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"Regarding themselves as permanently settled": An Ethnohistory of Cherokee Hyper-Displacement

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**“Regarding themselves as
permanently settled”:
An Ethnohistory of Cherokee Hyper-Displacement**

A Dissertation Presented for the
Doctor of Philosophy
Degree
The University of Tennessee

Tyler B. Howe
May 2019

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ABSTRACT

“Regarding themselves as permanently settled” analyzes displacement and re-settlement of four Cherokee regions and sets of communities during the first few decades of the nineteenth century. Instead of parsing out various Cherokee removal episodes of the period, this dissertation moves across time and space to foreground the human experiences as expressed by the displaced Cherokees themselves. Instead of utilizing a framework of Euro-American removal tactics to compartmentalize, marginalize and silence tribal agency throughout displacement episodes, what were the social elements of individual and collective networks utilized to navigate removal, and subsequent responses to newly constituted social networks when forming new communities in a post-displacement setting. I foreground existing tribal culturally grounded manifestations of self-determination to understand the importance of family and kin during times of isolation and stress, a process I refer to as *hyper-displacement*. Additionally, this dissertation emphasizes the uniquely centered Cherokee cultural components of tohi (balance, or walking the correct way, the open way), and osi (life in a good state) within larger discourses surrounding the normalization of violence experienced by indigenous populations throughout the early establishment of federal Indian policy.

My main data-sets were collections of sworn affidavits, depositions, memorials, and spoliation claims presented by individual Cherokees over a twenty-year period. Most often these data-sets were presented by Cherokees seeking monetary recompense of their removal from homes and farms to the very federal agents who had legislatively, economically and forcibly removed them. The application of an ethnohistorical

ethnographic approach to these archival materials, what I call *archival participant observation*, emphasizes new perspectives to analyze Cherokee towns not necessarily just predicated on a specific location, but as organically interconnected networks of mutual aid and fellowship. While this dissertation is grounded in a nineteenth century Cherokee perspective of displacement and post-displacement community construction, it provides insight to understand the wider implications of how individuals and communities navigate displacement. This dissertation illustrates that sometimes all we have are our social and familial networks, and the lengths people centralize them following displacement.

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CHAPTER ONE

BACKGROUND

Introduction

If memory serves me well, I first felt a part of the Eastern Band of Cherokee Indians (EBCI) community, not just an employee, in the fall of 2007. About that time a tribal department received a federal grant to construct community roadside markers. It was the intent of the overall project to place these markers saying something like “Welcome to the Yellowhill Community,” or “Welcome to the Wolftown Community, founded in such and such date.” I had been working as Tribal Historic Preservation Specialist for the EBCI Tribal Historic Preservation Office (EBCI THPO) since December 2005. In the fall of 2007 I attended the Birdtown community meeting and attended another meeting with the Toe String community in the Spring as a representative of the EBCI THPO. Both communities requested the THPO to provide historical background information, “as far back as necessary,” for the markers. As it happened, “as far back” meant around the time of Cherokee removal in 1838, and the eventual establishment of the EBCI in the 1870s.

Birdtown is one of six official EBCI communities. It lies, along with Wolftown, Yellowhill, Paint Town and Big Cove within the 56,000 contiguous acres of the Qualla Boundary, deep in the heart of the Great Smoky Mountains of western North Carolina. Each tribal community has two representatives on the EBCI Tribal Council. Snowbird and Cherokee County communities combine to fill the remaining two seats. On a deeper community level, however, there are several additional communities which are,

politically speaking, subsumed by larger Tribal Council communities. Toe String, misspelled by the Great Smoky Mountains National Park as Tow String, for example, is politically part of the larger Big Cove community, but is separated by Tight Run Ridge, creating a geographic, and a political border as it lies outside the Qualla Boundary within the exterior boundaries of the Great Smoky Mountains National Park. Toe String, like many Appalachian communities, surrounded by immense second and third growth trees, consists of homes along a two-lane road that winds its way upward in elevation, which parallels a small rocky, narrow spring-fed mountain stream. Near the head of this road lies a Baptist Church which doubles as a community club. Toe String is its own community, but politically part of a larger one.

There are other micro-communities throughout the EBCI tribal lands, or what anthropologist William Gilbert, Jr., called “local neighborhoods.”¹ The Big Y community, in modern Jackson County, is part of the larger political boundaries of Wolfstown. To reach the Big Y community you travel another two-lane road, climb in elevation reaching more than 4,000 feet, and come to the eponymous “Y” in the road. To the left you continue to climb and enter Big Y, complete with its own separate community building, playground and Baptist Church. Like Toe String, the waters here are cold and rocky, and fall over several small precipices. Moreover, the tribal communities in Cherokee County consist of scatterings of even smaller tribal enclaves along the Valley River, Grape Vine Creek and Hanging Dog Creek. These smaller

¹ William Harlen Gilbert, Jr. “The Eastern Cherokee,” *Anthological Papers No. 23* (Washington, DC: Government Printing Office, 1943), 202.

communities are not only separated from Snowbird, which they are politically a part of, by modern county maps, but their geography is also different. Where Graham County is enclosed by immensely steep mountains, the majority of Cherokee County lies within the wide arms of the Valley River Valley. Farming remains a major economic contributor for Cherokee County and is enhanced by tourism and a large four-lane highway by western North Carolina standards. Graham County, on the other hand, languishes economically. Here one does not find large river valleys for farming, nor a vibrant tourist industry. It has been decades since the last lumber mills ceased production, and recent unemployment rates have risen due to the closure of a furniture factory, the last remaining industry.

I tell this to illustrate how the larger body-politic of the EBCI, with its 12,500 +/- enrolled members, exists within different communities and different borders. At times the EBCI Tribal Council does not agree, nor do these micro-communities agree, with the larger political community. At its very heart the EBCI is a world of families and communities, yet is separated on many levels, including North Carolina's politically drawn counties. The 56,000 contiguous acres, for example, were once part of Jackson County, but now is split by Jackson and Swain Counties, lest the tribe vote as a single block.² High school rivalries also separate tribal members between Swain County Schools, Jackson County Schools, Cherokee Central Schools, and Graham County Schools.

² Linda Parramore Culpepper, "Mountain Politics: What Happens If the Wrong Party Wins?," *Journal of Cherokee Studies* 16 (1991):38-74.

These differences are further emphasized for what is not said in the records about these tribal communities. When research began with the Birdtown, and later Toe String communities, I immediately went what I like to tell inquiring minds “a good place to start one’s investigation of the Cherokee people.” In 1897 ethnologist James Mooney published his “Myths of the Cherokee” as part of the 19th Annual Report of the Bureau of American Ethnology.³ This manuscript was published in book form in 1900. The latter is available online, while the former is available in any bookstore. When Mooney arrived in the mountains of western North Carolina as a twenty something former newspaper reporter, he interviewed as many white and Cherokee informants as were willing to speak about the past. Having no official collegiate anthropological training, Mooney took to the project like the young reporter and federal ethnologist he was. While there are many gaps in Mooney’s story, and local lore among the Cherokees is that he was told, heard, and wrote down what he wanted to write. None-the-less, Mooney’s investigations provide great political, economic and cultural details of turn of the twentieth century Cherokee communities that are often overlooked by federal officials and scholars.

Mooney wrote at a time of “salvage ethnography,” convinced that the old ways, the traditional ways, for whatever they were, would soon disappear. Still, he provided a good picture of turn of the twentieth century tribal politics and day-to-day life. For the scholar interested in answering some of the more pertinent questions raised by enrolled members, however, he left a great deal to be desired.

³ James Mooney, *Myths of the Cherokee* (New York: Dover Publications, Inc., 1995 [1900]).

I took to the communities' questions wholeheartedly and tried to represent the mission statement of the EBCI THPO under the circumstances. As I started thinking about my dissertation project, questions about why here, at the confluence of Soco Creek and the Ocanulftee Rivers; why the Qualla Boundary as a name, and why do family stories not always match up with the written accounts resurfaced. Again, enter James Mooney and his *Myths of the Cherokees*.

Mooney spent approximately twenty pages of his 180-page chapter "Historical Sketch of the Cherokee," on the EBCI. It is a devoir to William Holland Thomas, a local white entrepreneur turned land speculator, turned lawyer, turned self-made Indian Agent, turned Confederate Colonel. Thomas looms larger than life in the writings of Mooney. For Mooney, without Thomas' efforts there would be no Qualla Boundary, no Cheoah and Cherokee County communities, and no EBCI. For Mooney, Thomas nearly singlehandedly saved the North Carolina Cherokees. In his words, "To Colonel William Holland Thomas the East Cherokee of today owe their existence as a people, and for half a century he was intimately connected to their history as John Ross with that of the main Cherokee Nation."⁴

Mooney also paid homage to the memory of two Cherokee leaders in the early history of the Qualla Boundary, Yonaguska and Nimrod Jarret Smith. Yonaguska, according to Mooney, served as a central figure in navigating the terrible events of the forced removal of 1838, but died soon afterwards prior to the formation of the EBCI.⁵

⁴ Mooney, *Myths of the Cherokee*, 159.

⁵ Mooney *Myths of the Cherokee*, 162-163. Of Yonaguska's traits, Mooney wrote he was "the most prominent chief in the history of the Eastern Cherokee . . . In person he

For the nineteenth century displaced Cherokees, however, Yonaguska, or Drowning Bear, provided a central voice of calm and organization during the desperate years of Cherokee removal. Moreover, today many enrolled members of the EBCI consider Yonaguska as a founding figure not just of the post-removal tribal communities around Qualla Town, but of the eventual EBCI. The most prominent figure in the history of the EBCI body-politic, for Mooney, was Principal Chief Nimrod Jarret Smith. Chief Smith, for Mooney, guided the young EBCI through the turbulence of federal court cases of the 1870s resulting in the establishment of the Qualla Boundary. During his tenure as Principal Chief, tribal lands began to be held in trust by the federal government. For Mooney, Chief Smith, not Yonaguska, represented the centralizing figure in the federal recognition of the EBCI.⁶

Much of this information about Thomas, Yonaguska and the establishment of the Qualla Boundary Mooney learned first-hand from Thomas, or through interviews and correspondences with the EBCI, Thomas' family, or James Terrell, one of Thomas' former business assistants. It is not so unusual that much of Mooney's depictions of Thomas and Yonaguska were told in half-truths, oral traditions and apocryphal events. I am reminded, not just with Mooney, but with the plethora of other archival materials, that it is not always what is written that is intrinsically important, but the context of the

was strikingly handsome, being six feet three inches in height and strongly built, with a faint tinge of red, due to a slight strain of white blood on his father's side, relieving the brown of his cheek. In power of oratory he is said to have surpassed any other chief of his day . . . He was a prophet and reformer as well as a chief."

⁶ Mooney wrote glowingly of Smith, "In person Chief Smith was a splendid specimen of physical manhood, being six feet four inches in height and built in proportion, erect in figure, with flowing black hair curling down over his shoulders, a deep musical voice, and a kindly spirit and natural dignity that never failed to impress the stranger." Mooney, 178.

writing. Even more important is what is left usually silent. For example, Mooney devoted a great deal to Yonaguska's supposed former alcoholism, and how he once fell into such a stupor Cherokees thought he had died. As Yonaguska, according to Mooney, lay in state, he suddenly awoke and warned the people about the horrors and threats brought by whiskey. While this may or may not have happened, early post-removal tribal communities never-the-less signed onto a temperance movement.

Mooney wrote that after the land cessions and land sales in 1820, Thomas' mother purchased property at the confluence of the Oconaluftee River and Soco Creek near the location to where Yonaguska and other Cherokees began to settle following 1820 displacements. What is more, Mooney stated, "In his [Thomas'] capacity as agent for the eastern Cherokee he laid off the lands purchased for them into five districts or 'towns,' which he named Bird town, Paint town, Wolf town, Yellow hill, and Big Cove, the names which they still retain, the first three being those of Cherokee clans."⁷

These post-removal Cherokee communities are among a larger number of displaced tribal communities which will be examined throughout the narrative which follows. These Cherokees were displaced from their farms and homes, but what I am really talking about is a process I call hyper-displacement. This conceptual framework spotlights immediate economic, political, and legal demographic and socio-cultural repercussions of displacement on peoples by emphasizing the continuity of violence throughout each displacing episode. By the 1820s, Cherokees in portions of western North Carolina, eastern Tennessee, northern Georgia and northern Alabama increasingly

⁷ Ibid., 161.

found themselves displaced from former Cherokee landscapes, and reformulating tribal communities, often on the borders of increasingly hostile white population settlements. Cherokees navigated each displacing episode as communities or neighborhood groups. The initial nineteenth century displacements within this narrative destroyed the physical settings of tribal communities but did not always break apart the cultural networks which lay at the heart of Cherokee communities.

In fact, the Cherokee root term for town or community is *gaduhi*. This is the same term for *gadugi*, or work group. Raymond Fogelson and Paul Kutsche noted that Cherokee informants during their 1956 fieldwork stated that *gaduhi* represented a specific town, while *skadugi* more accurately represents a “township; for example, Big Cove.”⁸ Today *gadugi* is translated as a group of unskilled laborers who function in the community as a work group for a community-based project, such as chopping wood for elders, or painting some community building.

At its essence, however, *gadugi* and *gaduhi* represent the physical actions of the tribal concept of *tohi* or *osi*, that is, living life on the level, or life as it should be lived. In particular, *tohi*, according to Heidi Altman and Thomas Belt, means “smoothly flowing, evenly and moderately paced, fluid, and peaceful,” and reflects the ideal state of the world.⁹ As *tohi* is an ideal state, deviation occurs when individuals or collectives “cause

⁸ Raymond D. Fogelson, and Paul Kutsche, “Cherokee Economic Cooperatives: The Gadugi” in *Symposium of Cherokee and Iroquois Culture*, (Washington, DC: Government Printing Office, 1961), 88.

⁹ Heidi M. Altman, and Thomas N. Belt, “Tohi: The Cherokee Concept of Well-being” in *Under the Rattlesnake: Cherokee Health and Resiliency*, (Tuscaloosa: The University of Alabama Press, 2009), 14.

the fluidity to disperse, or to encounter obstacles.”¹⁰ Furthermore, for Altman and Belt, as *tohi* most often applies to a “state of being of the world,” *osi* “refer to the proper or neutral state of the individual.”¹¹ These terms represent idealized patterns of to help each other, to act as one group for the betterment of the whole community, and how communities should engage other communities, be they Cherokee or non-Cherokee. As such, *gadugi* is the physical enactment of *tohi* and *osi*.

Moreover, the Cherokee term for bread, *gadu*, here implies a coming together for the purposes of fellowship, or ceremonially feasting as a community, as *gaduhi*. Therefore, *gaduhi* represents *gadugi* writ-large as the community or town itself. In his 1943 ethnographic work among the EBCI, William Gilbert, Jr. noted that local *gadugis* were among several cultural factors, including town stickball teams, or town dance teams, which organized town networks through “ritualistic and kinship connections.”¹² The nineteenth century Cherokees throughout this narrative were physically displaced from established constructed towns, but the cultural networks of *gaduhi* was not always broken apart. This knowledge helps us understand how many groups of Cherokees navigated displacement or removal as “communities.”

Following the federally mandated Indian Removal Act of 1830, hyper-displacement for Cherokees culminated in the 1838 removal of the Cherokee Nation East. For those who remained east I expand Gloria Anzaldúa’s “new mestiza” to analyze hyper-displacement. For Anzaldúa, living in the southwestern United States was like

¹⁰ Altman and Belt, “Tohi,” 14.

¹¹ Altman and Belt, “Tohi,” 17.

¹² Gilbert, Jr. “The Eastern Cherokees,” 202.

being a “member of a colonized people in our own territory.”¹³ Hyper-displacement does not parse-out the varying displacing episodes, but analyzes the compounding effects of each. For example, in chapters three and four discuss displaced Cherokees who sought monetary compensation before Cherokee Claims Commissions for their removal loses were forced to apply for spoliation claims before federally appointed white legislatures who had initially urged for removal. Other times displaced Cherokees were forced to venture to military installations, or, as in the case of New Echota, their former national capital which the US government commandeered for the purposes of overseeing the removal itself. In other words, hyper-displacement focuses on the myriad of compounding secondary impacts of displacement, not just the physical displacement.

Hyper-displacement enables scholars to similarly examine resettlement in a new political and economic landscape to understand the impacts of removal on the cultural landscape. Historically, when Cherokee populations faced loss of towns and homes due to warfare, they often rebuilt within a tribal landscape. Such a cultural landscape is one wherein the stories are alive, and places are attached and honored based upon oral traditions passed down through the generations. These are landscapes of deep-time among an oral tradition community. In situations of hyper-displacement, however, those connections were not completely severed, but are often increasingly affected by a settler community, not a Cherokee community.

¹³ Gloria F. Anzaldúa, *Borderlands / La Frontera: The New Mestiza* (San Francisco: Aunt Lute Books, 2012 [1987]), 19.

Communities

This dissertation will analyze how Cherokees maneuvered individually and communally through the hyper-displacement period between 1820 and 1847 (define hyper-displacement here). In what form did pre-removal tribal communities survive these turbulent times? To do this I explore in detail archival materials relating to Cherokee displacement in the southeastern states by emphasizing Cherokee personal, economic and political networks utilized by every day tribal people to maintain pre-existing communities as later re-built displaced communities. This dissertation will further show how displaced Cherokee people physically and symbolically moved. I will employ an ethnohistoric method in the analysis of archival materials.

I have chosen to describe a series of events of Cherokee hyper-displacement through various vignettes which will move the reader through time and space. By establishing context within the records is to fully understand and appreciate all these people went through. Personal connections are lost as various removal era records were separated into so many files and compartments. Similarly, historical Cherokee people themselves are displaced within various archives and agencies from their original displacement context by this compartmentalization. For instance, records of the fourth Board of Cherokee Commissioners are found today in scattered collections at the National Archives and Records Administration (NARA) in Washington, DC, in the Penelope Johnson Allen Cherokee Collection (PJACC) in Nashville, Tennessee, and in the John Ross Papers at the Thomas Gilcrease Institute of American History and Art in Tulsa, Oklahoma. These records are so scattered it was very difficult for me to gather

them for this dissertation, and well-nigh impossible for descendant communities to access them. Such archival displacement and compartmentalization has enabled silences to continue. Hyper displacement analysis reconnects Cherokee people with time and place.

We can identify Cherokee communities in a pre-removal and a post-removal setting west and East of the Mississippi River. Yet, were these *newly formulated* communities, or did Cherokees emigrate to various locations *as* communities? Did hyper-displacement shatter existing collective networks during hyper-displacement episodes, or were tribal people able to maintain any networks when resettling? To this end, how do Cherokee communities assert their identities?

I do not define community as just a nuclear settled area. In fact, historian Henry T. Malone noted in 1954 that nineteenth century Cherokee villages were more often a collection of “scattered houses” or “cluster of houses” as an area, “more nearly like a township.”¹⁴ This dissertation expands our understanding of community as a dynamically layered network of people, ideals, desires and fears, or what sociologist Miller McPherson called “issue-related interpersonal communications.”¹⁵ Here community is defined as a collective of people who gather for mutual support, as networks of interpersonal relations.¹⁶ The search for community is therefore multi-layered, multi-sited and situationally fluid. Communities represent a culturally based

¹⁴ Henry T. Malone, *Cherokees of the Old South* (Athens: University of Georgia Press, 1956), 119.

¹⁵ Miller McPherson, Lynn Smith-Lovin, James M. Cook, “Birds of a Feather: Homophily in Social Networks,” *Annual Review of Sociology* 27 (2001):415.

¹⁶ Mark S. Granovetter, “The Strength of Weak Ties,” *American Journal of Sociology* 78, no. 6 (1973):1360-1380.

collective of people, and, as such, are socially constructed, maintained, displaced and reformulated. This dissertation then is not just an intent to geographically locate any given community, although at times it is necessary to locate communities to better understand post-displacement settlement patterns. Instead, the following analysis understands community as a cultural phenomenon constituted by opportunities of interpersonally bordered networks.¹⁷

In other words, I wish to analyze how communities and neighborhoods of Cherokees navigated the increasingly violent displacements of the nineteenth century. By emphasizing the community as *gaduhi* through *gadugi*, scholarship begins to explore the bordered interpersonal and intracommunal networks which are foundational to community. Each person was responsible for their network, be their clan, their family, their town or their region. Identity, as such, was fluid, and yet bordered based upon given inter- and intra- cultural interactions.

Basing investigations on nineteenth century Cherokee communities solely on archaeological site boundaries limits our understanding of the human element of community as a process. Community becomes a place wherein actors act in selected spaces. In such a cultural analysis, place becomes a social landscape.¹⁸ For urban

¹⁷ Peter D. Killworth, H. Russell Bernard, Christopher McCarty, "Measuring Patters of Acquaintanceship [Comments and Reply]," *Cultural Anthropology* 25, no. 4 (1984):381-397; J. Miller McPherson, Lynn Smith-Lovin, "Women and Weak Ties: Differences by Sex in the Size of Voluntary Organizations," *American Journal of Sociology* 87 (1982):883-904.

¹⁸ Prem Kumar Rajaram, " 'Making Place': The 'Pacific Solution' and Australian Emplacement in the Pacific and on Refugee Bodies," *Singapore Journal of Tropical Geography* 24, no. 3 (2003):290-306.

educator Jennifer Adams, recreation of place animates former feelings and emotions. For her “place becomes a social artifact.”¹⁹ Jewish literary scholar Barbara Mann articulated pre-displacement memory of space and place as an important contributing element in post-displacement community construction.²⁰ She explored how internally displaced Palestinians in Israel socially constructed the layout of their displaced landscape by reconstructing the landscape from memory. In a way, the living, social landscape, such as apartment building layout and building names, become memory sites.

Borders

I wish to show when, why and how Cherokee community identities and loyalties shifted throughout the hyper-displacement era as part of a larger identity formation process. Anthropologist Robert Alvarez suggested that border studies should highlight how shifting identities and behaviors reconfigure our “social patterns at the dynamic interstices of cultural practices” and can strengthen borders.²¹

There is a famous quote attributed to Yonaguska sometime between 1830 and 1838. When discussing the loss of the 1819 reservations he stated many Cherokee will never leave their homelands. In an 1848 speech attributed to Yonaguska, but more than likely memorialized by William Holland Thomas, a local businessman and lawyer for many North Carolina Cherokees, he reportedly stated:

As to the white man’s promises of protection, they have been too often

¹⁹ Jennifer D. Adams, “Theorizing a Sense of Place in a Transnational Community,” *Children, Youth and Environments* 23, no. 3 (2013):45.

²⁰ Barbara E. Mann, “‘An Apartment to Remember’: Palestinian Memory in the Israeli Landscape,” *History and Memory* 27, no. 1 (2015):83-115.

²¹ Robert A. Alvarez, Jr., “The Mexican-US Border: The Making of an Anthropology of Borderlands,” *Annual Review of Anthropology* 24 (1995):462.

broken; they are like the reeds in yonder river – they are all lies. North Carolina had acknowledged our title to these lands . . . and we will continue to raise our corn in this very land . . . The white man must have a flat country for his plough to run easy, but we can get along even among the rocks on the mountains. We never shall do what you want us to do. I don't like you for your pretended kindness. I always advise my people to keep their back for ever turned towards the setting sun, and never to the leave the land of their fathers.²²

This powerful statement expresses beautifully a bordering process. By highlighting the differences between white and Cherokee mid-nineteenth century settlement patterns, Yonaguska expressed what Krasteva called “multiple scales” and “multiple agencies” of the processes inherent in identity spatialization.²³ Without hyper-displacement the multiplicity of voices networked across and through multiple layers are lost within parceling out of data to various locations and groups. Bordering and networks enable us to analyze the various “sites of competition and fights for meaning, significance and power.”²⁴ A bordered and networked ethnic-landscape approach emphasizes boundaries as “discursive landscape[s] of social power, control, and governance.”²⁵ The border, therefore, can be inward and outward expressions and representations of the institutionalization of national and local routinized symbols that shape collective identities. In other words, borders also imbue social networks across space and time.

²² George Frizzell, “The Native American Experience,” in *The History of Jackson County* (Sylva: The Jackson County Historical Association, 1987), 46.

²³ Krasteva, “Spaces, Lines, Borders: Imaginaries and Images,” 15.

²⁴ Ibid.

²⁵ David Newman and Anssi Paasi, “Fences and Neighbours in the Post-Modern World: Boundary Narrative in Political Geography,” *Progress in Human Geography* 22, no. 2 (1998):196.

Borders are also socially constructed, dynamic and fluid wherein the process of community is enhanced and operated spatially.

Networks

The process of community is often enacted through socially constructed and bounded inter- and intra-personal networks. Individual and collective cultural networks empower people to act. Networks equal social relations. Network theories urge us to foreground in our research actors' expressions of the layers and fluidity of their networks.²⁶ To what degree are individuals, communities or regions connected as responses to opportunities or constraints of power, influence, control, motivation, interests or flow of information? Networks are made visible by understanding the durability and sustainability, or the weakness or fragility, of actors' associations.²⁷

In a hyper-displaced world, some former borders are disconnected, and new boundaries installed by a foreign people, not by known cultural quantities. Pre-existing social networks become strained by new economic, political and social realities. Former

²⁶ John Law, "Notes on the Theory of Actor-Network: Ordering, Strategy, and Heterogeneity," *Systems Practice* 5, no. 4 (1992):379-393; Wouter de Nooy, "Fields and Networks: Correspondence Analysis and Social Network Analysis in the Framework of Field Theory," *Poetics* 31 (2003):05-327; Annemarie Mol, "Actor-Network Theory: Sensitive Terms and Enduring Tensions," *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 50, no. 1 (2010):253-269; Christian Abizad, Oliver T. Coomes, Yoshito Takasaki, Stéphanie Brisson, "Social Network Analysis of Peasant Agriculture: Cooperative Labor as Gendered Relational Networks," *The Professional Geographer* 67, no. 3 (2015):447-463.

²⁷ Granovetter, "The Strength of Weak Ties"; J. Miller McPherson, Lynn Smith-Lovin, "Women and Weak Ties: Differences by Sex in the Size of Voluntary Organizations"; Miller McPherson, Lynn Smith-Lovin, James M. Cook, "Birds of a Feather: Homophily in Social Networks"; Robert Oppenheim, "Actor-network Theory and Anthropology after Science, Technology, and Society," *Anthropological Theory* 7, no. 4 (2007):471-493.

strong, and deeply rooted attachments are frayed, but not completely broken, while new connections are established. Understanding networks in the scholarship of displacement pivots on the development, construction and maintenance processes of power and marginalization following displacement.

Analysis of social networks enables scholars to realize collective and individual agency as responses to, and strategies of, constructing and maintaining social relations. The application of hyper-displacement analysis to nineteenth century Cherokee communities emphasizes the interconnectedness of concerted efforts of state and federal agencies to increasingly marginalize and displace tribal peoples, while at the same time insisting on a synchronic discussion of tribal self-determination.

Probing networks helps us visualize how communities are formed, shaped, destroyed and re-created. In contrast, when following a strictly settlement pattern approach, what is understood of a typical post-American Revolution, or early nineteenth century Cherokee community most often pure locational data. Town border radius was often curtailed due to water courses, ridge lines or other geographic limitations. Defining towns solely on location information, however, does not provide information about the social characteristics of the community. Communities are expressions of multiple layers of networks and manifested by shifting and fluid individual and collective identities. These important cultural characteristics can be anthropologically deduced through scrutinizing different types of networks and different cultural elements within them.

By analyzing cultural networks embedded within the construction of community, prospective of identity or even power is also manifested. In the case of this dissertation

these representations and manifestations are *vis-à-vis* settler colonialism of federal and state authorities. In later chapters, we will learn that following the treaties of 1817 and 1819, Cherokees selected individual reservations within newly ceded lands. This selection process has been analyzed before, but much has been overlooked. Once some of the archival materials are put back in their original order, clear expressions of community and regional choices and variations become apparent. These are the silent witnesses in the record, the “hidden and partially concealed geographies of people.”²⁸

For science and technology scholar Bruno Latour, network analysis engages with the actor to “deploy the full range of controversies in which they are immersed.”²⁹ This dissertation will apply the ethnographic present, or “in the moment” approaches, to the archival data to understand local controversies of extensive cross-cultural engagements. For example, it is important to call the group by their proper in the moment name, such as “Cherokee Nation east of the Mississippi river” or “Cherokees on the Arkansas river.” This after all was the verbiage of the Treaty of 1817, instead of simply “Cherokee Nation” or “Old Settlers.” Such names have historic usages most often applied to tribal communities, not those utilized by said communities. Part of this narrative is an effort to utilize historically, and culturally appropriate names for, and spelling of, nineteenth century Cherokee individuals and communities. For instance, I have utilized the name

²⁸ Warr Gundy and Karin Dean, “The Boundaries of Contested Identities: ‘Kachin’ and ‘Karenni’ Spaces in the Troubled Borderlands of Burma,” in *Routing Borders Between Territories, Discourses and Practices*, (Burlington: Ashgate Publishing Limited, 2003), 85.

²⁹ Bruno Latour, *Reassembling the Social: An Introduction of Actor Network Theory* (Oxford: Oxford University Press, 2007), 23.

and spelling of “Arkansaw” to represent the historical name of both the tribal communities west of the Mississippi River, the river on which many Cherokees lived prior to 1828, as well as the spelling often utilized to represent the entire western post-removal tribal lands. [root in the introduction as a community imperative and within ethnohistory].

Ethnohistory as Methodology

As such, in what ways tribal individual and community identities were maintained during the period of hyper-displacement between 1820 and 1847? This research will move throughout time and space. The four Cherokee communities chosen for analysis were all affected in different ways by hyper-displacement. First, we will look at how Cherokees of western North Carolina sought to hold onto their lands following the treaty of 1819. Individually selected tribal reservations were autonomous tribal enclaves surrounded by Euro-Americans within the exterior boundaries of states which called for their removal. Following the sale of their lands at state auction, whites harassed and displaced Cherokees in 1820. Homeless Cherokees found themselves faced with new social, political and economic networks and borders. What is more, as whites now controlled the best agricultural lands, Cherokees could no longer simply rebuild their communities. This research will show several alternatives posited by displaced Cherokees. Several Cherokee reservees chose to migrate west across the Little Tennessee River into the far western portions of North Carolina boundaries of the Cherokee Nation. Other displaced Cherokees emigrated west of the Mississippi River to the Cherokee communities along the Arkansas, and Red Rivers. Finally, around 340

Cherokees congregated near the confluences of the Tuckaseegee, Oconaluftee Rivers and Soco Creek. This last option formed the center of what would eventually become the Qualla Boundary and the EBCI.

Chapter three explores the second set of tribal communities and regions located west of the Mississippi River along the Arkansas and Red Rivers in modern day Arkansas. These are often called the Old Settlers, but the proper, nineteenth century term, and the one chosen for this dissertation, is the “Cherokees on the Arkansas river,” or simply the “Arkansaw Cherokees.”³⁰ This research will explore the displacement of these Cherokee communities following the Treaty of 1829, and their eventual emigration further west into modern day Oklahoma in and around the re-establishment of Dwight Mission on Sallisaw Creek, Indian Territory, which re-opened on 1 May 1830. These communities are very important for this research, for the archival data suggests several former North Carolina Cherokee reservees emigrated to Arkansas only to be displaced again in 1829.

Chapter four explores a third set of Cherokee communities established after the post-1838 forced removal of the Cherokee Nation East. I concentrate my studies on the post-displacement tribal communities in the Skin Bayou and Delaware Districts in modern day Oklahoma. These two Cherokee Nation districts are important due to the high number of former North Carolina Cherokees settling within these two districts. Finally, the hyper displacement analysis returns east to analyze the formation of the

³⁰ Richard Peters, *Treaties Between the United States and the Indian Tribes* (Boston: Charles C. Little and James Brown, 1848), 157.

Qualla and Cheoah communities in post-1838 North Carolina. These scattered tribal settlements, at first a series of semi-autonomous communities, eventually formed the nucleus of the EBCI.

Cultural Change

This research will move through time and space. Therefore, ethnohistory is the best method to debate the larger issues of diachronic *vs.* synchronic analysis *vs.* cultural change. Ethnohistory as a methodology has a rich history regarding cultural change among Native American populations. Following Carmack's call for ethnohistory to illuminate the social forces behind cultural change by critically reading and analyzing the "historically accumulated patterns," early ethnohistorical research cross-disciplinarily examined "cultural history."³¹ One fundamental question posited in studies of cultural change is to what extent has the "traditional" been replaced by the "new"? Yet, culture is socially constructed, and entangled with new technologies, borders, networks and other social interactions? Culture history is shadowed by our own reconstructions of an idyllic past.³² In many ways what are called "traditions" are often our physical interpretations of the past. Traditional symbols do not necessarily depend, however, on the past. In fact, many "traditions" are symbolic because of the meanings presently assigned to them.

³¹ Carmack, "Ethnohistory: A Review of Its Development, Definitions, Methods and Aims," 228, 236.

³² Richard Handler and Jocelyn Linnekin, "Tradition, Genuine or Spurious," *The Journal of American Folklore* 97, no. 385 (1984):273-290.

Cultures and communities often strategically construct traditions to state the case theirs is an “authentic” culture.³³

At other instances deep time ties a people to place by interweaving community with cosmography. For instance, there are many stories among the Cherokee, particularly the EBCI, I have been told are so old it does not matter when such and such event took place, or even if it even historically happened. What is important is the lesson within the story, and yet, the story is embedded within the landscape. Deep time is something akin to understanding both the sacred and cultural connections to a given landscape. How do you define a place which the Creator gave to the people? It is someplace which has been made sacred by what those in the past continuously did at, or ascribed to, a place. There are countless stories in the archival record where Cherokees were asked if they built a mound. Their answer, “We didn’t” implies deep time, for what they are saying is we didn’t build the mound, but our grandmothers and grandfathers did. It was therefore handed down to us to maintain and protect. In fact, the name for the EBCI THPO in the Cherokee language roughly translates “Keepers of what they did.” Who *they* were does not necessarily matter, but it is our responsibility to look after them in the here and now. This is how I understand deep time as it was instructed to me.

This dissertation does not intend to completely delineate culture change in terms of adaptations and new networks, but it does acknowledge how change, assimilation or acculturation, are only some aspects of identity formation. For the Cherokees, I often use

³³ Eric Hobsbawm, “Introduction: Inventing Traditions,” in *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983), 1-14.

the term “limited-acculturation.” These are situations in which Cherokees might play a fiddle, but dance Cherokee dances instead of Euro-American dances. In other words, limited acculturation involves strategic situational utilization of non-Cherokee language, technology, or techniques, or what Riggs called a “new, synthetic Cherokee ‘civilization.’”³⁴ Throughout this narrative intelligent Cherokee men and women understood “the system” as constructed by non-Cherokee white settler rule, and recognized the situational nature of individual, community and regional identity. Therefore, it only seems right to explore elements of acculturation on a case by case, situation by situation basis, instead of generalized accounts of forced adaptation, or reactionary acculturation, often in the face of increased Euro-American political or economic marginalization.

My work indirectly joins the culture change discourse by exploring the plethora of networked community changes experienced by Cherokees due to increased regional, community, and individual marginalization. Past examinations of post-removal Cherokees focused on tensions between “progressive” or acculturated Cherokees and “full blood” or traditional Cherokees, and the degree to which the forced removal of 1838 affected the creation of a new society.³⁵ Anthropologist Charlotte Neely argued the 1838 forced removal “created a nearly homogenous society by draining off the progressive

³⁴ Brett H. Riggs, “Removal Period Cherokee Households in Southwestern North Carolina: Material Perspectives on Ethnicity and Cultural Differentiation” (Dissertation, University of Tennessee, 1999), 541.

³⁵ John R. Finger, “The North Carolina Cherokees, 1838-1866: Traditionalism, Progressivism and the Affirmation of State Citizenship,” *Journal of Cherokee Studies* 5, no. 1 (1980), 17-29.

Cherokee faction and leaving behind the conservative faction.”³⁶ Historian and anthropologist Duane King, on the other hand, explored how post-removal Cherokees collectively constructed memory of removal. For King, their marginalized status within an increasingly non-Cherokee western North Carolina, and with the Cherokee Nation West, enabled the emerging EBCI to socially “define themselves” based on “ingrained oral traditions” surrounding the removal of 1838 as an emphasis for group preservation.³⁷ Native American scholar Christine Dupres’ and archaeologist Christopher Rodning’s use of group memory and cultural commonality markers express local tribal agency in their depictions of fluidly relational negotiations of space, place and time in the construction of new social, economic and political realities in a post-displacement world.³⁸ I will engage these works by critically paying attention to the effects of hyper-displacement on social organization. Today there is a political difference between the three federally recognized Cherokee tribes, the EBCI, the Cherokee Nation and the United Keetoowah Band of Cherokee Indians (UKB). How did displacement, and subsequent emplacement events, stimulate these differences?

³⁶ Sharlotte Neely, “Acculturation and Persistence Among North Carolina's Eastern Band of Cherokee Indians,” in *Southeastern Indians: Since the Removal Era* (Athens: The University of Georgia Press, 1979), 156.

³⁷ Duane H. King, “The Origin of the Eastern Cherokees as a Social and Political Entity,” in *The Cherokee Indian Nation: A Troubled History* (Knoxville: The University of Tennessee Press, 1979), 165-166.

³⁸ Christine Dupres, “Landscape and Identity: Continuity of Identity and Attachment to Place in the Cowlitz Indian Tribe,” *Fabula* 51 (2010):75-89; Christopher B. Rodning, “Reconstructing the Coalescence of Cherokee Communities in Southern Appalachia,” in *The Transformation of the Southeastern Indians, 1540-1760* (Athens: The University of Georgia Press, 2002), 155-175.

All four Cherokee communities under investigation experienced widespread agricultural, economic and landscape displacement. Displaced Cherokees adapted to new farming practices, even at the micro-level of arable lands, livestock ranging capabilities and distances from markets. In Chapter Two analyzes the distances between farms in relation to newly established community centers, or new market locations, post-1828 displaced Arkansas Cherokee communities reflect expressions of emplacement and (re)emplacement in the navigation of displacement and resettlement.

New Indian History

Framing research from the local-out enables us to appreciate the deeper ramifications of cultural continuity, not just culture change. Emphasizing indigenous agency enables ethnohistorical investigations to combine linguistic, archaeological, archival and cultural anthropology in their research. To explore the rich fluidity and flexibility of their socio-economic world is to begin to move past stereotyped images of Native Americans as only reacting to broader agency of Europeans or Euro-Americans, sensitive to time and place.

Under such circumstances, our narratives reside in the local. As such, in what ways did Cherokees assert their own motivations and desires during periods of displacement? Moreover, by re-orienting our perspectives on communities as processes, such as following historian Daniel Richter's call to "explore the greater events . . . through life stories," in what ways is agency fluid and situationally asserted?³⁹ By

³⁹ Daniel K. Richter, *Facing East From Indian Country: A Native History of Early America* (Cambridge: Harvard University Press, 2001), 109.

exploring hyper-displacement through several salient vignettes not only bring the silenced voices of removal to life, but argues that all Cherokees during the period of hyper-displacement were affected in numerous ways by federal and state authority, and Euro-American westward expansion.

Foregrounding tribal research on local articulations of identity, place and space is but one way to return cultural anthropology, and ethnohistory, to Indian country. My own research was first posited in a tribal community. Many questions investigated here were first asked by tribal members while I worked as a tribal employee. Therefore, through co-construction of scholarship tribal questions and concerns remain relevant and central. Concentrating on life stories in narrative form not only makes the research much more readable, but tackles what anthropologist Orin Starn called the “gray areas of native life.”⁴⁰

This dissertation also engages Choctaw historian Devon Mihesuah’s pertinent question about why “write about Indians anyway?”⁴¹ The narrative which follows is my attempt to answer a few questions first asked by tribal community members. Hyper-displacement is a tool which helps explore these answers by focusing on Cherokee perspectives, yet it is also limited in studies beyond displacement. For instance, the hyper-displacement of the Cherokee removal from the southeastern U.S. was only forty years out of a 13,000-year period of human occupation in the Appalachian Highlands,

⁴⁰ Orin Starn, “Here Come the Anthros (Again): The Strange Marriage of Anthropology and Native America,” *Cultural Anthropology* 26, no. 2 (2011):190.

⁴¹ Devon A. Mihesuah, “Introduction,” in *Natives and Academics: Researching and Writing about American Indians* (Lincoln: University of Nebraska Press, 1989), 8.

ridges, and valleys the of Appalachian terminus. While a portion of this research does fulfill the requirements for a degree, at its heart it is an attempt by a rural kid from Ohio, who happened to be invited into a community, to answer a few questions for that very community.

My best attempt to answer Cherokees' questions about why here, today, in this specific location, is to explore individual, familial and community histories. The seat of agency lies in the locally layered, multi-faceted constructions and deconstructions of identity and networks. This dissertation is not just another analysis of how nineteenth century Cherokee collective identity eroded in reaction to federal and state governmental dominance. Instead, it emphasizes what historian Lucy Murphy called "collective self-determination" to highlight new post-displacement social, political and economic relations.⁴²

The Sources

Record Group 75: Records of the Bureau of Indian Affairs

The main data source for my analysis are the records of the first, second, third and fourth boards of Cherokee Claims Commissions located at the National Archives in Washington, D.C. These records provide invaluable detail regarding the trauma of hyper-displacement inflicted upon the Cherokee, but also provide pivotal information about Cherokee efforts to delay early efforts to displace them, survive displacement and reconstruct community between 1820 - 1847. The 1835 Treaty of New Echota provided

⁴² Lucy Eldersveld Murphy, *A Gathering of Rivers: Indians, Metis, and Mining in the Western Great Lakes, 1737-1832* (Lincoln: University of Nebraska Press, 2000), 9.

many stipulations regarding land cessions, payments for former individual Cherokee debts, commodified removal subsistence. More importantly, the treaty created boards of Cherokee Claims Commissions. Between 1835 and 1847 the federal government established four boards of Cherokee Claims Commissions.

These boards heard individual Cherokee cases and made determinations regarding claims of spoliation for itemized losses following the displacements following the treaties of 1819, 1828 and 1835. The most pertinent articles of the Treaty of 1835 were first, twelfth, and sixteenth, which dealt primarily with the Cherokee Claims Commissions. The US viewed these three articles as the practicable conclusion of the centralization of federal policy towards eastern Native Americans. In reality, these three articles only exacerbated a decade old befuddled situation regarding land rights issues and created new bureaucratic entanglements which would last another twelve years.

Spoliation claims illustrate immediate residency locations from 1838 through 1842. This information is important to understand where Cherokees settled immediately following the forced removal in 1838, or where concentrations of displaced Arkansas Cherokees lived following their emigration west from the Arkansas Territory in 1829. These data, collectively, show how well communities managed to stay together from the eastern Cherokee Nation to the west.

The prevailing oral stories of the removal of the Cherokee Nation East portray the US Army, or state guards, capturing Cherokees in their fields and at their homes. The evidence in these and other spoliation claims does not dispute these stories. Yet, there seems to be a prevailing sense in many of the oral stories that once Cherokees entered the

various concentration camps, especially Fort Cass, outside Calhoun, Tennessee, communities were shattered. The evidence in these Cherokee Nation west fourth Board claims, however, portray a different narrative. Individual Cherokee families might have been captured by the troops, whole communities were uprooted during the roundups. Moreover, it seems that once in larger concentration camps, such as Fort Cass, communities tried very hard to stick together. Additionally, it is clear that emigration detachments heading west often consisted of whole communities. Once in the west Cherokees did their best to emplace their former community and family networks. This is clearly seen when witnesses testified to being “close neighbors” from the old country in claim affidavits.

