

NEGOTIATIONS FOR THE REMOVAL OF THE CHOCTAW:  
U. S. POLICIES OF 1820 AND 1830

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The Choctaw removal from Mississippi exemplifies, perhaps better than that of any other tribe, the American policy regarding the ejection of all Indian tribes from the eastern states to the west of the Mississippi River. Even though the Choctaw represent one of the largest tribes in the United States, they have been all but forgotten in the history of Indian removal in favor of more publicized and belligerent tribes.<sup>1</sup> In his study of the Choctaw, John R. Swanton presented a summary of their tribal characteristics. He pointed out that they were farmers and not warriors: "their beliefs and customs were simple and they seldom left their country to fight but when attacked defended themselves with dauntless bravery. In other words, the . . . Choctaw seems to have enjoyed the enviable position of being 'just folks,' uncontaminated with the idea that they existed for the sake of a political, religious, or military organization."<sup>2</sup> The Choctaw Indians were also friendly people and presented few if any military problems to the War Department.<sup>3</sup> In times of crisis, such as the War of 1812, the Choctaw allied themselves with the United States and fought against the Creek in Alabama and the British in Pensacola and New Orleans.<sup>4</sup> But their friend-

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<sup>1</sup>Robert S. Cotterill, *The Southern Indians, The Story of the Civilized Tribes Before Removal* (Norman: 1954). In this work the author pays far too little attention to the role played by the Choctaw in early Nineteenth Century Southern history.

<sup>2</sup>John R. Swanton, *Source Material for the Social and Ceremonial Life of the Choctaw Indians* (Washington: 1931), p. 2.

<sup>3</sup>The Choctaw tribe during the 1820's numbered around 21,000 inhabitants. U. S. Congress, House of Representatives, "Memorial of the Choctaw Nation, in Answer to the letter of the Honorable Secretary of the Treasury in relation to the Choctaw Claims," No. 94 in *The Miscellaneous Documents of the House of Representatives For the Third Session of the Forty-Second Congress, 1872-73*, Vol. II, 42d Cong., 3d sess. (Washington: 1873), p. 7.

<sup>4</sup>Franklin L. Riley, "Choctaw Land Claims," *Mississippi Historical Society Publications*, Vol. VIII (1904), p. 686.

ship with the United States and their efforts to help in time of emergency were rewarded in a peculiar manner: First, they were heartily thanked by the government, and then they were moved west of the Mississippi River.

The actual removal was the result of two separate treaties, one in 1820 and the other in 1830. The former was the culmination of a moderate program sponsored by President Monroe's Secretary of War, John C. Calhoun. Calhoun, who is often referred to as the "Father of the War Department,"<sup>5</sup> gained the title partly because he directed American Indian affairs. He worked closely with Thomas L. McKenney, the Superintendent of Indian Trade, to insure that the Indians were fairly treated by white traders and merchants. When Congress abolished the Bureau of Indian Trade in 1822, Calhoun promptly organized the Bureau of Indian Affairs and appointed McKenney as its head which enabled him to utilize expert advice in the handling of Indian problems.<sup>6</sup> He promoted the appointment of honest, hardworking men as Indian agents who could be accepted by the Indians as friends.<sup>7</sup> Above all, he stopped the aimless, drifting, practically non-existent American Indian policy, and adopted a definite plan.

The Calhoun formula was fairly simple. He believed that by 1818 the majority of Indians were losing their war-like nature because of the growth and advance of the United States. Their strength had been crushed, and as the frontier expanded they would become more and more dependent on the federal government. The Indian was no longer an object of terror, he reasoned, and the government should recognize that fact by adopting a policy of "humanitarianism and fair dealing"<sup>8</sup> to replace the outdated policy of retaliation.<sup>9</sup>

The first step in the new plan was to eliminate the Indian policy of independent nations. The United States should possess the sole determination of what was good or bad for the Indians. "By a proper combination of force and persuasion, of punishment and rewards," Calhoun wrote, "they ought to be brought within the pales of law and civilization."<sup>10</sup>

<sup>5</sup>Thomas J. McKenney to Andrew Jackson, April 23, 1829, Records of the Office of Indian Affairs, Letters Sent, MMS, National Archives, Washington, D. C.

<sup>6</sup>Richard K. Cralle (ed.), "Report on the System of Indian Trade, Communicated to the House of Representatives, December 8th, 1828," *Reports and Public Letters of John C. Calhoun*, V (New York: 1888), p. 14.

<sup>7</sup>*The Mississippi State Gazette* (Natchez), April 16, 1813.

<sup>8</sup>Charles M. Wilcox, *John C. Calhoun Nationalist, 1782-1828*, Vol. 1 (New York: 1944), p. 154.

<sup>9</sup>Cralle, *Reports of John C. Calhoun*, Vol. V, p. 18.

