No Cherokee voluntarily would.

At this time of much distress and darkness, the Cherokees can have some consoling thoughts—they have been ably and most manfully defended to the last, and although self-interest and party and sectional feelings have triumphed over justice, yet it has been only by a patchy majority, and against the sworn will and feeling of the good people of these United States. Those worthy advocates of Indian rights in the Senate and House of Representatives will be remembered while there is a living Cherokee—and notwithstanding oppression and power may crush us and utterly destroy us, yet their laudable efforts to save us, will be estimated in their proper light, and held in pleasing remembrance by the Christian and Philanthropist of future ages, and of all countries.

June 19, 1830. "Go or perish. And this is said when treaties are declared to be binding . . . Who would trust his life and fortune to such a faithless nation? No Cherokee voluntarily would."
April 16, 1831. “[I]f our cries and expostulations will avail nothing at the door of those who have promised to be our guardians and protectors, let it be so. We are on the path of duty, and the Judge of all the earth will vindicate our cause in his own way and in his own good time.”
August 27, 1831. Brown University, microfilm. “This movement is to me so extraordinary, so directly and openly in conflict with one great liberty guaranteed by the constitutions of the United States . . . ”
August 27, 1831 (continued). “I claim nothing but what I have a right to claim as a man – I complain of nothing of which a privileged white editor would not complain.”
November 12, 1831 (excerpt). “A desire to possess the Indian lands is paramount to a desire to see him established on the soil as a civilized man.
Appendix D. Excerpts From “Letters and Other Papers Relating to Cherokee Affairs: Being a Reply to Sundry Publications Authorized by John Ross.”

“What is to be done? was a natural inquiry, after we found that all our efforts to obtain redress from the General Government, on the land of our fathers, had been of no avail.”
state of the dimensions which have distracted the Cherokees. It is enough
to say that our parties have been similar to other political parties found
among the whites. They have been characterized by high feeling, and
not unfrequently, by undue asperity. It is easy to conceive of the disad-
vantages under which the first named party must have labored. To
advocate a treaty was to declare war against the established habits of think-
ing peculiar to the aborigines. It was to come in contact with the deep
prejudices against the deep rooted attachment of the soil of our forefathers.
Aside from these natural obstacles, the influence of the chiefs, who were
ready to take advantage of the well known feelings of the Cherokees, in
reference to their lands, was put in active requisition against us.

It is worthy of notice that, in this contest, we have had to bear no small
share of obloquy, arising from our very principles, from our opposition to
the views and measures of what is termed the constituted authorities of
the nation, and from the illusive appearance of having a vast majority op-
posed to us. That obloquy was increased by the manner in which we
were represented to our people. Traitors, land sellers, interested per-
sons, &c., were terms calculated to stir up prejudice and opposition. To
represent us in these various lights to our own people, we supposed to be
a matter of course, judging from the nature of all political contests. But
we have lately been arraigned before the American public—a tribunal to
which we, as Cherokees, are not properly amenable in this affair—in our
own family disputes. Mr. Ross has made sundry publications of late, by
the aid of writers whom he has employed for the purpose, which have
arranged us to that tribunal. He has called upon the public to award its
judgment against us. He has represented us as a disaffected faction, op-
posed to him, the constituted chief of this nation. He represents us as a
small minority opposed to the will of the people; that we have ceded our
lands without their authority, and against their expressed injunctons.
These are matters which concern the Cherokees themselves, the result of
which must be left to their posterity to judge.

Without replying to these charges in this place, we will state what we
suppose to be the great cause of our present difficulties—our present dis-
sensions. A want of proper information among the people. We charge
Mr. Ross with having deluded them with expectations incompatible with
and injurious to, their interest. He has prevented the discussion of this in-
teresting matter, by systematic measures, at a time when discussion was of
the most vital importance. By that means the people have been kept
ignorant of their true condition. They have been taught to feel and ex-
pect what could not be realized, and what Mr. Ross himself must have
known would not be realized. This great delusion has lasted to this day.
Now, in view of such a state of things, we cannot conceive of the acts of a
minority to be so reprehensible or unjust as are represented by Mr. Ross. If
one hundred persons are ignorant of their true situation, and are so com-
pletely blinded as not to see the destruction that awaits them, we can see
strong reasons to justify the action of a minority of fifty persons to do
what the majority would do if they understood their condition—to save a
nation from political thraldom and moral degradation. It is not intended
to discuss the question here, but simply to show that a great deal may be
said on both sides; besides, the reader will recollect that it is in reference
to an Indian from the white community, and to very extraordinary circumstances.

The original error was in the refusal of the leaders and advisers of this

"A want of proper information among the people."
Elias Boudinot’s letter of resignation from the Cherokee Phoenix found in “Being A Reply.”

“The public is as fully apprised as we can ever expect it to be, of our grievances. It knows are troubles, and yet never was it more silent than at present.”
Elias Boudinot’s letter of resignation from the Cherokee Phoenix (continued). “I love my country and I love my people . . . and for that very reason I should deem it my duty to tell them the whole truth, or what I believe to be the truth.”