Fourth Board of Cherokee Commissions

The largest collection of data pertaining to Cherokees who remained in the east following removal can be found in Record Group 75, Entry 250. This set is located within the National Archives, Washington, D.C. The records of the fourth Board include thousands of spoliation claims, improvement claims from 1819 and 1838, and preemption claims.

The eastern fourth Board papers include the most important information about the early Qualla Cherokees in modern day Jackson and Swain Counties North Carolina, and Cheoah Cherokees, modern day Graham and Cherokee Counties North Carolina. These people who remained east represent the ancestors of the modern day EBCI. Moreover, where the Penelope Johnson Allen collection covers a wide range of locations throughout the former Cherokee Nation. While this entry includes other sections of the former

Cherokee Nation, North Carolina represents the largest percentage of claims. These Cherokees benefited, because of the tremendous efforts of white lawyers representing tribal claimants, especially William Holland Thomas. As such, the North Carolina Cherokee communities remain the most visible Cherokee communities in the fourth board removal records at the National Archives.

The question, therefore, turns on where to begin the search for Cherokee communities and Cherokee identities during the traumatic period of hyper-displacement? The cultural phenomenon of place-making analyzes place as formed, interrogated, and interpreted through social activity and is decidedly relational in nature. Place making, as such, is performance related. Sociologist Barbara Ellen Smith and political scientist Stephen L. Fisher wrote that exercise and control of space have become powerful metaphors of home.⁴³ For them, “place-based meaning” is materially and symbolically intrinsic to the identity of communities.⁴⁴

As such, this dissertation explores the meaning of Cherokee community and tribal identity not by parsing out nineteenth century Euro-American actions of displacement as separate historical events. Instead, displacement scholars need to examine the larger impacts on Cherokee lives, and implications of federal and state place-making alongside tribal interpretations. Moreover, while there is tremendous value in analyzing one site, one family, one community, this dissertation will show that Cherokees, missionaries,

⁴³ Barbara Ellen Smith and Stephen L. Fisher, “Transformations in Place” in *Transforming Places: Lessons from Appalachia* (Urbana: University of Illinois Press, 2012), 267-291.

⁴⁴ Smith and Fisher, “Transformations in Place,” 267.

state and federal officials did not separate and parse out displacement of tribal communities. Instead, this dissertation will show how each act of displacement was interwoven with others throughout the southeast, the Arkansas territory and the Indian Nations in modern day Oklahoma. This is what is meant by hyper-displacement, as each displacing episode builds in intensity, and families and entire communities find unique ways to navigate cultural, economic, and legal displacement. Hyper-displacement not only illustrates Cherokee actions of self-determination in the face of an increasingly hostile white settler bureaucracy but moves through space and time to follow their lives through displacement to re-settlement. Hyper-displacement is a context wherein the displaced not only have no recourse for redressing displacement, but find themselves foreigners, or strangers, in their own lands.

It is my intention, therefore, to show this interrelatedness through a narrative analysis across time and space. I begin in North Carolina, and the seminal and evocative treaties which provide foundational discourses for federal, state and tribal identities throughout the hyper-displacement period. The Treaties of 1817 and 1819 instigated an ongoing discourse on individuality versus collectivity for both Cherokees and whites. Moreover, these two treaties illustrate the strength and weakness of interpersonal and legislative networks. Why, then, start in North Carolina? There remains in several archives, most notably the National Archives, a wealth of archival data pertaining to North Carolina Cherokees, and more importantly, it was here the questions were first asked of me all those years ago.

CHAPTER TWO

NORTH CAROLINA CHEROKEE COMMUNITIES, 1819-1824: THE SELF DETERMINATION OF COMMUNITY PRESERVATION IN PLACE

Introduction

In 1817, and again in 1819 the United States (US) federal government and Cherokee leaders concluded two which allowed for heads of Cherokee families to select individual reservations of 640 acres or remove to the Arkansas territory with their brethren who had established other Cherokee communities. There were two types of reservations, life-estates and fee simple. Life-estates were selected by heads of households and could be inherited or sold by heirs or widows. Fee simple reservations could be sold at any time. William McLoughlin's study, Brett Riggs' archaeological report, and William Jurgelski's dissertation are among the only sources dealing in depth with the Cherokees and treaties of 1817 and 1819.⁴⁵ Riggs focused on reservation locational data. Jurgelski expanded Riggs' locational data by emphasizing individual reservee choices in selecting and attempting to hold onto the reservations. William McLoughlin, on the other hand, deliberated the legality of the reservation clauses in both

⁴⁵ William G. McLoughlin, *Cherokee Renascence in the New Republic* (Princeton: Princeton University Press, 1986); Brett H. Riggs, *An Historical and Archaeological Reconnaissance of Citizen Cherokee Reservations in Macon, Swain, and Jackson Counties, North Carolina* (Raleigh: North Carolina Division of Archives and History, 1988); William Martin Jurgelski, "A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829" (Dissertation, University of Georgia, 2004).

treaties. This chapter focuses on the Treaty of 1819 to argue that Cherokee responses to North Carolina reservations represented in-the-moment adaptations to maintain former Cherokee networks and communities.

Jurgelski's dissertation is the most in-depth historical investigation ever produced about the history of the 1819 reservations, particularly those in North Carolina. This research, however, differs from Jurgelski's diachronic analysis of the reservations as Cherokee attempts to remain in their homeland. Instead, I take a more synchronic approach by highlighting how locational elements pertaining to the selection of reservations reflected a concerted, and continued effort to verbalize a unique political regionality which pre-dated the treaties. The 1819 reserves and reservations were local examples of how larger networks enacted and emplaced during the extended period of Native American displacement throughout the southeastern US. Moreover, investigations of claims and letters of the Cherokee Claims Commissions elucidate how the treaties of 1817 and 1819 began a period of hyper-displacement in Cherokee history which increased in severity over time and affected multiple generations over a 30-year period.

The selection and location of 1819 reservations by Cherokees is a discourse on displacement navigation. For the North Carolina General Assembly, the ceded territory opened additional lands for white settlement, while producing state funds through subsequent land sales. For federal officials, the two treaties represented a new venture in the removal of southeastern Native peoples. For North Carolina Cherokees, in particular, white settlers pushed tribal personal and communal networks to the limits by taking the

center of the Cherokee cosmological world. Whites circumventing all federally demarcated borders and settling on lands of deep time cultural significance to the Cherokee people during the early stage of hyper-displacement. Not only were tribal people displaced from their farms, homes, and graves of their loved ones, but from the very intrinsically Cherokee cosmographic fabric. If whites could control even the heart of lands which the Creator had given the Cherokees, where else could they go? The white land rush which followed the Treaties of 1817 and 1819 began a forty-year period which effected all Cherokees, in the east and the west. As such, hyper-displacement was violent from the very beginning on physical and metaphysical levels.

Boundary Lines

The Treaty of 1816 ceded the remaining Cherokee lands in South Carolina. This treaty stipulated the borders between South Carolina, North Carolina and the Tribe were those west of a line from the Chattuga River “to a rock on the Blue Ridge, where the boundary line crosses the same, and which has been lately established as a corner to the States of North and South Carolina” and further to include a portion of lands set aside during the negotiations held at Fort Jackson on 9 August 1814.⁴⁶ This corresponds to a border line between parcel numbers 13 (Treaty of Tellico Blockhouse in 1798) and 29 (Treaty of 1819) shown on the Charles Royce map (Figure 2.1). Of special significance is the “Meigs Line Surveyed 1802 52° S 30’ E.”⁴⁷

⁴⁶ Peters 1848,139.

⁴⁷ C. C. Royce, *Map of the Former Territorial Limits of the Cherokee “Nation of” Indians ; Map Showing the Territory Originally Assigned Cherokee “Nation of” Indians* (Library of Congress, 1884).

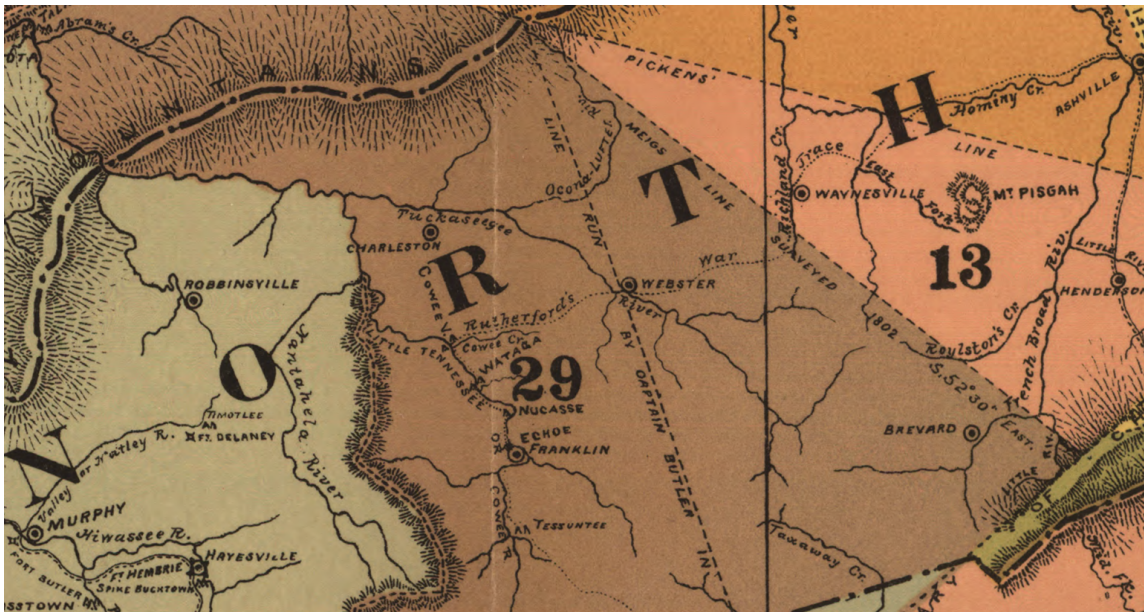


Figure 2.1. C. C. Royce, *Map of the Former Territorial Limits of the Cherokee "Nation of" Indians*.⁴⁸

The “Meigs Line,” or the “Meigs – Freeman Line” represented the extent of North Carolina in 1816. This federal undertaking was surveyed in 1802 by Thomas Freeman, working under a contract by Col. Meigs. According to a North Carolina Highway Marker just within the city limits of Sylva, North Carolina, the line represented an “INDIAN BOUNDARY. Near here the highway crosses Meigs-Freeman Line surveyed 1802. Boundary between whites and Cherokees until 1819.”⁴⁹ For Cherokees, however, the Meigs-Freeman line represented a boundary line at their front door and guarded the entrance to the sacred, the central cosmography of the Cherokee people. Commencing near Mt. Collins in the Great Smoky Mountains, the Meigs-Freeman Line headed east / south east “roughly paralleling the north bank of the Tuckasegee River.”⁵⁰ This line

⁴⁸ Library of Congress, 1884

⁴⁹ Unknown, “Meigs-Freeman Line Retain Significance,” *The Sylva Herald and Ruralite*, 26 Nov 2009.

⁵⁰ *Ibid.*

represented a federal project within the exterior chartered limits of North Carolina. It provides an early federal line of demarcation, not unlike the Proclamation Line of 1763 through which British authorities intended to separate colonial white settlement from Indian lands.⁵¹

By cosmography I mean instances when stories are not just attached to a certain landscape, but they seem to emanate from the very rocks and vegetation. Beyond lay the center of tribal cosmography where First Man and First Woman lived, where the stories breathed life into the Cherokee, where sacred waters of the Tuckasegee River washed the Mother Town. Over the years while working and living among the EBCI, I learned beyond the line were the lands given to the people by the Creator.

Known locally as “the Tuck,” the Tuckasegee River traverses portions of modern Swain and Jackson Counties, and plays an important geographic role in the cosmography and myth-shed of the Cherokee. At the confluence of Caney Fork Creek, near the river’s headwaters, you enter the myth-shed of Judaculla, a powerful figure in EBCI lore. Judaculla, more than any other ancient story, features in many stories and locations throughout the region. He is cherished as a teacher who was created prior to man. Judaculla Rock is also located along Caney Fork Creek. This rock is perhaps the ultimate boundary marker in Cherokee cosmography. Stories are told among the EBCI of a time before man, when the Creator created other beings which were not necessarily corporeal like humans. These beings had supernatural powers, and many were shape shifters.

⁵¹ Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America* (New York: Oxford University Press, 2006).

What is even more interesting about these creations is the lack of corroboration in other southeastern Native cultures. These are truly Cherokee stories. Among the more famous were Stone Skin, who had skin like stone, so tough it could not be pierced by man's arrows or knives. "He" walked around smelling with a stick and preferred the taste of children for his meal over any other creature. Another story tells of Spearfinger, who, once "she" found a victim, would shape shift into the image of a loved one. Once "she" was brought into the home she would wait until everyone was asleep and then, with her "spear like" finger would pierce the body of "her" victim and eat their liver.

Judaculla was the most famous of all these types of the Creator's creations. While many stories of other creations tell of their ultimate demise, it is said by EBCI story tellers that Judaculla "still abides" high in the mountains around Devil's Courthouse and Grave Yard Fields deep along the Blue Ridge Parkway, or in other deep back mountain portions of the Pisgah and Nantahala National Forests. Over time whites transliterated his name as a "Devil," with evil mystical powers to seduce and judge humanity for their transgressions. According to signage at Devil's Courthouse, Judaculla sat on his judgement seat and condemned any person to death who crossed his border, marked by Judaculla Rock, to hunt upon his lands (Figures 2.2, and 2.3). He too is



Figure 2.2. Judaculla Rock, no Date, Early Twentieth Century.



Figure 2.3. Judaculla Rock, Present Day.

considered a shape shifter, but stories of his shape shifting do not include death by dismemberment. Instead, Cherokees describe him as the great teacher. His stories revolve around importance of family and progressing through life with *tohi*, or balance in everything, from hunting to farming. As you continue further east / southeast on US 19 through Jackson County, past Western Carolina University and Caney Fork, the road narrows as you begin to climb and climb in elevation. Huge rhododendrons, blossoming in June and July so the sides of the mountain appear like waves of blues and purples, but remain the deepest of greens the rest of the year, seem to touch across the road. Deep cold springs feed the moss covered and rocky East and West Forks of the Tuckasegee. Here ancient paths led to and from ancient towns. As you near the crest of the mountains, where you seem perilously on the side of ever-increasing mountains, South Carolina lies like a gaping hole below. Here is considered by many among the EBCI the “Eastern Gate” to Cherokee country. This gate, it is told, was once guarded by *the* Turtle, a powerfully strong, and brave warrior. The Tuckasegee River itself is a transliteration of the Cherokee word *daksi*, or turtle.⁵²

⁵² One of the stories of how the Turtle’s shell became cracked describes how he was indeed very powerful, but proud to the state of vanity. It is said he once fought off several of the leading wolves in the Black Top Balsams. He was later seen using their ears as spoons. He found himself surrounded one day while eating soup and using those very ears as spoons, by some very powerful wolf relatives. A tremendous battle ensued, and the mighty turtle fell off the side of the white cliffs of White Side Mountain, which are a part of the Eastern Escarpment which separates North and South Carolina. He fell so far and so hard that his shell was cracked, but not shattered. It is said the Turtle remains “up there” to this day, ever vigilant, ever protective of the Eastern Gate and the Tuckasegee Valley.

The lands described here are living landscapes for the Cherokee and are ways to translate how the stories are *of* a place. Among the Cherokee it is one thing to say you are *from* a place, but a completely different meaning to be *of* a place; to become completely intertwined with the unique physical, linguistic and cultural landscape. Additionally, Cherokees have always been a people of towns and regions. While sharing a common heritage, a common bond of kinship, language, spiritual calendar, myths and oral traditions, Cherokees have an affinity for space and place that is both individual and communal. Still today, many Cherokee people consider the Tuckasegee River an important river, almost a sacred river. The Mother Town lies upon this river, and stories rooted in deep time are part of Cherokee cosmography of the river valley and high mountains.

Town Borders

Decisions of one town were not beholden to other towns. During the 18th-century, the Cherokee Lower Towns could decide to go to war, but could not compel the Middle, Valley or Overhill Towns to join them. These town clusters are indicative of a long-standing practice of regionality. At any given time, your most important social relationship, network, and responsibility was to your clan, your town, or your region. The selection of 1819 reservations were individual choices, while maintaining a perpetuation of regionality.

The records illuminate personal and communal struggles to remain Cherokee in the town and region of their lives, where their ancestors were buried, where their children were born, where they had improved the lands with their own hands. While other

scholars have successfully focused on the locations of reservations to ground truth nineteenth century Cherokee material culture, this dissertation moves beyond just the archaeological remains of structures and pits to speak with the records, to listen to the heightened sense of individual and communal self-determination.⁵³

To be sure Cherokee people recognized their town or improvement was located in North Carolina, Georgia, Tennessee, or Alabama. At the same time, they lived within the boundaries of the Cherokee Nation, and considered themselves outside the various states, protected by the federal government, with whom they had placed trust to protect those boundaries. The story of the North Carolina Cherokees, and for that matter the hyper-displacement of the Cherokee people from the southeastern US, begins with the proverbial scratch of a pen, at one such small town in a bend of the Tuckasegee River called Kituwah.

“we are left to do the best we can for ourselves”: October 1816 Kituwah Council and Steps Towards the Reservations

Buried in a National Archives microfilm set entitled “Records of the Cherokee Indian Agency in Tennessee, 1801-1835” (M 208) are two letters brilliantly illustrating the notion of hyper-displacement, and individual, communal, and regional acts of self-determination. From October 1816 through April 1817 Cherokees living within the charted limits of North Carolina urged Colonel Return J. Meigs, Cherokee Indian Agent

⁵³ Brett H. Riggs, *An Historical and Archaeological Reconnaissance of Citizen Cherokee Reservations in Macon, Swain, and Jackson Counties, North Carolina* (Raleigh: North Carolina Division of Archives and History, 1988); Brett H. Riggs, et. al, *An Archaeological Survey of the Ferguson Farm, Swain County, North Carolina* (EBCI Cultural Resources, 1998).

residing at Hiwassee Garrison on the Hiwassee River in eastern Tennessee, to maintain the boundaries of the Cherokee territory within North Carolina.

These North Carolina Cherokees were fed up with white intrusions on Cherokee lands, disdained the state's lack of respect for tribal treaty rights, and questioned the federal government's ability to uphold treaty stipulations. Moreover, these letters spotlight a strong willingness to remain in the traditional aboriginal territory, and more importantly, a strengthening of regional variation. I have often struggled to answer why most personal reservations were selected by North Carolina Cherokees. It is true that 1819 reservations were selected in Tennessee, Georgia and Alabama, yet, for some reason, the largest percent were in North Carolina. These letters highlight a uniquely North Carolina defined Cherokee sense of political autonomy and regional solidarity among a people whose borders were rapidly shrinking and whose collective networks were increasingly strained.

Increasing white intrusion across the Cherokee boundary was central in each letter. More than just intrusion, "They [whites] are making settlements on our lands almost every day" (1816) or "there is more a' coming in everyday" (1817).⁵⁴ For generations Cherokees actively participated in the determination of treaty boundaries. The 1785 Treaty of Hopewell established the Cherokee boundary within the charted limits of North Carolina. It is not the intent here to dissect every tribal treaty land

⁵⁴ Records of the Cherokee Indian Agency in Tennessee, 1801-1835, microfilm M-208. Letter from the Council House at Kittawah to Return J. Meigs, 17 Oct 1816, and Letter from Yona Equa or Big Bear and Luca or the Bat to Return J. Meigs, 14 April 1817. Hereinafter cited M 208.

cession, but analyze the validity of federally established boundary markers, in the face of long established tribal cultural boundary markers. By 1816 North Carolina Cherokees no longer held faith that the federal government could protect them from white border crossers and squatters. Yet curiously, within three years over fifty Cherokee heads of households determined collectively to establish individual reservations within newly ceded lands and accept US citizenship in the hopes the US federal government would uphold the chain of responsibility.

Let us first unpack the October 1816 letter for its meaning and place it in the larger contexts of the Treaty of 1819:

Council House Kittawah, October 17th 1816

Friend and Brother,

As you are put in the place of our father the president to see further done to us by our white brothers, and that we should do justice to them, for this reason we now apply to you for to put a stop to the white people settling our lands and to have those removed that are already settled who are of no use to us, by every information (unless there is something done in this case) there will not be a spot for our young men to settle on in a very short time. They [the whites] are making settlements on our lands almost everyday, you as agent run the line betwixt our nation and the state of North Carolina that each might know their boundary, the settlements mentioned above are made and making on our side of the line, we wish you to consider of this, you have lately come from the president and we expect you have had his advice and instruction what to do in this case, you have always wrote to the settlers to remove, this we plainly see will not do, as they pay no regard to your letters, you must come yourself in person and see how affairs stand and take measures on this spot for having the removal of those people put in execution – If you do nothing for us in this (as you know the treaties made betwixt and our white brothers and [page damaged] from our father the President) we must finally conclude that we are left to do the best we can for ourselves and must act accordingly – you are placed as agent for the whole nation and has never as yet paid any regard to us; whereas the lower part has engaged the whole of your attention and it rather appears to us as if you did not take us for any part of the nation or that we ought not to be taken notice of. Those who have settled on our lands have their fire arms and threaten death to any of our people who will

offer to put a stop to their intrusions, this we think calls loudly for your presence and makes us write in the manner we do, done in council by us.

Tuckasege Dick Interpreter
John Fergus, clk.

Yona Equa or Big Bear
Kittatahee Big George
Junaluska Will nota
Yona Giskah Keetatche
The Thigh The Frog
Big Tom Culasosse

Hyper-displacement begins place by place. This letter was more than a plea by Cherokee leaders to have Col. Meigs remove white intruders. Instead, they urged him to assist in protecting home and the sacred. This letter posited the very real possibility there would soon be no territory remaining that was completely Cherokee. It is imperative to note Cherokees consider the Tuckasegee River Valley as the center of what it means to be Cherokee. In fact, Mooney stated that the ceremonial name for the people was *AniKituwahgi*, literally translated as “The people of Kituwah.”⁵⁵ Moreover, Mooney wrote how the term also signified the “controlling influence over those of all the towns on the waters of Tuckasegee and the upper part of Little Tennessee,” as Kituwah was listed as “a mother town” in a 1730 census.⁵⁶ If whites could move in amongst the most Cherokee of all landscapes, where was there left to remove?

⁵⁵ James Mooney, *Myths of the Cherokee*, 15. It is noteworthy that Mooney latter expanded on *AniKituwahgi* to state that while this indeed translates as “the people of Kituwah” at various times the Delaware, Shawnee and other Algonquian speakers used the term Kituwah in reference to the Cherokee, not calling them Cherokee.

⁵⁶ *Ibid.*, 182.

The date line, “Council House Kittwah” is intrinsically important to this narrative. This one little date line provides so much information that it can easily be overlooked. Either a town council, or a regional council existed at Kituwah in 1816. When I first came across this letter while at the EBCI THPO we believed that Kituwah, as a functioning town with a mound and / or associated townhouse, ceased to exist following the destruction of the town during the American Revolution. This one line, however, represents a mistake not understanding tribal communities as a process. By 1816 the council at Kituwah was a townhouse for just one Cherokee town, *per se*, but a townhouse among many across the former Middle Town region. The townhouse at Kituwah served as a regional townhouse for several tribal towns, not unlike district courthouses from the Cherokee Nation in the 1820s and 1830s.

The writers of this letter believed the main role of the Agent was to intercede and protect their rights. Col. Meigs represented the president of the United States in-the-moment, “As you are put in the place of our father to see further done to us by our white brothers.”⁵⁷ Of utmost concern in 1816 was a call for Meigs to uphold his end of the chain of friendship, and administer the rule of law of the federal government. They, in turn, were holding their end of the chain “that we should do justice to them,” so they believed it was not their duty, but Meigs’.⁵⁸ These Cherokees wisely utilized the boundary stipulations of the Treaty of 1792, creating the Meigs – Freeman Line, to urge him to act in his capacity as Cherokee Agent. “[Y]ou as agent” they wrote “run the line

⁵⁷ M 208, 17 Oct 1816

⁵⁸ Ibid.

betwixt our nation and the state of North Carolina that each might know their boundary.”⁵⁹ The October 1816 letter from Kituwah illustrates in-the-moment concerns of white encroachment across the Meigs-Freeman line, and settlement in the very heart of North Carolina Cherokee cosmography.

Since the earliest days of contact with Europeans, Cherokees continually dealt with border crossings and settlement intrusions. By 1816, however, there was increased concern regarding the ability to co-exist side-by-side with North Carolina whites. This letter is among the first to really illustrate the level, and threat, of displacement for Cherokees in the second decade of the nineteenth century. “Unless there is something done in this case” they wrote “there will not be a spot for our young men to settle on in a very short time.”⁶⁰ It is as if the rules have changed in North Carolina as they wrote, “Those who have settled on our lands have their fire arms and threaten death to any of our people who will offer to put a stop to their intrusions.”⁶¹

These men argued that North Carolina whites knew the boundaries as well as any Cherokee, but completely disregarded its markers, or the letters to cease and desist issued from the Cherokee Agency. They believed Meigs acted as minister plenipotentiary to the Cherokee people. Surely he would address their concerns as they stated “you have lately come from the president and *we expect* you have had his advice and instruction what to do in this case.”⁶² Today there is a keen sense among the all three federally recognized

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

Cherokee tribes that if you learn something of importance, and come to a time need to instruct someone also on a feature of cultural importance, it is your responsibility to act accordingly. If you do not, and if things go awry, it is not the fault of the original instructor, or the community, but yourself. This axiom is brilliantly expressed here the North Carolina Cherokee expectations they had regarding Meigs' role among communities.

Tensions along the North Carolina / Cherokee border were further exacerbated by internal tribal discourses about representation. The Kituwah Council letter reminded Meigs' of his responsibilities to all Cherokees. Various regional tribal communities, several years prior, had politically deliberated bisecting the Nation between Upper Towns, which would include North Carolina, and towns in portions in Georgia and Tennessee. William McLoughlin called this period of tribal political division "The Cherokee Rebellion."⁶³ According to McLoughlin the Upper Towns became increasingly concerned, especially by 1808 that the influence of Lower Town leadership would control the emerging National Council. If Lower Town leaders could overwhelmingly vote in favor of additional land cessions and treaties, the Upper Town Cherokee, living already within the most exposed and marginalized portions of tribal territory, would be economically, politically and socially hit hardest. In the end the Broomstown Council, modern day Alabama, inaugurated a national spirit within the people which culminated in the Cherokee National Constitution of 1827.

⁶³ McLoughlin 1986,109.

The Kituwah Council accused Meigs of neglecting them as “the lower part has engaged the whole of your [Meigs’] attention.”⁶⁴ The division remained in the minds of the Cherokees as cultural and political regionality continued and manifested itself in expressions of self-determination. If certain parts of the Cherokee region chose economic acculturation and the axioms of the federal civilization program so be it. No power existed among the Cherokee in 1816 to fully legislate acculturation or civilization nation-wide.

What is more, I overlooked one central item in the Upper Town’s 1808 request to be separated from the Lower Towns that points directly towards the treaties of 1817 and 1819. In May 1808 Upper Town tribal leaders requested Col. Meigs to run a dividing line between them and the Lower Towns not only to ensure proper attention from the federal government and equal distribution of the annual federal tribal annuities, but because they wished “to have certain tracts for farms, laid off for each family inclined to be farmers.”⁶⁵ The 1819 individual reservations are a direct result of this request for individual tracts to be “laid off.” Upper Town and Kituwah council leaders were very proactive in their acts of self-determination. These requests explain the unprecedented willingness to register for reservations. In other words, Cherokees anticipated the reservation clauses of 1817 and 1819.

Of the eleven signers of the Kituwah Council letter in 1816, nine (Tuckaseegee Dick / Richard Walker, Yona Equa / Big Bear, Junaluska, Yonaguska, Big Tom, Big

⁶⁴ Ibid.

⁶⁵ M-208 Letter #2055, 5 May 1808.

George, Willnota, Keetatchee and Culasosee or Cullasowee) registered for reservations. Yonaguska, Big Tom and Willnota selected their reservations at, or within very close proximity to, the Kituwah Council House. In fact, according to later affidavits and ancillary evidence found within the papers of the fourth Board, Yonaguska's reserve was where he "had an improvement at the Kitewoo [Kituwah] Town house on Tuckasega river a branch of little Tennessee, in what is now Macon County North Carolina, the place where Mark Coleman now resides."⁶⁶ Oral tradition among the EBCI is that Yonaguska, Willnota and Big Tom were brothers. In this letter is evidence that some reservations were locationally selected by family to keep familial networks together. Other times family members lived apart. Junaluska, for example, selected his reservation "above Sugar Town" near present day Franklin, North Carolina, while his father Kitatahee selected a reservation near the confluence of Burning Town Creek on the Little Tennessee River, a few miles upriver from Junaluska. Gideon F. Morris, Junaluska's brother-in-law, stated that Junaluska's reserve was "above, and near, about two miles off from Sugar Town," yet it remained part of greater Sugar Town.⁶⁷ The emphasis of the 1819 reservations, then, was centered on place, and remaining in place.

Of all these reservations Cullosowee's stands out as among the most interesting. While he met with other headmen at Kituwah, his reservation was said to be located in eastern Tennessee at Pumpkin Town, or more precisely "on a hill near where James

⁶⁶ National Archives and Records Administration/Record Group 75/Entry 218/Box 2. Hereinafter cited as NARA/RG 75/E 218.

⁶⁷ NARA/RG 75/Entry 250/Box 2/Gideon F. Morris dated 1 March 1843. Hereinafter cited as NARA/RG 75/E 250.

McAmy Esqr afterwards built a store house in pumpkin town, then the Cherokee nation.”⁶⁸ It is impossible to know for sure why this man met in council at Kituwah, and unlike the others, registered for a reservation in another portion of the Cherokee Nation. Such reservation selection choices, however, does present evidence for matrilineal residence among nineteenth century Cherokees. Ray Fogelson, a preeminent Cherokee ethnographer, believes that after marriage Cherokee men moved to their wife’s town following strict tribal matrilineal cultural practices. Yet, if they divorced, or became widowers they tended to return to the town of their birth, or back to their mother’s town.⁶⁹ As they aged these men might return home and become headmen of their birth town, not their wife’s town. Those who chose reservations could be described as politically liberal in the classical definition but were not about to embark on a completely non-culturally prescribed venture by going against matrilineality. Even today Cherokees remain a community minded people. I have known several enrolled members of the EBCI who, born in one community, say Wolftown, married someone of another community, say Birdtown. They reside with their spouse and children in Birdtown but return “home” to Wolftown to cast their vote during primary and general elections.

The Kituwah Council Cherokee headmen concluded, on the basis of a long-standing cultural practice of local self-determination that if Meigs would not agree to personally deal with North Carolina citizens’ threats of physical violence and increasing white settlement within the Cherokee bounds, they would “do the best [they] can for

⁶⁸ RG 75 /E 250/Box 1.

⁶⁹ Ray Fogelson, personal communication.

ourselves.”⁷⁰ This letter is Cherokee regionalism writ-large. I do not infer violence begets violence, but that these Cherokee leaders found themselves open to recommendations to remain on their improvements, and in their own towns and regions. It is only coincidental that this letter was written less than 14 months before the treaty that allowed for the greatest self-determinational acts since the commencement of federal treaties.

**“The old people met together and the young people also met together & consulted”:
December 1816 Tusquitty Council**

Even though individual Cherokees selected personal reservations, as per the treaty stipulations, often they included specific locales whereon multiple Cherokee families resided. Reservations were often selected to maintain community cohesion. Where the October 1816 Kituwah Council letter plainly spelled out for Col. Meigs the desire to determine their own course of action in terms of borders, boundaries and community, the next important letter called for unity in decisions to remain “where they are to many ages or generations.”⁷¹ The December 1816 Tusquitty Council letter was written from another regional townhouse and regional council. Even though those present at the council meeting are unknown, the letter was signed by Sicatowee, another 1819 reservee.

Message from the Cherokee Valley Towns, sent by Sickatowee, on of the chiefs of the said Valley Towns.

Brother I have now come to see you. This is the place or that Cherokees and their older brothers to talk. We live at the head waters of this river (Hiawass) and there is several of our old chiefs yet living there. Brother, you have lived a long time in our nation, which has greatly increased since you came first here. They wish still to live where they are [page damaged] to many ages or generations. The Great

⁷⁰ M 208, 17 Oct 1816.

⁷¹ M 208, 18 Dec 1816.

Spirit is above us all, the white people are now all around us & we are just like an island, we want the ancient lines yet to stand. We & our older brothers, went off to war together. We were called on by the heads of our nation to go to war. We went hand in hand with General Jackson & soon brought about a peace. General Jackson then told us that we need have no dread on our minds for it was now peace. The young Turkey, our former king told us that we must only turn our minds to the increase of our people. We do not want to go towards the setting sun, we want to remain towards the rising sun. General Jackson told us that if we would help him that we should have more land. What I have said to you is the talk that was at our council at Tusquitto from the towns as low down as Coosa Towees. The old people met together and the young people also met together & consulted & then both parties me & their talks were the same as we give you now. We want you to write to the President & let him know that they want to send six chiefs from the valley town to make him a visit to ask our father advice what is the best for us. We have picked out the men to make this visit – it is proper for children to go & see their father. They do not know where our father lives, we wish to go and see where he lives.

Sick-a-tow-ee – His Mark

Cherokee Agency
18th December 1816

This letter was the result of a regional council held at Tusquitty Town, located in modern Cherokee County, North Carolina. Even though this letter’s dateline reads “Message from the Cherokee Valley Towns” this regional council included Cherokees from as far south as “Cossa Towees,” likely Coosawatee, a town located on the Coosawatee River in northern Georgia. The October Kituwah Council letter included regional North Carolina towns located on the Little Tennessee and Tuckasegee River such as Kituwah, Bearstown, Burningtown, Sugar Town and Cowee. The December Tusquitty Council was another region, often collectively called the Valley Towns, which included Valley Town itself, modern Cherokee County, Tusquitty, and at least Cossawatee Town. More importantly, both regions were part of the 1808 Upper Towns region.

There are other important similarities between the two letters. For example, both urged Col. Meigs to maintain tribal boundaries. Both argue that by 1816 whites were living nearly everywhere in the North Carolina portions of the Cherokee Nation. In fact, there were so many white settlers beyond the Cherokee border in 1809, that according to the Haywood County Land Entry Book, entry 88, located on Scots Creek, modern Sylva, North Carolina, included “a school house.”⁷² Where the Kituwah Cherokees wrote, “They [whites] are making settlements on our lands almost everyday,”⁷³ the Tusquitty Cherokees stated “the white people are now all around us & we are just like an island.”⁷⁴ Clearly Cherokees in North Carolina were greatly concerned over the increasing, or even hyper-normalization of white settler disregard of Cherokee boundaries.

The Tusquitty Cherokees demanded of Col. Meigs to defend their tribal lands by letting “the ancient lines to stand.”⁷⁵ Even though the exact location of the “ancient lines” is left unknown, there are locational hints. For instance, in 1808 John Norton traveled throughout the Cherokee country, presumably on a visit to his Cherokee family, but possibly also seeking tribal information for the British in regard to Cherokee feelings about the American government. An Iroquois by birth, Norton had many close relatives among the Cherokees, especially in and around the Chickamauga Valley, modern day Chattanooga, Tennessee and Fort Oglethorpe, Georgia. On one of his travels he ventured as far north as the Hiwassee River, modern day Hamilton County Tennessee. He wrote

⁷² North Carolina State Archives/Haywood County Records/Land Entry Book, 1809-1842. Entry 88 is dated 28 Nov 1809. Hereinafter cited as NCSA/HCR/LEB.

⁷³ M 208, 17 Oct 1816.

⁷⁴ M 208, 18 Dec 1816.

⁷⁵ Ibid.

how these Hiwassee Cherokees thought of themselves as a region unto themselves, politically and economically separate from their kinsmen farther to the south. The “ancient lines” of the Tusquitty Council letter was Norton’s Hiwassee River boundary line. The December Tusquitty Council letter argued “We live at the head waters of this river (Hiawass) and there is several of our old chiefs yet living there.”⁷⁶ Where the Kituwah Council region included those towns from the Tuckasegee and Little Tennessee Rivers, in modern Swain, Macon and Jackson Counties North Carolina, the Tusquitty Council region included tribal towns on the Hiwassee River in Tennessee, modern Hamilton, Bradley, and Polk Counties, and as it meanders through the southern terminus of the Appalachian summit into modern day Graham, Cherokee and Clay Counties, North Carolina. The Tusquitty region included towns not only on the Hiwassee River, but also the Valley River and Nottley River in North Carolina, and Georgia, the Ocoee River in Tennessee; and the Coosawattee River in Georgia. The Tusquitty region also had a larger population. Nonetheless, by 1816 both regions were inundated by white squatters within the Cherokee national border.

At the same time there are some telling dissimilarities between these two letters. For instance, the Tusquitty Council letter requested Col. Meigs set up a meeting between “six chiefs from the valley town” and President James Madison “to ask our father advice what is best for us.”⁷⁷ There is no mention in the Kituwah Council letter of President Madison, or a request for a meeting. The Tusquitty Council letter stated that the

⁷⁶ Ibid.

⁷⁷ Ibid.

Cherokees throughout the region consulted first amongst themselves before writing Meigs, and there was also a recognition of a relationship between the themselves and the federal government. The Kituwah Council letter, on the other hand, illustrated a much more independent “we must conclude that we are left to do the best we can for ourselves.”⁷⁸ While I am not saying the Tusquitty Cherokees are intimating they only will do what the President instructs, the Kituwah region was more regionally independently minded.

Another important difference in the Tusquitty Council letter is the insistence that, “The old people met together and the young people also met together & consulted & then both parties met & their talks were the same as we give you know.”⁷⁹ At no time did the Kituwah Council make such a generational distinction. It is important, however, to point out that the Tusquitty Council came to their conclusions only after lengthy, multi-generational consultations. It is clear both regions wished to remain in their homes and farms, but the Tusquitty Council were adamant, “We do not want to go towards the setting sun, we want to remain towards the rising sun.”⁸⁰ Here is a slight difference of meaning of home in this letter. Where the Kituwah Council letter requested that “each might know their boundary,” meaning whites and Cherokees, there is no intimation regarding a removal threat. Yet, the threat of removal was very much front and center in the hearts and minds of the Tusquitty Council. The ancient lines to stand, and “we” don’t want to leave our homes and farms.

⁷⁸ M 208, 17 Oct 1816.

⁷⁹ M 208, 18 Dec 1816.

⁸⁰ Ibid.

One last point of interest in the Tusquitty Council letter is the lack of headmen marks, or signatures. Where the Kituwah Council letter listed 11 Cherokee headmen in attendance, unfortunately no list of headmen in attendance at the Tusquitty Council aside from Sickatowee “one of the chiefs of the said Valley Towns” remains.⁸¹ It is important to note, however, that Sickatowee also registered for a personal reservation in 1819. Interestingly similar to Cullosowee’s reservation location, Sickatowee was listed as “one of the chiefs of the said Valley Towns” in 1816, yet according to his fourth Board paperwork filed by his children Tunih, Chunaleyah, Watlih and Skinnenhi, his reservation was located “on Tuckasega river Haywood Co NC.”⁸² Sickatowee’s reservation location could evidence again the movement of Cherokees throughout their lives. It could also be something as simple as Cherokees living on and around his future reservation, knowing he was a headman in Valley Town, and asking him for help to remain in their homes. There is no evidence that he lived on his reservation, and, as discussed with Sam Wacheessee in Chapter One, Cherokees had multiple farms and did not always live on all the improvements.

“And to each and every head of any Indian family”: The Treaty of 1819

The treaties of 1817 and 1819 were contiguous documents. The Treaty of 1819 remains paramount for discussion purposes for the remainder of this dissertation. By comparing the Cherokee signers of 1817 with 1819 applications it is apparent that Roman Nose, John Walker, George Lowrey, Richard Taylor, Walter Adair, The Bark of Chota,

⁸¹ Ibid.

⁸² RG 75/E250/Box 11/Cullosowee.

Beaver Carrier, James Martin, John McIntosh and Katchee of Cowee were Upper Town Cherokees. This is only a speculation based on the known locations of several of these Cherokees, and the fact that these men applied for individual reservations in 1819.

First, the Kituwah Council letter was signed by Big Bear, Kittatahee, Big George, Junaluska, Will nota, Yona Giskah, Keetatchee, the Thigh, the Frog, Big Tom, and Culasosse. Among these men, only the Frog is not listed as a reservee.⁸³ These men make clear their belief that Meigs had neglected their part of the nation as “the lower part has engaged the whole of your attention.”⁸⁴ Their remarks were made only nine months prior to the conclusion of treaty negotiations, and Keetatchee, among the signers of the 17 October letter, was also a signer of the Treaty of 1817. By 1816, Cherokees residing in the Tuckasegee and Little Tennessee River Valleys were ready to separate from the larger Cherokee population. Something had to be done to protect their lives and property, and a dividing line, creating another Cherokee group as the Arkansaw Cherokees, might have been exactly what they were deliberating that autumn of 1819.

The Treaty of 1817 was established “to carry into full effect the before recited promises with good faith, and to promote a continuation of friendship with their brothers on the Arkansas river,” however, in fact, the treaty was established “to make an equal distribution of the annuities secured to be paid by the United States to the whole Cherokee nation,” and a land cession.⁸⁵ In the middle of Article two, declaring the

⁸³ This is of course only an estimation as there is no Frog that I have found applied for a reservation. If he did apply for a reservation one should search under Walosi “frog.”

⁸⁴ M-208, 17 Oct 1816.

⁸⁵ Peters 1848, 157.

amount of land to be ceded by the “whole Cherokee nation” it is stated “Beginning at the Indian boundary line that runs from the north bank of the Tennessee river, opposite to the mouth of the Hywassee river.”⁸⁶ Again and again the Hiwassee River in Tennessee played a prominent role as a regional boundary marker.

It is not only about great events like a revolution that illustrate sovereignty and self-determination, but also the small, every-day choices of individuals. Itemized claims as an act of agency and self-determination are among the most extraordinarily mundane to read yet provide the best articulations of everyday efforts to resist displacement. Article seven of the Treaty of 1817 established the procedures of future treaties and claims commissions follow. I have always found it interesting that many individual claims seem to stagger across time and place. At first, the early reservation displacement claims attest to lost improvements and amounts of land, while the latter spoliation claims are entire household and farming itemizations. I was never able to explain why the claims seem to change over time. Upon closer reading, the answer lies in Article 7. Claims were allowed under this article “for all improvements which add real value to the lands within the boundaries ceded to the United States;” and as such household, agricultural and personal items were inadmissible claims.⁸⁷ Even more shocking, in consideration of the outright thievery involved in the Treaty of 1835 and the forced removal in 1838, Article seven stated:

[a]ll these improvements, left by the emigrants within the bounds of the Cherokee nation east . . . which add real value to the lands . . . shall be rented to the Indians by the agent, year after year, for the benefit of the poor and decrepit of that part

⁸⁶ Ibid.

⁸⁷ Peters 1848, 159.

of the nation east . . . until surrendered by the nation, or to the nation.⁸⁸

Therefore, when the reservees were forced from their lands, thus losing their improvements, they believed they had a right of compensation for their losses. Many of those early claims were denied by the various Boards of Cherokee Commissions. Article 7 stipulated that reimbursements could be claimed for improvements “within the boundaries ceded to the United States” but further improvements “within the bounds of the Cherokee nation east of the Mississippi river” shall be donated to the poor of the Cherokee nation, or returned to the public funds of the Cherokee Nation.⁸⁹ In so many words, any loss claims were ultimately left to the individual determination of the various boards, not the claimant. As such, it created an overwhelming situation of confusion for claimants, and a great deal of political and economic maneuverability for North Carolina and the federal government.