<sup>10</sup>*Ibid.*

Once American laws superseded the primitive Indian customs and manners the second step could be initiated to convince the Indians that they should confine themselves to a definite "reasonable" area of territory. The land could then be divided among families in the tribe, and thus individual ownership of property would be introduced into Indian culture.<sup>11</sup> To facilitate this concession the government would solemnly promise that no more territory would be acquired from the Indians.<sup>12</sup>

This in essence was the Calhoun program. He also believed that this program must be carried one step farther through education. How could he insure the continuance of his program after he left the War Department? The government through missionary societies, annuities, and special funds should instill Indian children with such ideas as sanctity of contract, individual ownership, obedience toward law, and other valuable tenets of a democratic society. When they reached maturity, they could begin to participate in all of the civil and political rights that the states might extend to them.<sup>13</sup>

In general, the program was paternal, moderate and optimistic. Time and again Calhoun emphasized that force would never be used to implement his program, and expressed his pessimism over the ultimate fate of the Indians if his plan were not adopted. "It is only by causing our opinion of their interest to prevail," he wrote, "that they can be civilized and saved from extinction."<sup>14</sup> There was no middle ground: Either adopt the program or the Indian was doomed. His proposals were almost completely ignored by the Congress, and it was not until the late Nineteenth Century that his ideas were revived and adopted as the basic American policy. While it can be noted that education did flourish in many tribes, it was due mainly to the several missionary societies.

Once the new plan was formulated, the Secretary of War promoted its operation among one of the most thoughtful and deliberative Indian tribal groups—the Choctaw of Mississippi. As early as November, 1817, he wrote to U.S. Agent John McKee who was a believer in moderation expressing President Monroe's desire for a cession of land in Mississippi.<sup>15</sup> It was

<sup>11</sup> *Ibid.* Thomas L. McKenney, *Memoirs, Official and Personal: With Sketches of Travels Among the Northern and Southern Indians: Embracing A War Excursion and Descriptions of Scenes Along the Western Border*, Vol. I (New York: 1846), pp. 346.

<sup>12</sup> *Cralle, Reports of John C. Calhoun*, Vol. V, p. 19.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.* *Southern Galaxy* (Natcher), March 11, 1830.

<sup>15</sup> John C. Calhoun to John McKee, March 24, 1817, Military Affairs 1800-1861, Latiers Sent, MMS, National Archives, Washington, D. C.

not until President Monroe presented his first annual message to Congress on December 2, 1817, that Calhoun elaborated on the reasons for a cession by stating that "no tribe or people have a right to withhold [land] from the wants of others more than is necessary for their own support and comfort."<sup>16</sup> Here was a sharp, new view for the Choctaw, in the ownership of their lands, expressing Calhoun's belief that they possessed entirely too much country for only twenty-one thousand tribesmen. He held that the Indians must confine themselves to a limited area, and cede their surplus land to the United States.<sup>17</sup> To effect such a cession, Agent McKee was appointed head of a three man commission in May, 1818, to negotiate with the Choctaw chiefs for the cession of an east-west strip of land in the southern part of the Choctaw Nation.<sup>18</sup> McKee's instructions were important because for the first time the government suggested that the Choctaw move west of the Mississippi River. Calhoun did not demand removal west as a condition for negotiations yet he hoped that the Choctaw would accept his advice so that the people of Mississippi would not hamper their education.<sup>19</sup>

Throughout the negotiations both the Secretary and John McKee considered the effort premature and doomed to failure. Their doubts were confirmed when the Choctaw met in council in October, 1818, and unanimously voted against a cession. McKee wrote Calhoun that the opposition "originated entirely with the half-breeds and whitemen residing in the country."<sup>20</sup> He further stated that after talking to some of the influential chiefs it was the opinion of the commission that the Indians would agree to a cession at a later date. He suggested that the government postpone all removal efforts for at least one year.<sup>21</sup>

Despite the failure of the initial step in the removal program, the War Department continued to urge its adoption.<sup>22</sup> In his second annual message, President Monroe restated his stand on the abolition of independent nations: "To civilize them, and even to prevent their extinction, it seems to be

<sup>16</sup> James D. Richardson (ed.), *A Compilation of the Messages and Papers of the Presidents*, Vol. I (Washington: 1897), p. 185.

<sup>17</sup> John C. Calhoun to John McKee, May 2, 1818, *Indian Affairs, Letters Sent*, MSS., National Archives, Washington, D. C.

<sup>18</sup> *Ibid.* The other two commissioners were General Carroll and David Burnett.

<sup>19</sup> *Ibid.*

<sup>20</sup> John McKee to John C. Calhoun, October 27, 1818, *Letters Received by Secretary of War*, MSS., National Archives, Washington, D. C.