For our discussion Article eight is the most important article of the Treaty of 1817. This article afforded the opportunity for individual heads of Cherokee households to select 640-acre individual reservations. A very large percentage of reservation applications cite this specific treaty article. A close reading of the reservation applications makes it very clear those Cherokees knew exactly what they were applying for, and from what authority.

The Treaty of 1819 enhanced many stipulations from the Treaty of 1817. For example, where the Treaty of 1817 focused on Cherokees on the Arkansas River, 1819

⁸⁸ Ibid.

⁸⁹ Ibid.

was designed for “the greater part of the Cherokee nation [who] have expressed an earnest desire to remain on this side of the Mississippi.”⁹⁰ Additionally, the ceded territory of 1819 centralized from “Highwassee Old Town” through the Blue Ridge, including “the main chanel” of the Little Tennessee River “to the junction of the Cowee and Nanteyalee,” or right in the middle of the Kituwah Council region.⁹¹ More importantly Article three again afforded personal reservations:

Art. 3. It is also understood and agreed by the contracting parties, that a reservation, in fee simple, of six hundred and forty acres square . . . to include their improvements, and which are to be as near the centre thereof as possible, shall be made to each of the persons whose names are inscribed on the certified list annexed to this treaty, all of whom are believed to be persons of industry, and capable of managing their property with discretion, and have, with few exceptions, made considerable improvements on the tracts reserved. The reservations are made on the condition, that those for whom they are intended shall notify, in writing, to the agent for the Cherokee nation, within six months after the ratification of this treaty, that it is their intention to continue to reside permanently on the land reserved.⁹²

Any Cherokee wishing to register for a reservation could apply through the Treaty of 1817, while only select individuals, including Yona Equa and Richard Walker, were included in the Treaty of 1819. Regarding the reservations described throughout the remainder of this narrative, therefore, they technically belong under the Treaty of 1817. Most reservations were not applied for, or physically registered at the Cherokee Agency, until after the Treaty of 1819. As such, they are often labeled 1819 reservations. Except

⁹⁰ Peters 1848, 195.

⁹¹ Ibid.

⁹² Ibid., 196.

for two in North Carolina, five in Georgia, four in Alabama, and twenty in Tennessee, all other reservations belong to the Treaty of 1817.⁹³

“one of the headmen of our town”: Retrospections on Cherokee Reservation Locations

It is not the intent of this research to investigate all the various reservations selected through the Treaties of 1817 and 1819. Instead, in what manner did the process of reservation selection reflect tribal notions of community? Additionally, how did the varying manners in which the displaced reservees, and non-reservee Cherokees living within the ceded territory, reflect the emergence of hyper-displacement? The post-1819 displacements reflect legal and physical displacement which effected reservees, but also Cherokees who sometimes lived upon the reservations, or resided near reservations.⁹⁴ By 1829 hundreds of Cherokees, both reservees and non-reservees, had been displaced, often violently, from their homes. These were only the first major displacements. Over the next two decades the intensity and level of violence increased as thousands of Cherokees attempted to assert tribal self-determination and remain in the lands of their ancestors.

Throughout the early spring and late summer of 1819 Cherokee heads-of-families applied and registered for reservations containing 640 acres of land in either fee simple, or as life-estates. Many personally made the journey to the Cherokee Agency, then located on the banks of the Hiwassee River in southeastern Tennessee, near the modern

⁹³ Ibid.

⁹⁴ Riggs, *An Historical and Archaeological Reconnaissance of Citizen Cherokee Reservations in Macon, Swain, and Jackson Counties, North Carolina*; William Martin Jurgelski, “A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829” dissertation. University of Georgia, 2004.

town of Calhoun. Some wrote letters themselves, or through an interpreter to Col. Meigs, requesting he register them for a reservation. Others gathered together as regional councils and debated who should register and where their reservations should be located.

I explored 138 reservation applications to see if I could extrapolate a location wherein the decision to register a reservation location was present in the original application. I found several answers, including the Cherokee Agency, Knoxville, Cowee, Rossville, Tuckaleecha / Bears Town, Tuckaseega, and “None Given.” The largest percentage of locales I listed was “None Given,” fifty-one (37% of reservation applications), followed by the Cherokee Agency at twenty-six (19%) (Table 2.1).

Searching through the actual reservation applications for signs of community illustrated not just how some Cherokees selected reservations, but why they selected their reservations in various locations. Persons giving sworn affidavits and depositions provided one source of community. Several claims included either an affidavit or deposition as sworn testimony in fact for the claimant, the only difference being what the Justice of the Peace chose to call the testimony. Community becomes visible as you begin to compare who provided sworn testimony for whom, and then compare those names with known reservation locations. You can also compare the names of people who selected reservations at larger council meetings with affiants and deponents in similar fashion. Community also becomes visible when you analyze when, and where Cherokees agreed to take reservations, and compare that location with the registered reservation location. These two locations do not always match.

Table 2.1. 1819 Reservation Application Percentage by Location.

Location	Number	Percentage
None Given	58	42%
Cherokee Agency	29	21%
Bears Town / Tuckaleechea	18	13%
Cowee	8	6%
Rossville	7	5%
Tuckaseag / Kituwah [?]	3	2%
Cherokee Nation	3	2%
Knoxville	2	1.4%
Washington City / DC	2	1.4%
Gunter's Landing	2	1.4%
Blairs Ferry	1	.7 %
Chestertee	1	.7%
Chota	1	.7%
Sawty	1	.7%
Hildebrand's Mill, Tennessee	1	.7%
Hurricane Creek, Alabama	1	.7%

For instance, when you compare the 18 Cherokees who selected reservations after the Bears Town / Tuckaleechea council, and the eight Cherokees who selected from Cowee council with the registered reservation locations, culturally identifiable community networks are exposed. Yonaguska, for example, registered for an 1819 reservation at Kituwah Town. He was a man held in high esteem among the EBCI, often described as the first principal chief of the Eastern Cherokees. While he was never principal chief of the Eastern Cherokee, he nonetheless was considered a town head-man in 1819. Jurgelski stated that Yonaguska “succeeded Big Bear as the most prominent Cherokee chief in the region.”⁹⁵ I agree that Yonaguska was a town headman, but not a

⁹⁵ William Martin Jurgelski, “A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829,” 151.

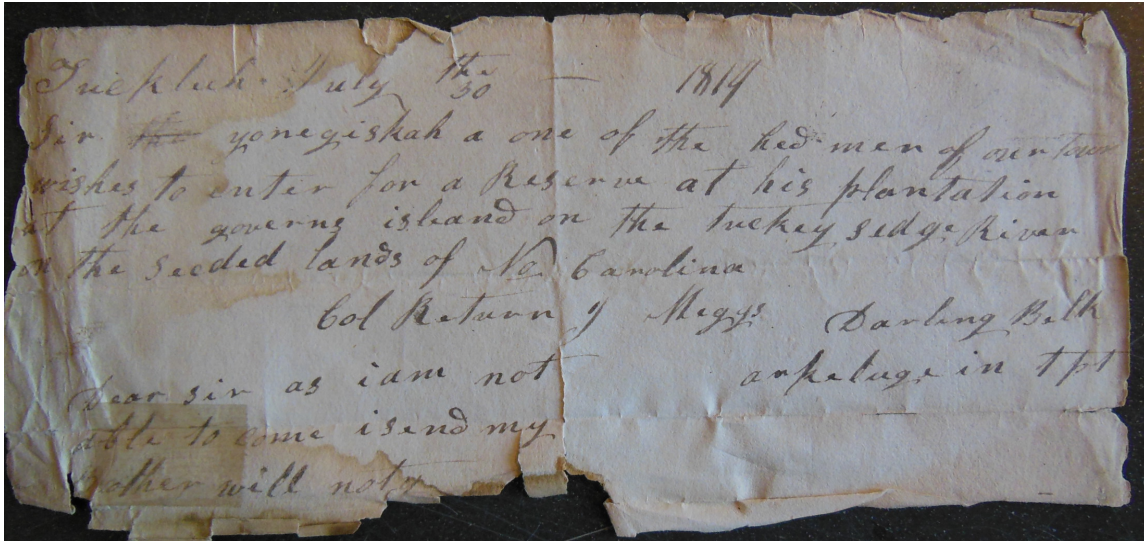


Figure 2.4. Reservation Application of Yonaguska.

regional leader in 1819. That role was filled then by his brother Big Tom, as evidenced by the 1816 Kituwah Region letter. Instead, the reservation application states he was “one of the headmen of our town.”⁹⁶ This notation is very noteworthy as Yonaguska’s reservation was located at Kituwah, but his reservation application was date marked from Tuckaleech / Bears Town (Figure 2.4). In 1819 Yonaguska was a headman at Tuckaleecha, not Kituwah. He did not, however, select Tuckaleecha for his reservation location. Tuckaleecha was his wife’s town, ergo, these Cherokees were still maintaining matrilineal residency. I have heard many, many Cherokees, who upon meeting other Cherokees for the first time, as the question “who is your family” or “who are your people?” It is an important element of *tohi*, or living life in balance, to take care of your people first, regardless of the personal cost. “Your people,” in turn, can represent your clan, your matrilineal family, or even the town of your birth.

⁹⁶ RG 75/E 218/Box 2/Yonaguska.

The selection process reflects early nineteenth century interpretations of tribal communities. Yonaguska did not select a reservation location for himself, but instead selected one for his clan family, for *his* town. His wife may have lived in Tuckaleecha, but he personally was a Cherokee of Kituwah. Several other 1819 reservation locations reflect matrilocality in action.

On 18 August 1819 eight Cherokees deliberated reservations at Bear's Town / Tuckaleecha. Darling Belk, a local white man who wrote out several Cherokee reservation applications, noted in the reservation application the location of the council meeting to take reservations, and the physical location of the reservations. The reservations selected that day were located in modern Macon County, North Carolina, situated primarily along the Little Tennessee River. The tribal communities of Sugar Town (selected by Cateteske and Chetosta) and Cowee Town (selected by Euchella and The Fence) are represented in the claims. I find this very telling. If these Cherokees actually lived at Sugar Town or Cowee, why did they not select their reservations at the home of their residence? Cherokee were apparently gathered at Cowee on the same day as others at Bear's Town. Big George, for example, selected 640 below "Cowee Town House" according to his application dated 18 August 1819 from Cowee Town.⁹⁷

There is no historical coincidence that some Cherokees just happened to be traveling through the neighborhood and decided to attend a meeting to select a reservation at another location. Instead, evidence of matrilocality selection processes is provided within the data. Take for example Euchella's sworn affidavit for the

⁹⁷ RG 75/E 218/Box 1/Big George.

improvement claim of John Tenegeeska. Euchella's reservation was located at Cowee Town on the Little Tennessee River, while John Tenegeeska testified his improvement was "located on the East side of Deep Creek waters of Tuckasiege River," modern Bryson City, Swain County, North Carolina.⁹⁸ Yet, Euchella testified he was "neighbors of John Tennigiska in the years 1819 or there about."⁹⁹ In 1819 Euchella lived at Tuckaleecha, not Cowee. Again, a Cherokee male, living in his wife's town, selecting a reservation at his mother's town, his clan's town, and his birth town. This is a fundamental expression of how to conceptualize nineteenth century tribal communities.

It is not necessarily the physical bounds which defined these communities. Instead, community was a state of mind, a familial, and by extension, a clan network. Each Cherokee person born of a Cherokee mother, presuming that she herself had a clan, belonged from birth to their mother's clan. When you marry, you follow matrilineal cultural custom and move to your wife's town, with your wife's clan. Your biological children do not belong to your clan, but to your wife's. Therefore, your real responsibility, according to *tohi*, would be to your clan. In turn, your wife's brother, or even your wife herself, had responsibility for her town, her family, her clan. Community can represent a physical location, but an in-depth expression resembles a Masonic Lodge, wherein the physical building is not the "lodge" but the networked brothers. At any time or place the brothers can gather for regular meeting and call the lodge to order. As such, "we" are the physical embodiment of the community, not the structures or physical

⁹⁸ RG 75/E 250/Box 3/John Tenegeeska.

⁹⁹ Ibid.

location. I agree with Riggs and Jurgelski that 1819 reservations were selected to protect important Cherokee town sites, but scholars have also been thinking about it the wrong way.¹⁰⁰ The “towns” protected were networks of personal and strong connections, a kind of Cherokee take care of your own first, your birth town, and someone else will take care of their birth town.

It is even more telling of 1819 tribal close-knit communities when exploring how they determined to take reservations. At times reservation clusters were chosen wherein intermarried white men worked on behalf of Cherokees in case of legal issues.¹⁰¹ For instance, William Reid, a white man, held a reservation in right-of-wife. He insisted several times Principal Chief Charles Hicks requested him “to recommend such persons as qualified to take Reservation, that he give Axe such recommendation, and he located the same at Cowee.”¹⁰² Within the fourth Board claims you not only can pull out the communities in which decisions were made for registrations, but familial and clan relations.

These networks are further illustrated in the list of those not able to travel to the Cherokee Agency to register for reservations. Of the 138 reservation applications analyzed, thirty-five, or 25%, were unable to attend to the business themselves. Fifty-two, or 38%, traveled themselves to register for reservations. Of those who sent someone

¹⁰⁰ Riggs, *An Historical and Archaeological Reconnaissance of Citizen Cherokee Reservations in Macon, Swain, and Jackson Counties, North Carolina*; Jurgelski, “A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829.”

¹⁰¹ Jurgelski, 153.

¹⁰² RG 75/E 250/Box 11/Axe. Affidavit of William Reid dated 13 July 1843.

else, twenty-one, or 15%, sent their applications via family members. I found these family relations very interesting. A further breakdown by gender found the Widow Bets, Cahugar and Jinney sent their sons. Likewise, Sealy, “a widow . . . as She cant come hir self She Sens by hir nabour.”¹⁰³ Of the remaining men who were unable to attend to business at the Cherokee Agency, five (Axe; Leach; Tarapin; Roman Nose; Thomas) sent their application by their brothers. Arsena stated “as it is not conveanent for him to come him Self he Sens by his brothern law [brother-in-law].”¹⁰⁴ Janghala stated he “cant come him Self sends this by his wifs brother.”¹⁰⁵ Clan affiliation was also expressed as two men, Chualuga, The Clubb (or The Long Blanket) sent their uncles, while John Colson and Tanughnoo sent their applications by their “Coson”¹⁰⁶ (Table 2.2).

¹⁰³ RG 75/E 218/Box 2/Sealy.

¹⁰⁴ RG 75/E 250/Box 11/Arsena, 21 Aug 1819.

¹⁰⁵ RG 75/E 218/Box 1/Janghaly.

¹⁰⁶ RG 75/E 218/Box 1/John Colson or Colston, and RG 75/E 218/Box 2/Tanughnoo.

Table 2.2. 1819 Reserver Place of Residence and Reservation Location

Reserver Name	Application Location	Application Date	Reservation Location	Witness	
Catetegeska	Bears Town	18 Aug 1819	“at his plantation in shugar Town”	Darling Belk	
Chetosta			“in shugar town as his plantation”		
Chunestate			“on tensee River at his plantation”		
Dick / Wesser / Dickawessa			“at his plantation on Big hed Creek”		
Euchulah / Euchella			“at his plantation in Cowwee town”		
Eunoauh			“at his plantation on the waters of the tennessee River”		
Fence			“at his plantation in Cowwee town”		
Pot			“in shugar town at hir [her] plantation”		
Snale			“at one of his plantations in shugar town on the waters of tennessee River”		
Big George	Cowee Town	22 June 1819	“Below Cowwee Town house at his improvement”	William Reid / Reed	
Will Nottey / Wilnota		23 June 1819	“at his plantation on Big Creek that emptys into the Tuckeysadge River below the Governors Island”		
Giddion F. Morris / Gideon F. Morris / G. F. Morris [in right of wife]		6 July 1819	“on or near the first Creek that emptys on to the Cowee river below Isaac Tuckers improvement near Tessenty Town”		
Terrel Henson [in right of wife]		15 July 1819	“where he lives at Estertory on the head of Cowee River”		
Catetehee		25 July 1819	“tennessee wakawhee”		G. F. Morris
The Flower / Parch Corn Flour			“at his plantation on the yelarkey Creek”		William Reid / Reed

Table 2.2. Continued

Reservee Name	Application Location	Application Date	Reservation Location	Witness
Indian Jack			“at his plantation living on tesenty”	G. F. Morris
Juneluskey / Junaluska			“above Suger Town cald Choie where John Oddel yous to Live”	William Reid / Reed
Ante hale John / Nantihala John	Tuckleech	30 July 1819	“at his plantion on the oconeylufta that emtys in to the tuckesedge”	Darling Belk
Skeeke / Sap Sucker			“at his plantation on the Tuckesedge River”	
Thomas			“Jining Cullesow at his plantation”	
Tolenusta			“at his place whare he now lives”	G. F. Morris
Yonegiskah / Yonaguska		“at his plantation at the governs island on the tuckesedge River”	Darling Belk	
Conaught / Canaughty		31 July 1819	“in the Bounds last treaty maid with them in the Bounds of North Carolina”	Darling Belk
John Quchey			“at his plantation where he now lives at Cowwe”	
John Benge	Rossville	21 June 1819	“on the land reserved to me in Said treaty”	Andrew Ross
George Lowrey			“on the land reserved to me in Said treaty”	None given
James Lowrey			“the land reserved to me in Said treaty”	
Elizabeth Packer		“on the land reserved to me in Said treaty”		
John Baldrige		27 June 1819	“on the lands reserved to me in Said treaty”	Andrew Ross
Roman Nose	Tuckaseag	30 July 1819	“at the place whar he now lives nier the govners Iland”	G. F. Morris
Tom	Tuckasega	30 July 1819	“at his plantation nier the governs iland”	
Stugesta			“at his plantation on deep creak”	

“the white citizens of the United States being moved and instigated by the most unholy motions”: Initial Displacements of 1819

Depictions of physical displacements appear in as many variations as there are numbers of reservation applications and locations. The analysis of the physical displacements is important to illustrate the severity and brutality of the initial influx of white settlers into the newly ceded territory. As soon as the treaty of 1819 was finalized, the North Carolina General Assembly passed legislation declaring the ceded lands within its exterior boundaries to be surveyed and sold at auction.¹⁰⁷ Several Cherokee claim depositions and affidavits illustrate how white settlers away swept the reservations. Moreover, according to the statements of the North Carolina Commissioners appointed by the Act of the North Carolina General Assembly “the law under which the Commissioners acted having taken no notice of any reservations, they paid no regard to any except the two specially made by the Treaty of 1819 [Richard Walker and Yona Equa].”¹⁰⁸

There are two types of displacements described in the archival materials: one I consider as boiler plate text , such as those found in affidavits and depositions written by Justices of the Peace, e.g. Dickawessa was displaced “by the laws of North Carolina.” Second are those which provide succinct evidence as to the brutality of tribal

¹⁰⁷ NCSA/Secretary of State Papers/State Land Office/Cherokee Ceded Lands/Disputed Reserves, 1824-1828/ “Report of the Commissioners on Indian Reservations,” dated 28 Oct 1824. Hereinafter cited as NCSA/SSP/SLO/CCL/DR/Report.

¹⁰⁸ North Carolina State Archives/Treasurer’s and Comptroller’s Papers/Indian Affairs and Lands/Cherokee Nation 1802-1823/Box 2, Reports & Accounts of Mebane & Franklin, Commissioners to Survey & Sell Cherokee Lands, letter of J. Franklin and James Mebane to Governor John Branch dated 2 July 1820. Hereinafter NCSA/TCP/IAL/CN 1802-1823.

displacement.¹⁰⁹ The former standardized descriptions are found scattered throughout the fourth Board 1819 claims, sometimes intermixed with the latter types. For example, in the case of Dickawessa, a reservee with a reservation located along modern day Wesser Creek in Swain County, North Carolina, is found:

The said Dick being threatened with personal violence if he did not leave the land & by the laws of North Carolina he was deprived of his oath and consequently of all protection under the laws of the State he finally, believing that he was under these circumstances unable [page missing].¹¹⁰

Dickawessa's case is important to illustrate that many 1819 reservees felt they had either gained US citizenship, or North Carolina citizenship, by registering their names as heads of a Cherokee family for a reservation. Article eight of the Treaty of 1817 not only provided for reservations, but also enabled any such Cherokee to "become citizens of the United States."¹¹¹ Unfortunately for the reservees, the records indicate they remained an anomalous community wherein they might have considered themselves subject to the laws of the US, but in reality North Carolina still considered them outside their legal purview (Table 2.3). Moreover, initial white reactions to the rapidity and violence of tribal displacements by other whites reflects the level in North Carolina of normalization of violence towards Native Americans in the 1820s.

Many excerpts of the legislature of North Carolina legal downplaying of displacements as in Aquotaga's "until the state authorities required him to abandon the

¹⁰⁹ RG 75/E 250/Box 1/Dick Wesser or Dickawessa.

¹¹⁰ Ibid.

¹¹¹ Peters 1848, 159.

Table 2.3. 1819 Reservees Who Accepted US Citizenship

Reservee Name	Reservation Location	Citizenship thoughts	Date
William Racklee “a Citizen of the United States” [in right of wife]	“the place whereon he now lives”	“By conforming [?] [?] protection of the United States and amenable to the Lqs of the said United States”	24 Dec 1818
George Parris	“on the land provided for me By the Late Treaty”	“are willing to Become Subject to the Laws of the United States and a Citizen thereof”	9 June 1819
Reservee Name	Reservation Location	Citizenship thoughts	Date
Nicholas Byers	“a reservation of land to me, including toqua Island”	“Being desirious to conform to the laws of my country as respect a reservation”	10 June 1819
The Eight Killer	“on the waters of Battle Creek on a place that he settled on a branch of s.d Battle Creek calld the fire Gizard”	“wishing to become a citizen of the United States”	23 June 1819
Ahsenee	“below Cowee town on the River”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819
Autoweh	“at Cowee town on the river”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819
Axe	“at Cowee town on the river”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819
John Welsh	“on a small Creek between Cowee & Wataga adjoining William Jones”	“considering himself subject to the Laws of the United States and under their protection”	1 July 1819
Edward Welsh	“on Wataga 3 or 4 miles above Cowee”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819

Table 2.3. Continued

Reservee Name	Reservation Location	Citizenship thoughts	Date
Whipporwill	“on a small Creek near the Trouts place”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819
Trout	“at Cowee town below on a small creek”	“considers himself subject to the laws of the United States and under their protection”	1 July 1819
Jacob	“where he now Lives”	“he wishes to be a Sitizen among the whites and come under the laws of the Country”	25 July 1819
Conaught / Canaughty	“lives in the Bounds of North Carolina”	“he wishes to be a Setizen among the whites and come under the laws of the Country”	31 July 1819
John Welch	“on a Small creak that emtis in to tenissee Calld Iola”	“I think that he perhaps will answer for a Sitizon after a little while”	25 Aug 1819
Charles Buffington	“Near the head of highwassa Cautugajoy old town on the new Cut Road”	“I am not disposed to leave my native Country I would wish to have a reserve as other and to Com a true Citison of the United States and subject to the laws”	28 Aug 1819
John Gunter, Snr.	“on the place where I now live”	“will consider myself under the protection of the United States”	19 Sept 1819

same said Improvements,” Arseena’s “compelled by the Laws to move over to the unceded territory,” or Chiulla of Qualla’s “until the state Extended her Jurisdiction over the ceded territory for which cause he abandoned the same.”¹¹² This type of bureaucratic verbiage not only downplays the violence inherent in the displacements of Cherokees at the hands of whites following the treaty of 1819, but enabled North Carolina, by a hyper-normalization of violence, to circumvent any actual responsibility for physical violence because of their own legislation. It wasn’t only North Carolina which utilized this type of bureaucratic verbiage. For instance, Bark Foreman’s reservation “was sold by the state of Tennessee and taken possession of by the purchaser from the state of Tennessee.”¹¹³ The latter displacement depictions, however, tell a much different story, one of unconscionable violence in the wake of Euro-American westward expansion. Even though Romulus M. Saunders, one of the North Carolina Commissioners selected to treat with the Cherokee Reservations, tried to portray the “people of this new section of the State” as “an industrious, hardy & enterprising population,” the Cherokees themselves utilized very different terms when describing the initial settlers.¹¹⁴ Cherokees, like Situwakee, described the first wave of whites as “some bad characters.”¹¹⁵ Take for example the testimony of Big Jack, son of another reservee Bear Going in the Hole (Figure 2.5).

¹¹² RG 75/E 250/Box 3/Arseena; RG 75/E 250/Box 3/Chiulla of Qualla.

¹¹³ RG 75/E 250/Box 11/Bark Foreman.

¹¹⁴ North Carolina State Archives/Governor’s Letter Book/James Iredell 1827-1828, letter from Romulus M. Saunders to Governor James Iredell. Hereinafter NCSA/GLB.

¹¹⁵ RG 75/E 250/Box 18/Situwakee.

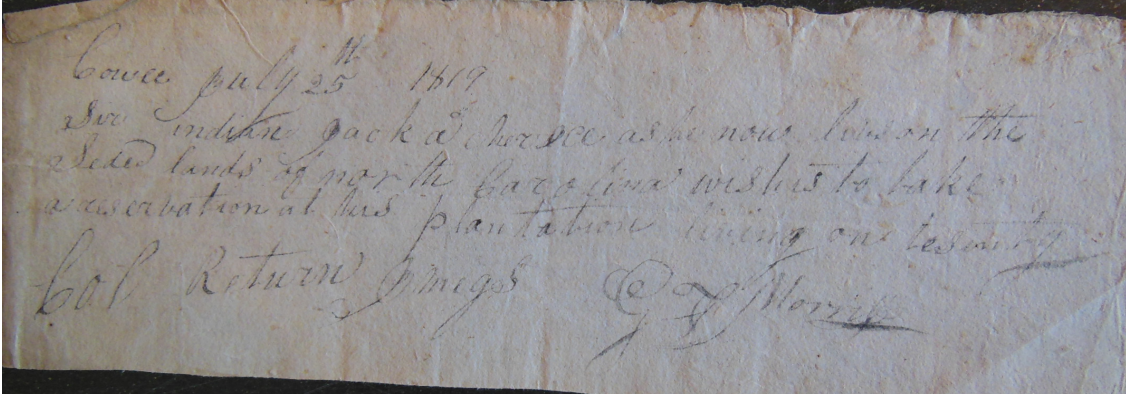


Figure 2.5. Reservation Application of Indian Jack / Jack / Big Jack, Son of Bear Going in the Hole.¹¹⁶

Big Jack lived at Cowee in 1819 but applied for a reservation on Tessenty Creek. His reserve was surveyed by Robert Houston, deputy US Surveyor, on 20 September 1820. Gideon F. Morris is listed as transcribing Big Jack's reservation application while at Cowee on in July 1819, and Darling Belk was the same person who transcribed many of the reservation applications at Bear's Town in July 1819. One year later Darling Belk and Alfred Brown served as Chain Bearers for this survey. Alfred Brown, as it happened, was Darling Belk's brother-in-law. Within a few weeks Big Jack's reservation was sold at a land sale held in Waynesville, North Carolina (Figure 2.6).

In their fourth Board depositions dated 18 Sept 1837, Jonathan Phillips and Jacob Siler stated that nearly immediately after the land sale the "white population croded down on the Indian Country Regardless of Treaty Stipulation and Intimidated Cherokees who had take Reservations."¹¹⁷ The "whites" they said "maid use of threats and Sumations

¹¹⁶ RG 75/E 218/Box 1/Indian Jack.

¹¹⁷ RG 75/E 250/Box 11/Big Jack. Affidavits of J. Phillips and Jacob Siler dated 18-September-1837.

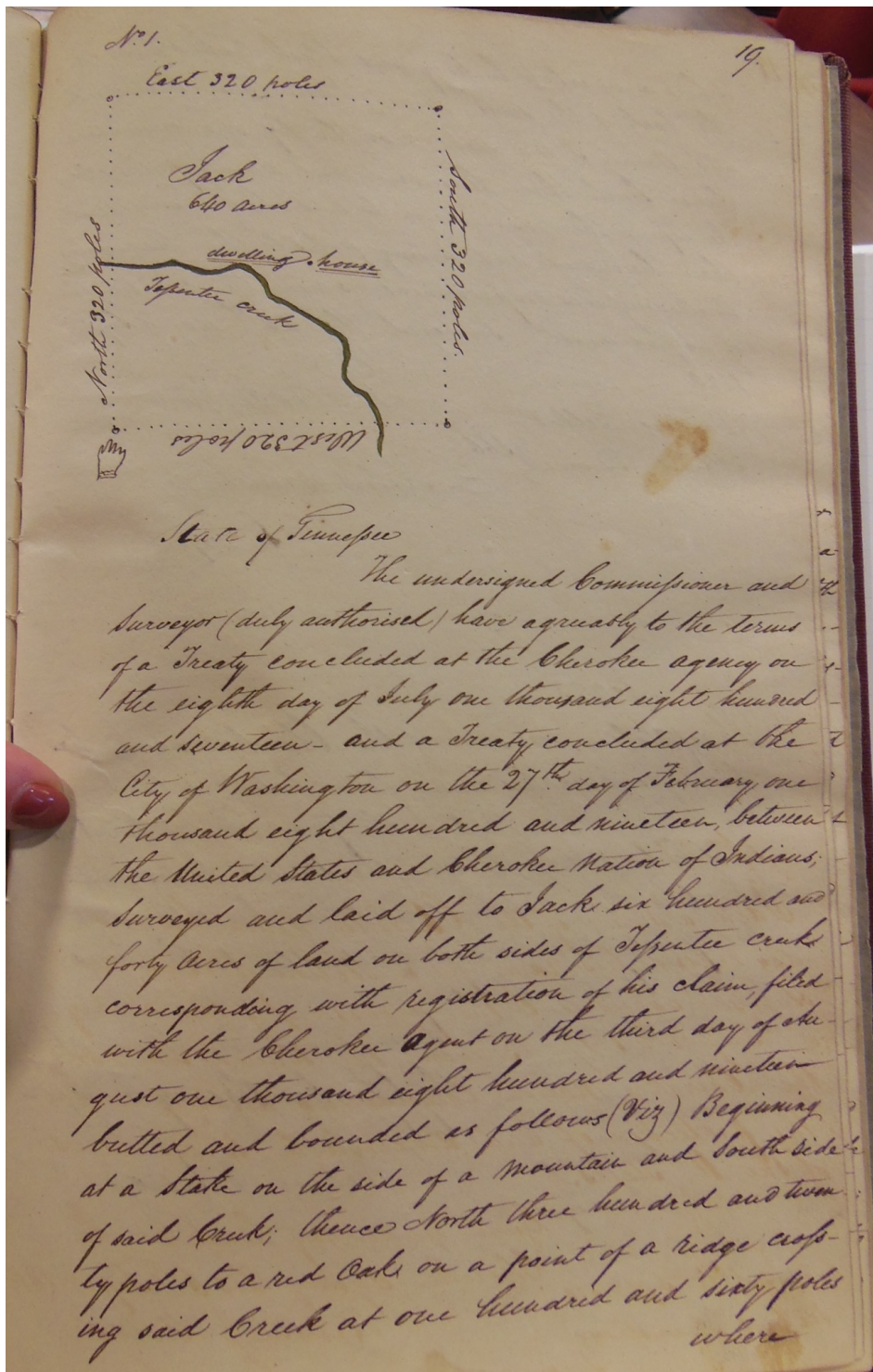


Figure 2.6. Reservation Survey for Jack / Big Jack / Indian Jack, Located on Tessenty Creek, Modern Day Macon County, North Carolina.¹¹⁸

¹¹⁸ North Carolina State Archives/Secretary of State/State Land Office, Cherokee Ceded Lands, Disputed Reserves, 1824-1828/Cherokee Land Entries and Surveys, 1820-1824.

[and] Violence to get posson [possession] of the Indian Reserves field Sumtim [sometime] giving them a Very troubling Consideration to Sill [sell].”¹¹⁹ Siler and Phillips spoke of a general rush of white settlers unto the ceded lands and over the reservations which often left Cherokees “ginrally [generally] believing them Selves pillaged and forsaken.”¹²⁰

Other reservees, like Oostekahetee, were economically and agriculturally removed before they were physically displaced. According to testimony of David Brown in Oostekahetee’s claim “the whites had nearly killed up almost all their stock and whipping and abusing them [Cherokees] when & where ever they could ketch them.”¹²¹ White purchasing of tracts of lands which included whole or portions of Indian reservations continued unabated from the winter of 1820 through the summer of 1823. Settlers did not always move into Cherokee homes at once, but dissected improvements piecemeal. John Walker recalled in his testimony before the fourth Board that “he continued to reside there [on his reservation] for about five years [ca. 1823]” until “citizens of the united states having settled themselves on different parts of his Reservation and enclosed his fields and fences with fences erected by themselves and rendered his situation such as not to be endured.”¹²²

Other times outright violence was used on the part of whites to gain control of not only fields and outbuildings, but the very homes of Cherokees. Joel Kirby, a white man

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ RG 75/E 250/Box 17/Oostekahetee. Deposition of David Brown, dated 4 March 1838.

¹²² RG 75/E 250/Box 18/John Walker.

who married a Cherokee woman and registered for a reservation in right-of-wife, testified that while living on his reservation in Georgia, whites who had selected his land through a Georgia Land Lottery came to his home and demanded he leave immediately. “I defended the right of my wife and children” he testified “as long as I could, and fought the three intruders, in my own House untill the blood from my wounds and theirs ran across the floor of the House I lived in.”¹²³

While Georgia is often today portrayed as the most violent perpetrator of Cherokee removal, reserves in other states, including Tennessee, also faced physical reprisals by white settlers. For example, Cheanstah, the widow of Culosowee from the Kituwah Council letter of 1816, and their sons Little Deer and Terrapin and daughter Peggy Waters presented a claim before the first Board on his behalf. According to the affidavit of John Bible, dated 26 January 1838, who had conducted some improvements to Culosowee’s cabin, it was not only Cherokees who were violently displaced, but even whites who were hired by Cherokees:

a man by the name of William Gardenhire had drove him from his residence [Culosowee’s] . . . when William Gardenhire and son and another man who affiant does not recollect the name of entered rudely and briskly armed with Guns and ordered affiant from the house and threatened if the demand was not complied with that they would instantly kill him, cocking their guns and presenting them at the heart of affiant, who seeing that it was unsafe for him to contend with them immediately left the house and as he went out of the door there was a negro man at the door with a mattock drawed in his hand in a threatening and menacing manner. Gardenhire stated that the possession was his and that he had drove Culsowee off and he would be damned if I cam back there any more with a view to keep possession if he did not kill me.¹²⁴

¹²³ RG 75/E 250/Box 18/Joel Kirby.

¹²⁴ RG 75/E 250/Box 3/Culsowee. Affidavit of John Bible, dated 26 Jan 1838.

Moreover, there is a great study in testimonial emotional language regarding the level of involvement and violence of this first major wave of hyper-displacement. Such is the case of Culonuskee, an 1819 reservee residing “on Hildebrand Mill Creek” on the Hiwassee River, Tennessee.¹²⁵ Her displacement claim portrays clearly a gendered narrative of displacement. Her claim revolved around a company of white men who first threw her out of her main house, and then displaced her again from a smaller cabin on another portion of her reserve. Her claim was heard before the fourth Board in the Cherokee Nation west in February and March 1845. Two Cherokee men and one Cherokee woman described the events in very different emotional language in their testimony about the same claim. For example, Good Money, a man, testified that he traveled to her home to remove her and her things to her mother’s home after hearing about the troubles she had with the whites. He stated he “found her sitting over her property out in the yard and a family of whites in the house that she had been just drove out by citizens of the united states.”¹²⁶ He went on to state that he moved Culonuskee to her mother’s reservation, where she remained until her mother was soon thereafter displaced. David Hildebrand, another Cherokee man, stated only that “her house was unroofed by white people, as was reported in the neighbourhood” and that “she died in the old nation sometime before the removal of the Cherokees.”¹²⁷

¹²⁵ RG 75/E 250/Box 18/Culohneeskee.

¹²⁶ Ibid. Sworn testimony of Good Money before George Hicks, Chief Justice of the Cherokee Nation, dated 28 March 1845.

¹²⁷ Ibid. Sworn testimony of David Hildebrand before G. C. Washington, 10 Feb 1845.

What is so interesting, however, is the level of detail provided by Getake, a Cherokee woman who was an eye witness of Culonuskee's displacement:

two families citizens of the united states moved into two of said reservees houses situated on said reservation and that said reservee kept possession of one little house for a short time, when there was five or six white men citizens of the united states come to the last house of said reservee . . . one night, when she [Getake] and her mother was there, said white men came into the house and seated them selves before the fire, and after being three or four minits they ordered said reservee and family together with the witness and her mother [out of the house] . . . said reservee [Culonuskee] inform them that she would not go out, then one of the white men thru water on the fire and put it out and then commenced annoying them [the family and visitors] and attempted to choke the said reservee [Culonuskee] from which she [Getake] stae that they all became alarmed and left the house leaving all there house hold effect and some time that night the whites left the house and said reservee [Culonuskee] returned that night into the house acompanyed by the witness [Getake] and her mother and she [Getake] further states that said white men returned to the house next morning before the family got out of Bed and commenced throwing out the house hold property and drove the said Cul-lo-neeskee then move on to her mothers reservation.¹²⁸

Getake utilized much more physical verbiage in her testimony, including a personal assault on the women. As he arrived the next morning, Good Money simply did not know the level of physical harm inflicted by the whites. David Hildebrand testified the attack "was reported in the neighbourhood."¹²⁹ Why was the testimony of the women so different from the men's? Many other Cherokee male claims describe physical violence, but not this one. There is insufficient evidence provided to know if Good Money was a relative. If this was the case, why he was not more angered by the transactions of the night before? The data does not provide enough evidence to rightly explain the difference in physical depictions of the testimony, nonetheless these claims

¹²⁸ Ibid. Sworn testimony of Getake before George Hicks, Chief Justice of the Cherokee Nation, 28 March 1845.

¹²⁹ Ibid. Sworn testimony of David Hildebrand before G. C. Washington, 10 Feb 1845.

provide opportunities within to explore not only the levels of physical violence inflicted upon Cherokee reservees, but gendered narratives of displacement and violence in future scholarship.

The last, and often overlooked, data regarding the displacements of 1819 are claims of non-reservee Cherokee improvements found scattered throughout the 18 boxes of the fourth Board. These claims have often been overlooked for several reasons, first among them is the sheer volume of materials. For example, Box 3 contains thirty-five claims, mostly for reservees, while Box 11 includes sixty-nine claims, mostly for non-reservee improvements. These are individual claims for improvements lost by the displacement of other Cherokees who either lived on, or near reservations. The displacements of these Cherokees provide greater details about the scale of white displacement of Cherokees on the 1817 and 1819 ceded territories.

Another reason these claims are often overlooked is they have often been outside the scope of former investigations, which often focused solely on the reservees and their reservations. These non-reservee claims, however, enable a richer ethnography of nineteenth century Cherokee communities when combined with the reservees. For example, Anwakee, the wife of Yona Equa, claimed an improvement which she owned on the Little Tennessee River, down river from modern Franklin, North Carolina. She stated in her sworn testimony that “she owned the above described Improvement at the date of the Treaty of 1819 and resided thereon untill she abandoned then in consequence of the state authorities claiming them under said Treaty.”¹³⁰ Here is clear evidence that in

¹³⁰ RG 75/E 250/Box 3/Anwakee.

1819 Cherokee women retained control of their own property and improvements, right in line with the Cherokee customs of matrilocality and matrilineality.

Generational construction improvements on individual farmsteads can also be explored within the claims. For example, it has been posited that hot houses, or *asi*, are structures indicative of cultural conservatism.¹³¹ *Asis* are best described as round, semi-subterranean structures, with a central hearth and fire, left continuously burning in winter. They may have been cultural holdovers of the common 18th-century summer and winter house pairs found throughout Cherokee sites in the southeast. If so, one could assume that older generations, those born in the eighteenth century, who would understand their construction methods, and recalled a time when many still constructed and lived in house pairs, continued to construct such ancillary buildings, as opposed to the more common cabin constructions of the nineteenth century.

I was curious if the data of the displaced non-reservees provided any such generational detail. As it turns out, there were no gender or generational differences in hot house construction. Of the twenty-eight improvement claims I explored for evidence of *asis*, only three men (Aquotaga, Chiula of Qualla, and heirs of Hog Shooter) and two women (Seewachee and Tookah) claimed hot houses. As such, the evidence supports that *asi* construction was falling out of favor by 1819, and there were no clear indicators favoring on gender for improvement construction choices. Additionally, the evidence

¹³¹ Riggs, *An Historical and Archaeological Reconnaissance of Citizen Cherokee Reservations in Macon, Swain, and Jackson Counties, North Carolina*; Jurgelski, “A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829.”

does not support older generations maintaining construction of asis. In fact, if anything the majority of asi improvements were located on farms owned by Cherokees under thirty years old. In many ways the Cherokees of western North Carolina were no different from other Cherokees throughout the tribal territories. So few asis were built by 1819 this evidence alone no longer supports these mountain Cherokees were more culturally conservative than other regions (Table 2.7.). In fact, what I see in the records was an increase in economic participation by younger generations as more people under thirty were establishing independent, economically viable farmsteads in North Carolina at a rate comparable to other tribal regions.

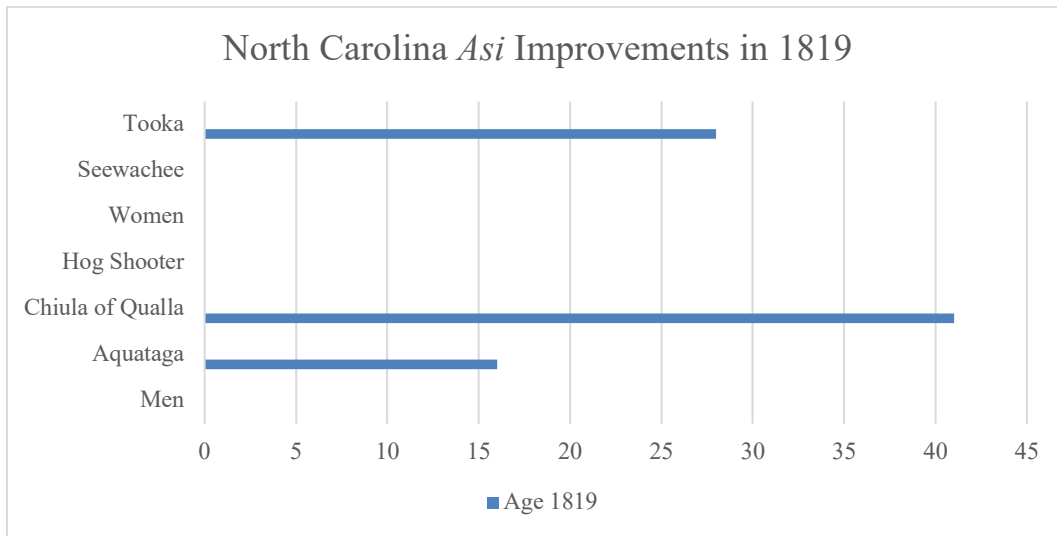


Figure 2.7 North Carolina *Asi* Construction by Gender in 1819.

“we all went off together in the Cherokee Nation and again settled near neighbors to each other”: Where did the displaced Cherokees go?

Just as they had often selected reservations as communities, unfortunately many reservees and non-reservees were often displaced as entire communities. Pike Fish, for example, stated in his claim before the fourth Board that he and his family:

remained together in the house with the whites for a week or upwards, and the white people insisting on my daily to leave and go to my own country, but I still persisted on staying and remaining on my reservation until Eight whitemen came their with their guns, whom I supposed to be the friends and relatives of the man who was trying to dispossess me.¹³²

He testified that he “then gave up the house and left it taken with me only clothing & bed clothes, of things we could pack, and left some of my pots, and all the corn we had and many other things . . . left all the hogs on the place.”¹³³ This level of displacement and dispossession is echoed by many other displacees throughout the archival materials. What is interesting in terms of communities is seen when Pike Fish stated his neighbor Teelaskaske “was still living on his reservation when I was dispossessed” but that two other neighbors, Oowayuskee and Kuskalesku “were dispossessed at the same time.”¹³⁴ Within a matter of days their entire Cherokee neighborhood was displaced. Given the nature and scale of white settlement within the ceded territory, Pike Fish stated, “we all went off together in the Cherokee Nation and again settled near neighbors to each other at Wah-cah-yah Little above Ah-mo-hee [in the Cherokee Nation, modern day Clay County, North Carolina].”¹³⁵

¹³² RG 75/E 250/Box 18/Pike Fish.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

Again, and again the records reflect a sudden, and often violent dispossession, sometimes in the middle of the night and at other times just at dawn. Many Cherokees gathered meager supplies, either by themselves, or as it appears more often, with the help of the entire community. Again, *gadugi*, as the representation of *tohi*, is expressed within the community. Cherokee neighbors and families took in as many internally displaced peoples as they could, but eventually the numbers and agitations of the whites drove out entire communities. As Teelaskaskee stated in Pike Fish's claim they "were all living in our house about one week before they in all gave up the house."¹³⁶

William Reid and Richard Walker recalled that when Kahkullah, also known as the Thigh or Spike Buck was displaced "he came to the house of the said Richard and has remained among the Indians, first living with one & then the other."¹³⁷ By all appearances Spike Buck was left entirely homeless after his eviction, moving from farm to farm in what remained of the Cherokee settlements. Even John Dobson, who himself had recently arrived as a purchaser of land from the state recalled of Spike Buck "where he [moved] he knows not – he [Dobson] has since seen him [Spike Buck] on Burningtown with his family – but whether he resided there he does not know."¹³⁸

Other Cherokees were sought after by the authorities of Macon County, and fled out of fear of arrest and incarceration at the hands of their displacers. This was not an uncommon means for whites to gain access to Cherokee lands of both reservees and non-

¹³⁶ Ibid. Testimony of Teelaskaskee.

¹³⁷ NCSA/TCP/IAL/CN 1802-1823/Box 5. Testimony of William Reid and Richard Walker in the claim of Kakula, also known as the Thigh or Spike Buck, dated 22 Aug 1824.

¹³⁸ Ibid. Testimony of John Dobson, dated 15 Aug 1824.

reservees. Howell Moss testified before Joseph Welch, Justice of the Peace [JP] for Haywood County, North Carolina, in the claim of Walee:

two women lived with her [Walee], that both of them were charged with Stealing corn from Col. Shields crib, a warrant was taken out and the women arrested, that after being arrested, they were told that they had better make their escape, an opportunity was given them, after a little while they went off, and in a few days Wal-lee and her son Little George went off.¹³⁹

John Welch, who would play a pivotal role in the removal of the Valley River Valley Cherokees in 1838, himself a reservee under the Treaty of 1819, found himself at risk of incarceration. Ann Blythe testified before Joseph Welch, in the claim of John Welch, that an arrest warrant was issued by the purchaser of Welch's property, Brittain, and the Haywood County Sherriff, Solomon Battle, "to Scare said Welch off."¹⁴⁰ This case is also noteworthy as evidence of the long standing tribal custom of Clan Revenge, or the law of blood, continuing well into the nineteenth century. She stated:

John Welch as stated by the Indians had assisted in the killing of an Indian who had forfeited his life according to the custom of the nation. That she understood that Solleman Battle who was appointed deputy Sherriff that he [Battle] had a wrnt [warrant] against Welch – that her husband advised him [Welch] in her presence that he could not stay safely on his reservation, that he would be killed (or be carried to jail) that the only way to avoid the prosecution and save his life was to leave his reservation and avoid the Sheriff ~~that he frequently lay out.~~¹⁴¹

¹³⁹ NCSA/TCP/IAL/CN 1802-1823/Box 5. Testimony of Howell Moss before Joseph Welch, JP for Haywood County, NC in the claim of Walee, dated 21 Aug 1824.

¹⁴⁰ NCSA/TCP/IAL/CN 1802-1823/Box 5. Testimony of Ann Blythe before Joseph Welch, JP for Haywood County, NC in the claim of John Welch, dated 23 Aug 1824.

¹⁴¹ Ibid.

“I Asaph Enloe . . . [am] held & firmly Bound unto Wilanota, Yonagiskey, Club, Canought, Big Jack, Ticalogata or Bag”: Establishment of the Qualla Communities

Following North Carolina’s official survey of the newly acquired ceded territory, it was determined that “six hundred, seventy nine Thousand, one hundred, and sixty-nine acres” were available for sale.¹⁴² Jonathan Phillips, one of the North Carolina Commissioners for the survey and land sale, further estimated that 487 reservees and non-reservees Cherokees remained “on the purchase” within the ceded territory.¹⁴³ As previously shown, many displaced Cherokees were left few options following their displacement from their homes and farms. Several traveled the hard mountain paths and roads into the Cherokee Nation of modern-day Cherokee, Graham, and Clay Counties, North Carolina. Others picked up and went west to live among the Cherokees of the Arkansas territory along the Red and White Rivers. Another group, and of most interest to the initial questions of this dissertation, gathered together and remained in Haywood County, North Carolina, establishing the kernel of what became known as the Qualla settlements. Here, therefore, is one answer to the questions posited so many years ago, “why is the Qualla Boundary here, at the confluence of Soco Creek and the Oconaluftee Rivers?”

¹⁴² NCSA/General Assembly/Session Records/Nov. – Dec., 1820, Misc. Correspondence and Accounts. Letter of P. Franklin and James Mebane, NC Commissioners for the land survey and sale, to NC Governor John Branch, dated 27 Nov 1820. Hereinafter NCSA/GA/SR.

¹⁴³ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/”A True and Acerate Numeration of the Indens that is living on the purches,” dated 20 Nov 1820. Hereinafter cited as NCSA/HC/I.

The displacement of reservee and non-reservee Cherokees throughout the 1819 ceded lands was abrupt and violent. Indeed, Gideon F. Morris, an intermarried white man, stated as late as 1828 that:

[p]rejudice has existed for a long time and that the ~~Plaintiffs~~ Defendants [white US citizens] have not only kept up such prejudice by themselves and through their friends . . . they have ~~and still~~ enflamed such prejudice and still are exerting every means in their power still more to excite the public prejudice against Plaintiffs [Cherokees].”¹⁴⁴

At some point, Yonaguska, Wilnota, The Long Blanket (also known as the Clubb), Canaughty, Big Jack, and the Bag (also known as Sap Sucker), all reservees, began settling on lands at the confluence of Soco Creek and the Oconaluftee River, modern day Cherokee, North Carolina. For geographic reference this is near the present Emergency Operations Center on US 441, within the present day Qualla Boundary.

On 21 May 1825 these men contracted with Asaph Enloe to purchase 320 acres +/-, with a “sufficient title upon their last payment.”¹⁴⁵ These Cherokees presented to Enloe \$1800.00 in hand in May 1825, with the final purchase price of \$3600.00. Where did this money come from? Yonaguska, for example, filed suit against Mark Coleman, the purchaser of his reservation. While the records do show Yonaguska eventually won his case, when Mark Coleman appealed, and Yonaguska having no further funds to defend his case, the case was subsequently dropped. As such, there is no evidence that Yonaguska, or any other reservee cases, ever received any monetary settlement for their

¹⁴⁴ NCSA/HC/I/ “Affidavit of Gideon F. Morris, agent, requesting removal of Indian suits to another county due to prejudice in Haywood,” dated 5 April 1828.

¹⁴⁵ NCSA/HC/I/Ejectments and civil actions concerning Indians, 1821-1825. “Asaph Enloe Bond for title” dated 21 May 1825.

losses through court cases. So where did these men get \$1800.00? One line of evidence can be seen in the 1824 contract with 38 reservees in North Carolina in which reservations were purchased by the state.

During the late summer of 1824, Benjamin Robinson and William Robards, new North Carolina Commissioners appointed to treat with reservees, gathered at Franklin, North Carolina, to settle a contract with as many reservees as were willing to attend. Robinson and Robards began negotiations with the end goal of adjudicating all Cherokee claims and conveying to the state any further tribal claims within the ceded lands. While North Carolina agreed that through adoption of the US Constitution they were bound by certain stipulations of the Treaties of 1817 and 1819, and were mindful of “Indian rights” within the US Constitution, “we are fully [impressed] with opinion that the State possess the exclusive right of Sovereignty to all and every part of the [Land] within the Chartered limits of the State.”¹⁴⁶ The right of the Cherokees recognized by the North Carolina General Assembly was for “enjoying such hunting grounds as may have been or hereafter shall be secured to them by any former or future Legislation of this State.”¹⁴⁷ Even though the US Constitution declared in Article one, Section eight all trade and intercourse with Indians was the purview of the federal government, in 1824 North Carolina did not feel they were bound by default to the US Constitution when dealing with Indian tribes within their chartered limits. They were willing to accept tribal determinations of heads of Cherokee families “to their laws,” but ratification of the Treaties of 1817 and 1819 went

¹⁴⁶ NCSA/SSP/SLO/CCL/DR/Report, dated 28 Oct 1824.

¹⁴⁷ Ibid.

no further, and Chapter 997 of the North Carolina Legislature, dated 1819, directed only for the “Commissioners to cause the lands, so acquired by the Treaties to be Surveyed and sold.”¹⁴⁸

Additional examples of hyper-displacement were found in disputes between the federal government and state legislatures regarding purview over Cherokees, without any tribal input or consideration of the tribe. For instance, North Carolina determined the federal government negated all purview as the lead agency for the reservations when it awarded a contract to survey the reservations. North Carolina argued that because the reservations were not conducted by US military or other official personnel, and, in fact, not consistently plotted in a square 640 acres, the federal government relinquished purview to the state, who in turn decided to survey the lands itself and cause them to be sold at land auction. For North Carolina, issues of legal possession of surveyed lands by white settlers was not in question. North Carolina was never concerned over the legality of tribal rights to the reservations, for state citizens had legally purchased the lands at state sanctioned sales. North Carolina was willing to state that purchasers understood they were “embarking in this speculation,” but white purchasers could rest assured the lands were surveyed “through and by authorized agents.”¹⁴⁹ Therefore, if Cherokees wanted to pursue any and all lawsuits, they must “abandon their only [page torn] for the support of themselves and families.”¹⁵⁰

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

Therefore, on 20 August 1824 North Carolina entered into a contract with 38 reservees, excepting the reservations of Richard Walker, who acted as Interpreter, and Yona Equa. Unfortunately, this contract did not cover all reservee claims, nor any non-reservee Cherokee's "Improvement" claims. Even though some "Improvement" claims came before the North Carolina Commissioners at Franklin in 1824, only the thirty-eight reservees were noted and included in the contract. As such, the contract was concluded between Benjamin Robinson and William Robards, as Commissioners of the state, and Big Jack, Sharp Fellow, Jacob, Oolanotlee (or Colanatee), Johnson, Canaughty, The Bag (or Sap Sucker), The Long Blanket (or Clubb), Wayaka (or Grass Grows, sometimes Grass Grower), Old Nanny, Trout (by Skiti), Amacha (or Water Going Under Ground), Tauneh (as heir to Aleacha), John, Gideon F. Morris, The Bear Going in the Hole, Toonahela, Beaver Toter, John Quchey, The Fence (sometimes The Fence Maker), Parch Corn Four (sometimes Parch Corn Flower), Jinny (as an heir to Skiki), Cateehee, Yellow Bear, Sally Little Deer (heir of Little Deer), Jenny, Wolf, William Reid, John Ben, Thomas, Culsowee, Panther, Back Water, Yonaguska, Euchella, Tegentosee (sometimes The Pot) and Tom and Aqualla (widow and heir of Tollenooteh).

The total breakdown of commodified reparations for improvement losses amounted to \$26,210.00 per 640 acres for each reservation.¹⁵¹ The approximate acreage of thirty-six reservations is 23040 acres, therefore the North Carolina commissioners, under this contract in 1824 paid an average of \$1.14 per acre.

¹⁵¹ Calculated for inflation of 1.67% per year this amounts to \$640,834.33 in 2017.

This contract left Yonaguska, Wilnota, The Long Blanket (also known as the Clubb), Canaughty, Big Jack, and the Bag (also known as Sap Sucker) with more than enough money to purchase 320 +/- acres, but at a full price of \$3600.00, or just over \$11.00 an acre. Asaph Enloe was truly among those first wave “speculators” who made out very well for themselves in the months and years following the initial 1819 displacements.

Imagine, however, the acreage available for agricultural lands and improvements under 640 acres with the reservations, and then how crowded it must have been in those first few years for 487 Cherokees on 320 +/- acres. Even if that number is less than 400 it would indeed have been very crowded. In a few short years since 1816 the North Carolina Cherokees went from 679,169 acres to 320 +/- . Their lives were torn asunder, many violently assaulted, and all agricultural implements, tools, and livestock lost. What was more, these Cherokees were unable to bring any charges in open court as Cherokees. Instead, they often “demised” their reservations to “John Does,” through their lawyers, but to no avail. Among the more aggressive actions of the North Carolina Commissioners in the contract of 1824 was the stipulation that, should the North Carolina General Assembly ratify the contract, which they did, all court cases were to be suspended, and all reservation claims were to be ceded to the state. There was one caveat, however, wherein Cherokees could choose to take the money offered in various sum payments “in the Current Bank notes of this State or in Silver.”¹⁵²

¹⁵² Ibid.

If they chose their payments in silver, however, it was to be allocated at a 6% discount, or just a little over \$15,000.00. Archival materials do not provide evidence how they agreed to accept the allocated funds, but there is much evidence that very little money was ever provided, as evidenced that in 1828 North Carolina again attempted to purchase another 40 reservation claims for “about \$15,000.00” (Table 2.4).¹⁵³

The Qualla settlement case was not fully adjudicated until 1833. By this time William Holland Thomas, a local white merchant, acted as agent for the various Cherokees located at the confluence of Soco Creek and the Oconaluftee River. According to court documents, Enloe never presented the Cherokees with a deed, or title from the state for the sale back in 1825. Eventually Thomas, Enloe and the Cherokees agreed to allow the case then before the Superior Court of Haywood County, to be determined by independent arbitrators Thomas Love, Snr., Thomas Wykle, and James Hall.

For several years the case had languished in Haywood County courts, and some of the original Plaintiffs, like Canuaghty, had died. The case was made more incongruent by the demands of Thomas, who, according to Enloe “was merchandising” and demanded cash as his fees from Enloe in addition to the deed and title to the land.”¹⁵⁴

¹⁵³ NCSA/GLB/James Iredell, 1827-1828. Letter from Romulus Saunders, Commissioner, to NC Governor Iredell, dated 8 Aug 1828.

¹⁵⁴ NCSA/HC/I, Petition of Asaph Enloe “To the Honorable the Judge of the Superior Court of law and Equity for the County of Macon and state of North Carolina,” dated October 1833.

Table 2.4. Amount Paid by North Carolina Commission per Reservee per Acre of the Original 640 Acre Reserve.

Reservee	Amount	Amount per acre
Big Jack	\$350.00	\$.55
The Sharp Fellow	400.00	.63
Jacob	640.00	1.00
Oolanotlee (or Colanatee)	1000.00	1.56
Johnson	1000.00	1.56
Canaghty	600.00	.94
The Bag (or Sap Sucker)	500.00	.78
The Long Blanket (or Clubb)	1280.00	2.00
Wayaka (or Grass Grows)	1100.00	1.72
Old Nanny	900.00	1.41
Trout	450.00	.70
Amacha (or Water Going Under Ground)	1000.00	1.56
Tauneh (as heir to Aleacha)	640.00	1.00
John	1000.00	1.56
Gideon F. Morris	3000.00	4.69
The Bear Going in the Hole	1000.00	1.56
Toonahela	300.00	.47
Beaver Toter	300.00	.47
John Quchey	300.00	.47
Fence (or The Fence Maker)	400.00	.63
Parch Corn Four (or Parch Corn Flower)	400.00	.63
Jinny (as an heir to Skiki)	300.00	.47
Catechee	400.00	.63
Yellow Bear	250.00	.39
Sally Little Deer (heir of Little Deer)	640.00	1.00
Jenny	300.00	.47
The Wolf	640.00	1.00
William Reid	1800.00	2.81
John Ben	1800.00	2.81
Thomas	200.00	.31
Culsowee	200.00	.31
Panther	320.00	.50
Back Water	400.00	.63
Yonaguska	1300.00	2.03
Euchella	1000.00	1.56
Aqualah and Tom	100.00	.16

Even though Enloe agreed to all terms, it is worth noting that Thomas continually pleaded for more time “untill he could pay the necessary respect to his principls to aske their concurrence.”¹⁵⁵ Enloe and Thomas continued to stipulate that time was need for the emerging Qualla Cherokees to meet in council and debate their opinion on the matter. Enloe even stated these Cherokees “were a very Searous people of their wrights.”¹⁵⁶

The displacement of 1819 Cherokees, as shown here throughout North Carolina, Georgia, and Tennessee was not uncommon during these initial stages of hyper-displacement. Moreover, each adjudication seemed to drag on for years. What is most important and would be seen throughout the next decades of hyper-displacement in the southeast, and along the Red and White Rivers in the Arkansas Territory was that community and family came first for these Cherokees. Removal and displacement is often seen as helter-skelter, and at times it seemed likely to be, but at every instance, to the best of their ability, Cherokees attempted to uphold community, and maintain old familial, marriage and clan networks, while embracing new ones. Hyper-displacement is an ugly term that can be abrupt, violent and traumatic, but community is, in the words of Zygmunt Bauman a “warm word,” and one to be held onto at all costs.¹⁵⁷ The striving to do so is, and always will be, very much in line with *gadugi* and *tohi*, among others, cornerstones of the Kituwah Way, the proper way to live Cherokee. Moreover, the

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Zygmunt Baumna, *Community: Seeking Safety in an Insecure World*. (Malden: Polity Press, 2001), 3.

physical separation of dissenting voices within larger tribal debates, in this case whether to agree with the terms of the treaties of 1817 and 1819, of the Little Tennessee River and Tuckasegee River valleys can be viewed as another example of nineteenth century Cherokee nativism. As Katja May has demonstrated, it was not culturally unusual for “cultural separatists” to “frequently [advocate] physical removal to resolve” intra-tribal conflict.¹⁵⁸

¹⁵⁸ Katja May, “Nativistic Movements Among the Cherokees in the Nineteenth and Twentieth Centuries,” *Journal of Cherokee Studies* 15 (1990):28.

CHAPTER THREE

ARKANSAW CHEROKEE COMMUNITIES, 1790 – 1828: COMMUNITY NETWORKS OF NEIGHBORS AND NEIGHBORHOODS

Introduction

Nineteenth century towns, for Cherokees, are cultural constructions. This remains true for towns and townships today as well. There is a responsibility and role for each person to become the physical / structural embodiment of *gadugi*. Also, towns were mobile and continuously generating new towns and neighborhoods. Recall in the former chapter that *gadugi* represents the ideal situation wherein all Cherokees hold a responsibility to help others within their community. As such, *gadugi* calls for Cherokees, through *tohi* (balance, or walking the correct way, the open way) to assist those in need so they may live in *osi* (or life in a good state). Therefore, as *gadugi* and *gaduhi* (town) share the same root word, *gadu*, the town is not necessarily just predicated on a specific location, but interconnected networks of mutual aid and fellowship. Everything within the Cherokee world is connected through such fluid networks. A recent personal example illustrates this world of cultural networks well. I presented a chapter of a book at the Newberry Library in Chicago as a co-author with Katie Sampeck and noted Cherokee scholar Ray Fogelson attended the lecture. Ray and his wife, and Katie Sampeck and I all went out for dinner after the lecture, and then retired to Ray's home for another beer and conversation. As it seems often when around Ray, conversations turned somehow to some deep corner of Cherokee or other southeastern

tribal cosmology. At one point I started talking about my dissertation, and he said, “Do you know how the world was made?” I was into my second beer of the evening, and I blurted out “Well, everything, everywhere was above the sky arch” trailing off into the version found in Mooney’s work. Not a bad version, but one everyone has heard. Ray smiled, took out a scrap of paper, and started telling the story while writing on the paper. It was a very similar version to the one recorded by Mooney, but Ray’s version came alive with his illustrations. He handed me the scrap of paper as he finished and asked “Now, what have I drawn? Tell me, what do you see?” I sat up, took the paper and blinked. “It’s a townhouse,” I said. “Exactly,” Ray replied easing back, smiling his big smile and folding his arms. “The world,” Ray continued “was created as a townhouse, and as townhouses have lives, so do towns, and so do all living things, but the townhouse is the center.”

I have thought about that conversation, and in fact, to this day carry Ray’s illustration in my computer bag. The root word for town, *gaduhi*, is the same for Kituwah, *the Cherokee Mother Town*. Roughly translated as a place where, on a social, networked level, people gather to eat and engage in fellowship, *gaduhi* represents a social collective. Today, Cherokee people still gather to eat and fellowship for weddings, birthdays, and many other reasons, and always bring something for everyone to share. In modern Cherokee settings men typically bring some type of meat, while women bring deserts, or other side dishes. Social bonds, therefore, are constructed through fellowship, through communal bonds as neighbors. In turn, neighborhoods form from social networks. These social bonds, these social networks, these towns or communities is

gaduhi, represented by the cultural, archaeological and geographical remains of Kituwah, and modern *gadugi* groups. This is one of the cornerstones given to the Aniyunwiya by the Creator. By Aniyunwiya I mean one of the principal names Cherokees in their own language. Roughly translated it means “Principal People,” or “the Real People,” referring that as a member of one of the seven Cherokee clans you have exist in the world as an actual person. As today many Cherokees no longer have a connection to clans, the name remains intrinsically linked to expressions of self-determination. For instance, the word Cherokee itself has no linguistic meaning. In fact, it is more than likely a word applied by others to the Aniyunwia. Therefore, by utilizing Aniyunwiya, or AniKituwahgi, Cherokee people are making verbal declarations of self, community, and identity. Cherokee communities are therefore manifestations of social networks, not solely geographic locations.

As discussed in the previous chapter, by registering for individual reservations of 640 acres under the treaties of 1817 and 1819, Cherokees protected home places of kin and clan networks. Community, therefore, was a tribal expression taking care of kin and clan. By banding together for mutual support of a specific community, the town of “your” birth, fulfilled cultural obligations. Traveling over 600 miles west, and a decade later, to explore expressions and manifestations of community among the several Cherokee communities in the Arkansas Territory (hereinafter simply Arkansas) between 1790 and 1828. These Cherokee communities were integral in the east to the Treaty of 1817 and were themselves displaced in the west following the Treaty of 1828. In many ways “Arkansaw” Cherokee displacement in 1828 reflected the rapidity and violence of

1820s North Carolina. Likewise, the federal government failed to learn any lessons from North Carolina Cherokee displacement, and the Arkansaw Cherokees found their boundaries and networks eroded and dissolved in many similar ways. Additionally, as “Arkansaw” was the correct historical spelling, by both Cherokees and whites, for the territory west of the Mississippi River comprising the modern states of Arkansas and Oklahoma, I will therefore utilize this spelling for the remainder of this dissertation.

Another manifestation of community, one networked not just by providing for family and clan, but a fulfilling responsibility to your neighbor, and your neighborhood will be explored in this chapter. Time and again the phrase “near neighbor” was expressed in various claims, depositions and affidavits. Arkansaw Cherokee communities were neighborhood communities, with strong social ties not just to regions like the White, St. Francis, or the Arkansas River communities, but to local creeks and bayous. These communities were best expressed in the records when neighbor helped neighbor, and neighborhoods formed out of the desire for mutual benefit of their individual locales, while remaining connected to the wider tribal regions and national affairs. The most compelling aspect of these Cherokee communities no longer focuses on town or farmstead locations, but on how and why they were displaced. Somehow between 1828 and 1838 these Cherokee communities became known as Old Settler Cherokee. In fact, they had established a well-regulated, independent nation of their own, the Cherokee Nation west. Yet, over the course of 20 years these very communities were displaced two and three times, until finally losing their own independence following the forced removal of the Cherokee Nation east in 1838. The story of the Arkansaw

Cherokee follows a similar trajectory of previous displacements as seen in North Carolina, sometimes with similar levels of violence, and often with very different outcomes.

A Name by Any Other Name: Who Were the Arkansaw Cherokees?

In the Treaty of 1817 these communities were known as “the Cherokees on the Arkansas river.”¹⁵⁹ In the Treaty of 1828 they were collectively termed by the federal government as “the Western Cherokee,” “Cherokee Nation of Indians, West of the Mississippi,” or simply “the Cherokees in Arkansas.”¹⁶⁰ For white missionaries, especially those of the American Board of Commissioners of Foreign Missions (ABCFM), who had established Dwight Mission among the tribal communities on the Arkansas River in 1824, these communities were simply the “Cherokees of the Arkansas,” a “band” of Cherokees in the “trans-Mississippi.”¹⁶¹

For the Cherokees themselves, the trans-Mississippi region was simply home. By 1828, 3,000 – 4,000 +/- Cherokees resided west of the Mississippi River along and between the Arkansas and White Rivers. Of these, very little locational data exists for only a handful of farmsteads.¹⁶² While it is not the purpose of this chapter to locate exact

¹⁵⁹ Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties*, vol. 2, *Treaties*. (Washington, DC: Government Printing Office, 1904), 140.

¹⁶⁰ Kappler, *Indian Affairs*, v. 2, 288.

¹⁶¹ Reverend Dr. Samuel Worcester to Reverend John M. Peck, letter dated 19 Nov 1818; Reverend Dr. Samuel Worcester to unknown, letter dated 16 Feb 1819. 1.01, v.2. American Board of Commissioners for Foreign Missions Archives, 1810-1961 (ABC 1-91) Houghton Library, Harvard University. Hereinafter cited as ABC.

¹⁶² Hester A. Davis, “The Cherokees in Arkansas: An Invisible Archaeological Resource,” in *Visions and Revisions: Ethnohistoric Perspectives on Southern Cultures*, ed. George Sabo, III and William M. Schneider (Athens: The University of Georgia

coordinates of individual homesteads, several key, often overlooked archival lines of evidence illuminate tribal communities' displacement during the continued years of nineteenth century Native American hyper-displacement. Often Arkansaw Cherokee displacement stories echo those of North Carolina, Tennessee and Georgia throughout the 1820s, and those of other eastern kinsmen following the forced removal of the Cherokee Nation east in 1838. The Cherokee world remained a town centered world in the west during the twenty-year hyper-displacement period. What was strikingly different among the Arkansas towns in the 1810s and 1820s, and among the North Carolina Cherokees, were towns centered around individual Cherokee headmen. Towns were often known as Bear's Town, as the case in North Carolina, or Takatoka's Town among the Arkansaw Cherokee.

Two large sets of archival materials will be utilized for the remainder of this chapter to illustrate emplacement and displacement far from the traditional aboriginal territory of the Cherokee people. First, white missionary data from American Board of Commissioners for Foreign Missions (ABCFM) illustrates the level of organization and community networks. Side streaming the ABCFM letters and journals with other archival ethnographic data silences the white noise from the Cherokee voices.

The second set of records were culled from the Penelope Johnson Allen Cherokee Collection (PJACC), located at the Tennessee State Library in Nashville, Tennessee. Included in the PJACC collection are fourth Board Claims made in the Cherokee Nation

Press, 1987), 48. See also Leslie C. Stewart-Abernathy, "Some Archaeological Perspectives on the Arkansas Cherokee," *The Arkansas Archeologist* 37 (1996).

west during the spring of 1842. These claims reflect similar data as other fourth Board claims from the Qualla communities in the east, including, but not limited to, spoliations, affidavits, depositions and memorials. These data sets provide valuable detail for the Arkansaw Cherokee regarding settlement patterns, itemizations of personal property, and, most importantly, details regarding displacement of pre-1828 communities, and emplacement of post-1828 tribal communities.

Establishment of the Western Towns: 1790s – 1810s

Cherokees began *voluntarily* removing from the traditional aboriginal territory of Georgia, Tennessee, Alabama and North Carolina as early as 1794. I italicize voluntarily to illustrate how the movement of people in this early stage was not the result of any land cessions attached to a treaty, even though they did coincide with the treaties of 1794 and 1798, also known as the First and Second treaties of Tellico Blockhouse. These two treaties concluded one of the bloodiest and prolonged wars in American history, especially from the Cherokee perspective. Many of the leading headmen who moved west of the Mississippi River at this time were former Chickamauga Cherokees, those five “Lower Towns” who maintained a war footing against the United States long after their abandonment by their British allies during the American Revolution. In fact, for Cherokees the American Revolution did not conclude until 1798. In the 1790s, the five Lower Towns of Nickojack, Running Water, Crow Town, Island Town and Lookout Mountain Town continued military engagement against the US. These towns were, themselves, in the 1790s, only recently settled following their destruction and displacement a decade earlier at the hands of American forces from their former locations

along the various branches of Chickamauga Creek throughout modern Chattanooga, Tennessee and Catoosa County, Georgia.

These Chickamauga towns, however, should not be discussed as “towns” in the historical sense, but more like collections of warriors from many different tribes and communities, along with their wives and children, in something more like modern military forward operating bases. These towns, as such, were never intended as permanent residences, even though several such as Lookout Mountain Town, Running Water Town, and Watts Town thrived as communities long after the end of the American Revolution. Instead, these were places to secure military supplies to continue the struggle to maintain Cherokee boundaries and defend the *Aniyunwiya* at all costs. These were places to ride the range, in a manner of speaking, to maintain the borders and deprive the enemy - Euro-Americans - from outright squatting on Cherokee lands by expanding and settling outward from established block houses. The final decade of the American Revolution in Cherokee country was a series of fortified “stations” by Cherokees and whites, from which raiding parties sallied forth to burn and pillage. By 1798, however, both sides were old and tired, and a de-militarized zone was established by both sides.

What does a warrior, who has been fighting and losing loved ones for twenty years, do when “peace” is declared? The prospect of living as close neighbors to whites for many former Chickamauga Cherokee, became unbearable. Indeed, the term “white citizens of the united states” appeared again and again in claims, affidavits and depositions associated with violent displacement of Cherokees from their improvements

during this period. It was the so called “civilized” whites of the “united states” who not only displaced Cherokees but did so in such brutal fashion.

From the 1790s through the early 1820s thousands of Cherokees removed themselves from the southeast to what would become the Arkansas Territory. They often emigrated in small or family kin, or clan groups. Tachee, sometimes called Dutch in English, who became famous for his fighting skills during the wars with the Osage in the west, “accompanied his mother and an uncle named Thomas Taylor, to the St. Francis River in Arkansas.”¹⁶³ In 1809 Major John Norton described a meeting “some of the principal people of Swale” in northern Georgia. Norton stated, “They speak a different dialect from their part of the Nation and are descended from the inhabitants of Kittowa [Kituwah], which was formerly the Council Fire place of all the Nation.”¹⁶⁴ While these people were among a small group heading west, however, Norton stated that “generally throughout the Nation” in 1809 “emigration was unpopular, and exchanging countries still more so.”¹⁶⁵

St. Francis River Towns: 1790s – 1810s

Three rivers, the Arkansas, White and St. Francis, encompass the geographic of the Arkansas Cherokees (Figure 3.1). The story of these early tribal emigrant communities is difficult to put together, and the sources are as temporally and geographically scattered as the various communities. What is the correct verbiage to

¹⁶³ Carolyn Thomas Foreman, “Dutch,” *Chronicles of Oklahoma* 27, no.3 (1949):252.

¹⁶⁴ John Norton, *The Journal of Major John Norton 1816*, ed. By Carl F. Klink and James J. Talman. (Toronto: The Champlain Society, 1970), 62. Hereinafter cited as Norton, *Journal*.

¹⁶⁵ Norton, *Journal* (1970):63.

label these communities; the Arkansaw Cherokees, the Cherokees on the Arkansas River, or the Cherokee Nation west? It is paramount to any discussion of these tribal enclaves to establish specific timeframes and locations. One of the initial problems faced when constructing this chapter has been what to call these Cherokee communities. In the previous chapter specific town names such as Kituwah, Notley, Cowee or Bear's Town were provided within the archival material. Moreover, the records hint of names for early nineteenth century North Carolina Cherokee regions, such as the Kituwah Region or the Notley Region. Here, in the west, are perplexing questions about not only town names, but what the people called themselves. I have chosen to call these tribal communities the Arkansaw Cherokees for several reasons. First, in 1809 Major John Norton discussed a "settlement on the River *St. Francis* and *White River* on the other side of the Mississippi" with the closest tribe being the Kappas (Quapaws) "near the Mouth of the Arkansa."¹⁶⁶ Second, "Arkansaw" was a term utilized throughout the ABCFM letters and journals. Calling the communities the Arkansaw Cherokees separates their communities from Euro-American communities, and often made it easier for me, and future scholars, to trace their exact locations throughout the archival materials.

¹⁶⁶ *Ibid.*, 35.

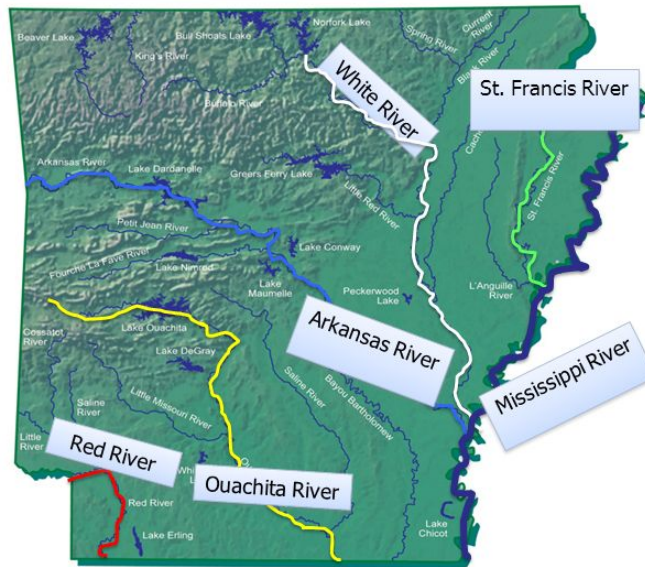


Figure 3.1. “Arkansas Geography” The Department of Arkansas Heritage.

Among the earliest large emigrant detachments was that led by Duwali, also known as the Bold Hunter, the Bold, or Bowels. He “served as the First Chief of the Western Cherokees . . . situated in the valley of the St. Francis in southeastern Missouri” from 1795 until 1813.¹⁶⁷ Duwali was a younger generation Chickamauga leader within the later stages of the Chickamauga confederacy. He led a detachment of Cherokees west and established a town on the St. Francis River in northeastern Arkansas in 1810.¹⁶⁸

¹⁶⁷ Dorman H. Winfrey, “Chief Bowles of the Texas Cherokee,” *Chronicles of Oklahoma* 32, no. 1 (1954):29.

¹⁶⁸ Leslie C. Stewart-Abernathy, “Some Archaeological Perspectives on the Arkansas Cherokee,” *The Arkansas Archeologist* 37 (1996).

Estimates range from 2,000 to 3,000 Cherokees residing along the St. Francis, White and Arkansas Rivers prior to 1817.¹⁶⁹ Robert Paul Markman wrote that after negotiations in 1808 to separate the Upper and Lower Town Cherokees broke down, Tolontuskee, another important early Arkasaw Cherokee headman, became responsible for leading approximately 1,130 Cherokee men, women and children in November 1809 to establish settlements along the St. Francis River.¹⁷⁰ He emerged as a leader of emigration following President Thomas Jefferson's advice in 1808 for potential Cherokee settlement, to "reconnoiter" the Arkansas and White River valleys.¹⁷¹

The St. Francis River communities were settled in several different patterns. First, these Cherokees were primarily former Chickamauga Cherokees who had left their homes among the Five Lower Towns during the last stages of the American Revolution in Cherokee country. As such, these were warrior led communities. Following the withdrawal of British economic and military support during the American Revolution, the Chickamauga turned to Spanish authorities as new trading partners. Spain established official government stations and trading centers just west of the Mississippi River, prior to the 1803 Louisiana Purchase, especially around modern-day New Madrid, Missouri. It

¹⁶⁹ "Dwight Mission," *Chronicles of Oklahoma* 12, no. 1 (1934); Winfrey "Chief Bowles of the Texas Cherokee"; Robert Paul Markman, "The Arkansas Cherokees: 1817-1828" (Ph.D. diss., The University of Oklahoma, 1972); Stewart-Abernathy "Some Archaeological Perspectives on the Arkansas Cherokee." Return J. Meigs estimated nearly 3000 Cherokee resided in the west by 1817, Penelope Johnson Allen Papers/Box 1/Folder 91/ "Answers to enquiries relating to the Cherokees, 1817 Aug. Cherokee Agency." Hereinafter cited as PJACC. Hoskins Special Collections Library, University of Tennessee.

¹⁷⁰ Markman, "The Arkansas Cherokees: 1817-1828," 25.

¹⁷¹ *Ibid.*, 23.

is therefore very plausible to follow that Cherokees, who were already militarily and economically connected with the Spanish would establish communities within Spanish territory. In fact, several have argued that Spain encouraged Cherokee settlement to act as a buffer against increasing Euro-American settlement and aggressive land grabs by American officials.¹⁷²

These first trans-Mississippi settlements were established, similarly to the first Chickamauga towns, as military stations or akin to forward operating bases from which Cherokees pushed back Osage attacks, who themselves believed were defending their own territory. The Arkansas Territory had been the traditional aboriginal territory of the Osage, Quapaws and other Native American nations. While the US acknowledged “Cherokee rights” to a trans-Mississippi territory according to Article 5 of the Treaty of 1817 as bounded to the north side of the Arkansas River, unfortunately, the US never officially organized, or recognized a Cherokee reserve, or a legally bounded national territory.¹⁷³

Also, these first communities were short lived. Following the 1803 Louisiana Purchase, wherein the United States became “legal” and “official” controllers of the new Missouri Territory, later the Arkansas Territory, Cherokees in the St. Francis river valley became increasingly frustrated over the security of their homes. They were increasingly deprived of Spanish assistance against the Osage, frustrated by encroaching white

¹⁷² See especially Markman and Stewart-Abernathy.

¹⁷³ Emmet Starr, *Cherokees “West” 1794 to 1839* (Clarmore: Emmet Starr Publisher, 1910), 133.

squatters and land speculation Cherokees, and were environmentally displaced by the 1812 New Madrid earthquakes. They began abandoning the St. Francis River valley communities following the earthquakes. This is hyper-displacement writ-large.

While the New Madrid earthquake devastated the entirety of the St. Francis valley settlements, depictions in the years following describe how whites moved in quickly after Cherokee, Delaware and Shawnee abandonment, to find a district “of tillable land . . . much more extensive . . . than is generally supposed, and is capable of supporting a considerable population.”¹⁷⁴ Why, then, would Cherokees leave such a fertile river valley? The initial earthquake was of tremendous magnitude. Some estimates of the first quake believe it was equivalent to 8.8 on the Richter Scale. Not only did the Mississippi River flow backwards following the initial quake, but several thousand lesser quakes over a fifteen-month period were followed by lightning storms, boiling water and smog, and tar and oil seeping through the sand and opening crevasses throughout the landscape. The cultural merger of environmental devastation with cosmographic upheaval made the St. Francis river valley a haunted landscape. For a people deeply rooted in cosmography, coupled with increased Osage raids, loss of life and livestock, and constant white encroachment, the St. Francis settlements were abandoned for locations further west along and between the Arkansas and White Rivers.¹⁷⁵

¹⁷⁴ Henry R. Schoolcraft, *Journal of a Tour Into the Interior of Missouri and Arkansas* (London: Sir Richard Phillips and Co., 1821), 5.

¹⁷⁵ <http://www.new-madrid.mo.us/index.aspx?nid=132>. Accessed 29 March 2018.

Arkansas and White River towns: 1818 – 1828

While the St. Francis settlements were not the only tribal town clusters prior to 1810s, they were the most prominent. Following the environmental displacement of the New Madrid earthquakes in 1812, the internally displaced Cherokee population increased in the lands between the Arkansas and White Rivers, particularly between modern day Little Rock and Ft. Smith, AR. Over the next decade these town clusters became the heartland of the Arkansaw Cherokees. Tribal population in the west also increased following the treaties 1817 and 1819. Where the earlier trans-Mississippi emigration was small and scattered, aside from Toluntuskee's and Bowels's detachments, it is estimated that as many as 3,000 Cherokee emigrated west between 1817 and 1819.¹⁷⁶ Moreover, as most trans-Mississippi Cherokees arrived in their new homes in smaller detachments, scattered settlements increased as families clustered around the first tillable land they came upon. It is clear from eastern sources, such as Norton's depiction of the Glass's village that newly established Cherokee communities by 1809 were constructed around family networks. He wrote of the Glass's village as including "a numerous family of children and grand-children – they all together form a little village."¹⁷⁷ Moreover, Norton described how many early emigrants heading west "have carried with them the art of manufacturing, and they have great heads of cattle, which multiply without end."¹⁷⁸ Later they removed with "herds of cattle, agriculture and other branches of industry well followed are the most certain means of making a numerous Nation, and of supplying their

¹⁷⁶ Markman and Stewart-Abernathy.

¹⁷⁷ Norton, *Journal* (1970), 49.

¹⁷⁸ *Ibid.*, 60.

families with abundance of the necessities of life.”¹⁷⁹ The Arkansaw Cherokees were never solely a people simply looking to continue hunting for profit, but primarily an agriculturally based people. They often transplanted their entire farms and livestock west. In fact, of the fourth Board claims investigated, only one included hunting accoutrements. The remaining claims itemized farms, livestock, fields and farming implements.

It is to these Arkansas and White Rivers town clusters we turn our attention for the remainder of the chapter as we try to describe and understand the ramifications on tribal populations and communities of the continued period of hyper-displacement. Post-New Madrid earthquake Cherokee towns were established for varying reasons. At times these towns reflected a very Chickamauga influence. For one thing, the Arkansas Territory was a multi-national, ethnic, and linguistic region. It is incorrect to think of the five Chickamauga Lower Towns during the American Revolution as purely Cherokee towns. In addition to Cherokees, there were Muscogee Creeks, Shawnees, Euro-Americans (including those from Great Britain, and, later, Spain) and very likely either enslaved or freed Africans. While Cherokee leaders such as Double Head, Dragging Canoe, Pumpkin Boy, or John Watts acted as head men and led war parties, the communities were very much multi-national. What was unique, however, was how the local landscape remained embedded in Cherokee cosmography. The landscape of western Arkansas is like the southern Appalachians in the east. Hot summers and cold winters, well-watered, and wooded, with fertile soil, however, enabled many of the

¹⁷⁹ *Ibid.*, 63.

emigrating Cherokees to transplant already extant eastern agricultural practices. In many ways, western Arkansas is a mirror image of western North Carolina, southeastern Tennessee, and northern Georgia, but the trans-Mississippi landscape never fully became a Cherokee landscape prior to 1828.¹⁸⁰

Post-1819 Cherokee towns, communities, and neighborhoods were scattered primarily along a seventy-five to eighty mile range from Fort Smith down river east to Mulberry Creek, modern Russellville, Arkansas.¹⁸¹ There was one neighborhood community around Dwight Mission, and another around Mulberry Mission, on Mulberry Creek. Mulberry Mission was fifteen miles north of Dwight.¹⁸² As such, the average distance between Arkansas Cherokee neighborhoods and communities was ten to fifteen miles.