<sup>21</sup> Removal treaties were completed with other tribes, including the Quapaw and Osage Indians.

indispensable that their independence as communities should cease, and that control of the United States over them should be complete and undisputed."<sup>22</sup> Calhoun's program was advocated by other influential persons. Governor David Holmes of Mississippi, for instance, was a constant supporter, stating that the Choctaw must be moved west so that the Pearl River could be completely opened for navigation.<sup>23</sup> General Andrew Jackson also urged removal as a necessity for the growth of the Southwest. He warned the Choctaw that they must leave soon, prophesying that if they waited too long, the government would resort to a different program.<sup>24</sup> The War Department disapproved of Jackson's threats, but the frontier general disregarded all orders and warnings and even drew up terms for Indian removal. He told James Pritchlynn, a Choctaw chief with considerable influence, that his people would receive equal lands, compensations for their improvements in Mississippi, guns, blankets, household utensils and government provisions until they could harvest their first crop.<sup>25</sup> Jackson wrote Calhoun personally to adopt a coercive policy.<sup>26</sup> He stated:

Policy alone introduced the measure of treating with our own subjects (for such I consider the Indians) and this policy was correct so long as the arm of government was insufficient to carry into effect the legislative regulations, but, the strength of our nation is now sufficient to effect any object, which its wisdom, humanity and justice, may please to adopt, with regard to those unfortunate people.

In August, 1819, urged by General Jackson and Agent McKee, Calhoun decided to attempt another treaty for removal. Jackson bombarded him with testimonials from Indians which stated that they were ready to remove, and he even secured a promise from James Pritchlynn that over three hundred Choctaw families were anxious to move west.<sup>27</sup> Jackson's stand apparently had no basis in fact, for as soon as the Choctaw convened in general council, they again voted overwhelmingly against removal. Speaking for his Nation,

<sup>22</sup> Richardson, *Papers of the Presidents*, Vol. I, p. 614.

<sup>23</sup> David Holmes to William Crawford, October 8, 1818, Executive Journal Gov. Holmes, Poindexter, Leake, Brandon 1817-27, MSS, Department of Archives and History, Jackson Mississippi.

<sup>24</sup> Walter Lowrie and Walter S. Franklin (eds.), *American State Papers: Documents, Legislative and Executive of the Congress of the United States, from the First Session of the Fourteenth to the Second Session of the Nineteenth Congress, inclusive; Commencing December 4, 1815, and ending March 3, 1827*, VI (Washington: 1834), p. 229.

<sup>25</sup> Andrew Jackson to John C. Calhoun, December 31, 1816, Letters Received by Secretary of War, MSS.

<sup>26</sup> Andrew Jackson to John C. Calhoun, August 24, 1819, Indian Affairs, MSS.

<sup>27</sup> Lowrie and Franklin, *American State Papers*, Vol. VI, p. 29.

the great medal chief Pushmataha answered the Calhoun proposal. "This day we have made up our minds deliberately to answer our great father's talk . . . . I am sorry I cannot comply with the request of my father . . . . We wish to remain here, where we have grown up as the herbs of the woods; and do not wish to be transplanted into another soil."<sup>28</sup>

After two futile attempts it would appear that there was little chance that the United States could ever secure a cession without resorting to force, but Calhoun refused to compel any tribe to move from its lands. Yet the government's position was far from hopeless. In the first place, Pitchlynn did have a small nucleus of Choctaw who were favorable to removal.<sup>29</sup>

On January 29, 1820, James Pitchlynn wrote President Monroe that several of the chief captains of the Six Towns "requested me to send this talk to you that we think it injustice that a part of our Nation should reside on the United States lands . . . . it is the wish of this part of the Choctaw Nation to cede their lands to you for lands west of the Mississippi . . . ." <sup>30</sup> Again, the government's position was strengthened through the public opinion for removal which had developed in Mississippi. The *Mississippi Gazette* reported that the governor, legislature, and people of Mississippi were grossly "annoyed" with the Indian problem, and suggested that the Choctaw be removed from the lands "which they hold to the great detriment of the state."<sup>31</sup> Even Calhoun by April, 1820, felt that after two years of education in the missionary schools of Mississippi the Choctaw were beginning to realize the value of moving west to avoid future conflicts with the white people.<sup>32</sup>

To satisfy the rising public opinion and to unify the Indian group for removal, President Monroe on May 23, 1820, appointed Thomas Hinds of Mississippi and Andrew Jackson of Tennessee, both popular frontier generals and noted Indian

<sup>28</sup> *Ibid.*, p. 220.

<sup>29</sup> James Pitchlynn to Andrew Jackson, September 15, 1819, Letters Received by Secretary of War, MSS.

<sup>30</sup> James Pitchlynn to James Monroe, January 29, 1820, *Ibid.*

<sup>31</sup> *The Mississippi State Gazette*, January 8, 1821. Executive Journal, MSS.

<sup>32</sup> *The Mississippi State Gazette*, April 22, 1820. U. S. Congress, House of Representatives. "Letter from the Secretary of War, Transmitting Pursuant to a Resolution of the House of Representatives of the 6th July last. A Report of the Progress which has been made in the Civilization of the Indian Tribes and the sums which have been expended on that object," No. 46 in *House Documents*, Vol. XXXIII, 16th Cong., 1st sess. (Washington: 1820), pp. 1-2.

fighters, as commissioners to treat with the Choctaw. In accepting his appointment, Jackson demanded complete freedom to negotiate in his own manner.<sup>32</sup> Calhoun balked at the suggestion but finally allowed the Commission a free hand except in the determination of the area to be ceded.<sup>34</sup> Calhoun also for the first time adopted a flexible attitude on the use of force. He wrote that Jackson must not intimidate the Choctaw in any way, but it is significant to note that he did not threaten to reject any treaty that Jackson might secure by fraudulent means.<sup>35</sup> This omission was no mere oversight, nor was it a cowardly compromise on the part of the Secretary of War, but rather an effort to handle Jackson diplomatically. A flat ultimatum against force followed by a threat, would have been in reality an accusation against Jackson's honesty, and possibly ended in bad feelings between the two men and Jackson's refusal to head the American Commission.

During the next four months, the Commissioners prepared to meet the Choctaw in council at Doak's Stand on the old Natchez Trace. They carefully circulated propaganda throughout the Nation and took special care to see that certain inducements were offered to key leading, mixed blood Choctaw. Jackson wrote Calhoun that "reservations will have to be made to some of the half-breeds who wish to remain before their consent can be obtained."<sup>36</sup> The commissioners secured liberal funds to purchase supplies for the treaty grounds, and Jackson used some of the money for presents to be distributed among the Choctaw chiefs and captains. But it was actually the personality of Jackson that brought about the Treaty of Doak's Stand. No American was as highly esteemed among the Choctaw Nation as was Jackson for they had fought with him and respected his leadership. They had also witnessed his ruthless suppression of the Creeks. Determined that no such fate would befall their tribe, the Choctaw leaders decided to consider the proposals for a cession.<sup>37</sup>

The Treaty of 1820 at Doak's Stand was the culmination of Calhoun's moderate Indian policy. No force was actually employed yet a large area in central Mississippi was ceded to

<sup>32</sup>Lowrie and Franklin, *American State Papers*, Vol. VI, p. 231.

<sup>34</sup>*Ibid.*, p. 232.

<sup>35</sup>John C. Calhoun to Andrew Jackson and Thomas Hinds, July 12, 1820, Andrew Jackson MSS., Library of Congress, Washington, D.C.

<sup>36</sup>Andrew Jackson to John C. Calhoun, August 2, 1820, Indian Affairs, MSS.

<sup>37</sup>Gideon Lincoln, "Life of Apushimatah," *Mississippi Historical Society Publications*, Vol. IX (1905-06), pp. 474-75.

the United States in exchange for a larger area in the Indian Territory. Land was all that America secured, however, for the treaty failed to move the Choctaw west of the Mississippi. Most of them simply moved into the remainder of their lands in the state of Mississippi and by 1829 less than seven hundred had left for the West.<sup>38</sup> The Calhoun removal plan was a failure up to this point. The Indians loved their lands and would not voluntarily surrender their heritage as long as the United States Government would protect them against encroachments of the white citizens of Mississippi.

During the next eight years moderation continued as the basic Indian policy. After Calhoun completed his term of office in the War Department in 1825, the undercurrent of opposition became more apparent. President Adams, though a follower of the moderate plan, admitted in December, 1825, that the program was failing because the Indians remained independent nations. Unless a change was introduced, he predicted Indian degradation with extermination as the inevitable end.<sup>39</sup>

There were also numerous Mississippians who were vocal in their objections to any Indian owned territory within the borders of the state. A memorial was introduced and passed in the Mississippi House of Representatives which demanded outright Indian removal, and on April 15, 1826, Thomas B. Reed presented three Mississippi objections to the United States Senate. (1) the presence of the Choctaw kept Mississippi from becoming a geographical unit by hindering the economic, political, and social advancement of the state; (2) a removal would enable Mississippi to defend its borders from outside invasion; (3) removal would save the Choctaw from decadence and eventual extinction.<sup>40</sup>

Reed called upon Congress to appropriate \$20,000 to enable the President to treat with the Choctaw and Chickasaw Indians.<sup>41</sup> A number of senators objected because no evidence was presented to show that the Indians were willing to cede their lands. However, the appropriation was made and Generals Thomas Hinds of Mississippi and John Coffee of Alabama

<sup>38</sup> U. S. Congress, House of Representatives. "Letter from the Secretary of War transmitting the information required by a resolution of the House of Representatives, of the 22nd ultimo, in relation to the Tribes and parts of Tribes of Indians that have removed to the West of the Mississippi River, their location, etc." No. 233 in *House Documents*, Vol. VI, 20th Cong., 1st sess. (Washington: 1829), 6.