Continuous warfare with the Osage throughout the early period of Cherokee occupation in the Arkansas Territory reflected a more centralized, nuclear settlement pattern. In fact, nearly 60 families, totaling 1,000 Cherokees, migrated westward in 1802 due to warfare with the Osage.¹⁸³ The Arkansas River Cherokee maintained a townhouse-centric form of organization. In 1820, for example ABCFM missionaries arrived among the Arkansas River Cherokees requesting permission to establish a mission station among

¹⁸⁰ Leslie Hewes, "Cherokee Occupance in the Oklahoma Ozarks and Prairie Plains," *Chronicles of Oklahoma* 22, no. 3 (1944).

¹⁸¹ William P. Thompson, "Courts of the Cherokee Nation," *Chronicles of Oklahoma* 2, no. 1 (1924):66.

¹⁸² Carolyn Thomas Foreman, "Fairfield Mission," *Chronicles of Oklahoma* 27, no. 4 (1949).

¹⁸³ The Territorial Papers of the United States, vol. 13. Letter from Governor Wilkinson to the Secretary of War, 22 Sept 1805:228-229.

their towns. Following protocol established in the east, these missionaries sought permission from the local headman, but were instructed by various town headmen that while they had met in the past with one headman, Tolontiskee, they now had to meet with a regional gathering consisting of several town headmen. The missionaries wrote,

We were conducted to the council house & seated opposite the principle chief. Read our credentials, showed them we were the Missionaries promised Tolontiskee, stated the [feelings], which induced us to come to them . . . The chiefs retired from the council house & in a few minutes returned. They stated to us that ‘they approved of all our talk. That they wished us to remain with them & establish a school & that we had full liberty to select any place we should choose, having regard to conscience. We then prepared, as a token of mutual friendship & good will, to take the chiefs by the hand . . . The head chief instantly rose & gave us his hand most affectionately. Afterwards in like manner, the rest in order. The interpreter then informed us that a number of women wished to give us their hands also. We turned to the side of the council house & received, in succession, the hands of two long rose of women, who had set without in the rears. As they gave us their hands they smiled, as they turned away they laughed, we bowed & left the their council house.¹⁸⁴

Several key elements of this journal entry illustrate pre-1828 town settlement and organization. Cherokee headmen called this meeting following the request by the ABCFM missionaries. Similarly, to the Kituwah and Notley, this town house served several functions as a regional center, including international affairs. Secondly, the headmen were in complete control of the meeting, as they removed themselves to debate a unanimous answer while the missionaries waited. As such, this meeting was of regional importance, if not the entirety of all Arkansas Territory Cherokee towns. It is also noteworthy how the missionaries stated the women sat in the rear of the council house, i.e. on the benches as clans. The request of the women to shake hands with the

¹⁸⁴ ABC 18/3/1/“Journal of the Arkansas Mission.” Notation dated 19 Aug 1820.



Figure 3.2. Sketch of Arkansas Cherokee Territory, Jeremiah Evarts 25 Feb 1824.¹⁸⁵

missionaries is also indicative that clan based gendered roles still functioned in 1820 in the west. The men could not unilaterally agree with the missionaries' request without the approval also of the women and the clans.

Figure 3.2 represents a rough sketch of the Arkansas Cherokee territory as provided in an 1824 letter from Jeremiah Evarts, corresponding secretary of the ABCFM, to Henry Hill in which Evarts decried the displacement of Cherokee communities following a half-hearted boundary survey conducted by US surveyors. According to Evarts, Cherokee personal tensions remained high in the 1820s, even following the great defeat of the Osage at the battle Claremore Mounds in 1817. Throughout the 1820s the federal government continually debated over another treaty, especially as the Arkansas white population increased, and the territorial leaders moved for statehood. Evarts

¹⁸⁵ ABC 11/1/Letter from Jeremiah Evarts to Henry Hill. Letter dated 25 Feb 1824.

became increasingly concerned that without a legally bounded territory, Cherokees would find themselves outside of federal jurisdiction, especially in cases of white encroachment encircling their farms and communities.

Following the Osage Treaty of 1820, in which the tribe extinguished claims to land in western Arkansas Territory, Reuben Lewis informed the Secretary of War, “There have been strong efforts made by citizens of the United States to settle the country lately acquired from the Osages on the Arkansas,” even though Cherokees considered these same lands as their own.¹⁸⁶ Likewise, Thomas Nuttall described several white hunting camps and small communities as “remote settlements” scattered throughout the western portions of the Arkansas Territory.¹⁸⁷

According to Evarts, by the treaty of 1817 and what became known as the Lovely Purchase, Arkansas Cherokees were granted nearly 6,000,000 acres between the north bank of the Arkansas River, the west bank of the Mississippi, the south bank of the White River, and as far west as the Verdigris River in modern Oklahoma. Dating to 1816, Lovely’s Purchase was created by William Lovely as an attempt to end the war between the Osage and Cherokee. The federal government provided a means for Clermont’s Osage band to avoid being held responsible for murders of whites in Arkansas. The only caveat was that the Osage had to relinquish title to approximately 6,000 square miles west along the Arkansas River to the falls of the Verdigris River. For Cherokees, the

¹⁸⁶ Carolyn Thomas Foreman, “The Bean Family,” *Chronicles of Oklahoma* 32, no. 3 (1954):310.

¹⁸⁷ Richard G. Biedleman and Thomas Nuttall, “The 1818-20 Arkansas Journey of Thomas Nuttall,” *The Arkansas Historical Quarterly* 15, no. 3 (1959):257.

Purchase provided fine agricultural lands and, on paper, ended open warfare with the Osage. These western Cherokee lands, however, were only recognized by the Osage and the federal government through continued warfare.¹⁸⁸ Moreover, the federal government failed to fix any tribal reserve boundaries throughout the early decades of the nineteenth century. Additionally, much of the territory in Lovely's Purchase included Pawnee and Quapaw lands, as well as Osage territory. What is more, territorial whites viewed the lands along the White Rivers as fine range lands and sought to control these lands for themselves for white immigration. Lovely's Purchase would continue to prove important for the history of the Arkansas Cherokee. The Treaty of 1828, while displacing Cherokees from their well-established homes, nonetheless acknowledged the western lands of the purchase, which included much of the Skin Bayou Arkansas Cherokee communities.

Unfortunately, the Purchase was never fully sanctioned or surveyed by the federal government prior to the Treaty of 1828. Even after Cherokees began emigrating onto the Purchase, the federal government failed to officially survey the lands. Evarts was greatly alarmed by the neglect of the federal government to fulfill its promises to the Arkansas Cherokee people, as represented as letter B in Fig. 3.2, the official survey neglected to include a large section of land between letters B and A. Evarts wrote:

The U.S. Surveyors last summer [1823] ran the line (B.) so as to give them [Cherokees] little on the Arkansas, where the land is good & much on White river, where the face of the country is mountainous. This line leaves out all the Cherokee settlements, or nearly all & among them the establishment at Dwight.¹⁸⁹

¹⁸⁸ Markman, "The Arkansas Cherokees: 1817-1828," 52.

¹⁸⁹ ABC 11/1/Letter from Jeremiah Evarts to Henry Hill. Letter dated 25 Feb 1824.

The new surveyed line not only left out a large portion of the 75 +/- miles of Cherokee settlements from Fort Smith east along the Arkansas River, it compounded an already existing shift in western settlement from nuclear towns to scattered farmsteads.

Arkansaw Cherokee communities along the Arkansas River were established as neighborhood communities, while maintaining a centralized town house. Each tribal community examined in this dissertation expresses unique characteristics of nineteenth century Cherokee towns. In the previous chapter we analyzed “towns” as physical representations of *gadugi*, and as regional, clan, family and personal responsibilities. In this chapter we shall analyze Cherokee communities expressed as neighborhoods. Given the new expansive geography west of the Mississippi River, Cherokees continued to utilize townhouses for important social and religious functions, but the primary expression of community was found in neighbors seeking mutual support. As towns became increasingly spread out, *gadugis* became increasingly locally focused.

“after I had moved up into this country”: Westward Displacement Following Treaty of 1828

In addition to the New Madrid earthquakes of 1812, the Treaty of 1828 became the defining displacing event of the remaining Arkansaw Cherokee communities. Angry inter-tribal dialogue and community backlash following the signing of the treaty also foretold of potential issues for any future Cherokee treaty which called for land cessions. Many of the Arkansas River communities were already fractured by 1828, and the belief of being sold out by a small number of headmen only compounded community

fracturing. By 1828 there already were small neighborhoods up river around Webber Falls.

The PJACC fourth Board claims reflect a more neighborhood approach employed by trans-Mississippi Cherokees as an emplacement strategy in their new territory. Take for example several claims from the Skin Bayou District, Cherokee Nation, taken under oath at the Skin Bayou District Court House between 1 March 1842 and 7 April 1842. These spoliation claims, affidavits, and depositions highlight the neighborhood element of Arkansaw Cherokee communities. Wahnenoke Rainstopper, for example, made a claim before the fourth Board on 1 March 1842 for three steel traps, one cow and calf, one bay stallion, one bay mare and colt, one gray horse, and one bay horse. In total, her claim amounted to \$378.00.¹⁹⁰ She never stated the name of the Cherokee town she emigrated from, but stated she, “Emigrated from Illinois Bayou in Arkansaw to this country.”¹⁹¹ Prior to 1828 she and her husband Rain Stopper resided near Dwight Mission. Nick Corn Tassel, a neighbor of the Rainstopper’s “from Illinois Bayou” testified for Wahnenoke Rainstopper that while he resided near her prior to 1828, “Mrs. Rainstopper & her family moved up [to Skin Bayou] before I did.”¹⁹²

“Arriving in this country,” or “when we came up river to this country,” were common displacement themes among the Arkansaw Cherokee following the Treaty of

¹⁹⁰ Penelope Johnson Allen Papers/Cherokee Collection/Box 11/Folder 1/Wahnenoke Rainstopper. Tennessee State Library and Archives, Nashville, Tennessee. Claim dated 1 March 1842. PJACC/Box 11/F 1. Calculated for inflation her 1842 claim of \$378.00 equals \$10,885.14. <http://www.in2013dollars.com/1842-dollars-in-2017?amount=378>.

¹⁹¹ Ibid.

¹⁹² Ibid. Testimony of Nick Corn Tassel dated 1 March 1842.

1828. “Up country” not only implies moving up river along the Arkansas River towards Fort Smith, but to the new territory beyond the fort. At its greatest extent Fort Smith was approximately seventy-five miles from the most eastern tribal settlements along Mulberry Creek and Dardanelle Bluffs. Yet, for displaced Arkansaw Cherokees it was a new country west of the fort. The Arkansas River was a land of the Ozark Mountains. Similar in geography to the Appalachian Mountains, pre-1828 tribal homes followed a similar pattern of scattered farmsteads along the main river and primary and secondary streams. West of Fort Smith was a new country in many ways.

Following 1828 Cherokees found themselves outside a newly legislatively bounded state, Arkansas, but within a newly formed Indian Territory. It would be several years before the major westward forced emigrations of the Muscogee Creek Nation and the Choctaw Nation, and Arkansaw Cherokee found themselves living among a much depleted, but still harassing Osage people. The security and accessibility of former social, economic, and military aligned networks with scattered Shawnees, Delaware and Quapaw villages were also broken. Arkansaw Cherokees found themselves increasingly forced to rely upon themselves or look to the US Army garrison at Fort Smith, or Cherokee Indian Agent William Lewis Lovely at Fort Gibson following 1830, for military security. West of Fort Smith, Cherokees economically also now found themselves having to navigate new deals with white traders and other tribal nations. For years, in fact, the Arkansaw Cherokees had relied upon themselves in dealing with western tribal nations and the federal government.

As early as 1811 eastern Cherokee leaders argued the federal government should not consider western Cherokees regarding division of the annual federal annuity, unless said communities return east. Having but a third of the eastern Cherokee population, tribal communities west of the Mississippi increasingly realized themselves as an independent people, with their own National Council and Principal Chief.¹⁹³ Geographically Arkansaw Cherokees found themselves displaced among the land of the setting sun where the western Ozark foothills meet the beginning expanses of the Great Plains. As Sicktowee exclaimed in 1816 from Chapter Two, “We do not want to go towards the setting sun, we want to remain towards the rising sun.”¹⁹⁴

There are seven directions among the Cherokee people. Four are cardinal directions, North, South, East and West. The remaining three are positional directions, Up, Down, and Where You Presently are Located. West has always, and remains today, more than just a geographic location. West is a bad omen, a parable spoken in the dark among the living to ward off the dead. These foreboding tales date from among the deep time stories among the *Aniyunwiya*. The son of Selu and Kanati, along with the Wild Boy, are said to have fled westward “on toward the Darkening land” to escape Kanati’s punishment for the murder of their mother Selu.¹⁹⁵ The west represents places where the panthers prowl, where Selu and Kanati’s son and the Wild Boy, who became low, rolling thunders, remain. These are shadow lands and places beyond the townhouse door. Following the Treaty of 1828 displacements, Arkansaw Cherokees, who had lived with

¹⁹³ Markman, “The Arkansas Cherokees: 1817-1828,” 28.

¹⁹⁴ M 208, 18 Dec 1816.

¹⁹⁵ Mooney, *Myths of the Cherokees* [1900] 1995:248.

the setting sun on their backs looking east, struggled to successfully form new organic bonds and networks among the shadows. They have become known as “Old Settlers,” but settlement was never taken for granted, and was never easy.

“we was afraid that they would kill some of us”: The 1842 Skin Bayou Spoliation Claims as Displacement and Erasure of a Cherokee Landscape 1828

The fourth Board Cherokee Nation west claims provide invaluable details to reconstruct pre- and post-1828 Arkansas communities. I was able to cull specific claims of Arkansas Cherokees on many different levels. Time and time again these claims portray very trans-border communities. By trans-border I mean the new cultural, familial, economic, or community networks which cross the often arbitrarily drawn legal and geographic borders. Unique cultural interactions develop along the arbitrary legal border wherein the newly demarcated populations often maintain pre-border networks and cultural relationships. Even after removal west of Fort Smith, for example, Cherokee neighbors returned down river to gather what supplies and property were left on their farms, hunt for lost or runaway cattle or horses, or simply to hunt game. It was as if even the animals were determined to live down river. While the lands west of Fort Smith became after 1828 a demarcated Indian Territory, their “homes,” for humans and animals, remained down river. Unfortunately, time and again, Arkansas Cherokees were reminded by Euro-American whites, who had quickly and violently replaced them, that the new state of Arkansas did not wish them to remain within their exterior boundaries.

I found several Arkansaw Cherokee communities in the former Skin Bayou District, on the southern border of the Cherokee Nation west, today portions of the Sequoyah District, Cherokee Nation, and in the Tahlequah District in the central portion of the modern Cherokee Nation. It appears the majority of displaced Arkansaw Cherokee settled just west of Fort Smith, along a 5 – 10 mile stretch of the Arkansas and Illinois River, particularly around Webber Falls, and in the lands around what would become Tahlequah in 1838. William Webber and his trading center illustrate well the Arkansaw Cherokee emplacement story. William Webber first came to prominence around Wills Town, Alabama, where he had first established himself as a skillful trader.¹⁹⁶ In the west Webber became an early leader of the Arkansas River communities. In April 1819, Thomas Nuttall described his trading store “along the hills of the Dardanelle” on the southern bank of the Arkansas River.¹⁹⁷ According to Nuttall, the Dardanelle Cherokee settlement was approximately “five miles from the first Cherokee village, called the Galley.”¹⁹⁸ Dardanelle had formed around Webber’s trading store, and was one of the early leading centers of trade and international relations with the US federal government. William Webber, along with his the half-brother David Brown, Black Fox, James Rogers and John McLemore were among a Arkansaw Cherokee delegation to Washington, DC in the 1820s urging the federal government to survey the AR Cherokee reserve, which Evert

¹⁹⁶ Norton, *Journal* (1970):37. According to Norton, Wills Town derived its name from William Webber.

¹⁹⁷ Thomas Nuttall, *Journal of Travels into the Arkansas Territory, During the Year 1819*. (Philadelphia: Thomas H. Palmer, 1821), 129. Today the city of Dardanelle is the county seat of Yell County, AR, and sits on a bluff on the southern bank of the Arkansas River to the northwest, or upriver, from Little Rock, AR.

¹⁹⁸ Nuttall, *Journal of Travels into the Arkansas Territory* 1821:121-122.

had drawn and included as fig. 2, and secure the rights of Cherokees to settle in the western portion of the Arkansas Territory, including the Lovely Purchase.¹⁹⁹ When the Cherokees were removed from the Dardanelle, they simply moved up river as a community, along with William Webber's trading center, to settle around Webber Falls, and Skin Bayou, modern day Muskogee County, Oklahoma, near the Cherokee communities of Gore and Vian, Oklahoma.

Out of a total of 102 claims in the Skin Bayou District a total of 21 claims, affidavits, or depositions belonged to Arkansaw Cherokees. Another further breakdown can be seen in Table 3.1 by Claimant, Gender, Type, Residence 1828 and Residence 1842. Similarly, to North Carolina Cherokee displacement in Chapter Two, the Arkansaw Cherokee faced a determined Euro-American population hell-bent on claiming and subsequently erasing the Cherokee landscape of western Arkansas following the Treaty of 1828.

The geographic agricultural landscape of the Arkansas and White River valleys contributed to both the swiftness and violence of Cherokee removal. The neighbors along Illinois River, for example, spoke about how their livestock was kept in a range system. Most of the Illinois River Cherokee neighbors resided within a three-mile radius west of Fort Smith (Table 3.1).

¹⁹⁹ Carolyn Thomas Foreman, "Early History of Webbers Falls," *Chronicles of Oklahoma* 29, no. 4 (1951).

Table 3.1. Skin Bayou Spoliation Claims Providing Arkansaw Cherokee Place of Residence 1835 and 1842.

Claimant	Gender	Type	Residence 1828	Residence 1842
Wahnenoke Rainstopper	Female	Claim	Illinois Bayou	“three miles from Ft. Smith”
Nick Corn Tassel	Male	Affidavit		With “Mrs. Rainstopper”
Bird Pecker	Male	Claim		“on Skin Bayou”
Wash	Male	Affidavit		“on Skin Bayou”
Tiyeske	Male	Claim		“about three miles west of Fort Smith”
Judge Wind	Male	Affidavit		“one mile from Fort Smith”
Gaty	Female	Claim	“near White Oak”	“on Illinois District”
Little Charles	Male	Affidavit		“about five miles west of Fort Smith”
Sakey Bengé	Female	Claim		“about five miles from Fort Smith”
Eliky Williams	Male	Claim	“near Dardenells in Arkansas”	“about 12 miles from John Benges, near Fort Smith”
George Crappo	Male	Claim		“about seven miles west of Fort Smith”
Alstewahtu	Male	Affidavit		“on Skin Bayou”
Joseph Crossland	Male	Claim	“in the Cherokee Nation Arkansas West”	“one miles from Fort Smith”
Nancy, “wife of Wasp”	Female	Claim	“in the old nation in Arkansas”	“on Skin Bayou”
Wasp, husband of Nancy	Male	Affidavit	“our old place in the Nation Arkansas”	“on Skin Bayou”
Nich Biers	Male	Claim	“the old nation Arkasas”	“four miles from Fort Coffee”
Kenah Logan	Male	Affidavit	“in the old nation Arkansas”	“on Lees Creek”
Kannah Logan	Male	Claim	“from the place where I removed”	“on Lees Creek”
James Holt	Male	Claim	“the old nation Arkansas”	“near old Fort Coffee”
Kanahlee	Male	Claim	“the old nation Arkansas”	“about three miles west of Fort Smith”
Silas Baggs	Male	Affidavit	None Given	“near old Fort Coffee”
Oganstolah Logan	Male	Claim	“in the old Nation Arkansas”	“on Lees Creek”

Homesteads tended to be along the Arkansas River, but livestock tended to range far to the north along the White River. Much of their livestock was unfortunately left in the ranges when Cherokees removed up river west of Fort Smith. Compounding the failure to retrieve any lost items in a timely manner, whites often refused to return any lost property or livestock. In fact, a Cherokee man was killed by local whites while retrieving his property soon after removal in spring of 1828. This event affected the Illinois River neighbors and increased hostilities along a tenuous border.

Wahnenoke Rainstopper testified that her husband Rainstopper and Nick Corn Tassel “went down” for their horses “into the white settlement,” but were unable to secure their lost steel traps out of fear of white retribution for some alleged wrong or theft.²⁰⁰ She further testified the two men never attempted another trip “as a young man was killed a shortly afterwards and he was afraid to go down.”²⁰¹ The “white settlement” was a stone’s throw east of Fort Smith. Thomas J. Cook, in his testimony for the claim of Joseph Crossland, testified “I am a white man and live in Crawford County about one mile and half below fort Smith.”²⁰² Even though a small US Army detachment was garrisoned at Fort Smith, Arkansas whites continued to harass Cherokees and cross a very porous border by simply crossing “from other side of the river from Fort Smith.”²⁰³

Cherokee gendered property claims are also found among the Skin Bayou Arkansaw Cherokees. Nancy Wasp, for example, claimed one bay mare, one bay stud,

²⁰⁰ PJACC/Box 11/F 1/Wahnenoke Rainstopper. Claim dated 1 March 1842.

²⁰¹ Ibid.

²⁰² PJACC/Box 11/F 2/Joseph Crossland. Claim dated 3 March 1842. Testimony of Thomas J. Cook for the claim of Joseph Crossland.

²⁰³ Ibid.

one brown horse, two cows & calves, and sixteen head of stock hogs, for a grand total of \$213.00.²⁰⁴ She testified that *her* stock “ran back to our place in the old nation in Arkansas,” and that she and Wasp attempted to retrieve the property. While she and her husband testified under oath that whites had immediately moved onto their old farmstead, the most important element was the claim of her stock, not her husband’s. While she stated how one horse belonged to her husband, the remainder was her property. Gendered property norms, where the wife owns the household property, continued to be practiced well into the 1820s among the Arkansaw Cherokees. Even more interesting for this claim was Wasp’s testimony that one of the white men who had moved onto their old farmstead “told my wife that he would pay her for the hogs,” indicative that Wasp represented among Cherokees, and whites, the property in question did not belong to him, but to his wife as head of the household property.²⁰⁵

Theft of tribal livestock on the range was not exclusive to the Illinois neighborhood, nor to even claims specifically associated with the Treaty of 1828 displacement. Nich Biers, who had removed from Dardanelles and resided “about seven miles west of Fort Smith,” claimed he continually lost horses throughout the 1830s. Hishorses “always ran away from me where I now live.”²⁰⁶ His case was exacerbated as he lost his livestock during the spring ploughing. Harassment by local whites was not also exclusive to Cherokees living within their new territory, or those who returned for

²⁰⁴ PJACC/Box 11/F 2/Nancy Wasp. Claim dated 4 March 1842. \$6,133.69 when calculated for current inflation. <http://www.in2013dollars.com/1842-dollars-in-2017?amount=378>.

²⁰⁵ Ibid.

²⁰⁶ PJACC/Box 11/F 2/Nich Biers. Claim has no date, page missing.

their property. George Crapo testified he was running cattle out of the Cherokee Nation in 1834 east towards Jarrett Fork “in the state of Arkansas.”²⁰⁷ Crapo testified he ran the cattle to “pay a debt that my brother owed [Colbert] Coffee.”²⁰⁸ He had hired several men, including a white man named Sickel, who Biers testified “got to drinking, and while drunk he went some distance from the store and he laid down and went to sleep and while he was a sleep some person came and took his horse, as he had tied him near to where he had laid down to sleep.”²⁰⁹ While Biers was able to complete the cattle drive, he never recovered any of his stolen horses. He stated he always assumed either they had been stolen outright or “they went back to my old place in the old nation Arkansas.”²¹⁰ After 1828 Arkansaw Cherokees increasingly found themselves unable to secure their new homes and property, even though they often lived within walking distance of federal representatives at Fort Smith or Fort Gibson. There is a sadness and frustration in the claims for their lost lives, their lost homes. These Cherokees were never secure, nor at ease in Indian Territory. It is as if their real homes remained down river, east of Fort Smith, and their livestock even exhibited a sense of loss and homesickness.

“For property abandoned on Spadre Creek state of Arkansas”: The Arkansaw Cherokee Tahlequah Spoliation Claims

Concentrations of Arkansaw Cherokee communities were also found in what would eventually become the Tahlequah District. While the largest concentration of Arkansaw Cherokee neighborhoods was in the Skin Bayou District, the fourth Board

²⁰⁷ PJACC/Box 11/F 2/George Crapo. Claim dated 5 March 1842.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Ibid.

Tahlequah claims also included additional Arkansaw Cherokee claims. Of the 229 fourth Board claims from the Tahlequah District, eleven belonged to Arkansaw Cherokees. While the number of claims in Tahlequah District was much lower than in the Skin Bayou District, David Carter and J. D. Wofford, acting as “Special Clerks for collecting Cherokee claims” in the Tahlequah District, required increasingly detailed testimonials which illustrate additional elements of Arkansaw Cherokee communities.²¹¹

Each Cherokee Nation district emphasized different ethnographic aspects for the claim’s validation throughout the 1842 fourth Board claims. The Skin Bayou claims, for example, emphasized neighbors helping neighbors as neighborhoods through the displacement, and re-establishment periods. The Tahlequah District claims the level to which people were displaced from farms post-1828. It is much more difficult, especially with only eleven claims, to determine former place of residence. As such, two claimants’ former homes along the Dardanelles: two arrived from the east following the Treaty of 1819, and one arrived from the east following the Treaty of 1828. The remaining Arkansaw Cherokee claimants formerly lived in various locations, including Spadre and Peavine Creek, about Dwight Mission, and Garfish Creek along and around the Arkansas River. There were also more supporting affidavits for Tahlequah claims than in the Skin

²¹¹ PJACC/Reel 4/Box 12/F 1/Godahgeywe. Claim dated 23 March 1842. David Carter served as Clerk of Cherokee National Council in 1840, Judge of Tahlequah District in 1841, Senator from Tahlequah District in 1842, and Superintendent of Cherokee schools in 1843. J. D. Wofford had served as clerk of Tahquohee District prior to removal in 1838 and was a member of the National Committee at Takatokah in June, 1839, of which we will read about in the next chapter. See Emmet Starr, *History of the Cherokee Indians and Their Legends and Folk Lore*. (Oklahoma City: The Warden Company, 1921).

Bayou claims. For the Tahlequah District claims it was to the supporting affidavits and testimonials express community.

Godahgeywe, a Cherokee woman, claimed a large amount of personal property and improvements. Kolachaquah, a Cherokee man, who provided sworn testimony on her behalf, stated he had “lived near to Godageywe” previous to the Treaty of 1828, and “know to her having horses and other property stolen.”²¹² Jacob Harnager’s claim was supported by fellow neighbors William Downing, Polly Adair, and James Starr, Jr., who all testified they were “well acquainted with the said Jacob Harnage & his mother,” and knew, or had witnessed the property being stolen by whites.²¹³ Witnesses testified they lived near neighbors before being displaced in 1828, and continued to reside as neighbors in 1843. Both Swimmer and Caty Gentry testified on behalf of Rachel Drew’s claim that “they were acquainted with the said Rachel Drew at the Spadra . . . & also came to the present Cherokee Country with her.”²¹⁴

There was also interesting emphasis added to the claims in both the Tahlequah and Skin Bayou District claims indicating whether the claimant was “a native Cherokee” in the case of the Tahlequah District claims, or “a full blooded Cherokee” in the case of the Skin Bayou claims. We will learn in later chapters why it was important to emphasize the level of Cherokee heritage in spoliation claims. For now, it is important to note that because so many non-Cherokees made claims in both the east and the west throughout

²¹² PJACC/Reel 4/Box 12/F 1/Godahgeywe. Claim dated 23 March 1842. Sworn testimony of Kolachaquah.

²¹³ PJACC/Reel 4/Box 12/F 1/Jacob Harnager. Claim dated 17 March 1842.

²¹⁴ PJACC/Reel 4/Box 12/F 1/Rachel Drew. Claim dated 29 March 1842. Testimony of The Swimmer and Caty Gentry.

the fourth Board, it became imperative for Cherokee commissioners to determine at once who was or was not a citizen of the Cherokee Nation. Also, as many of the claims were provided as heirs to deceased Cherokees, the commissioners found it very difficult to determine genealogical connections. This is also one reason for the inclusion of so many affidavits and depositions with individual spoliations claims.

Similarly, to the Skin Bayou claims, several women in the Tahlequah District claimed large amounts of property as their own. In fact, of the eleven Arkansas Cherokee spoliation claims, five Cherokee women made spoliation claims. Additionally, these were not small claims. Godahgeywe's claim was large:

1 hewed log house floor & chimney- shed before the door & floor 16 feet by 18	\$65.00
1 Cabbin 12-foot square round logs	12.00
1 kitchen 8 feet by 10	10.00
1 corn crib 5 by 12	10.00
1 corn house 8 by 10 feet	10.00
1 loom \$5.00 / 2 Tables \$10.00	15.00
1 field of 20 acres under good fence	200.00
1 cow plot of about ¼ of acre	10.00
20 bearing apple Trees, 27 Peach trees	33.00
1 cupboard \$5.00	5.00
1 Bay horse stolen by citizens of the United States about the time of their removal	70.00
1 sorrel horse which run back & taken up by the citizens thereof which she could never	

recover worth	80.00
5 cows and calves forcibly taken from her \$75.00	75.00
4 cows & calves run back so that she never got them	60.00
20 head of Hogs @ 108.00	108.00
16 Dollars stolen from her about the time of her removal by some persons citizens of the state of Arkansas	<u>16.00</u>
	\$779.50 ²¹⁵

Other Arkansaw Cherokee women claimants include Rachel Drew’s claim for \$796.00 (\$22,922.14), Godahgeywe’s second claim for property taken during her emigration following the Treaty of 1819 for \$180.00 (\$5,183.40), Cheyohsay’s claim of \$110.00 (\$3,167.63) for ten head of cattle, and five acres of cleared land, and Wakee’s very large claim of \$858.75 (\$24,729.13). None of the Arkansaw Cherokee women testified their claims were made for deceased husbands. Rachel Drew testified “the above property was abandoned by her,” while Wakee testified “the foregoing claim is just & true and that the property and improvements belong to herself & her brother [James Bigbones].”²¹⁶

“the property had been taken away he supposed by citizens of the U. States, as they were the only kind of people living near there at the time”: Further thoughts on erasure of a Cherokee cultural landscape in post-1828 Arkansas

Both the Skin Bayou District claims and the Tahlequah District claims provide

²¹⁵ PJACC/Reel 4/Box 12/F 1/Godahgeywe. Factored for inflation \$779.50 today equals \$22,447.00. <http://www.in2013dollars.com/1842-dollars-in-2017?amount=378>.

²¹⁶ PJACC/Reel 4/Box 12/F 2/Rachel Drew; PJACC/Reel 4/Box 12/F 2/Wakee.

data illustrating the rapid erasure of an Arkansas Cherokee cultural landscape following the tribal removal displacement of the Treaty of 1828. As Cherokees living around the Skin Bayou lived a mere three miles from the first white settlements, they continuously encouraged each other, as neighbors, that they may eventually be able to regain their property. It appears from the records, however, Arkansas Cherokees living to the northwest around Tahlequah, never attempted to regain control of their lost property. Instead, the Tahlequah District Arkansas Cherokees were much more morose that property, farms, and former homes were gone the instant they left their front steps. The Tahlequah District claims read as if whites were reconnoitering at the edge of the fence lines to commandeer, control and establish Arkansas as a Euro-American landscape. Rachel Drew wrote that she never recovered any of her property as “white people citizens of the U. states have long since made use of it, being left among an entire white population.”²¹⁷

For the Tahlequah District Arkansas Cherokees, the property was abandoned, with no hope of regaining possession. Not only was the property gone, but the whites, especially near Dwight Mission, quickly eradicated any vestiges of a former Cherokee occupation of the land. Olkinny, a woman who testified in the claim for Key, stated the Key family became “sick” soon after departing for the west, and “all the property was taken or destroyed, by the whites people, citizens of the united states then moving into the country.”²¹⁸ Goasunga, or Stink Grease, testified his extensive farm and “37 head of

²¹⁷ PJACC/Reel 4/Box 12/F 2/Rachel Drew.

²¹⁸ PJACC/Reel 4/Box 12/F 3/Key, deceased. Claim dated 17 April 1842.

stock hogs” was “stolen or forcibly taken from him about the time of his removal.”²¹⁹

What is more, the heirs of Tom Till, formerly of the Dwight Mission area, testified much of his property was stolen by whites “while he was preparing to Remove to the new Cherokee Country.”²²⁰ Moreover, whites quickly erased any vestiges of the former multi-national, linguistic and cultural Native American landscape of western Arkansas as one heir, Nuywarhee, testified that her father’s property was taken away “by citizens of the U. States, as they were the only kind of people living near there at the time.”²²¹

The story of the displacement of the Arkansaw Cherokees from their homes is environmental as well as political. A fiercely independent people, the Arkansaw Cherokees created a new world within an old land. They did their best to recreate home, to culturally bridge the Mississippi valley east and create a Cherokee landscape along the St. Francis, Arkansas and White Rivers. Neighborhoods formed communities, wherein each person shared a common history of warfare and social out-casting, and a common desire to live in peace as an independent people. Same language, same stories, all *Aniyunwiya*, but with different dreams. Following a trend set by the North Carolina Cherokee desire to live as representative of the Kituwah Way, so too did the Arkansaw Cherokee. By 1828 there were three different political expressions of what it meant to be Cherokee. In the east, as we have seen, there were two similarity diverging, yet concentric expressions of Cherokee identity. Based upon regional expressions of self-determination, the Kituwah Regional Council Cherokees sought a more autonomous life.

²¹⁹ PJACC/Reel 4/Box 12/F 4/Goasunga, or Stink Grease. Claim dated 23 March 1842.

²²⁰ PJACC/Reel 4/Box 12/F 1/Heirs of Tom Till. Claim dated 14 April 1842.

²²¹ Ibid. Testimony of Tom Till’s daughter Nuywarhee.

By 1819 they chose to maintain town and region autonomy by selecting individual reservations. Even though reservations were selected individually, reservations protected intact communities. The Tusquity Regional Council, on the other hand, chose to engage a collective identity based more upon the emerging centralized Cherokee Nation. In the west, however, by 1820 thousands of Cherokees voluntarily emigrated to create another centralized government, based upon long standing semi-autonomous towns within a larger emerging body-politic of a national nature like the Cherokee Nation East. The nature of semi-autonomous towns was bolstered by the emigration of hundreds of displaced eastern Cherokees who had either lost their individual reservations, thus losing their town affiliation, or who had sold their reservation to the various states. These differences often became magnified in the face of continued hyper-displacement.

CHAPTER FOUR
CHEROKEE NATION COMMUNITIES, 1837-1839:
EVERYDAY ACTIONS OF COMMUNITY
EMPLACEMENT

Introduction

In the last chapter we explored community through neighborhoods. Following the environmental and cosmographical displacement by the New Madrid earthquakes, the Treaty of 1828, and the creation of the state of Arkansas, the Arkansaw Cherokees, original voluntary emigrants to the west, were themselves displaced not once, but twice in a span of twenty years. Community as neighborhoods was seen again as a trans-border re-creation of space and place amongst the shadows. In this chapter we turn east again, to continue our terrifying tour of hyper-displacement, this time among the eastern Cherokees of Georgia, Alabama, Tennessee, and North Carolina. We will follow Cherokees through a three-year period of hyper-displacement, 1837 – 1839, from the original, traditional aboriginal territory of the *Aniyunwiya*, to the emigrants' post-displacement homes in the west.

Between the signing of the Treaty of New Echota in December 1835, and the fall of 1838, approximately 17,000 Cherokees were forced into concentration camps along the Hiwassee and Tennessee Rivers, eventually to be loaded unto boats like cattle, or as

land detachments forced into a few scattered wagons, or simply by foot.²²² Thousands of Cherokees took one last look east toward the mountains as thousands of Euro-Americans greedily took up residence on pre-made farms.

By 1839 there were three groups of displaced Cherokees, the Arkansaw, now known as the Cherokee Nation West, or “Old Settlers,” the newly emigrated Cherokee Nation, and the Qualla communities in extreme western North Carolina. In this chapter we will explore more fully the devastation wrought by hyper-displacement as we compare pre-removal 1838 and post-removal 1839 communities. As brutal as the Trail of Tears has been described, how did so many survive? There were never any quick fixes, and often the (re)placement of community was as violent and traumatic as the displacing events. Yet Cherokee people did survive, and by 1842 many of their communities were thriving. It is the intent of this chapter to not only understand when and how eastern Cherokees were displaced, but how they were able to lay the foundations of thriving communities.

The overarching themes of this chapter are the communal expressions about place, particularly among Cherokees who remained east following the 1838 forced removal of the Cherokee Nation. Building upon Sarah Pink’s description of place as shared activities of transfigurations of localities based upon qualities and intermixed

²²² Russell Thornton, “The Demography of the Trail of Tears Period: A New Estimate of Cherokee Population Losses,” in *Cherokee Removal: Before and After*, ed. William L. Anderson (Athens: The University of Georgia Press). Thornton estimated a total population of 21,542 in 1835, with a total death estimation of 10,362 between 1835 and 1840. He further estimated a Tribal population loss of over 8,000 during the forced removal during the summer and winter of 1838.

relations. One unfortunate by-product of an increased commodification of cultural resources, especially in the US since the adoption of the National Historic Preservation Act (NHPA), are the coordinates of a site as the penultimate locational identifier of place.

Like Pink, historical community studies have become locational-centric when discussing place as something which is solely geographically occupied. For her “space pre-exists and place is as such the meaningful occupation of it.”²²³ In other words, space and place can be geographically centered, but through hyper-displacement we can view both as bounded social networks or meaning, relationships, and responsibilities.

Place, therefore, as argued earlier with borders and boundaries, should be thought of as a social construction. Place is expressed by what Pink called “being in movement” with the geography, the weather, social groups, objects or buildings.²²⁴ It is therefore the practices, the movements, and various entanglements which constitute place. Emplacement is perceived by the individual and the collective in what Pink called “a place-event.”²²⁵ Emplacement represents a way to characterize the activities in which the collective engages, or what Tim Ingold called “the business of dwelling.”²²⁶ Place, as well as space, are interlinked with landscape, all of which is lived “in the open” beyond

²²³ Sarah Pink, “From Embodiment to Emplacement: Re-thinking Competing Bodies, Senses and Spatialities,” *Sport, Education and Society* 16, no. 3 (2011):348.

²²⁴ Pink “From Embodiment to Emplacement” 349.

²²⁵ Ibid.

²²⁶ Tim Ingold, “The Temporality of the Landscape,” *World Archaeology* 25, no. 2 (1993):155.

the often arbitrary geo-spatial boundaries and socio-economically and socio-legally demarcated borders.²²⁷

Don't get me wrong, location is important, but only as one component of many active expressions and manifestations of emplacement, of making and re-making place. Through emplacement we realize that neither the past, nor place, was ever homogenized. Community, therefore, was, and remains, a series of "processes involved in the production of place" which are and temporal.²²⁸ The past is always colored by what we perceive in the here and now. As such, we ethnographically enact emplacement through our fieldwork choices. We in the present enact our current understandings of community even when we organize the archival materials. For instance, based upon certain meta-data within the texts we believe historic people belong only to specific locations or towns, when, in fact, Cherokees were historically mobile in both locational occupations as well as regional affiliations. Hyper-displacement accentuates tribal representations of affiliation and mobility, and, as such, underscores our present pre-occupation that people in the past thought of place in similar fashion as we today.

"your memorialist was advised by him [John Ross] to remain at home": 1837, the Last Crop at Home

In the fall of 1843 the aged headman of Buffalo Town, modern day Graham County, North Carolina, presented a memorial, through his attorney William Holland Thomas, to the fourth Board Cherokee Claims Commissioners, for his right to, and value

²²⁷ Tim Ingold, "Bindings Against Boundaries: Entanglements of Life in an Open World," *Environment and Planning* 40 (2008):1797.

²²⁸ Charles R. Cobb, "Archaeology and the 'Savage Slot': Displacement and Emplacement in the Premodern World," *American Anthropologist* 107, no. 4 (2005):564.

of, a preemption of 160 acres of land. According to the Article twelve of the Treaty of New Echota:

Such heads of Cherokee families of Cherokee families as are desirous to reside within the States of No. Carolina Tennessee and Alabama subject to the laws of the same; and who are qualified or calculated to become useful citizens shall be entitled, on the certificate of the commissioners to a preemption right to one hundred and sixty acres of land or one quarter section at the minimum Congress price; so as to include the present buildings or improvements of those who reside there and such as do not live there at present shall be permitted to locate within two years any land not already occupied by persons entitled to pre-emption privilege under this treaty and if two or more families live on the same quarter section and they desire to continue their residence in these States and are qualified as above specified they shall, on receiving their pre-emption certificate be entitled to the right of pre-emption to such lands as they may select not already taken by any person entitled to them under this treaty.²²⁹

Dickageeska's preemption claim, number 232, met all requirements set forth in Article twelve of the treaty. William Holland Thomas included all pertinent paperwork for his claim before the fourth Board. Included were depositions of "respectable" citizens of various counties, a "general permit" for the citizens of Buffalo "in relation to the Cherokees of that Town," compiled of white US citizens claiming the Cherokees were "peaceable and good neighbors," and Dickageeska's preemption memorial.²³⁰

He stated that "previous to the conclusion of the Cherokee treaty of 1835, as well as at the time it was concluded and ratified He was the head of a Cherokee family, six in

²²⁹ Charles Joseph Kappler, *Treaties 1788-1883*, vol. 2, *Indian Affairs and Treaties* (Washington, D.C.: Government Printing Office, 1904), 444.

²³⁰ RG 75/E 250/Box 4/Dickageeska. This claim was heard before the fourth Board on 1-August-1843. While his preemption of 160 acres of land was made under Article 12, the claim itself presented to the fourth Board as made under Article 17, wherein all claims arising under the Treaty of New Echota, 1835, and other claims from former treaties "not or annulled by this [Treaty of New Echota] shall continue in full force and virtue." See Kappler, *Treaties 1788-1883*, vol. 2 (1904), 446.

number, owned an improvement and resided on it, in the Cherokee nation . . . in Cheoih Town, now Cherokee County NC.”²³¹ Dickageeska continued that not only was he averse to removal, but that he and, “The Cherokees of that town in general . . . had implicit confidence in John Ross” that the Treaty of New Echota would never be ratified by the US Senate.²³² As such, John Ross, in one of his annual addresses, implored citizens of the Cherokee Nation East to go about their lives as usual. Dickageeska, and many other Cherokees were told “to stay at home improve their land make good crops, and they need have no fears of being removed.”²³³ To that end, Dickageeska claimed he did exactly what Ross, as Principal Chief, had advised. He wrote “when the troops commenced emigrating the Cherokees, your memorialist had planted his crop, and when the troops commenced collecting – he with his family kept out of the way in order to ascertain what Ross had done.” Sometime between spring 1837 and fall 1838, Dickageeska and countless other Cherokees in North Carolina, Georgia, Tennessee and Alabama waited anxiously under a foreboding cloud of suspicion, threats, and displacement all while trying to live life in a normal state. That normal state, trying to live life in *osi* and *tohi*, on the level, was thrown completely out of balance following the ratification of the Treaty of New Echota.

We can analyze Dickageeska’s claim to better understand the meaning of

²³¹ RG 75/E 250/Box 4/Dickageeska. “Memorial of Dickageeska, chief of Buffalo, for the value of a preemption.”

²³² Ibid.

²³³ Ibid.

community in the last year before, and the first year after the forced Removal of 1838. This chapter, therefore, is not just another archival exploration of 1838 Cherokee removal. Instead, it explains what community meant, what it looked like, during those heart-wrenching years. What role, if any, did community and networks play in navigating the fearsome confusion in the ultimate example of nineteenth century Cherokee hyper-displacement?