<sup>39</sup> McKenney, *Op. Cit.*, Vol. I, p. 239.

<sup>40</sup> *Natchez Gazette*, May 13, 1826.

<sup>41</sup> *Ibid.*



were appointed commissioners to treat with the two Mississippi tribes—Choctaw and Chickasaw. They met the Indians on November 10-15, 1826, at Treaty Ground in the Choctaw Nation, but as some senators had anticipated, all offers were promptly rejected by both tribes.<sup>42</sup>

The complete failure of the negotiations of 1826 did not end the efforts of Mississippi to move the Choctaw west. Representative Haile of Mississippi in a debate before the House of Representatives in January, 1827, failed to get another appropriation for Choctaw removal.<sup>43</sup> He felt that the recent effort had failed because the government had not made provisions to facilitate a trek to the West, and that an adequate transportation system would allay their fears of removal.<sup>44</sup>

To get a first hand view of the Indian problem in the South, Thomas L. McKenney, head of the Bureau of Indians, visited the area in the fall of 1827. During his stay in the Choctaw Nation, he tried to negotiate a treaty on October 16th and 17th, but as was the case earlier the Choctaw refused to cede any more land. With typical Indian bluntness, one of the chiefs stated, "We are thankful for your advice—but more than sorry, that we have been unanimous in declining to accept it."<sup>45</sup> McKenney replied, and his answer showed that the paternalistic policy initiated by Calhoun was still being followed, "Brothers: I cannot but feel trouble for you . . . if you do not rise up and look around you. Let my voice keep sounding in your ears—think of me; and of my councils; and if you get into trouble send me word, and if I can, I will help you . . . I will never forsake you. I am the red man's friend, and shall always be so."<sup>46</sup> He later wrote in his *Memoirs* that many of the Choctaw he talked to were very much in favor of removal, but certain chiefs had promised death to anyone who spoke for another session.<sup>47</sup>

While the citizens of Mississippi were clamoring for a more direct policy, and while the Choctaw were endeavoring to maintain their present state, the election of 1828 took place. Andrew Jackson won. The extremists in Mississippi were elated, for they knew that finally a man from the West was in office and he would adopt a more favorable Indian policy. However, from all outward appearances it seemed that the

<sup>42</sup> *Ibid.*, November 25 and December 16, 1826.

<sup>43</sup> *Ibid.*, February 3, 1827.

<sup>44</sup> *Ibid.*

<sup>45</sup> McKenney, *Op. Cit.*, Vol. I, p. 338.

<sup>46</sup> *Ibid.*, p. 339.

<sup>47</sup> *Ibid.*, p. 336.

new President would continue the moderate policy of the past ten years. In his inaugural address, he stated that his administration would endeavor to be liberal and just to the Indians and that they would never be coerced into surrendering their lands to the American people.<sup>48</sup> Yet, the Choctaw were too familiar with the new President to adopt a complacent attitude. During the year 1829, there were indications that they would move to the Indian territory. There was also a report that they might emigrate to Texas.<sup>49</sup>

The Choctaw had good cause for concern for as soon as Jackson was able to formulate a new policy he radically changed his earlier stand. In his first annual message on December 8, 1829, he stated that as the white man advanced the Choctaw would be weakened and eventually they would experience the same fate as the Mohegan and the Narragansett Indians. The only way to insure that this would never happen was for the United States to set aside an ample district west of the Mississippi River to be guaranteed to the Indian tribes as long as they occupied the land. Here they could be free of the white man except for a few American soldiers who would be stationed in the area to preserve peace on the frontier. He hastened to add that removal to such a "Utopia" would be voluntary, but if they remained east of the Mississippi River they would be subject to the laws of the states. In other words, submit and leave, or become "merged in the mass of our population."<sup>50</sup> Either way the Choctaw would lose their status as an independent Nation.

The Jackson policy did not basically change the old plan of Calhoun. It only carried Calhoun's ideas to a logical conclusion. The difference was that Calhoun considered the Indian an equal and would never force him to leave, even by implications, whereas Jackson had a definite contempt for the Indian as an inferior being and would force him west simply to free the states of a difficult problem. The two plans differed only in degree and not in basic policy.

The pro-removal faction in Mississippi hailed the new militant policy as a panacea for the Indian problems. Little time was wasted in putting it into effect, and in January, 1830, the first act passed by the Mississippi legislature was entitled:

<sup>48</sup> Richardson, *Op. Cit.*, Vol. II, p. 1001.