“Whereas 54 towns and villages have convened in order to deliberate and consider the situation of our nation”: The *not so* Demise of Town Importance

In 1808, at the height of the dialogue to separate Cherokees east into Upper and Lower Towns, various tribal towns and villages created the National Council. Its main purpose was to interact with other tribes, and the federal government, on behalf of the entire tribal population. As the power, or what Richard Persico, Jr. called the “sphere of influence,” of the National Council, and eventually the General Council of the Cherokee Nation, increased, the power and influence of individual towns began to diminish regarding national affairs.²³⁴ For Persico, Jr., the very scattered nature of nineteenth century tribal towns decreased the availability of townspeople to collectively engage in local tribal consultations regarding regional, or national affairs. With the acquiescence of fifty-four towns in 1820 the Cherokee Nation was divided into eight districts, with associated District Courts and Judges.

Persico, Jr. further argued that the adoption of the 1828 Cherokee National

²³⁴ V. Richard Persico, Jr., “Early Nineteenth-Century Cherokee Political Organization,” in *The Cherokee Indian Nation: A Troubled History*, ed. Duane H. King (Knoxville: The University of Tennessee Press, 1979), 107.

Constitution not only decreased the sphere of influence of the General Council with new powers invested in a stronger Principal Chief, but further relegated the sphere of influence of town councils to inter-town and local affairs. For Cherokees on the ground, however, the town council, with associated local headmen, remained the most pivotal political and ceremonial experience of individual Cherokees.

While I agree with Persico, Jr. that, “The basic political unit of the Cherokees in the early part of the eighteenth century was the town” the records do not reflect a complete demise of town importance for political, ceremonial, or regional affairs for individual Cherokees following 1820.²³⁵ Instead, local towns remained the most important collective element for individual Cherokees throughout the period of nineteenth century hyper-displacement. Even though Tribal Districts replaced an already extant regional system, following displacement, Cherokees did not make claims solely based on former District or region residence. While some individual Cherokees did make claims based on Tribal Districts, many continued, well into the 1840s, to navigate the hyper-displacement period by, and through, towns.

For example, among the 229 Tahlequah District spoliation claimants investigated, 115, or just over 50%, described their residence in 1838 as a region or geographic location. The largest enclave of residents, numbering fifteen, formerly resided “on the Hiwassee River” between one and eight miles “above the agency” (Table 4.1).²³⁶

²³⁵ Persico, Jr., “Early Nineteenth-Century Cherokee Political Organization,” 93.

²³⁶ PJACC/Reel 4/Box 12/F 1/Woyegageske; see also: PJACC/Reel 4/Box 12/F 1/Moss Catcher; PJACC/Reel 4/Box 12/F 1/Choogata, or Seeds; PJACC/Reel 4/Box 12/F 1/Tahlegoloonaytee; PJACC/Reel 4/Box 12/F 2/Catharine Brewster; PJACC/Reel 4/Box 12/F 2/Caty Deer in the Water; PJACC/Reel 4/Box 12/F 2/Chacha, or Sapsucker;

Table 4.1. 1838 Hyper-Displacement Geographic Locational Identifiers, Tahlequah District.

Regional Type	Locational Identifier	Number of Identifier	Percentage of Tahlequah Claims
State / County	Georgia	44 Claims	38%
	Alabama	21 Claims	18%
	Tennessee	11 Claims	9%
	North Carolina	6 Claims	5%
Cherokee Nation	Cherokee Nation East	7 Claims	6%
Body of Water	Canasauga River, Georgia	5 Claims	4%
	Chickamauga Creek, Georgia	5 Claims	4%
	Candy's Creek, Tennessee	4 Claims	3%
	Coosa River, Alabama	3 Claims	2%
	Fork of Coosa River, Alabama	1 Claim	.8%
Geographic Only	Creek Path Valley, Alabama	4 Claims	3%
	Waters of Chattanooga, Tennessee	1 Claim	.8%
	Shoal Creek [location unknown]	1 Claim	.8%
	Look Out Valley, Tennessee	1 Claim	.8%

PJACC/Reel 4/Box 12/F 2/Ayowiski, or Soldier; PJACC/Reel 4/Box 12/F 2/Guhlaykee; PJACC/Reel 4/Box 12/F 2/Nanee; PJACC/Reel 4/Box 12/F 2/Crying Bear, PJACC/Reel 4/Box 12/F 3/Unenega Catcher; PJACC/Reel 4/Box 12/F 3/Gatanay; PJACC/Reel 4/Box 12/F 3/Ketcher; PJACC/Reel 4/Box 12/F 3/Waytee.

Several historically important non-Cherokee censuses to illustrate the movement of towns or the economic viability of pre-removal nineteenth century districts and towns. Betty Anderson Smith, for example, utilized several maps, and the 1721 English census to map out the concentration, movement, and dispersal of eighteenth century Cherokee towns from a period covering 1721 through 1776.²³⁷ Likewise, Douglas C. Wilms primarily utilized the records of the Georgia Land Lottery, ancillary state survey records, and the 1835 Cherokee census to illustrate the level to which Cherokees, particularly in Georgia, had agriculturally and economically acculturated to white standards under the federal government's civilization policies of the late eighteenth and early nineteenth centuries.²³⁸ To date, however, scholars have not utilized the Penelope Johnson Allen Papers Cherokee Collection, or the records of the fourth Board at the National Archives, to reconstruct such a large portion of the Cherokee Nation East, and west, at the time of removal.

These figures enable us to reconstruct, to reconstruct as it were, not only past lives of individual Cherokees, but of entire communities, regions, and districts on the eve of removal in 1838 (Table 4.2). Breaking down a post-displacement Cherokee Nation district by spoliation claims as per the Treaty of New Echota is ethnohistorically important for several reasons.

²³⁷ Betty Anderson Smith, "Distribution of Eighteenth-Century Cherokee Settlements," in *The Cherokee Indian Nation: A Troubled History*, ed. Duane H. King (Knoxville: The University of Tennessee Press, 1979).

²³⁸ Douglas C. Wilms, "Cherokee Land Use in Georgia Before Removal," in *Cherokee Removal: Before and After*, ed. William L. Anderson (Athens: The University of Georgia Press, 1991).

Table 4.2. 1838 Hyper-Displacement Community Locational Identifiers, Tahlequah District.

Locational Identifier	Identifier	Number of Identifier	Percentage of Tahlequah Claims
District & Town	Amohee District	8 Towns	7%
	Coosawattee District	4 Towns	3%
	Chattooga District	3 Towns	3%
	Hickory Log District	2 Towns	2%
	Aquoee District	2 Towns	2%
	Chickamauga District	2 Towns	2%
District Only	Amohee District	11 Claims	10%
	Chickamauga District	6 Claims	5%
	Chattooga District	3 Claims	3%
	Etowah District	2 Claims	2%
	High Tower District	2 Claims	2%
	Aquohee District	1 Claim	.8%
Town Only	Racoon Town	3 Claims	3%
	Turkey Town	3 Claims	3%
	Turtle Town	2 Claims	2%
	Cheoah Town	2 Claims	2%
	Long Swamp Town	1 Claim	.8%
	Salequoah Town	1 Claim	.8%
	Running Water Town	1 Claim	.8%
	Frog Town	1 Claim	.8%
	Shoal Creek Town	1 Claim	.8%
	Amagaloleyga Town	1 Claim	.8%
	Hightower Old Town	1 Claim	.8%
	Cahtekaye Town	1 Claim	.8%
	Chestoe Town	1 Claim	.8%

First, we can better understand the role, if any, the federal government's civilization program, or the influence made by white missionaries at the various mission stations, had on the economic viability of Cherokees prior to removal in 1838. Second, we can follow out Dickageeska's claim that John Ross urged Cherokees throughout 1837 to simply live their lives as best, and as close to normally, as possible. What, then did the last harvest look like? In other words, by understanding what property and agricultural goods were lost we can better understand not only the economic plight, but the cultural shock, felt across a wide area of displaced Cherokees.

Hyper-displacement is a different way to think about removal. For too long scholars have parsed out so many elements of Cherokee displacement from the southeastern US until we have lost sight of the connecting pieces. We have followed the lives of important tribal leaders in the face of an increasingly hostile white population and state and federal officials.²³⁹ We have even explored how basketry materials reflect acculturation and shifts in gender norms.²⁴⁰ Many of these works are worthy for their contribution to the scholarship of displacement, while others simply retread well known paths.

What were the effects of continuous displacement on identity, sovereignty and community. Many Cherokees who were displaced in 1838 had been first

²³⁹ Thurman Wilkins, *Cherokee Tragedy: The Ridge Family and the Decimation of a People* (Norman: University of Oklahoma Press, 1986); see also William G. McLoughlin, *Champions of the Cherokees: Evan and John B. Jones* (Princeton: Princeton University Press, 1990); *After the Trial of Tears: The Cherokees' Struggle for Sovereignty, 1839-1880* (Chapel Hill: The University of North Carolina Press, 1994).

²⁴⁰ Sarah H. Hill, *Weaving New Worlds: Southeastern Cherokee Women and Their Basketry* (Chapel Hill: The University of North Carolina Press, 1997).

displaced in 1819. Some who were first displaced in the east in 1817 were again displaced in the west in 1828, only to be politically overshadowed in 1838 with the arrival of eastern Cherokee Nation emigrants. We can only follow these effects by shifting across geographic borders and temporal boundaries.

To understand the effects is to appreciate the mundane. The quotidian, as exemplified by the spoliation claims, does not necessarily throw off our debates of the larger issues of traditional versus acculturated, or power, gender, agency or identity, but instead improves our ability to appreciate the importance of the day in and day out life-ways, the everyday things that kept the darkness at bay. The spoliation claims speak to the motivations of individuals and communities across time and space. Moreover, the clear majority of fourth Board claims are those of common Cherokees. We know the names and genders, but these claims represent the otherwise voiceless. Many have often remained silent in our larger Cherokee cultural and historical discussions.

Reconstructing community through the spoliation claims also conveys tribal navigation of federal Indian policy. This dissertation explores, from the Cherokee perspective, the embryonic machinations which continue to affect nation-to-nation consultations today. Cherokee hyper-displacement episodes throughout the first half of the nineteenth century became everyday physical expressions of the debate surrounding US citizenship and tribal membership. The everyday, therefore, is the ground on which identity is self-constructed. The spoliation claims, in turn, are often overlooked everyday examples of the negotiation and navigation of identity as seen on the ground.

Paying attention to the everyday forces us to listen in the silent spaces for the voices who have always been there. You just must attune your ears to listen beyond others speaking for them. We know that Cherokee were displaced from the southeast, but on which displacing episode are we focused in any given moment: 1817, 1819, 1835, or 1838? Moreover, some Cherokee families were displaced from a location in Georgia, for example, in the 1820s, only to be forced out during the military round ups of 1838. We know that following displacement nineteenth century Cherokees emplaced, but how? Emplacement represents the ability to reconstruct former networks, institutions and communities in a displaced setting wherein many of the former cultural networks are intact, and wherein people feel at least some limited sense of resettlement. How do we reconstruct place as we recognize instead how place reconstructs us? How, for example, did economic displacement affect an agricultural economy?

In the everyday, through the claims and memorials, we find that even though cattle and hogs may be stolen or killed by whites, the community, neighbors and neighborhoods stuck together to look out for each other. The everyday world expressed in the spoliations, memorials, depositions and affidavits are windows to the golden youth of 1816 as addressed in Chapter Two, and to lives and history of those Cherokees living in that bizarre, dislocated time of hyper-displacement. Community, for this chapter, is one in which networks are emplaced in a new place and space.

Breakdown of the 1842 Cherokee Nation District Spoliation Claims: Why Tahlequah District is a Useful Starting Point

I chose the Tahlequah District claims to reconstruct a large portion of the Cherokee Nation East in 1837 to understand emplacement from 1839 on, for several

reasons. First and foremost, in 1842 the Tahlequah District had a substantial population. Based upon 542 registered claims, only the Delaware District had a larger population. Therefore, based on sheer numbers of claims, the Delaware District was too large to breakdown. Secondly, the 1842 Tahlequah District claims span across a wide range of Cherokee Nation East, population centers, from the far west at Gunter's Landing on the Tennessee River in Alabama, to the Valley River in North Carolina. The 1842 fourth Board claims of Tahlequah enable us to understand what exactly Cherokees lost in terms of property. These claims, however, do not include figures for enslaved Africans. In fact, very little claim information pertained to enslaved Africans, probably because Cherokees took this form of "property" west, and as such, was neither stolen by whites prior to removal, nor abandoned on the farms in the haste of military incursion among the communities, or in the haste to leave on the heels of whites as in the case of the Arkansaw Cherokee communities.

If we look at the tabulation from the 1842 Tahlequah claims for various regions within the Cherokee Nation East, in 1838, we see how a breakdown of former residence reflects the importance of town and geographic locational identifiers for Cherokees on the ground. "Town Alone" reflects that 23% of the claimants identified their individual town as the most central locational identifier. "District and Town" was utilized as a locational identifier for only 17% of the 229 claims, while "District Only" represented 11% of the 229 claims (Figure 4.1). An individual Cherokee's town not only remained the central locational identifier but remained their paramount cultural identifier as a Cherokee citizen.

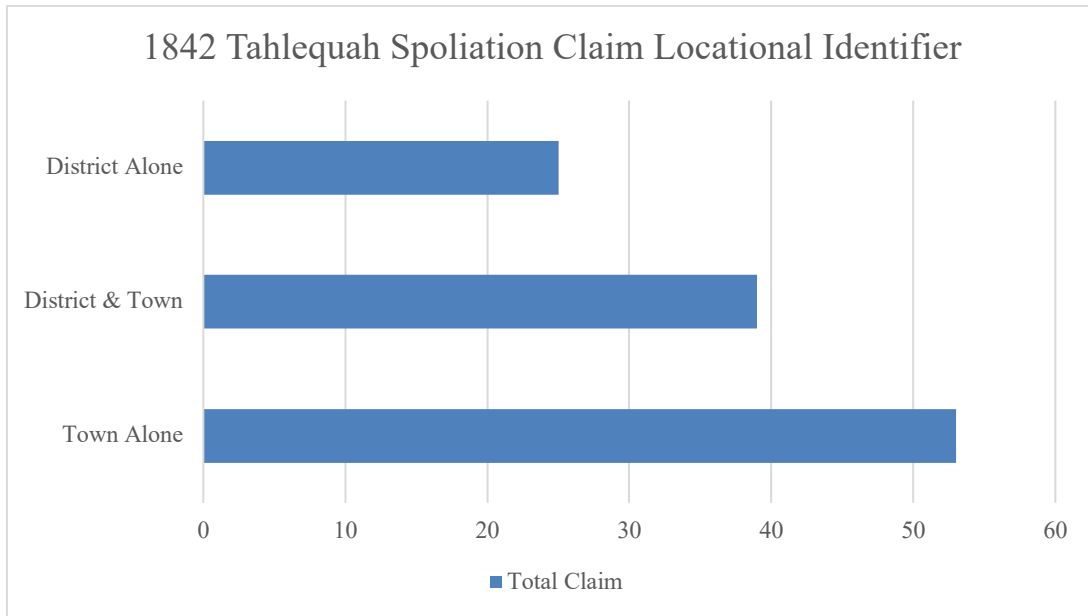


Figure 4.1. 1842 Tahlequah Spoliation Claim Locational Identifier.

More well-known Cherokees also utilized Town or regional identifiers. For example, four removal detachment leaders were men of high standing within the national or local body-politic. Old Fields, sometimes written as Capt. Old Fields, registered his claim from Delaware District. He listed his present residence in 1842 as Becks Creek, while he listed his former 1838 residence as “formerly from Hightower Town.”²⁴¹ Three other detachment leaders, Moses Daniel, Choowalooka, and Peter Hildebrand also made their 1842 claims from the Delaware District. Moses Daniel made out three separate claims in 1842, and listed his present residence in each as “Delaware,” while he listed his former residence in 1838 as, “Forsythe County GA.”²⁴² Choowalooka / Chuwaloogu / Chuwaloskee / Old Bark made two separate claims and listed his present residence in 1842 for each as, “Delaware” while his former residence in each claim for 1838 as

²⁴¹ PJACC/Reel 5/Box 13/F 1/Book 1/Capt. Old Fields.

²⁴² PJACC/Reel 5/Box 13/F 1/Book 1/Moses Daniel.

“formerly from Tah-quoh” and “of Taccou.”²⁴³ Peter Hildebrand gave no locational information for his former residence in 1838.²⁴⁴

There are several important factors with these four leaders among the Cherokee Nation. First, three of the four detachment conductors utilized town locational identifiers with a town, not a former Cherokee Nation East political district. Second, Moses Daniel acted as the “Agent for Receiving Claims” in the Delaware District, and emphasized town location. It was important for Daniel to ensure a present residential locational identifier for each individual Cherokee in 1842 and a former residential locational identifier in 1838.

The Valuing Agents: 1836 Eastern Cherokee Property Valuations

Article nine of the Treaty of New Echota established how the federal government would “appoint agents who shall make a just and fair valuation of all such improvements now in possession of the Cherokees as add any value to the lands.”²⁴⁵ As such, it was the duty of these “valuing agents,” to use the correct term utilized in the claims, to make monetary itemized lists of personal property for the purposes of making funds available to emigrating Cherokees to reestablish themselves upon completion of their forced relocation. Within the exterior boundaries of the states of Alabama, Georgia, Tennessee and North Carolina property valuations were made by appointed officials within the War

²⁴³ PJACC/Reel 5/Box 13/F 1/Book 1/Chuwaloogu; PJACC/Reel 5/Box 13/F 2/Book 2/Chuwaoskee, or Old Bark.

²⁴⁴ PJACC/Reel 5/Box 13/F 2/Book 2/Peter Hildebrand.

²⁴⁵ Kappler, *Treaties 1788-1883*, vol. 2, 443.

Department. From the beginning, Cherokees and federal agents disagreed on what was considered personal property, and the way these valuations were made.

Let us follow through the records the story of Sam Wacheesee, who at the time of the valuations in 1836 and the forced removal of 1838, was a citizen of the Cherokee Nation living within the exterior boundaries of North Carolina. Sam had one farm at a place called Beaver Dam Creek in the mountains of western North Carolina and another farm along the Hiwassee River near the Georgia and North Carolina border. He was the head of his own Cherokee family, and a member of the prosperous Wacheesee family which had made quite a bit of money owning several livestock stands and staging areas along the Unicoi Turnpike, the most traversed east-west road through the Great Smokey Mountains.

By digging through the field notebook of the North Carolina valuing agents, Jarret and Welch, you learn that Sam Wacheesee was the seventh Cherokee home valued in North Carolina. The agents followed the letter of Article nine, and only valued those things which added “any value to the lands,” such as his hewed log cabins, other ancillary out-buildings, peach trees and improved agricultural lands. The agents noted, “This man not at home.”²⁴⁶ In fact, of all his neighbors living on Beaver Dam Creek, only Wacheesee, Sam’s father, and Walley, a woman neighbor, were at home. Time and again you see the phrase “not at home,” or “not present.” Valuations continued regardless if the resident was present to insure a correct valuation was conducted.

²⁴⁶ NARA/RG 75/E 224/B 6. Property Valuation for Sam Wacheesee / Wacheesee.

Major Benjamin F. Curry, US Army, Superintendent for Cherokee Removal, was a man of “great energy to discharge his duties,” and had already sent out *his men*, the valuing agents, to value properties.²⁴⁷ Curry called on the agents to make the valuations regardless whether a Cherokee was at home. To make matters worse, the Claims Commissioners had only started making claim registrations, not making determinations on said claims, when Curry sent the agents out. Again, there was more confusion and compartmentalization. Former Georgia Governor Wilson Lumpkin, who was among the earliest and most vocal contributors calling for the removal of the Cherokee from Georgia, was appointed by President Andrew Jackson as one of the Cherokee Commissioners. His *appointment* as a commissioner was made official by Lewis Cass, then Secretary of War. The *authority* to act as commissioner, however, was granted through the President via the Treaty of New Echota. The valuation reports were under the purview of the Commissioners, acting under the Executive Branch, but the agents were under the command of the US Army.

We learn later in the records of the fourth board of Cherokee Claims Commissioners, held in January 1841, that Sam’s valuation in 1836 was for the wrong farm. It seems that he was not “at home” in 1836 on Beaver Dam Creek because he did not consider that location his home. In fact, he later claimed he was “the proper owner of an Improvement on Hiwassee River at a place called Cutlawhy that he had been long the owner before and at the time of making the Treaty of 1835.”²⁴⁸ He claimed he never sold

²⁴⁷ NARA/RG 75/E 223/Box 1. Letter from Governor William Lumpkin “to the President Unt. States.” Letter dated 24 Sept 1836.

²⁴⁸ NARA/RG 75/E 224/B 6. Property Valuation for Sam Watcheese / Wacheese.

this farm, nor did he receive any compensation for the same. Sam Wacheesee was not adjudicated any awards the first, second, and third Boards. The records from the Cherokee perspective are also confusing as Sam claims he didn't physically live at this farm but had allowed another Cherokee to live there. In his fourth Board paperwork he requested his claim be adjusted for the Hiwassee River farm, not the one on Beaver Dam Creek.

By 1841 tribal members perfected a sophistication of bureaucratic language included in their spoliation claims. Sam was making this claim for another farm that included numerous fruit trees "in High perfection," and river bottom land, worth much more than hillside land.²⁴⁹ He felt he was entitled to \$586.00 for the Hiwassee River farm as opposed to \$145.50 for the Beaver Dam Creek property. Regardless of his true claim, he never received any just amount from the first board, as per Article 9 of the Treaty of New Echota, and as such, made additional claims during the fourth Board under this specific previous article.

Where the original valuing agents in 1836 itemized only those improvements which brought value to the land, the fourth board claims shed additional light on personal property. These property valuations illuminate federal and tribal differences in opinion regarding property itemizations. The federal government only listed that which brought value to the land, while Cherokees continuously argued that even personal property brought value to the land. In his spoliation claim dated 28 Feb 1841, Sam Wacheesee

²⁴⁹ NARA/ RG 75/E 250/ B 10. Deposition of Sam Wacheesee as evidence in the Improvement Claim for "Sam Wah-ches-ah" / Wacheesee. Deposition sworn before A. M. Moss, JP for Cherokee County, NC. Deposition dated Jan 1841.

claimed everything from bridles, rifles, Bay stud horses, spoons and forks to bushels of corn. His final itemized claim was valued at \$1057.50, or \$28,549.19 today. Even more damaging for the US were the corroborating statements of Locust, Kowowill and Rattler, his former Cherokee neighbors, who stated they knew of Sam's personal property which was left "when he [Sam] was taken by the Troops the property was left unprotected and so it was lost."²⁵⁰

By 1839, displaced Cherokees, already in an economically devastated and starving condition, having left many of their agricultural implements, in fact their very way of lives in their source of profit and food production, were left to seek redress by the US Army or federal agents. The "books" referred to in the spoliation claims were those collected by the Cherokee Agent in the east, those collected by the Army appointed valuing agents, and those collected by Cherokee valuing agents while the tribal population was held in concentration camps. It was the intention of the federal government to send the books ahead of the detachments and be ready to dole out funds to enable the population to recover. As it happened, some of the books never arrived, arrived late, or did not include substantial itemizations to circumvent the already depleted resources of the displaced Cherokee families and farms. In fact, as late as 1844, Ethan Alan Hitchcock wrote that white traders at Fort Smith would rather "furnish the Indians with whiskey, and are satisfied with their blankets, guns, horses, etc., when they have not

²⁵⁰ NARA/RG 75/E 250/Box 10. Affidavit of Locust, Kowowill and Ratler as evidence in the Spoliation Claim of Sam Wacheese. Affidavit sworn before A. M. Moss, JP for Cherokee County, NC. Affidavit dated 28 Jan 1841.

money, to pay.”²⁵¹ As such, Cherokees increasingly were left with little recourse, and, combined with the much often discussed cultural and community strife between the pro-Treaty and anti-Treaty parties, much blood was shed throughout the displaced communities.

Reconstructing a Cherokee Agricultural Landscape: Tahlequah District Spoliation Claims

I have thought of several ways to express what was lost, stolen, or abandoned by Cherokees in the east as they were captured, rounded up, and forced into concentration camps to await their removal west. Wilms’ addition to the economic scholarship of removal very well illustrated Georgia through the use of maps to visualize location of Georgia Cherokee citizen populations, locations of enslaved Africans on Cherokee farmsteads, distribution of cultivated fields, peach trees, Cherokee outbuildings, and Cherokee corn production.²⁵² For the purposes of this dissertation, however, it seemed more expedient to understand agricultural displacement by recreating lost farms and communities. Future scholarship will be better suited to utilize GIS mapping software to illustrate these points.

Categorizations by places of residence, including numbers of farms, for the Tahlequah District provide valuable information regarding Cherokee agriculture on the eve of removal. Cherokee communities in Georgia comprised the largest single set of

²⁵¹ Carolyn Thomas Foreman, “Journal of a Tour in the Indian Territory,” *Chronicles of Oklahoma*, 10, no. 2 (1932):231.

²⁵² Douglas C. Wilms, “Cherokee Land Use in Georgia Before Removal.” See especially pages 15, 16, 19, 20, 21 and 22.

claims for the Tahlequah District. Yet, upon closer examination of the claims, these people were not just as Georgia Cherokees, but Cherokees from specific towns, neighborhoods, or even by watershed. One of the strengths of this research has been the ability to explore the everyday lives of ordinary Cherokees. What is more, by analyzing farming items, such as plows, mattocks, horses, oxen, steers, hogs or other livestock, spoliation claims begin to not as just represent itemized losses, but lost farms. Hyper-displacement analysis posits displacement as the loss of entire lives of clearing, working, and grooming the lands for their highest yields as very personal and gut-wrenching losses. What is more, these agricultural itemizations reflect that, aside from formerly displaced individual Arkansaw Cherokee, all farms from 1838 on were nearly cleared lands.

The average eastern Cherokee farm consisted of between ten and twenty acres of cultivated fields, usually in corn. Most farms included stock hogs (hogs intended for market), sows and boars (hogs intended for breeding on the farm), barrows (castrated male hogs intended for human consumption either at market or on the farm), chickens, horses or oxen, and occasional stock cattle (cattle intended for market). Nearly every farm included either “ploughs,” shovel plows, Bar-Shear plows, or Bull Tongue plows. Comparing plow types with numbers of horses or oxen provided an in the moment state of Cherokee farms on the eve of removal in 1838. In Georgia, for example, nine Bar-Shear plows of varying descriptions, from large “2 horse” to “small,” in addition to 1 Bull Tongue plow. Yet, only a total of three yoke of oxen. By comparing the number of these types of plows with the acreage of “new cleared land” between the signing of the

Treaty of New Echota and the military round ups of May 1838, there were either several new farms or expanding farms in Georgia.

A “Bar-Shear” or a “Bull Tongue” plow was used to break new ground. The Bull Tongue type was a much older, heavier, and bulky type of plow, requiring strong yokes of oxen. The new, lighter and less cumbersome Bar-Shear type was first patented on 24 Dec 1827 and was considered the next great agricultural implement for breaking new ground (Figure 4.2). It was often called a “prairie plow,” reflecting its use in the westward expansion of white settlement during the middle decades of the nineteenth century.²⁵³ While primarily intended for oxen, a double tree, and a single tree, of draft horses could pull this implement.

Both trees included a bar or beam attaching the horse to some farm implement, such as a Shovel plow, wherein the power of the horse’s pull was given to the tree, which in turn pulled the implement. Therefore, a Single Tree hooked up one horse, whereas a Double Tree hooked up two horses.

Nonetheless, the lack of oxen yoke teams is very telling as these two types of plows are too heavy for average horses. As such, the lack of oxen might represent number of “steers” in the claims, as “steers” could also include working livestock. A total of three “large steers” and 16 “young steers” were recovered from the claims.

²⁵³ Clifton J. Phillips, *Indiana in Transition: The Emergence of an Industrial Commonwealth, 1880-1920*, vol. 1, *The History of Indiana*. (Indianapolis: Indiana Historical Society, 2016), 139; Douglas L. Wilson, and Rodney O. Davis, eds., *Herndon’s Informants: Letters, Interviews, and Statements about Abraham Lincoln*. (Urbana: University of Illinois Press, 1998), 534.

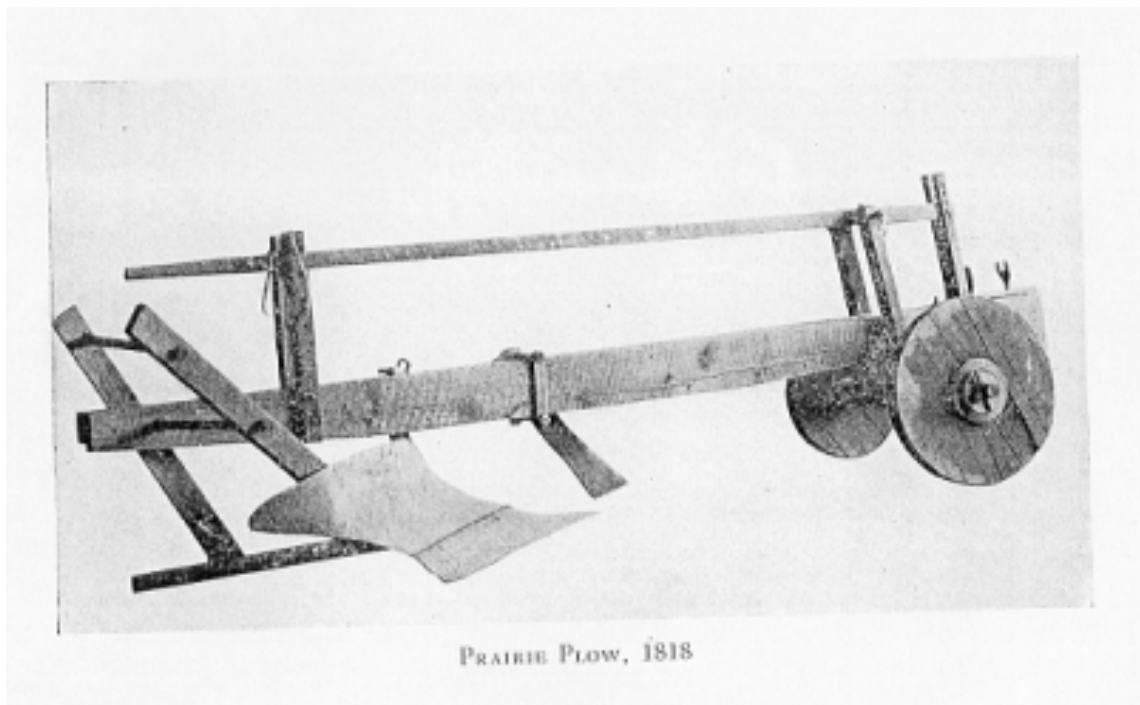


Figure 4.2. Bull Tongue, or Prairie Plow.²⁵⁴

Could Bar-Shear and Bull Tongue plows be tracked with claims for new cleared ground? Such comparisons correspond with two events. First, plow types compared with agricultural land type informs us about everyday effects of the 1832 Georgia Land Lottery. Secondly, plow and land type also reflect Cherokee population movement. Unlike Bar-Shear or Bull Tongue plows, Shovel type plows are best utilized by single trees of horses for making planting furrows. Therefore, these type plows only function properly in well-established fields. As Single or Double Trees are not useful for creating fields, but for working fields, average existing field size can be culled out based on plow type inclusion in claims. Lastly, to what extent did Dickageeska's claim that many Cherokees followed John Ross' advice in 1837 to live life as normal, plowing, planting

²⁵⁴ <https://bond.illinoisgenweb.org/historyfarming.htm>

and selling hogs and cattle at market, reflect Cherokee individual and community recalcitrance to remove west?

Throughout the Cherokee Nation, land was valued not by acreage, but by the crop growing on 23 May 1842, the date military round ups of Cherokees began. Sweet potatoes averaged the highest value, and corn was the least valuable of crop lands. I was able to evaluate the number of cleared lands and total lands valued. In Georgia, of the total 595.25 valued acres, 280, or 47%, were classified as newly cleared. In Alabama, 103 of the 261.75, or 39% of all valued lands were considered newly cleared. In Tennessee, 154.5, or 33% of the total 462.5 acres were claimed as newly cleared. Lastly, 1 acre of the total 200 claimed acres in North Carolina was considered newly cleared. These figures illustrate a mobile population in between 1835 and 1837. Clearly large numbers of Cherokees were creating and expanding existing farms prior to May 1838. Table 4.3 illustrates expanding communities, and whether males or females were creating new farms. The single largest concentration of newly broken ground was 40 acres opened by a Cherokee man at Pine Log Town.

Finding the Farms

Any region within the Cherokee Nation prior to 1838 can be agriculturally recreated in like fashion. For the purposes of this chapter I chose to analyze Cherokee farms and communities in Cooswattee District, Georgia. I first categorized the claims by locations and “outliers,” or farms which did not belong to other locations, or were listed

Table 4.3. Acreage Cleared and Opened Between 1 Jan 1838 and 23 May 1838, Tahlequah Claims.

Gender	Community / Location	Acreage Cleared and Opened
Cherokee Man	Salaquoah Town	28 Acres
Cherokee Man	Chickamauga Creek	21 Acres
Cherokee Man	Notley River	20 Acres
Cherokee Man	Coosawattee River	19 Acres
Cherokee Man	Hightower District	16 Acres
Cherokee Woman	Tahlony Town	15 Acres
Cherokee Man	Hickory Log Town	15 Acres
Cherokee Man	Canasauga River	15 Acres
Cherokee Man	Chuwostee Creek	13 Acres
Cherokee Woman	Chickamauga Creek	11 Acres
Cherokee Man	Chatooga Valley	7 Acres
Cherokee Man	“um-ma-ha-lo-le-ca” Creek	5 Acres
Cherokee Man	Okelogi Creek	3 Acres

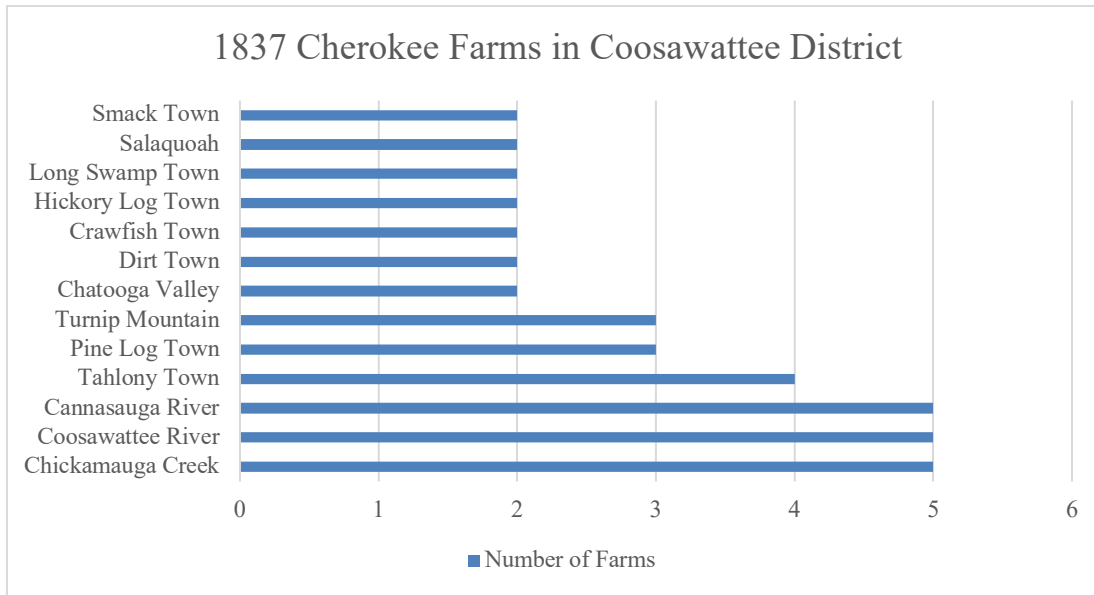


Figure 4.3. 1837 Cherokee Farms in Coosawattee District.

only by District, watershed, or simply as “Georgia.” For instance, four farms along the Notley River, modern day northeastern Georgia near the North Carolina state line, were listed as “Georgia” (Figure 4.3). Of these forty-four farms, nine farms included Bar-Shear or Bull Tongue plows, while twelve included Shovel type plows, and thirteen other farms listed “ploughs” with no other description, probably some type of Shovel plow often called a “Walk Behind plow” for basic planting purposes in an established field.

Of the various locations, Notley included one Bar-Shear plow with one yoke of oxen, and nine Shovel or other plows. As such, along the Notley River by 1838 one can surmise that Cherokees farms were well established, with only one new farm. Tahlony Town included one Bar-Shear and one Bull Tongue, with one yoke of oxen, and three Shovel Plows. We can therefore deduce new farms were being created throughout the Coosawattee District. This could be evidence of an influx of white settlement following the Georgia Land Lottery, evidence of internally displaced Cherokees emigrating from

other portions of the Cherokee Nation, expansions of new farms, or simply expressions of domestic neolocality. Evidence in the claims leans towards new farms, as there are more ground-breaking plows than single tree shovel plows in the claims at Tahlony Town.

Three Bar-Shear plows and 1 Shovel plow was discovered in the Chickamauga Creek valley, also indicating new farms, as three of the five farms listed ground breaking plows. Two Bar-Shear and eight Shovel or other plows were discovered among five Coosawattee River farms, indicating a greater percentage of existing and stable farms (Figure 4.4).

Of the other locations, only the Canasauga River farms included Bar-Shear plows, indicative of at least two new farms. The preponderance of evidence from the Canasuga River farms, however, leads me to believe this was also a relatively stable farming community. In fact, this area included one farmer with an established Maple Sugar production including one “sugar orchard including camp three Large Troughs & 100 small sugar orchards.”²⁵⁵ The largest percentage of new farms were found in the Tahlony Town and Chickamauga Creek Valley. We are seeing a population shift of internally displaced Cherokees from the southern Georgia lands to around the Tennessee border after 1835.

Chickamauga Creek Valley is especially interesting as it continually represents a trans-border region, even today. The valley extends south through Hamilton County,

²⁵⁵ PJACC/Reel 4/Box 12/F 2. Spoliation claim for Tusawalatah.

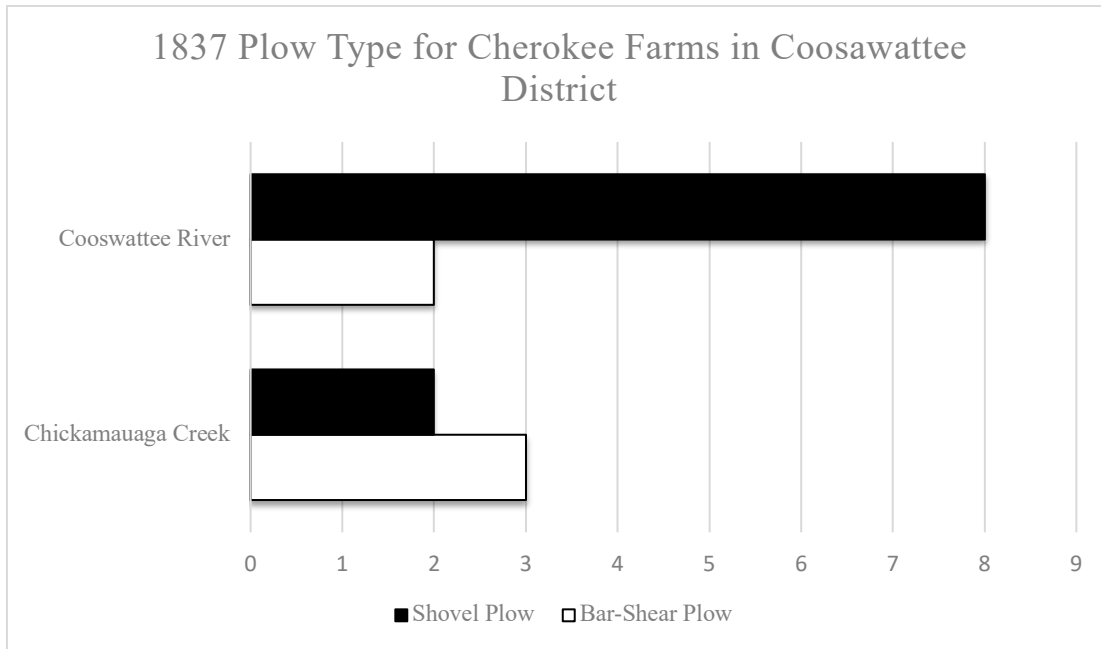


Figure 4.4. 1837 Plow Type for Cherokee Farms in Coosawattee District.

Tennessee, into the northwestern Georgia counties of Catoosa and Walker. Today it geographically lies within the Chattanooga economic metroplex. As a matter of personal reference, I live in East Ridge, Tennessee, approximately two miles from the Georgia border. While I work in Tennessee, I shop in Georgia. For one thing the prices and taxes are lower in Georgia than Tennessee. Similarly, in 1837 the area was politically separated by Euro-American state and federal boundaries, including the borders of the Cherokee Nation and the US, as well as the state borders of Tennessee and Georgia. Upon closer inspection, however, Cherokees recognized the state borders at some level, especially given the draconian Georgia laws extending state jurisdiction into tribal territory, on another level it was simply one valley within the traditional aboriginal territory. John Ross, for example, lived for a time at a place which would become Rossville, Georgia, but his economic interests lay at Ross' Landing, modern day

Chattanooga, Tennessee. Such trans-border lived experiences were simply part of the normal world throughout the nineteenth century eastern Cherokee Nation.

If you compare the number of ground-breaking plows with the acreage of new ground cleared, however, a slightly different picture emerges regarding the state of Georgia Cherokee farming. For example, of the total of 595.25 acres in some state of cultivation claimed, 280 acres or approximately 47% of the total Georgia cultivated acres were considered new cleared grounds. Most often this claim was made for grounds opened since 1835. Of these 280 acres, forty were cleared at Pine Log Town, twenty-eight at Salaquoah, thirty-four on Chickamauga Creek, twenty on Notley River, nineteen on Coossawattee River, sixteen in the Hightower District, fifteen at Tahlony Town, fifteen on the Cansauga River, fifteen at Hickory Log Town, thirteen on Chuwostee Creek, five at one farm on “um-ma-ha-lo-le-ca Creek,” and three on one farm on the Ohkelogee Creek.

To put this into context, one acre represents the amount of well-tended lands one man, and a draft animal can work in one day. Imagine the effort required to clear forty acres of new land. The caloric output and intake required for a person, or even a gang of workers, to cut down trees, clear rubble, pull stumps, burn debris, move rocks and all other ancillary requirements to open new ground is through the roof.

Land should be prepared as soon as possible before the spring planting, which in any given spring in Georgia is between mid-February and early March. Therefore, if the 280 acres were cleared since the signing of the Treaty of New Echota on 29 Dec 1835, the majority of this work would have been conducted from dawn to dark, in about six

weeks. Even if the work was spread across the region over a period of months, this new ground clearing only lasted between 1 Jan 1836 and 23 May 1838, when the first military round ups commenced in Georgia. In this scenario, therefore, the 280 acres were cleared over a twenty-eight-month period. The amount of farm expansion and new farm construction was a remarkable event considering the unbelievable external and internal political, legal and economic removal stressors in everyday Cherokee lives such as those expressed in Dickageeska's statements. Even though General John E. Wool, then commander of US troops stationed in the Cherokee Nation East, stated in a general letter addressed to "The Cherokee People," dated 19 Sept 1836 that "no alteration will be made in the late treaty" and that "the Cherokee people are to emigrate in two years from the ratification of the treaty [23 May 1836]," Cherokees like Dickageeska believed Principal Chief Ross and others would preserve their lives in the east, thus avoiding removal.²⁵⁶ It became clear to many Cherokees, particularly along the Valley River, modern Cherokee County, North Carolina, that whites were determined to take possession of their property even before Wool's demonstrated date for emigration.²⁵⁷ It was as if the people could demonstrate their willingness to remain by physically working their fields and farms, their desire to remain would bolster the memorials presented to federal officials by the tribal Delegation.