<sup>49</sup> John Bond to Bureau of Indian Affairs, July 6, 1829; T. Child to Bureau of Indian Affairs, July 11, 1829; William Ward to Bureau of Indian Affairs, July 14, 1829; Office of Indian Affairs, *Registers of Letters Received*, MSS., National Archives, Washington, D. C.

<sup>50</sup> Richardson, *Op. Cit.*, Vol. II, pp. 1921-22.

"An Act to extend the laws of the State of Mississippi over the persons and property of the Indians resident within its limits."<sup>51</sup> The law repeated "all the rights, privileges, immunities and franchises . . . of the Indians," and stated that Mississippi law governed all persons within the limits of the state. If the Indians did not comply with the new law, they were subject to a maximum fine of one thousand dollars and up to twelve months in prison. The bill was overwhelmingly adopted with only one dissenting vote. Despite its easy passage, the act was never enforced, but it did achieve its goal of goading the Choctaw into ceding the rest of their lands in Mississippi.<sup>52</sup>

The Mississippi act of January 19, 1830, did not go unnoticed and was a landmark in American-Indian relations. It touched off a heated controversy over the moral right of the state to force the Indians to leave.<sup>53</sup> Numerous newspapers, many of them published beyond the borders of the state, protested against the morality of such a law.<sup>54</sup> Protest meetings were organized and culminated in a mass meeting in Natchez on March 17, 1830.<sup>55</sup> The opposition stressed the point that removal was unlawful, and as William B. Melvin, a planter in Adams County, stated: "It involved the *faith* of this whole nation, pledged in the most sacred manner by *treaty* with the Indians—it involves the principle of *right and of justice*, and the great political and moral effect it will produce on the Indians in all future time."<sup>56</sup>

Numerous reasons were set forth as to why a general removal would fail. (1) The Choctaw were an independent nation recognized as such by the United States in numerous treaties. (2) If they were removed immediately, they would be subject to exposure, hunger and suffering because of the lack of transportation facilities. (3) A removal must be gradual and result in all ties being broken, which would hurt the policy of Indian civilization. (4) The Indian Territory was deficient of water and wood. (5) Putting all Indians in a large area would produce quarrels and fighting. (6) The proposed plan was entirely too visionary and nothing in the

<sup>51</sup> *Southern Galaxy*, February 11, 1830.

<sup>52</sup> Dunbar Rowland, *History of Mississippi The Heart of the South*, I (Chicago: 1925), p. 356.

<sup>53</sup> *The Natchez*, February 27 and April 3, 1830. *Southern Galaxy*, March 25, 1830.

<sup>54</sup> *Southern Galaxy*, January 7, 1830, quotes the *New York American* as asking Mississippi to reconsider.

<sup>55</sup> *The Natchez*, April 3, 1830.

<sup>56</sup> *Ibid.*, May 8, 1830.

history of human affairs sustained it. (7) No guaranty of new country could be given them and they would hardly get settled when the expanding frontier would force them to move again and again. (8) The Choctaw would not move voluntarily and they could not be forced to leave under the existing American policy.<sup>57</sup> The editor of the *Natches* wrote, "that all attempts to accomplish the removal of the Indians by bribery and fraud, by intimidation or threats, by withholding from them a knowledge of the strength of their cause, by practicing upon their ignorance, and their fears, or by vexatious importunities, interpreted by them to mean nearly the same thing as command—all such attempts are acts of oppression, and therefore entirely unjustifiable."<sup>58</sup>

The protagonists of the act struck back at their opponents. They pointed out that two successive Secretaries of War, Peter Porter of New York and John Eaton of Tennessee favored the policy of removal by any means.<sup>59</sup> and that even Indian Bureau chief Thomas L. McKenney was continually advocating removal.<sup>60</sup> They also listed several reasons why a complete removal must be effected. (1) Mississippi needed more land to attract immigrants from the East. (2) The Choctaw imposed a heavy financial burden on the state as they did not pay taxes. (3) They harbored runaway slaves in the nation. (4) They were hunters, not farmers, and did not care about cultivating their lands. (5) They were inferior human beings and could not be civilized, thus Mississippi must remove them as one would remove a cancer. (6) The Choctaw lands were all within the boundaries of Mississippi, so they belonged to the state.<sup>61</sup>

Many of the arguments for removal contained vicious implications. To secure the lands for a larger white population, one writer in the *Natches* stated, "I am resolved to believe that we do want more land, and we must have it, in some way."<sup>62</sup> Also, in explaining the alleged dislike of the Choctaw for working the land, he asserted that their main activities were loafing and drinking. "Shew [sic] me an Indian in the street," he concluded, "and I could buy the bones of all of his forefathers, if he had them, for a pint of whiskey. I

<sup>57</sup> *Ibid.*, February 20, 1830.

<sup>58</sup> *Ibid.*, February 13, 1830.

<sup>59</sup> John Eaton to John Bell, February 13, 1830. Records of the Office of Indian Affairs, MSS. *Southern Gallery*, March 11, 1830.

<sup>60</sup> Thomas L. McKenney to James L. McDonald, February 9, 1830. Records of the Office of Indian Affairs, MSS.

<sup>61</sup> *The Natches*, February 13, February 20, 1830.

<sup>62</sup> *Ibid.*, February 13, 1830.

look upon the introduction of whiskey, as a great point: it has already done a great deal in facilitating the acquisition of Indian lands all over the United States."<sup>83</sup>

The most heated argument came from "A Patriot" writing in the *Natchez* on February 20, 1830. He maintained that all Indians were inferior to any white man, and that they had no basic religion and could not be educated. As to the assertion that given an equal opportunity an Indian could rise as high as a white man, he stated: "I don't believe it, I don't believe a word of it, I know an Indian will be an Indian because we have had plenty of Indians in Natchez, and can you show me one who has been civilized by being brought among us?"<sup>84</sup>

The controversy in Mississippi over the morality of removal spread all over the United States and people in all sections and all walks of life discussed the arguments for and against the new Indian policy. It was pretty generally agreed that the Choctaw had greatly benefited by the past policy of education. The American Board of Commissioners for Foreign Missions of the Presbyterian Church wrote that education and religion had permeated every district of the Choctaw Nation and that the Indians would not be exterminated by either removal or American citizenship because of their present level of education.<sup>85</sup> A captain in the United States Army named Ben Johnson from the state of Kentucky wrote in *Niles' Register* on July 3, 1830: "I have been acquainted with the Choctaw tribe of Indians for about fifteen years, . . . they have been gradually and pretty generally improving in the art of cultivation of the earth. They also imbibed a disposition for more regular government, . . . there is an unusual impulse . . . for religion."<sup>86</sup> Also, the sub-agent in the Choctaw Nation, Stephen Ward wrote that the change that had taken place in the Choctaw Nation since formal education facilities had been introduced was phenomenal.<sup>87</sup>

Besides the general agreement on the merit of education among the Indians, there was a growing opinion in the United States that, whether it was just or unjust, the Indians would have to move west to avoid extinction. The reasons given for

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*, February 20, 1830.

<sup>85</sup> "Choctaw Indians," *Presbyterian Mission Tract*, 1831 (in the library of E. DeCoby, Dallas, Texas, Microfilm copy at North Texas State College), pp. 7-8.

<sup>86</sup> *Niles' Register*, July 3, 1830, p. 345.

<sup>87</sup> *Ibid.*

the necessity of removal varied from the general arguments heretofore mentioned to others that took on a sectional flavor. The northern philanthropists admitted that removal of the Choctaw was the only humane thing to do in 1830, but they further asserted that removal was necessitated by the past bungling policy of the state of Mississippi.<sup>68</sup> The southern newspapers ridiculed the northern philanthropists and charged that the North was envious of the growing strength of the South. The editor of *The Southern Patriot* in Charleston, South Carolina, wrote an editorial in which he stated, "one of the reasons why certain people of the North are so strongly opposed to the Indian emigration . . . is that it will give the Southern and Southwestern States, by largely increasing their white population, an influence in the councils of the Nation which they do not now possess, while their territory is inhabited by savages, . . ." <sup>69</sup> Also, many northerners and southerners felt that President Jackson was playing politics when he introduced his new Indian policy in December, 1829. They reasoned, with questionable justification,<sup>70</sup> that the President was pacifying the Southwest because he was anxious to secure its support against the state of South Carolina which was starting to raise the pesky nullification issue over the changing tariff policy of the federal government.<sup>71</sup>

The act of January 19, 1830, passed by the Mississippi legislature, and the subsequent debates in the United States Congress on a possible federal removal bill,<sup>72</sup> brought the Choctaw into action. They first deposed Greenwood LeFlore, chief of the Northwestern District, for "tyrannical and cruel conduct,"<sup>73</sup> and replaced him with the old chief Mushulatubbee who was quite moderate on removal. This action worried David Folsom, another district chief, who feared the same fate as LeFlore, and he therefore adopted a very moderate stand. Folsom wrote Senator Johnson, restating a previous offer to lead an exploring party west. He also added "I can be useful, I hope in some measure to cause the Choctaws, in that country to come and settle on some particular place, so that they can be benefited by doing so.—And the description

<sup>68</sup> Alfred Balch to Andrew Jackson, January 8, 1830, Andrew Jackson, MSS.

<sup>69</sup> *The Southern Patriot* (Charleston, South Carolina), May 21, 1830.

<sup>70</sup> No where in the Jackson papers did this author find any justification for this proposal.