²⁵⁶ John E. Wool. Letter from Brigadier General John E. Wool to the Cherokee People. 4026.345-.1. John Ross Papers. September 19, 1836. Tulsa: Gilcrease Museum, <https://collections.gilcrease.org/object/4026345-1> (02/19/2018).

²⁵⁷ Jenny. Letter from Jenny to Cherokee Nation Delegation. 4026.127. John Ross Papers. April 3, 1834. Tulsa: Gilcrease Museum, <https://collections.gilcrease.org/object/4026127> (07/24/2017).

The claims also provide evidence for population movement. For instance, Cherokees claimed seven Bar-Shear or Bull Tongue plows in Alabama, three in Tennessee and none in North Carolina. These are only for the claims from the Tahlequah District, Cherokee Nation West. The Tahlequah claims proved such studies are not only possible, but important to understand the economic and personal strife caused by hyper-displacement.

How the Claims Express Gendered Agricultural Practices

The spoliation claims also express gendered purchasing power on the eve of removal in 1838. Stock cattle and hogs were raised for the market. Other cattle and hogs were meant for farm use, such as meat production or breeding. The claims enable us to understand the purchasing power of not only men and women, but regional and town differences. Purchasing power here represents the ability of Cherokees to purchase new goods and expand farms. Such information fills in the gaps of understanding the effects of hyper-displacement when the archival evidence ends or remains silent.

Table 4.7 represents the total percentage of pre-1838 number of hogs by region. The total number of hogs claimed was 2,386. This figure represents both stock hogs and hogs intended for farm use. Of the 1,457 total hogs in Georgia, approximately 1,369, or 94% were considered stock hogs. In Alabama, of the 611 total hogs, approximately 600, or 98% were considered stock hogs. In Tennessee, 73%, or 546 of the total 751 hogs were considered stock hogs. Lastly, in North Carolina, 100 of the 110 total hogs were listed as stock hogs (Figure 4.5). This amount is the most telling in terms of existing markets. It has been postulated, as early as Mooney's work, that Cherokees living within

the exterior boundaries of North Carolina were among the most culturally conservative, and practiced a form of subsistence agriculture. By looking at stock hog percentage, however, we actually learn that while the listed acreage was not as great in North Carolina compared to other portions of the Cherokee Nation East, the majority of Cherokees were not merely subsistence farmers growing only what they could consume on their own farms but were indeed plugged into a stock hog market agricultural economy, as well as understanding stock hog farm ownership by farm owner gender (Figures 4.6 to 4.9).

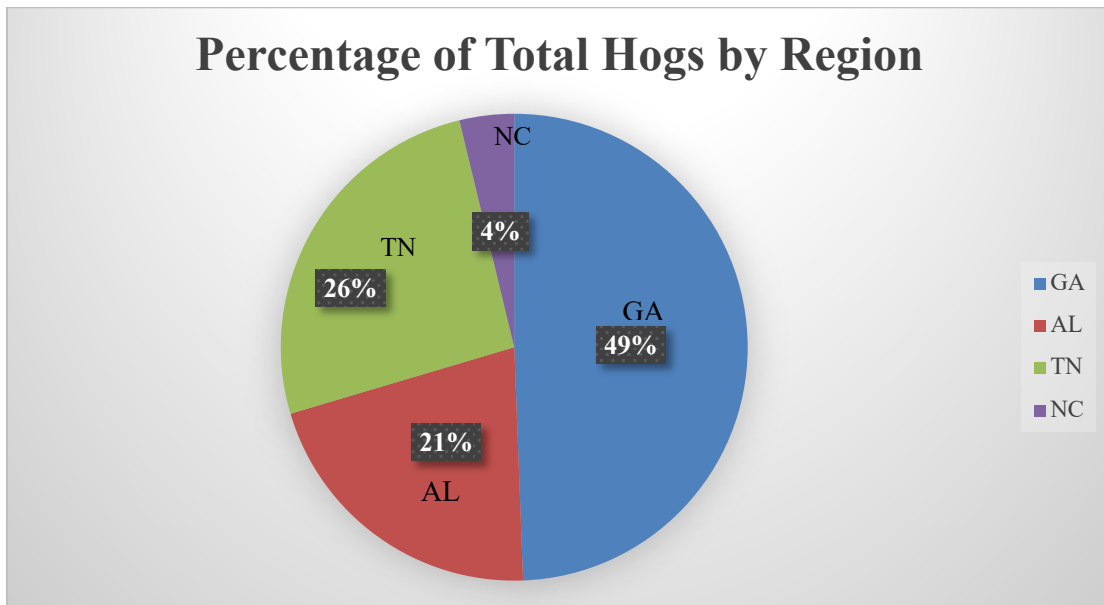


Figure 4.5. Percentage of Total Hogs by Region.

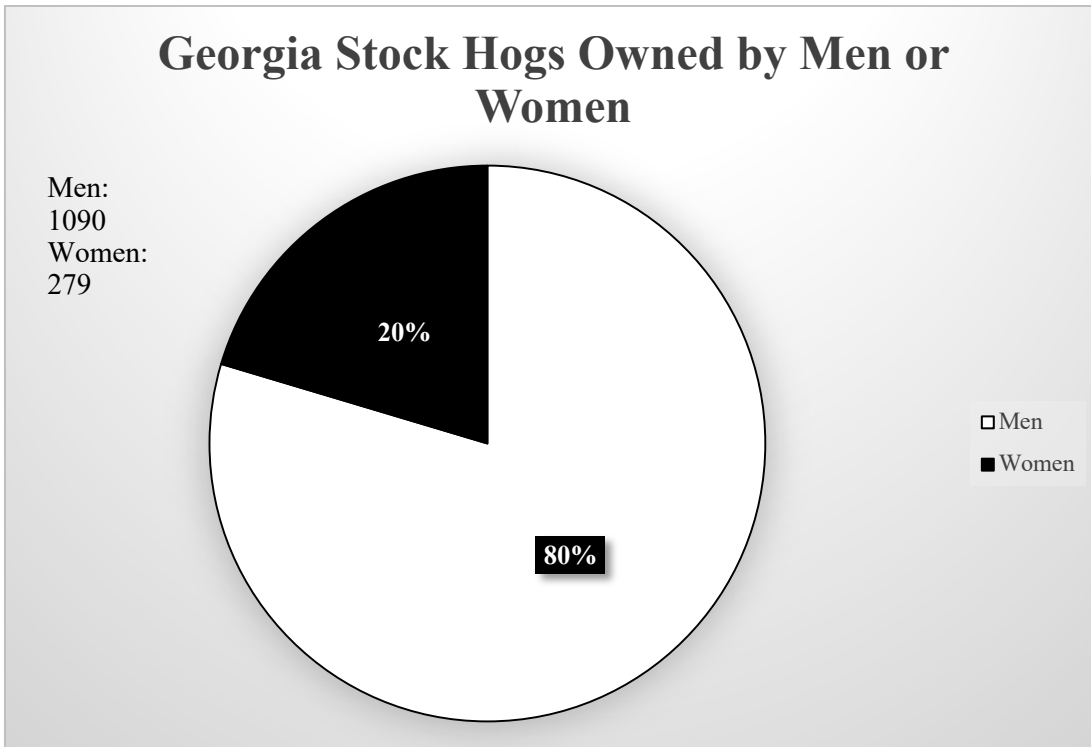


Figure 4.6. Georgia Stock Hogs Owned by Men or Women.

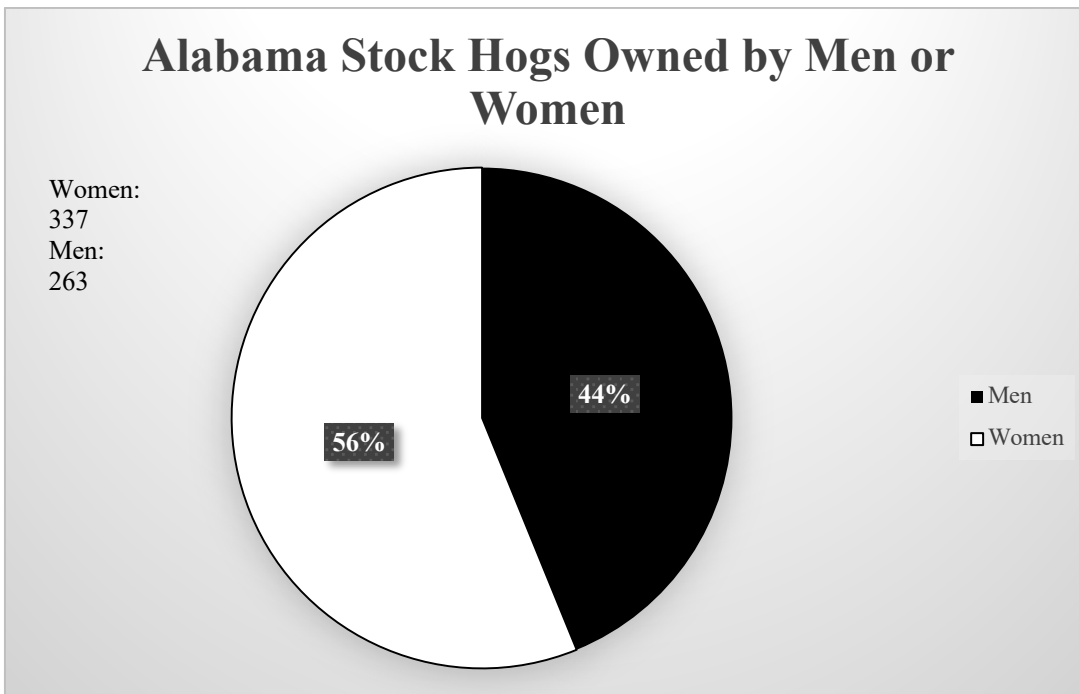


Figure 4.7. Alabama Stock Hogs Owned by Men or Women.

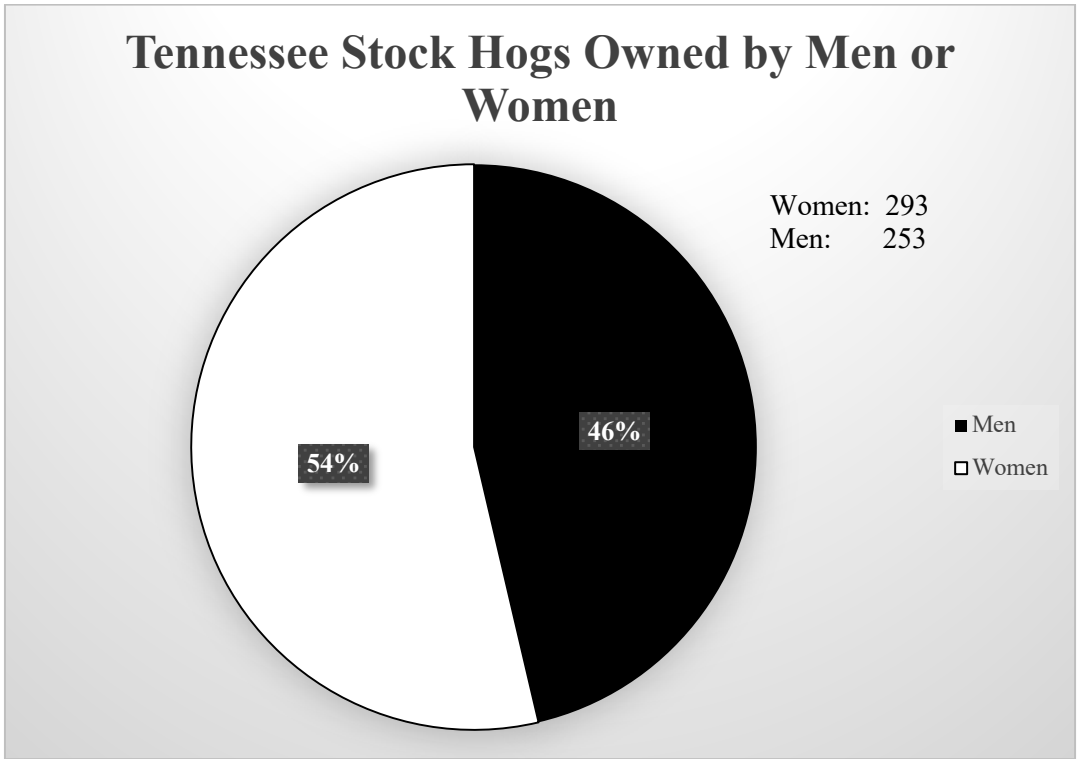


Figure 4.8. Tennessee Stock Hogs Owned by Men or Women.

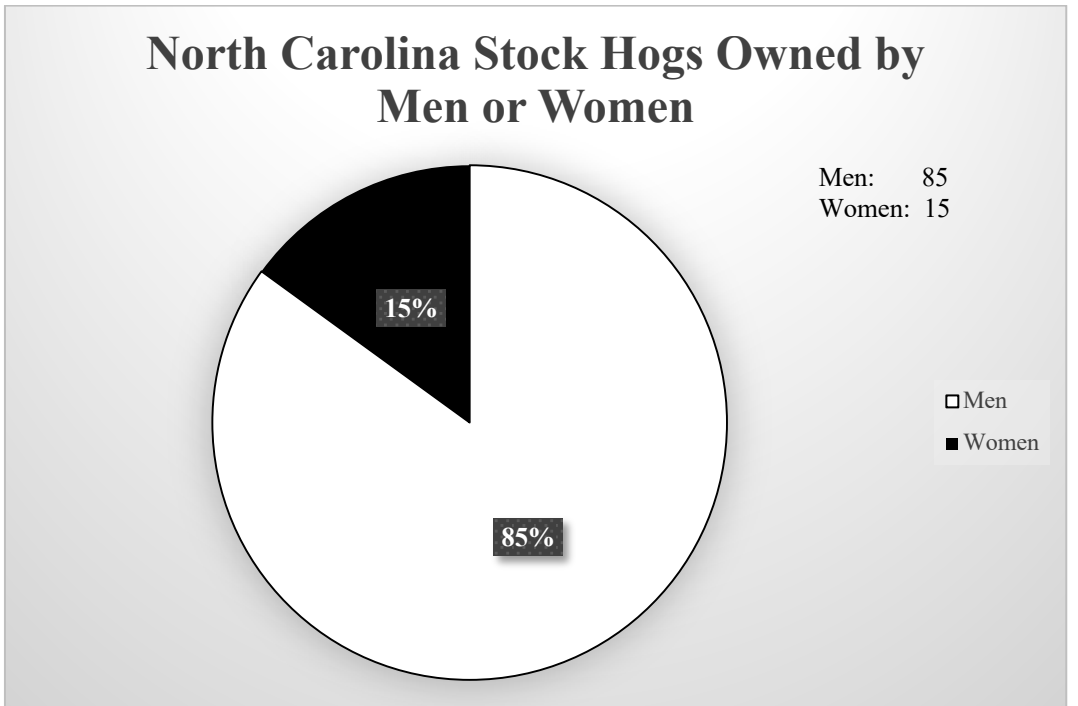


Figure 4.9. North Carolina Stock Hogs Owned by Men or Women.

The number of stock hogs owned by men and women is further analyzed to understand gendered purchasing power among eastern Cherokees on the eve of removal in 1838. The 1842 fourth Board claims provide individual numbers of stock hogs and the estimated sale price. Among the Georgia communities, men owned 1,090 stock hogs worth \$3,879.00 total, while women owned approximately 279 stock hogs worth \$1,5620.00 total. By way of illustration of purchasing power, men earned \$3.56 per hog, while women earned \$5.60 per hog. This \$2.04 difference illustrates, based solely on market value for stock hogs, that, in Georgia, Cherokee women enjoyed a higher pre-1838 removal purchasing power than men. In Georgia women enjoyed more purchasing power than in any other region. The pre-1838 removal purchasing power for men and women in North Carolina was equal. The men owned 85 of the 100 stock hogs, worth \$270.00, or \$3.18 on average, while women owned 15 stock hogs totaling \$45.00, or \$3.00 on average.

Among the Alabama Cherokee communities, however, women owned 337 stock hogs, worth \$1,446.00, while men owned 263 stock hogs, worth \$863.00. Women claimed their stock hog market value as \$4.29 per, while men claimed \$3.28 per. The stock hog claims in Tennessee, however, reflect a greater difference in purchasing power. In Tennessee men owned 253 stock hogs, worth \$1,077.00, while women owned 293 stock hogs, but worth only \$770.00. Although Cherokee women among Tennessee communities owned, on average, more stock hogs, men enjoyed a \$1.63 greater purchasing power.

It is important not to overlook these figures, as they reflect several key cultural, economic and agricultural values. First, pre-removal Cherokee women farm owners enjoyed a higher purchasing power than those owned by men, enabling them to often have substantial agricultural property and farm improvements. This fact alone helps illuminate the large numbers of Cherokee women who provided spoliation claims as heads of households. In fact, we saw an example in Chapter Three where Arkansas Cherokee women owned horses separate from their husbands, while claiming one household. Second, these figures show a lack of dramatic shift from matriarchal to patriarchal economics. On the eve of removal from the east in 1838, Cherokee men owned a total of sixty-eight farms, as listed by community, and sixteen farms as outlier individual farmsteads not based on community locational identifier. Women, on the other hand, owned thirty-three farms as listed by community, and seventeen farms as outliers.

Cherokee women were far more economically devastated by forced removal than men. As the claims represent a commodified assessment of property and improvement losses following removal, Cherokees opposed to the Treaty of New Echota found themselves in economical dire straits. Supporters of the Treaty of New Echota, in larger approximations than those Cherokees like Dickageeska, successfully adjudicated their claims under the first Board. These Cherokees typically removed themselves between 1835 and 1838 and emigrated with enough stock and capital to establish themselves in the west, sometimes rather comfortably, prior to the larger emigration of eastern Cherokees.

Fourth Board claims, however, indicate that Cherokee women lost an incredible amount of monetary agency and economic freedom. The number of Cherokee women who owned farms as heads of households can be attributed to this form of agency. Other than those residing in communities within the exterior boundaries of Tennessee, Cherokee women in 1837 enjoyed a higher percentage of economic freedom prior to removal, through purchasing power and as farm owners, all of which appears to have vanished following removal as they became economic equals to men, if not secondary (Figure 4.10). Moreover, as the fourth board payouts did not occur until the 1850s, Cherokees found themselves heavily indebted as they rebuilt their communities between 1838 and 1851. As displaced Arkansaw Cherokees selected the best lands, leaving secondary lands for eastern Cherokee emigrants, women’s loss of economic agency often left them more beholdng to men more in the west than in the east. Furthermore, loss of market hog economy compromised traditional women in different ways that women who married acculturated Cherokee men or white men.

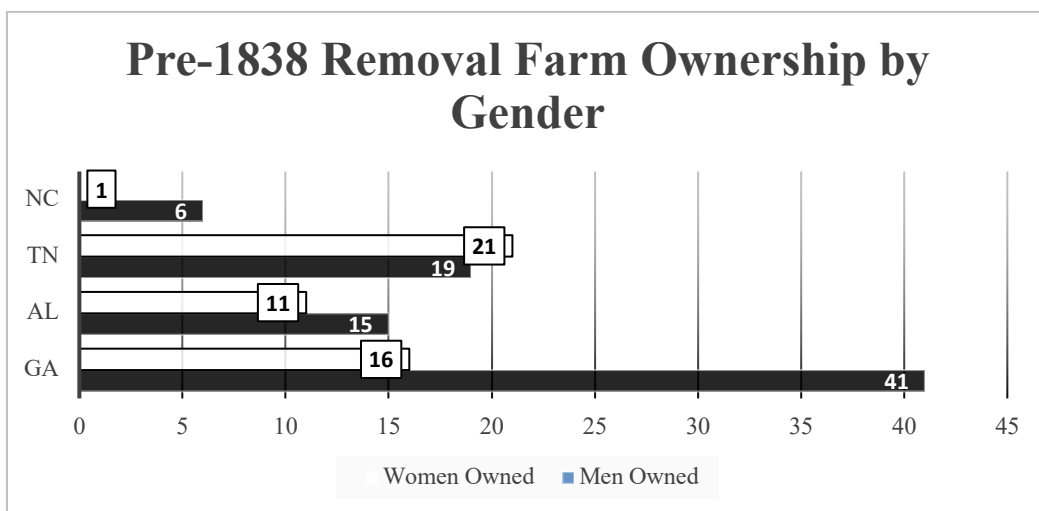


Figure 4.10. Pre-1838 Removal Farm Ownership by Gender

“Present residence on the Barren Fork Creek of the Illinois River”: Post-Hyper-Displacement Settlement of the Tahlequah District

Evidence for post-removal fourth Board claims tend to follow Rose Stremmlau’s assertion that “common landownership provided the foundation for Cherokee culture, and homes served as the Cherokee’s most important sociopolitical institutions.”²⁵⁸ Even as town, community, neighborhood, and geographical or political districts also remained a cornerstone of tribal identity, Cherokee claimants increasingly as either a “full blood Cherokee” or a “Citizen of the Cherokee Nation.” Town affiliation persistence follows Carolyn Ross Johnston’s statement that “continuity, not dramatic change, characterized the period before and during removal.”²⁵⁹

In 1842 each newly created Cherokee Nation District set of claims had a person in charge of receiving or collecting claims. For example, in the Skin Bayou District it was G. W. Gunter or James M. Payne, both acting as “Special Clerk on Claims for Skin Bayou Dist. Cherokee Nation.”²⁶⁰ For the Tahlequah District either David Cater or James D. Wofford served as “Special Clerks for making out Claims for Tahlequah District.”²⁶¹ In the Flint District G. W. Adair served as “Clk.”²⁶² For the Goingsnake

²⁵⁸ Rose Stremmlau, *Sustaining the Cherokee Family: Kinship and the Allotment of an Indigenous Nation*. (Chapel Hill: The University of North Carolina Press, 2011), 95.

²⁵⁹ Carolyn Ross Johnston, *Cherokee Women in Crisis: Trail of Tears, Civil War, and Allotment, 1838-1907*. (Tuscaloosa: The University of Alabama Press, 2003), 150.

²⁶⁰ PJACC/Reel 4/Box 11/F 4-5.

²⁶¹ PJACC/Reel 4/Box 12/F 1.

²⁶² PJACC/Reel 6/Box 15/F 1/Book 1.

District, I. A. Few, Clerk of Court for Goingsnake District Court, served as “Clerk DD.”²⁶³ In the Saline District, J. Mulkey served as “clk.” for taking claims.²⁶⁴

Each of these men emphasized different elements in each claim. For example, in Skin Bayou, Gunter and/or Payne emphasized how many miles in 1842 each claimant resided from Ft. Smith, or John Bengé, another removal detachment conductor. These men laid out brilliantly post-removal settlement patterns for their district. Additionally, in nearly every deposition or affidavit, the claimant indicated “I am a Cherokee,” or “I am a full blooded Cherokee,” to disassociate themselves from white Indian Countrymen, or intermarried whites, many of whom were looking to enrich themselves during the heightened removal tensions and inflated prices for materials following removal.

In the Tahlequah District Carter and/or Wofford emphasized, in detail, former places of residence, and 1842 places of residence. They also emphasized number of miles from a specific location, community, or important Cherokee leader. Moreover, they emphasized how the claimants “never received any compensation for the same [claim].” In the Delaware District Moses Daniel often emphasized how the claimants were “forced to abandon the above-named property and effects by citizens of the united states in the year 1838.”²⁶⁵

We can see, therefore, that individual District Clerks for collecting claims emphasized something different. As such, the importance of former place of residence should be qualified. For example, claims in the Goingsnake District only listed the

²⁶³ PJACC/Reel 7/Box 17/F 1/Book 1.

²⁶⁴ PJACC/Reel 7/Box 17/F 2/Book 2.

²⁶⁵ PJACC/Reel 7/Box 17/F 2/Book 2/Moses Daniel.

former 1838 District, such as “Coosawattee District,” or a body of water and district, such as “Candys Creek, Amohee Dist.” The Saline District claims, on the other hand, only listed the place of residence in 1842 as “Saline,” while including limited 1838 location data, such as “on Wills Creek.”

I think it is important to highlight that the locational data for the Tahlequah spoliation claims, while reflecting a strong town locational identifier, was not the norm throughout the other districts. Of the other sets of Cherokee Nation District spoliation claims, only the Goingsnake District claims failed to include much in the way of pre-1838 former residency. The remaining claims highlighted geographical location or town, with some 1838 District locational identifiers. We can therefore reassert that local towns, rivers, or mountains remained the paramount locational identifier for displaced Cherokees in the west well past removal in 1838.

Post-hyper-displaced Cherokees in the west emplaced their institutions and agricultural patterns as best they could. In many ways this is one of the greatest examples of individual and communal agency. Continuity, however, is a hazy term. Tribal legal and cultural institutions were affected by hyper-displacement events. Moreover, the spoliation claims dramatically posit the enormity of depleted monetary and agricultural capital available for the emigrants.

The 1842 fourth Board Tahlequah spoliation claims within the PJACC are, in their present configuration, not reflective of their original pagination. They were separated sometime in the past by their previous owners. In the PJACC they consist of two reels (four and five) two boxes (twelve and thirteen) further separated into eight

folders. In their original pagination they may have been bound into one or two books, as exemplified by with the Delaware District claims, with some later additions of unbound claims, to later individual entries. Following digitization for the purposes of analysis, a was able to create an Excel spreadsheet and re-organize them for my purposes by Name, Cherokee Nation District, Type of Claim, Location in 1838, Location in 1842, Removal Detachment, Year Emigrated, Image Range (numerically ordered from PJACC reel download), Special Notes (pertaining to information useful for the dissertation), Date Taken (the date the claim was made), Place Taken (whether or not it was taken at the District Courthouse), and Person Taking (in this case, the Cherokee Nation official signing off on the claim).

The claims were heard and taken into record, either the Cherokee Nation court, or the Tahlequah District Court, between 4 March 1842 and 28 April 1842. By considering the Cherokee Nation courts one could account for the large number of claims from other districts as people from all corners of the Cherokee Nation arrived to make out claims at the central council grounds. One important initial task was to put the claims back into chronological order. While the files remained in order by Cherokee Nation District, they were no longer in chronological order, but in some arbitrary order, only reflective of the various Tribal Districts. Since the main focus for this research is to understand the process of community in times of hyper-displacement, would they be expressed once the claims were placed back into chronological order?

The answer is . . . sort of. It took days to put 229 claims back in chronological order. Upon completion of thirty-seven pages of data some interesting community

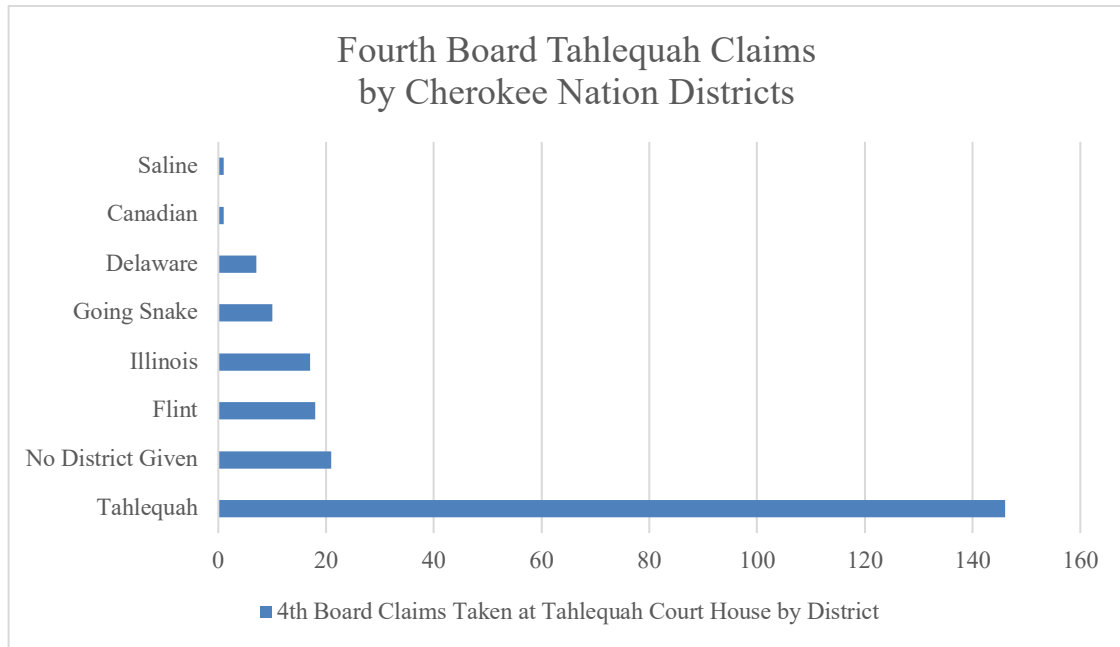


Figure 4.11. Fourth Board Tahlequah Claims by Cherokee Nation Districts.

elements appeared. Most claims were heard between Mondays and Saturdays. On only two occasions were claims heard on Sundays. In the end I factored 221 eastern spolioation claims representing an average heard 4.7 claims over a forty-seven-day period.

Of the 221 eastern Cherokee claims, Tahlequah District residents accounted for 146, or 66% of the claims (Figure 4.11). “No District Given” accounted for twenty-one, or 10% of the registered claims, followed by eighteen residents from the Flint District (8%); seventeen residents of the Illinois District (7.6%); nine residents of the Going Snake District (4%); seven residents of the Delaware District (3%); one from Going Snake (.4%); one from the Canadian District (.4%); one from the Saline District (.4%). I wanted to work out whether there was evidence of post-hyper-displacement communities or neighborhoods. This data was important to understand if post-1838 removal Cherokees in the west settled as larger communities or smaller neighborhoods with a

community, or regionally based townhouse as among the Kituwah Regional Council
Cherokees from Chapter Two, or similarly to Arkansaw Cherokees from Chapter Three.

In other words, when such large numbers of people were traumatically displaced,
and were collectively forced into concentration camps, only to emigrate in large
collective detachments, did they spatially re-settle as pre-displacement bordered
communities, or establish altogether new communities? Did the recently arrived eastern
Cherokees emplace or (re)emplace former communities and/or networks? The evidence
was mixed.

If we follow Douglas C. Wilms' pre-removal agricultural settlement pattern
evidence from Benjamin F. Curry that each pre-1838 tribal farm was separated by at least
.25 miles, we can utilize the individual spoliation claims to reconstruct post-hyper-
displacement Cherokee communities in the west.²⁶⁶ Locational data from the Skin Bayou
and Delaware districts support the post-removal extension of this method of resettlement
in the west.

Additionally, of the total 229 Tahlequah spoliation claims analyzed for this study,
there were also claims from other Districts, including Illinois, Flint, Going Snake,
Delaware and Saline. Post-removal settlement (re)emplaced communities is represented
by the number and location of displaced Cherokees found in the Tahlequah claims.

To test whether approximate 12,862 post-displacement Cherokees attempted to
(re)emplace pre-1838 communities, I verified and compared pre- and post-displacement

²⁶⁶ Wilms, "Cherokee Land Use in Georgia Before Removal," 10.

locational identifiers.²⁶⁷ Between 7 March and 10 March 1842 seven Cherokees' claimed former residence at "Wah-ki-ah" or "O-koo-ee" in the Amohee District. This is the same location, Ocoee Town, along the Ocoee River near the confluence with the Hiwassee River, modern day Polk County, Tennessee.²⁶⁸ Another 11 Cherokees collectively listed their 1838 residence as "at Ele-gah-lee-sah, Amohee District," "near Columbus, Tennessee, on the opposite side of the Hiwassee River, Amohee District," "near the Agency on the Hiwassee River, Amohee District," and "across the Hiwassee River, on the Cher. Side."²⁶⁹ While seven clearly lived, in or identified with Ocoee Town as their town, the other four resided within the same watershed. Thirteen more lived within either the same town, or at least within the Hiwassee and Ocoee River part of the Hiwassee River watershed (Table 4.4).

Over a three-day period, former neighbors registered their claims together. Focusing solely on post-displacement residence locations overlooks former networks. For example, Kalonuhi and Young Bird registered claims on 7 March 1842.

²⁶⁷ Thornton, "The Demography of the Trail of Tears Period," 92.

²⁶⁸ PJACC/Reel 4/Box 12/F 1. See the spoliation claims for Kalonuhi, Young Bird, Gahlonuski, Nancy Bone Polisher, Archy, and Uwosodu.

²⁶⁹ PJACC/Reel 4/Box 12/F 1. See the spoliation claims for Chusawalla, Gatane, Amayegadoga or Standing in the Water, and Chacha or Sapsucker.

Table 4.4. 1842 Tribal Community Fourth Board Spoliation Claims Taken at Tahlequah District Court House.

Cherokee Nation District	1842 Tribal Community	Number of Claims per Community	Percentage of District Population
Tahlequah District	Illinois River	26	11%
	Barren Fork	21	9%
	Fourteen Mile Creek	21	9%
	Caney Creek	16	7%
	Tahlequah Town	15	7%
	Park Hill	15	7%
	Bayou Menard	12	5%
	Spring Creek	8	3%
	Tahlequah District	7	3%
	Grand River	1	.04%
	Forks of Illinois River	1	.04%
	Sugar Loaf Mountain	1	.04%
	Near Fort Gibson	1	.04%
Illinois District	Green Leaf Creek	9	4%
	Illinois River	5	2%
	Unknown Illinois District	1	.04%
	Salisaw River	1	.04%
Flint District	Caney Creek	11	5%
	Unknown Flint District	5	2%
	Salisaw	1	.04%
	Illinois River	1	.04%
Going Snake District	Caney Creek	4	2%
	Illinois River	2	1%
	Unknown Going Snake District	2	1%
	Barren Fork	1	.04%
Delaware District	Flint Creek	2	1%
	Unknown Delaware District	2	1%
	Beatties Prairie	1	.04%
	Spavinaw	1	.04%
	Illinois River	1	.04%
Saline District	Spring Creek	1	.04%
Other	None Given	14	6%
	Unknown General	3	1%
	“Different Parts of Cherokee Nation”	1	.04%

Kalonuhi stated his post-removal place of residence as “on Big Elinois not very far from Cany Creek Tahlequah District Cherokee nation West,” while Young Bird, probably a neighbor, listed his post-removal residence as “on the water of the Illinois, near Caney Creek, Tahlequah District.”²⁷⁰ Gahlonuski and Nancy Bone Polisher, also formerly from Ocoee Town, listed their present place of residence as “in the Barren fork of Illinois River, Tahlequah Dist.,” and “near Park Hill Tahlequah Cherokee Nation West” respectively.²⁷¹ Following the Illinois River on modern maps north from its confluence with the Arkansas River, through Ten Killer Lake, the Barren Fork splits north – north-east towards the Arkansas border, while the Illinois River continues north towards the Park Hill community and Tahlequah proper. For this group of claims, we see a commitment by pre-hyper-displacement neighbors to (re)emplace as either neighbors proper, or within a general post-hyper-displacement neighborhood.

What is more, Archy and Chusahwala listed their 1842 residence as “near Park Hill,” while Uwosodu and Amayegado or Standing in the Water, listed their 1842 residence as “Spring Creek Tahlequah District, Cherokee Nation.” The best for a modern Spring Creek Oklahoma was one originating north of Tahlequah near Locust Grove, OK, heading south-south-east towards the Illinois River. While these later two might be 1842 community outliers, however, the other 11 claimants resettled if not as neighbors, at least within a general post-removal neighborhood.

²⁷⁰ PJACC/Reel 4/Box 12/F 1. Spoliation claims for Kalonuhi and Young Bird.

²⁷¹ PJACC/Reel 4/Box 12/F 1. Spoliation claims for Gahlonuski and Nancy Bone Polisher.

Another cluster of 1838 and 1842 neighbors was found in five claims registered between 12 and 14 March 1842. Daquadehi, Tsanoskeske and Caty registered claims on 12 March 1842, listing their former 1838 place of residence as “Tah-lo-ney, Coosoowatee District” in modern Gilmore County, Georgia.²⁷² This small set of claimants was very interesting. For example, Daquadehi listed his 1842 place of residence as “on the Elinois river near Park Hill, Tahlequah District.”²⁷³ Tsanoskeske and Caty, on the other hand, listed their 1842 residence as “caney creek near July’s Flint District,” and “on caney near Eggles Flint District.”²⁷⁴ These three Cherokees resided as neighbors before removal, but only Tsanoskeske and Caty remained neighbors in 1842.

Moreover, it is very interesting how the latter two determined their 1842 residence based upon proximity to another Cherokee. Linguistically the phonetical spelling of Tsanoskeske in the records as Zah-no-ske-ske implies to me that he was a Kituwah speaker, as “Tsa” pronounced among Kituwah speakers on the present Qualla Boundary in North Carolina as “Tza,” while among the Oklahoma and Snow Bird Cherokees of Graham and Cherokee Counties, North Carolina, this sound is rendered “Tja.” There is a tremendous amount of linguistic anthropological work that could be done, showing, among other anthropological interests, the movement of peoples.

It is important to show these two sets of displacement neighbors, neighborhoods, and towns because between 10 March and 12 March a total of fifteen Cherokees

²⁷² PJACC/Reel 4/Box 12/F 1. Spoliation claims for Daquadehi, Tsanoskeske and Caty “an old woman.”

²⁷³ PJACC/Reel 4/Box 12/F 1. Spoliation claim for Daquadehi.

²⁷⁴ PJACC/Reel 4/Box 12/F 1. Spoliation claims for Tsanoskeske and Caty “an old woman.”

registered their spoliation claims, however, only four were former and/or present neighbors. Cherokees made the remaining eleven claims formerly residing in Creek Path Valley, Alabama, Mouse Town, Tennessee, the Hiwassee River, Tennessee, New Echota, Georgia, Doogwood Town, Georgia, Dirt Town, Crawfish Town, in the general Chickamauga District, or “on not fare from Gunter’s Landing, Marhsall County, Alabama.”²⁷⁵

For Carolyn Ross Johnston, in *Cherokee Women in Crisis*, aside from the violence of removal itself, by 1842 little changed agriculturally for women, while men’s roles were drastically altered. Yet, what I see throughout the fourth Board claims is an agriculturally amplified change for both men and women based on the loss of stock livestock and farming implements utilized in what she called a “plow agriculture.”²⁷⁶ Moreover, given the loss of the nearly extra \$1.00 of spending per female farm owner, however, the economic viability of women was devastated by removal through the loss of stock hogs. As such, the economic leveling effects of removal curtailed certain economic freedoms of women as both men and women arrived west without their stock.

The number of Bar-Shear and Bull Tongue plows also indicated a growing field landscape in the east which was dramatically curtailed in the west at a time ground breaking plows were needed most. As a result, displaced Cherokees in the west lacked the basic farming implements required to start new farms following removal. Without groundbreaking plows, even if they wanted to continue farming, they lacked the basic

²⁷⁵ PJACC/Reel 4/Box 12/F 1-4. Last quote from claim for Cornsilk PJACC/Reel 4/Box 12/F 4.

²⁷⁶ Johnston, *Cherokee Women in Crisis*, 150.

capability to do so, and were forced to rely on the ability or consideration of the US Army and federal government to have prepared for their arrival. They were putting their faith in the very government who had just torn their very life asunder.

Interpretation of the claim evidence, especially as it pertains to communal and individual networks and settlement patterns, follows Strelau's assertion that post-displacement Cherokees encouraged settlement through a sense of responsibility for each other, and their communities, or what she called a "common home."²⁷⁷ What is missing in a larger examination of post-hyper-displacement and emplacement studies, such as Johnston's, is a sense of the individual found by analyzing personal claims. Portions of this chapter expands Strelau's work in one post-removal community, Chewey, to encapsulate the individual and the community before and after displacement. In many ways Strelau and Johnston brilliantly reconstruct the political, individual and communal post-removal Cherokee Nation West landscape. Cherokees actively attempted to maintain pre-removal communal networks. Men and women were economically devastated by displacement, yet, within in a matter of years Cherokees in the west rebuilt their lives, farms and communities.

²⁷⁷ Strelau, *Sustaining the Cherokee Family*, 95.

CHAPTER FIVE
NORTH CAROLINA CHEROKEES, 1822-1840:
(RE)EMPLACEMENT EXPRESSIONS OF COMMUNITY

Introduction

There remained three groups of Cherokees following the forced removal of the Cherokee Nation from the southeast in 1838. The first were displaced Arkansaw Cherokees, then known as either the Cherokee Nation West or the Old Settlers. These Cherokees resided primarily in what would become the southern portion of the western Cherokee territory, particularly around Skin Bayou, Illinois Bayou and Illinois River, and around Tahlequah. Between the spring of 1836 and the fall of 1838, the Arkansaw Cherokees were joined by nearly 12,000 emigrant eastern Cherokees. These two groups merged politically and reestablished the Cherokee Nation in Indian Territory following the Grand Council at Takatoka Council Grounds in June 1839. Today the United Keetoowah Band (UKB) and the Cherokee Nation are the political heirs of these two groups. The displaced Cherokee Nation East emigrants in 1838 emplaced their farms, communities and body politic following removal, yet, this chapter will follow Cherokees who remained in the east following 1838 and were forced to (re)emplace. In many ways emplacement and (re)emplacement are similar cultural actions. Both are expressions of establishing new cultural landscapes. They are also, however, fundamentally different in representations of place. Displaced people who are able to emplace themselves are often in at least a semi-stable position following displacement. For instance, post-1838

removal eastern Cherokees resettled in the west among other Cherokees, who themselves had established communities and farms a decade earlier. In many ways the political and cultural boundaries of the Cherokee Nation West were defined. In the east, however, among the Qualla Cherokees, and 1838 removal survivors all former social networks and community ties were severed, but not necessarily destroyed. Post-1838 eastern Cherokees were forced to create a completely new home. As displaced peoples came in from the mountains from a myriad of disparate towns and regions, all communities were newly formulated. (Re)emplacement, then, represents ways to understand internally displaced peoples who find themselves out of bounds politically and economically within their own territory. In other words, (re)emplacement represents a way to analyze constructing entirely new ethno-landscapes within the same landscape one was displaced from.

This chapter follows the story of the third group of Cherokees, primarily in western North Carolina, who remained in the east following the forced removal of 1838. This group has been known under several monikers throughout history. They have been known as the Qualla Cherokees, the Citizen Cherokees, and since the 1870s, the Eastern Band of Cherokee Indians (EBCI). This chapter will analyze another example of post-displacement resettlement, (re)emplacement. (Re)emplacement represents the cultural restructuring of space and place following displacement.

There are several dramatic post-displacement differences between Cherokees in the east and west. First, Cherokees in the west were free from encroaching Euro-American influences. As such, one can think of the Cherokee Nation, following removal,

as having a stronger sense of sovereignty and self-determination than their brethren in the east. Cherokees in the west, following removal, held stable boundaries between themselves and the Muscogee Creek Nation to the west / north west, and the Choctaw Nation to the south. Euro-American communities lay to the east, across the border of Indian Territory into the state of Arkansas, although many tribal communities in the Skin Bayou, and Going Snake Districts resided in a trans-border existence with white Arkansas communities. In many ways, however, Cherokees in the west existed within a wider displaced southeastern Native American landscape, particularly a cultural Cherokee landscape, bounded by other displaced tribes, Euro-Americans, and the US government.