<sup>71</sup> Marquis James, *The Life of Andrew Jackson* (New York: 1936), p. 550.

<sup>72</sup> *Niles' Register*, January—June, 1830.

<sup>73</sup> Thomas L. McKenney to John Eaton, February 25, 1830, Records of the Office of Indian Affairs, MSS.

of the country that I would bring to these people here, they would take my word for the truth.<sup>74</sup>

Panic stricken over the prospect of a forced removal of their nation, the Choctaw leaders assembled in a council in March, 1830, to decide upon a course of action.<sup>75</sup> While they met, the resourceful Greenwood LeFlore opened separate negotiations with Thomas L. McKenney. LeFlore knew that the chiefs were so confused that it would be impossible for them to agree unanimously on anything at the council, so he decided to work out an equitable settlement with the Indian Bureau and present it to the council for ratification. By such an action he would undoubtedly be restored to the rank of chief. By April 7, LeFlore had drawn up a treaty which he sent to Mshulatubbee for his approval. The treaty provided that every man and woman with a child would be given 640 acres of Choctaw Mississippi land to sell to the state, and every young man would be given 320 acres for the same purpose. In addition, every captain would be given by the government a suit of clothes, a broad sword, and fifty dollars annually for four years. Also, every man was to receive a good rifle and plenty of rifle powder and lead, an axe, hoe, plough, blanket, and brass kettle; while each woman received a spinning wheel and a loom. Lastly, all of the Indian's possessions would be moved free of charge to the new lands, and the government would feed and clothe the emigrants for twelve months after they left their present lands. The proposed treaty did not please Mshulatubbee so LeFlore quickly added that the United States would defend the emigrants with soldiers, and probably give the Nation fifty thousand dollars annually forever.<sup>76</sup> LeFlore also sent a copy of the treaty to Governor Gerard C. Brandon of Mississippi to convince him that the Indians were endeavoring to comply with the recently passed Mississippi law.

On April 8, LeFlore entered the Choctaw council and presented his proposed treaty. He was praised for his work and unanimously elected chief of the Western District.<sup>77</sup> The Choctaw chiefs, captains, and warriors were so thankful that someone was able to bring order out of chaos that on the forenoon of April 9 they all came forward and resigned their

<sup>74</sup> David Feltton to R. M. Johnson, February 7, 1830, Choctaw Emigration 1825-1833, MSS., National Archives, Washington, D. C.

<sup>75</sup> *Southern Gallery*, March 25, 1830.

<sup>76</sup> Greenwood LeFlore to Mshulatubbee, April 7, 1830, Choctaw Agency 1824-1833, MSS., National Archives, Washington, D. C.

<sup>77</sup> Greenwood LeFlore to Governor Brandon, April 7, 1830, Governor's Documents (Series E), MSS.

several offices and unanimously elected Greenwood LeFlore the chief of the whole Nation.<sup>78</sup> This was an honor that had never before been bestowed on a Choctaw chief, even Pashmataha. Once LeFlore was in charge of the Nation, he immediately had his proposed treaty drafted and delivered to a special messenger, Major David W. Haley, who was to convey it to the President in Washington. The council was then adjourned, and for two days the Choctaw celebrated the emergence of LeFlore as the savior of his people.

The treaty acquiescence of March, 1830, spelled the end of the Choctaw in Mississippi. Jackson refused to accept the treaty although it demonstrated that the resistance of the Choctaw to removal had been crushed by his policy. The reason Jackson gave for refusing to accept the Indian offer was that no American commissioners had been present when the treaty was written.<sup>79</sup> However, to insure his reward, Jackson succeeded in getting Congress, on May 28, 1830, to pass a bill which enabled him to treat with the Indians for removal to any lands west of the Mississippi River.<sup>80</sup> The bill was fiercely debated and strenuously opposed by northern Congressmen. Jackson believed the opposition of the "Itinerant Yankees" stemmed solely from their desire to keep the southern lands out of the hands of the planters. Regardless of the real reason for opposition, the bill was passed by a slight majority and the fate of the Choctaw sealed.<sup>81</sup> The road was now opened for a complete removal, and in less than five months the Treaty of Dancing Rabbit Creek was negotiated in which the Choctaw finally surrendered their Mississippi lands.

<sup>78</sup> *Southern Galaxy*, April 8, 1830.

<sup>79</sup> *Ibid.*

<sup>80</sup> Richardson, *Op Cit.*, Vol. II, pp. 1040-41.

<sup>81</sup> Muriel H. Wright, "The Removal of the Choctaw to the Indian Territory," *Chronicles of Oklahoma*, Vol. VI, No. 2, (June, 1928), p.103-109.

<sup>82</sup> John Eaton to Thomas L. McKenney, June 7, 1830, Records of the Office of Indian Affairs, MSS.