In the east, however, by 1838 the Cherokee landscape had been subsumed by Euro-Americans for two decades. The tribal enclaves of the Cheoah, modern day Cherokee and Graham Counties, North Carolina, and the Qualla communities, modern day Swain and Jackson Counties, North Carolina, found themselves encapsulated by white communities, and within the socio-cultural exterior boundaries of North Carolina. Today the EBCI lies within the exterior boundaries of 56,000 contiguous acres of the Qualla Boundary, and another approximately 6,000 scattered acres in Graham and Cherokee Counties, North Carolina. In 1838, however, these 60,000 +/- acres held in federal trust did not exist, but should, in fact, be thought of as smaller scattered communities along the least productive acres in Great Smoky, and Snowbird mountains.

The eastern post-hyper-displacement tribal communities dwelled in a (re)emplaced existence surrounded often by the very governments and people who had

displaced them in the 1820s. They did their best to restructure and recreate their pre-displacement lives, networks and communities. The main difference in the west, as we saw in Chapters Three and Four, was that entire neighborhoods and communities removed together. In the east, however, individual Cherokees and internally displaced refugee formed completely new neighbors and communities bands from a variety of former tribal locations and towns.

Bird's Eye View of the East

Entire communities and neighborhoods did their best to navigate removal and displacement together. The constitution of homes and neighborhoods following hyper-displacement was one of rekindling place through entanglements and networks, which, often, survived displacement. How, then, do you express constitution of entirely new communities? Only a small handful of Cherokees, as few as 600 people, came together to form the initial tribal settlements following the first hyper-displacement episodes in the 1820s. By 1838 as many as 1100 Cherokees gathered, including scattered bands which had avoided removal, to form small, scattered communities around Qualla Town. One problem with looking for Qualla Town Cherokees is that for Cherokees, Qualla Town did not matter. In the grand scheme of (re)emplacement Qualla was a white place, not a Cherokee place. Qualla was commercial location, eventually including a general store, tannery, a community blacksmith shop, and other ancillary shops. For individual Cherokees the location of newly constructed town house was important.

There, around the communal fire, or outside at the stickball game field was a Cherokee place. Yet, Qualla Town remains in many archival materials because most

extant materials were constructed by one person, William Holland Thomas, who at various times acted as an agent with limited powers of attorney from specific Cherokees to act on their behalf before either the federal government, the North Carolina General Assembly, or before the Cherokee Claims Commissioners. At other times Thomas was a store owner, who supplied Cherokees with the necessities of life, especially during the drought riddled years of 1836 through 1838, although all transactions were on credit at the store. Lastly, Thomas was a land speculator who purchased large tracts of land in his name and encouraged Cherokees throughout the hyper-displacement era to re-settle at Qualla. Therefore, the larger post-displacement Cherokee community at large has become known, and was stated as such by Thomas, as Qualla Town.

In many ways Cherokees of western North Carolina chose a third post-displacement resettlement pattern. Displaced Arkansaw and Cherokee Nation Cherokees navigated removal as neighborhoods, communities, larger body-politics, and families. North Carolina Cherokees navigated hyper-displacement at the family, and neighborhood, or “band” level, as in the case of “Euchela’s Band.” Often these latter groups were collectives of scattered individuals as some family members moved west, while others stayed in the east. As such, during the two decades between 1820 and 1840, what we are really discussing, instead of one tribal community at Qualla Town, were individual Cherokee communities, centered on a town house, with individual needs, strengths, and interactions between tribal towns, local whites, state and federal officials.

According to Mooney, sometime between 1835 and 1838 Thomas and an aging Yonaguska established several “districts or towns” expanding out from the confluence of

the Oconaluftee River and Soco Creek.²⁷⁸ As a twenty-something ethnographer on his first major field work, Mooney became enthralled with the tales an aged Thomas extrapolated. For Mooney, then, Thomas singlehandedly established the post-removal eastern Cherokee communities. He wrote, “In his [Thomas’] capacity as agent for the eastern Cherokees, he [Thomas] laid off the lands purchased for them into five districts or ‘towns,’ which he named Bird town, Paint town, Wolf Town, Yellow hill, and Big cove, the names which they still retain, the first three being those of Cherokee clans.”²⁷⁹

Neither Yellow Hill, nor Big Cove existed as a town prior to the 1870s, and William Holland Thomas may have acted as agent for “some” Cherokees, he was not the only local white land owner who assisted particular eastern Cherokees during the removal crises of the 1830s. This dissertation does not continue the old declination model of eastern Cherokees, which has too often portrayed them as without agency, as economically and socially depressed people who lived hand to mouth from the largess of whites and acted only under white guidance. What this dissertation does examine a complicated story of a proud and industrious people who defied the odds to remain in the traditional aboriginal territory to build, by 1842, very vibrant and healthy communities.

The story of the North Carolina Cherokees hyper-displacement experience is one of (re)emplacement and self-determination, not sovereignty. Sovereignty is best expressed by nation-to-nation interaction, wherein one nation defines, and defends, legally demarcated borders. Self-determination, on the other hand, is best expressed at

²⁷⁸ Mooney, 161.

²⁷⁹ Ibid.

the community level. Self-determination is a corporate action where the community defends their right to live life how they choose. Self-determination is expressed, for instance, when Native American nations take over their own water and sewer, where they kick the BIA out of their school and police departments, and manage these departments in their own terms, on their own dime, not by federally allocated funds.

“Richard Roe is sued to answer the complaint of John Doe in a plea of trespass in Ejectment”: 1820s North Carolina Cherokee (Re)emplacement Through Courts

Recalling Chapter Two, North Carolina Cherokee reserves were often displaced from their individual reservations as soon as the treaty of 1819 was ratified by the US Senate or after the general land sale of 1820. North Carolina planned on disavowing tribal ownership of lands within its exterior boundaries and sent their own surveyors to the western ceded lands before the US surveyor started his own work. While the federal surveyor plotted the lands in 640-acre squares for the benefit of the tribal reservee, the North Carolina state surveyor plotted the same lands as disparate saleable parcels. Displaced Cherokees were left with few choices once forced off their reservations. Some held hope of maintaining stewardship and moved to other portions of their reservation only to be displaced for good at some later date. Others left in the company of neighbors and crossed back into the Cherokee Nation farther west into the mountains and valleys of western North Carolina. Still others agreed with the emigration stipulations of the Treaty of 1819 and removed west among the Arkansaw Cherokees. Yonaguska, Long Blanket, Willnota, and others settled together on lands recently acquired at the confluence of Soco Creek and the Oconaluftee River. These last Cherokees became, in embryo, the Qualla

Cherokees, or the Citizen Cherokees, for their acceptance of the citizenship clause of the Treaty of 1819.

In October 1820, a general land sale of the recently acquired lands was held in the small mountain village of Waynesville. Thousands of acres were sold off to the highest bidder, including those of many of the reservees. Cases of ejectment were immediately brought before the Haywood County Superior Court. On 5 April 1828, Gideon F. Morris, an intermarried white, who himself had taken a reservation in right of his wife, presented an argument before the Haywood County Superior Court requesting that reservation cases be moved out of the county due to what he called “a general and violent prejudice existing in this country against the Rights of the Plaintiffs.”²⁸⁰

As Native Americans were not entitled to act as witnesses against whites in North Carolina county courts, Morris acted as agent for several Cherokees during their pending ejectment cases. Morris represented Cherokee reservees in the cases of Little George and the Heirs of Wallee vs. Howell Moss; Parch Corn Flour vs. Russell Meredy; Onewasta vs. Luke and Andrew Barnard; the Cat vs. Thomas and John Tatham and John Watts; the Heirs of Hanlah vs. John Stevenson; Kahkullah, or the Thigh vs. William and Jesse Cockran; and Chiula vs. Jonathan Whitesides.²⁸¹ Morris again appealed the cases should be moved due the high level of white prejudice against Cherokee reservees, and their rights to their own reservation lands. He stated further:

²⁸⁰ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/Affidavit-Tuscarora/C.R. 049.928.3. “Gideon F. Morris appellant for removal of Indian suits all those Cases Both on the Trial Docket & the appearance Docket ordered removed to Bucom County for Trial.”

²⁸¹ Ibid.

such prejudice has existed for a long time and that the Defendants have not only kept up such prejudice by themselves and through their friends . . . but that they have enflamed such prejudice and still are exerting every means in their power still more to excite the public prejudice against Plaintiffs. That many of the defendants are men of great influence and that such influence is exerted in behalf of each other mutually, so that the Plff can by no means have a fair trial in this county.²⁸²

It is not the intention here to recount the multitude of court cases of ejectments brought by Cherokees to North Carolina courts. For further reading see Jurgelski's dissertation for in-depth analysis of these cases and their results. For this analysis, the court cases provide several key elements to understand individual and communal reactions to, and navigation through, episodes of hyper-displacement. First, case dockets produced by lawyers provide a time stamp for narrative analysis of post-Treaty of 1819 North Carolina Cherokee displacement.

William Roane, a prominent attorney from the western portion of North Carolina, represented several displaced North Carolina Cherokee reservees before the Haywood County Superior Court. In a unique move, because Indians could not bear witness against a white man in open court in North Carolina, Roane argued that his Cherokee clients had "demised" their property "to the said John Doe . . . for a term of ten years, which is not yet expired" (Figure 5.1).²⁸³

Roane represented eleven North Carolina Cherokee reservees during the October 1822 term of the Haywood County Superior Court. Similarly to Morris, Roane requested the cases be moved to another county, as he stated "from his own observation of the great

²⁸² Ibid.

²⁸³ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/Affidavit – Tuscarora/C.R.049.928.3/Jack vs. John Sherrill.

warmth which has been excited by influential men connected with the parties defendants in the above cases who are by nativity Indians that in his opinion they cannot have a fair and impartial trial in this county.”²⁸⁴

At various times between the October 1822 term and the Spring 1828 term, Roane brought terms of ejectments and civil actions against whites before the Haywood Superior Court. Each time he argued the lands had been “demised,” or leased to a white man. Ejectments of Cherokees were brought to court like playing “ghost on first” baseball when there are only two players involved. One of the most intriguing elements of the pleas of ejectments are the dates at which whites took control of North Carolina reservations following the general land sale in Waynesville in October 1820. Such data informs our narrative as to the amount of time Cherokees enjoyed their reservations. Jack, Yonaguska, The Bag / Sapsucker, Backwater, Oolahnotee, and the heirs of Aleach, for instances, were forced from their main residence on their reservations “on the first day of October 1821.”²⁸⁵ Other cases of ejectment illustrate a narrative time stamp for forced ejectments of Cherokee reservees as Connaughty on 1 Feb 1822,

²⁸⁴ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/ Affidavit – Tuscarora/C.R.049.928.3/Testimony of William Roane before Haywood Superior Court, 4 – October – 1822. The NC reservees in question were the pending cases of CullahWooter vs. John Shuler; Johnson vs. John Shuler; Back Water vs. John Shooler; Yonaguska vs. Mark Coleman; The Bag or Sapsucker vs. David Shuler; Jack vs. Joseph Sherrill; Euchella vs. Joseph Welsh; The Clubb, or Long Blanket vs. William Rodgers & Harman Irons; Canaughty vs. John Wiggins; The Bear Going in the Hole vs. Joseph Smith; “SueKillah & YouHoolah” vs. Jeremiah R. Pace.

²⁸⁵ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/ Affidavit – Tuscarora/C.R.049.928.3. See the cases of Jack, Yonaguska, The Bag or Sapsucker, Backwater, Oolahnotee, and the heirs of Aleach.

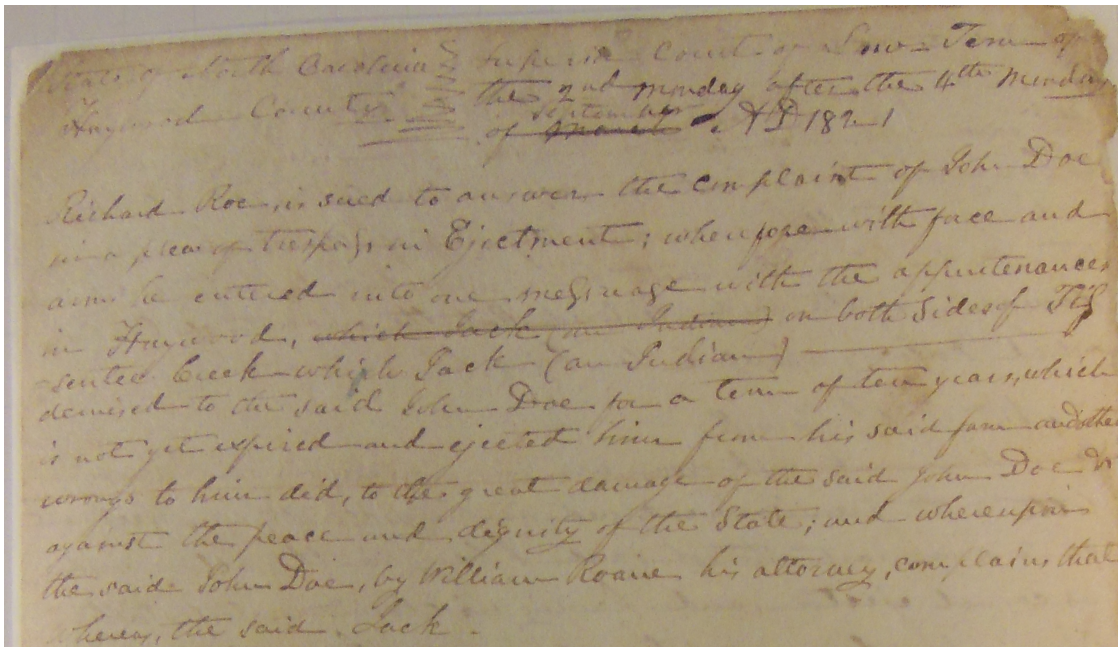


Figure 5.1. Plea of Trespass in Ejectment of John Doe [Jack] vs. Richard Roe [Joseph Sherrill].²⁸⁶

Euchella and The Bear Going in the Hole on 2 Feb 1822, Parch Corn Flour / Flower on 11 Sept 1824, Tom and Aqualla, heir and widow of Tulenosta on 11 June 1827.²⁸⁷

Second, Roane included terms effecting North Carolina statutes proving ejectment when he stated in different cases that Richard Roe (the white who displaced individual Cherokees) “with force and arms entered into the said tenement with appurtenances which the said [insert Cherokee individual] had demised to John Doe.” Moreover, in some cases, such as that of Euchella vs. Robert Roe [Joseph Welsh], Roane stated Welsh had

²⁸⁶ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/Affidavit-Tuscarora/C.R.049.928.3.

²⁸⁷ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/ Affidavit – Tuscarora/C.R.049.928.3. See the cases of Connaughty, Euchella, The Bear Going in the Hole, Parch Corn Flour / Flower, and the heir and widow of Tulenosta.

“Ejected him [John Doe, aka Euchella] from his farm and other wrongs to him did to his great damage and against the peace and dignity of the State.”²⁸⁸

Not all cases of ejectment were physically violent. One case, a “Bill of Complaint of Yonaguskey a Cherokee Indian and Citizen of Haywood County” illustrates a form of gendered symbolic violence.²⁸⁹ According to the complaint filed by W. Wilson, attorney for the plaintiffs:

some four or five years ago [ca. 1823 or 1824] an Indian woman by the name of Cahucar was in the possession of a certificate signed by Return J. Meigs the Indian Agent for the United States in the Cherokee nation which certificate entitled the said Cahucar to six hundred and forty acres of land as a reserve laying on a Creek known by the name of Oconalufly, that about the time above mentioned she lost the certificate that some time after it [the reserve] come into the possession [on] was ascertained to be in the possession of George Hayes who did not pretend to have any claim to it, but upon being requested to deliver it to the said Cahucar he [Hayes] refused to do so unless she would pay him the sum of fifty dollars – this demand she was entirely unable to comply with being worth nothing except her claim to the land Secured to her by the certificate aforesaid and this land was held adversely by persons claiming title to the same under purchases from the State . . . Your orator being of the Same blood having known her a great many years agree to give to the said Hayes the money they fraudently [exacted] for the Surrender of the certificate, but having no money he executed to the said Hays a not [note] for the Sum of fifty dollars to be paid in stock . . .²⁹⁰

This complaint is very interesting for several reasons. First, it shows not only the contempt of some whites for tribal and federal government treaties, or certificates in this case, but also how some whites displaced Cherokee women differently than Cherokee men. Yonagaska argued, through the attorney Wilson, that Hayes did not even have a

²⁸⁸ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/ Affidavit - Tuscarora/C.R.049.928.3/ Euchella [John Doe] vs. Joseph Welsh [Robert Roe].

²⁸⁹ NCSA/Haywood County/Indians, No Date, 1821-1855, 1925/ Affidavit - Tuscarora/C.R.049.928.3/State of North Carolina/Haywood County/In Equity/Bill of Complaint of Yonaguskey a Cherokee Indian and Citizen of Haywood County.

²⁹⁰ Ibid.

valid claim, but a “pretended claim,” while several other whites also laid claim to the same land through “legal” purchases of North Carolina through the land sales of the recently acquired Cherokee lands following the general land sales of 1820. This complaint illustrates the confusing local nature of land sales in the 1820s. Neither Yonaguska nor Cahucar had access to the \$50.00 required of Hayes for the return of the land, but Yonaguska executed a bond for the amount in stock, probably hogs. Lastly, we see that Yonaguska stated he was “of the Same blood having known her a great many years.” Here is an illustration of the continued importance of familiar, kin or clan networks. More importantly, the court cases show a continued evolution of reservee Cherokees to maintain a cultural place within an increasingly non-Cherokee political, economic and cultural landscape. Tribal places and spaces were being marginalized as whites were emplacing, while displaced reservee Cherokees were now actually (re)emplacing.

1823 Indian Town Indian Book: An Exercise in Understanding the Daily Ramifications of Hyper-Displacement

I analyzed the ledger book for the trading store at Indian Town, later Qualla Town, for the year 1823. Also known as “Indian Books,” these books present wonderful opportunities to discuss daily purchasing activities of individuals and communities. In doing so, I was able to break down immediate personal ramifications faced by displaced Cherokees following the general land sale in 1820. In all, the 1823 Indian Book represent store accounts for thirty-four Cherokee men. Upon closer inspection, however, the book is chronologically out of order, which is a major problem with the archival materials throughout this study. If the materials are rearranged in chronological, original

pagination order, the Indian Book represents thirty-four Cherokees from the years 1817, 1819, 1821, 1823, 1824, 1825, 1826, 1827, 1829 and “No Date Recorded.”

The data remains in archival form for anyone to utilize, but exist in inconsistent states, often mis-portraying the realities of past lives. For example, if an individual ignores the years of the 1823 Indian Town Store Book, the argument can be made that post-1820 Land Sale displaced Cherokees were highly intoxicated, evidence of self-medication after the losses of the reserves and the breakup of their communities, families and networks. Table 5.1 represents alcohol sales for 1823 in the Indian Day Book accounts and represents an everyday effects of hyper-displacement upon internally displaced Cherokees.

Tremendous amounts of alcohol sold to thirty individuals at the Indian Town Store per year. In fact, the amount is even more impressive because the recorded alcohol sales were associated with only twenty-three of the thirty-four customers. Misconstrued

Table 5.1. 1823 Indian Town Store Book Alcohol Sales.

Alcohol Type	Amount Purchased or Credited
Whiskey	16 ½ Gallons
	6 Quarts
	181 ½ Pints
	34 Gills
	13 Pulls
Rum	2 Quarts
	60 ¼ Pints
	18 Gills
	1 Pull
Brandy	1 Quart
	4 Pints
	1 Gill

figures as these show a heightened sense of loss and inherent alcohol abuse by nineteenth century Native Americans, fitting well into a declination model of Native American scholarship. Such misrepresentations, however, not only denigrate struggling communities, but continue silences in the archives through the misfiling of the original data.

When the materials are back in chronological order patterns do appear, still including increased purchases of alcohol. In 1823 alone, in fact, four Quarts, 118 ½ Pints, 14 “Gills,” and 6 ½ “Pulls” of Whiskey; 13 ½ Pint, and four “Gills” of Rum; ½ Pint Brandy were sold to eight individual Cherokee men.²⁹¹ The individual Cherokee purchasers of alcohol (all men) were Stekoih, Choga, Charley, Big Will, John Wayne “of Valley River,” John “Gideon Morris man,” Spike Buck, and John “John Ben son.” Of these, three were reservees (Stekoih, Choga and Big Will), one (John “John Ben son”) was the son of the reservee John Ben, while another, John Wayne, lived on Valley River, modern Cherokee County, North Carolina, in the Cherokee Nation.

Alcohol, however, was not the only commodity purchased on credit by the Cherokees listed in the Indian Town store ledgers. In fact, we can itemize day to day purchases of the reservees at the time of their displacement to understand what these people considered essential for post-displacement re-settlement. For example, Table 5.2 represents the purchases, on credit, for Stekoih during the year 1823.

²⁹¹ Duke University/Special Collections Library/William Holland Thomas/Papers, 1820-1930/M284-01-1 Papers/Indian Books 1823. For point of reference, 1 shot / “pull” = 1 oz.; 4 “Pulls” = 1 “Gill”; 1 “Gill” = 4 oz.; 4 “Gills” = 1 Pint; 8 Pints = 1 Gallon.

Gender played a role in store goods purchased on credit. On November 1, for example, Stekoih's domestic goods of Home Spun cloth on his account were in addition to personal goods such as Rum and Duck Blanket. Duck Blankets were early forms of semi-waterproof outer garments, especially useful for the cold, wet NC mountain autumns and winters when hunting was good. Similarly, purchases of lead and powder on December 30 were clearly needed for hunting. How, then might Stekoih's account coincide with other former Cherokee reserves?

In Choga's account there is a clear difference between the personal and domestic quality of items. (Table 5.3). What I find very interesting is what is missing. The elephant in the room for charged items is the lack of agricultural items such as Bull Tongue plows, Laying plows, shovels, mattocks or even hoes. Stekoih did purchase, or have repaired, a shovel plow in 1825, two years after the 1823 Indian Book. These items also appear in a Memorandum Book dated 1834, but such agricultural items were absent in 1823.

Table 5.2. 1823 Indian Town Store Book Account for Stekoih.

Transaction Date	Items
11 Feb 1823	1 Quart Whiskey
	2 Gills Whiskey
24 Feb 1823	5 $\frac{1}{4}$ Yards Home Spun
	3 $\frac{1}{2}$ Pulls Whiskey
8 March 1823	2 Gallons Whiskey
	1 Gill Whiskey
17 Oct 1823	1 Large Duck Blanket
	1 Pull Whiskey
	$\frac{1}{2}$ Pint Whiskey
1 Nov 1823	1 Large Duck Blanket
	3 Yards Home Spun
	1 Wool Hat
	1 Rose Blanket
	Rum
29 Dec 1823	“Dumping Steel” [Axe]
	1 Tomahawk
	1 Gallon Whiskey
30 Dec 1823	2 Gills Rum
	$\frac{1}{2}$ Pint Rum
	1 lb. Lead
	1 lb. Powder
	1 Handkerchief

Table 5.3 1823 Indian Town Store Book Account for Choga.

Transaction Date	Items
5 Jan 1823	1 Pint Whiskey
	Salt
	2 Pints Whiskey
	3 Yards White Home Spun
	1 Bowl
	1 Butcher Knife
	3 ½ Pints Whiskey
	“Steel to make fire”
	½ lb. Lead
	Dozen Flints
	Pulls Whiskey
21 Jan 1823	1 ½ Gallon Whiskey
	½ Pint Whiskey
	½ lb Powder
	3 Bowls
	1 Handkerchief
26 March 1823	½ Pint Whiskey
	½ Gallon Whiskey
25 April 1823	½ lb. Powder
	½ Pint Whiskey
27 April 1823	½ Pint Whiskey
	1 Gallon Whiskey
	1 Dozen Needles
6 May 1823	1 “Gin Sang hoe”
	1 Gill Rum
	1 Pint Rum
	1 Flask
26 Aug 1823	1 Pint Whiskey
Sep 1823	½ Yards Checks [Check print for clothing making]
	1 lb. Powder
	1 Quart Whiskey
	1 Duck Blanket
	17 Yards Checks
	5 Yards Checks

Reservee Cherokees had such items prior to displacement based on their spoliation claims. There appears, however, that the impact of losing the reservations, somewhat *en masse*, was a greater shock to the network than originally surmised. From these accounts it seems many of the early Qualla Cherokees did not set out establishing new farms immediately, but continued life the best way they could in the moment, considering the amount of hunting supplies purchased at the store.

Sometimes the records show a clear self-medication through alcohol, but both Stekoih and Choga also sold items to the store. In 1823 alone Stekoih sold white tailed deer and black bear skins to the store for a total of \$12.06. He further paid \$6.00 towards his account. In total Stekoih sold, or paid to the Indian Town store, \$18.06 towards his outstanding account. Choga, on the other hand, sold “venison hams & Deer skins” amounting to \$4.81 towards his outstanding 1823 account of approximately \$18.83. These men may have been drinking a lot of whiskey and rum but were also hunting and gathering to pay off their individual debts.

Consumption and distribution of alcohol are other indicators of post-hyper-displacement communities. Among the post-hyper-displacement Cherokee communities around in the east, and the west, became so rampant by the time of the fourth Board Temperance Societies sprang up at the local level. In 1836, for instance, the Cherokee Temperance Society was organized among the Arkansaw Cherokee.²⁹² Among the Cherokee communities around Qualla, Thomas wrote in his 1846 “Memorial of the

²⁹² American Temperance Society, *Permanent Temperance Documents of the American Temperance Society*, vol. II (New York: The American Temperance Union, 1851).

Cherokee Indians Residing in North Carolina” that, “They [Cherokees] have become the most temperate people in the State, under the influence of a temperance society.”²⁹³ It is important to note that Thomas signed this memorial as “Attorney for the Cherokees east, and adopted Cherokee.”²⁹⁴ There are a few important details about Thomas’ signature line. First, Thomas indicated he acted as the attorney for the Cherokee communities around Qualla Town. Second, other whites, including his wife Sarah, called him the Cherokee Chief, but he did not consider himself the Principal Chief of the Cherokee communities around Qualla in 1846. Third, he listed himself as “an adopted Cherokee,” indicating, I think, this was a memorial constructed by, and for, the Cherokees, while Thomas merely transcribed it and sent it on to the US Congress. This is yet another example of the silences among the archives, the hidden messages within the texts which indicate a strong sense of tribal self-determination within a post-hyper-displacement (re)emplacement.

***“I see plans within plans”: Interpersonal and Intra-Community
Aversions to Removal***

According to William H. Thomas the “Treaty of 1835 & 36” created two overarching groups of Cherokees, or “classes,” who held a common interest in the monies due the Tribe from the land cessions and subsequent land sales.²⁹⁵ The first “class” consisted

²⁹³ University of North Carolina Asheville/D. H. Ramsey Library Special Collections/E 99.C5 C47 1846/ *Memorial of the Cherokee Indians Residing in North Carolina: Praying The payment of their claims, agreeably to the 8th and 12th articles of the treaty of 1835/15.*

²⁹⁴ *Ibid.*, 2.

²⁹⁵ *Ibid.*

of “the great mass of the people and denominated the Cherokee tribe were to remove to the Country assigned them west of the Mississippi.”²⁹⁶ The second “class” included individual Cherokees who availed themselves of stipulations within the Treaty which allowed for heads of households to voluntarily resend their citizenship in the Cherokee Nation, request a preemption of land, and applied for citizenship in the state in which they lived, agreeable to all state laws. As such, between 1836 and 1838 Cherokees had to resolve for themselves whether to request a preemption due to aversion to removal west, or to hold out hope Principal Chief John Ross would convince the US Senate to not ratify the Treaty. Moreover, post-removal North Carolina Cherokees consisted of an additional two groups, what were called “citizenised Cherokees” who lived around Qualla Town, and “out-lying Cherokees” who resisted removal by heading for the mountains.²⁹⁷

Removal did not happen in silence, as Cherokees and whites were discussed the ramifications of removal. As the May 23 deadline for forced removal of Cherokees by the US Army neared, confusion and near panic began among tribal communities, among the mountainous communities of western North Carolina. “They are very uneasy,” wrote Eyachuchu and Pumpkine Vine, “to see the Troops increasing; and the Building of Forts in their Country, it looks like they intend to take it from them as they all say they will,

²⁹⁶ Ibid.

²⁹⁷ RG 75/E 250/Box 4/Euchella, Claim 251. Portion entitled “Evidence in favor of Euchella’s band and the Cherokees who settled in Qualla Town under that agreement.”

after the month of May next, yet our People, are preparing to make Comand do not believe them.”²⁹⁸

Of immediate concern to the agriculturally based people was whether to plant the spring corn crop. According to Eyachuchu and Pumpkin Vine, by March 1838 local began increasingly to harass Cherokees daily about their impending removal. They wrote, “The whites say that they will remove us on the 24th May and that we need make no preparation for to make Corn.”²⁹⁹ Throughout the late winter of 1837 and early spring 1838 Cherokee Nation citizens in western North Carolina became adamant in their refusal to accept the legitimacy of the Treaty of New Echota. Of continued contention were the property investigations of the government valuing agents, as Eyachuchu and Pumpkin Vine wrote, “The Collecting agents, for the Removal of Us West are now here, but our People, are all Firm in their Confidence in you, and give no attention to them, so they will have to return, as they came, without One.”³⁰⁰ Evan Jones, Baptist Missionary at Baptist Mission in modern Clay County, North Carolina, wrote that the mountain Cherokees “were confirmed in their opposition” to neither accept the Treaty of New Echota, nor prepare for removal.³⁰¹ As the date for forced removal neared, increasing numbers of Cherokees, not just those in western North Carolina were reinforced by their

²⁹⁸ Pumpkinvine. Letter from Pumpkinvine to Situagi Sittewakee. 4026.537.1. John Ross Papers. March 7, 1838. Tulsa: Gilcrease Museum, <https://collections.gilcrease.org/object/40265371> (02/19/2018).

²⁹⁹ Ibid.

³⁰⁰ Ibid.

³⁰¹ Evan Jones. Letter from Evan Jones to Chief John Ross. 4026.546. John Ross Papers. March 20, 1838. Tulsa: Gilcrease Museum, [https://collections.gilcrease.org/objects/4026546\(02/19/2018\)](https://collections.gilcrease.org/objects/4026546(02/19/2018)).

refusal to accept the Treaty of New Echota. Jones wrote, “The people, are much in the same mind, about Coosawattee, Shoal Creek, Sizes, Stills, Hickory Log, Long Swamp, Tinsawattee and Big Savannah.”³⁰²

It appears that plans were made within plans to secure the homes and farms for Cherokees to avoid removal. Several letters were sent to, and from, the Tribal Delegation in Washington, DC. Evan Jones continued writing to Principal Chief John Ross, then in Washington with the Tribal Delegation.

I think it would be well for W. Taylor, Situagi and White Path to write immediately four or five places in the Nation to encourage the people. Their letters would be rapidly copied and circulated. Please to excuse the liberty of this suggestion. Situagi could direct his letter to me. The last letter had a very good effect. And I heard of a letter, of White Path’s, which was very generally circulated.³⁰³

In fact, two Cherokee Grand Councils were called between 1837 and the summer of 1838 to discuss whether to select aversion or to remove west. One of the major personal and cultural struggles for Cherokee families was whether to listen to Chief Ross or your neighbors.

The first Grand Council was held at the house of Big George, headman of Cheoih Town, in the winter of 1837. According to the deposition of Col. Joseph W. McMillin, Cherokees were greatly on edge by rumors that McMillin and other valuing agents were sent by the US Army and second Board of Cherokee Commissioners “with broad swords and other weapons of war to compel them to remove or slay them where ever they came

³⁰² Ibid.

³⁰³ Evan Jones. Letter from Evan Jones to Chief John Ross. 4026.546. John Ross Papers. March 20, 1838. Tulsa: Gilcrease Museum, [https://collections.gilcrease.org/objects/4026546\(02/19/2018\)](https://collections.gilcrease.org/objects/4026546(02/19/2018)).

to them.”³⁰⁴ Such rumors answer many questions as to why so many Cherokees were listed as absent or not at home when the valuing agents began evaluating Cherokee property. Col. McMillin was instructed by Benjamin F. Curry, Superintendent for Cherokee Removal, in addition to valuing property, to discover whether Cherokees in the North Carolina portion of the Cherokee Nation were averse to removal and, if so, wished to remain east.

According to McMillin, some “thirty or forty men met the agents at the house of said Chief Big George, said to be the principal men belonging to the Cheoih and Buffalo Towns.”³⁰⁵ Presently the Tribal Council deliberated and informed the agents:

they were opposed to removing west, that they desired to be permitted to remain where they then were that it was the place their fathers and mothers had lived and died in, that their bones were buried there and they were unwilling to leave the graves of their parents. They informed the agents that they had been informed by John Ross that he would destroy the treaty of 1835, and they had been waiting to ascertain what he could do in preventing it from being executed.³⁰⁶

Powerful language illustrating tribal cultural deeds to lands aside, the important turn of phrase is “they had been informed by John Ross that he would destroy the treaty of 1835.” This statement reflects Ross’s influence among the leading headmen in the western North Carolina Cherokee towns. 180 years after removal one can see the dire trap that Cherokees would soon find themselves if they continued to following Ross’s advice. At several instances Cherokees stated that Ross informed them they should not give any credence to the Treaty of 1835, such as applying for a preemption. For instance,

³⁰⁴ Deposition of Col. Joseph W. McMillin “in the claim of Dickageeska,” dated 27 July 1843.

³⁰⁵ Ibid.

³⁰⁶ Ibid.

Nanah, the widow of Tsali, stated she and her husband decided to apply for a preemption “but not until they had lost all hopes in Ross being able to keep the country, which he had represented to the Cherokees he would be able to do provided they on their part done no act which could be construed into an acknowledgement of the treaty.”³⁰⁷

The second Grand Council held prior to the commencement of Cherokee removal in May 1838 was held somewhere around Qualla Town. There is no direct evidence to its exact location, but there is ample evidence it was held at the Wolfe Town Council house, as this town house was located near Yonaguska’s home, and, as such, he was considered headman of Wolfe Town. According to sworn testimony of John Sicutowih:

As soon as the news reached the towns in North Carolina of a treaty having been concluded, a general council was convened at Qualla town, at which were represented the towns of Alarka, Aquona (which included where the claimant resided) Sticoih and Cheoih.³⁰⁸

John Sicutowih stated that the general decision of the Cherokees present was that the lands in question were sold by Cherokees from Georgia, without the consent of North Carolina Cherokees. To a man they were averse to removal, but:

As it would enable their brethren to remove west and thereby avoid a war, which they apprehended would take place between them and the citizens of Georgia, they decided in favor of acquiescing in the treaty, provided the provisions of the treaty secured to their equal share of the proceeds of the sale of their lands and possessions conveyed to the United States; and also the right of becoming citizens of the state of North Carolina.³⁰⁹

The second Grand Council, as such, agreed to acquiesce to the Treaty of 1835 & 6, and to become citizens of North Carolina, hence confirming their status as “citizen

³⁰⁷ RG 75/E 250/Box 5/Nanah “wife of Charley,” Claim 329.

³⁰⁸ RG 75/E 250/Box 6/John Sicutowih, Claim 392.

³⁰⁹ Ibid.

Cherokees.” In fact, many of the early leadership included 1819 reservees who already were US citizens. These “citizen Cherokees,” were, in theory, exempt from removal. Other Cherokees attest to Cherokees understanding the meaning of citizenship. Scittah, or Conela stated that he lived in Alarka Town, modern Swain County, North Carolina, in 1838. He stated:

In consequence of most of his relatives residing at Qualla Town, and having an aversion to removing west, attended the Council at that town and enrolled his name with those of that town for the privilege of Citizenship, which was granted him and family by the Cherokee Committe and the United States Commissioners acting under the provisions of the Cherokee Treat of 1835 & 6.³¹⁰

Between spring 1836 and spring 1838 Cherokees throughout western North Carolina separated out into two groups, each averse to removal. Open aversion to removal required tacit acceptance to the Treaty of New Echota in the form of a preemption application. Unfortunately, even though you might have a legally binding memorandum with the US government, in the form of a preemption, when the Army becomes involved tempers flare and items are often lost, misplaced, or outright ignored.

“his son died on his way to Arkansaw, left a daughter by the name of Anih at Qualla T.”: Displacement Effected Divided Families in Attempts to (Re)emplace

One of the questions which ran through my mind during the writing of Chapter Two was whatever happened to the 1819 Cherokee reservees? Sometime, after 1838, but before 1842, William Holland Thomas constructed a lengthy, in-depth document pertaining to the 1819 Cherokee life estate reservees. He paid special attention to details

³¹⁰ RG 75/E 250/Box 6/ Scittah / Conela, Claim 368. He did not immediately move to the Tribal communities around Qualla as many did, but, in fact, remained in the post-1838 Alarka community until at least 1841.

such as whether the reservee was yet living, who were the reservee's heirs, and where the reservee and their children currently lived. This invaluable document enables our discussion to follow, in-depth, the post-1820 land sale lives of North Carolina reservation Cherokees. We can start to construct a roster of who was living in the Qualla communities on the eve of the Cherokee Claims Commissions.

To track down the initial residents of the tribal communities around Qualla Town Cherokees I gathered five different lists of tribal settlers: a list of Cherokees who were provided "provisions and clothing . . . between the first of February and first of August 1836;" an 1836 list of Cherokees who granted Thomas powers of attorney; another 1836 provisions list; an 1837 "Indian Book;" another list from 1837 Qualla Town roster; a list including places of residence in 1835 and 1840; and the life estate data which has no date.

- I.** 1836 "Provisions and clothing furnished to poor class of Cherokees between the first of February and first of August 1836"³¹¹

Forty-five Heads of Households totaling 247 individuals
- II.** 1836 "Power of Attorney between Cherokees and William H. Thomas" dated 31 – January - 1836³¹²

Fifty-three "undersigned Cherokee Indians." This data only includes Cherokees who granted Power of Attorney and did not include any data on their families.
- III.** 1836 List of Cherokee Heads of Households who were provided supplies in 1836.³¹³

³¹¹ Duke University/Special Collections Library/William Holland Thomas Papers/Letters, 1831-1891.

³¹² Ibid.

³¹³ Duke University/Special Collections Library/William Holland Thomas/Papers, 1820-1830/M284-01-1.

Fifty-one Heads of Households totaling 170 individuals. This number is skewed as eleven individuals did not list or did not have family.

IV. 1837 “Indian Book” from Qualla Town Store.³¹⁴

Eighty-nine individuals. This store ledger is valuable to aid in identifying male or female accounts, as well as purchases made just prior to the forced removal in 1838.

V. 1837 List of North Carolina Cherokees who were represented before a Cherokee Nation emigration board consisting of John Ridge, William Rogers, Johnson Rogers and Andrew Ross. It includes another copy of the 1836 provisions list but is also stated to represent those who granted Thomas authority to act as “agent or attorney to manage their business under said Treaty [1835]” dated New Echota, 24 Jan 1837.³¹⁵
Forty-seven Heads of Households totaling 250 individuals.

VI. “List of Cherokees Residence in 1840, and 1835.” Thomas stated that all Cherokees listed resided at Qualla in 1840.³¹⁶

Sixty-three individuals. This list does not include any information regarding families but is invaluable to further illustrate how post-1838 North Carolina Qualla Cherokee community was comprised of Cherokees from many different locations.

VII. No Date, Treaty of 1819 Life Estate Reservees, list created at 1839 and before 1842.³¹⁷

Thirty-five Life Estate Reservees totaling approximately 172 individuals.

This final data set, thirty-five Life Estate Reservees, represents age differences among post-1838 (re)emplacement among the North Carolina Cherokees. Of the thirty-

³¹⁴ Duke University/Special Collections Library/William Holland Thomas/Indian Book, 1837/Haywood Co., NC/ff-3897.

³¹⁵ Duke University/Special Collections Library/William Holland Thomas Papers/Letters, 1831-1891.

³¹⁶ Ibid.

³¹⁷ Duke University/Special Collections Library/James Taylor Papers/Valley Town, NC/Papers, 1886, Sept. 15 – 1932 & n.d./VII – E/Box 3.

five Life Estate reservees, ten moved to tribal communities around Qualla Town. Among these, Cahucar, mentioned earlier, died in 1827; Canaughty died in 1829; John Ben died in 1829; Nanni / Old Nanni died in 1832; Tsunehecah / The Bag or Sap Sucker, died in 1833; Sowiskih died in 1833; Tommih died in 1836; Yonaguska died in 1839; Dickawessa / Cat died in 1841; Sickatowih died in 1841.

The post-1820 Land Sale and post-1838 (re)emplacement of the tribal communities around Qualla Town was established by displaced reservees, but by 1842, was led by second generation displaced Cherokees as sons and daughters of the displaced reservees took an increasing leadership role in the various communities. Evidence further illustrates similarities for other post-1838 (re)emplaced Cherokee communities, such as Buffalo or Cheoah Town, in modern Graham County, North Carolina. According to the list of thirty-five Life Estates some of the heirs of Big Tom, particularly Cunoskiska, resided in Buffalo Town.

The largest percentage of former Life Estate Cherokees removed either among the Arkansaw Cherokees prior to 1828 or were themselves removed in the larger removal of 1838. Of these, Chugatoquih / Jacob died in the Stekoih Valley in 1837. Two of his sons, Wasih and Culasutla removed to Arkansaw. It is difficult at this point to determine if this means they left prior to the removal of the Arkansaw Cherokees further west in 1828, or whether Thomas called the entirety of the post-1838 removal territory of the Cherokee Nation as Arkansaw. Further scholarship can test the exact locations. Jacob's family lineage during the hyper-displacement era also illustrates the breakup of Cherokee

families during displacement. Cultasutla appears to have removed west, while his daughter Anih remained east in one of the communities around Qualla. His second wife, Yusah and their son Nilsuh, both lived in one of the Qualla Communities.

Understanding the repercussions of displacement upon the personal and familiar networks is important to recognize individual and communal factors of (re)emplacement (Table 5.4). It often appeared the case that Cherokees who were forcibly removed in 1838 tried, at all costs, to remove together as pre-existing networks and communities. As such, communal borders were culturally and geographically re-established, which eased the process of emplacement, even if very little. In the hyper-displaced east following the forced 1838 removal, Cherokees had to collectively recreate space and place.

In some cases, displaced Cherokees who comprised the embryonic EBCI in those early tribal communities were gatherings of relations, perhaps both figuratively as fellow reservees, or even as members of the same clan. For instance, Chinoque Wacheesah stated in his fourth Board spoliation claim:

he was in company with sam Wahcesser & went with him to Nat Smith superintendent of Cherokee removal after the death of the old man Wahcesser & sam Wahcesser told Nat Smith that his father was dead and some more of the connection sick, that he wanted to get leave of him to take them all back to the mountains, that Nat Smith wrote and permitted old Chinkawnailah, Sam Wachesser, Canawilla, Wall, Locust, Chinoque Wachesser, Old Panther, Quatesy & all their families to remain and return to the mountains and become citizens of the state of N. Carolina. Panther died on the road coming back & that before they left the agency he went with Sam Wahcesser to Genl. Scott and showed him his permit and that he saw Genl. Scott write on it & hand it back to him & told him to go along if he wanted to that he came in company with Wahcesser families & remained with them for some time after they came to the mountains in N. Carolina & what ever become of the permit he does not know.³¹⁸

³¹⁸ RG 75/E 250/Box 6/Chinoque Wacheesah, claim 382.

Chinoque's deposition identifies that Cherokees were, in some instances, able to leave the concentration camps prior to commencement of the forced removal in 1838. More importantly, he illustrated that many of the Cherokees who did resist removal and evade capture by the US Army did so in groups, or bands, as was the case with Euchella's band following the capture and execution of Tsali, a famous removal story among the EBCI. Central for this analysis is the size and composition of the various bands and groups which settled around post-removal Qualla or the Cheoah communities (Table 5.4).

According to Mooney, for example, several of the first tribal communities established following the initial purchase of acreage around the confluence of Soco Creek and the Oconaluftee Rivers, and subsequent expansion through land purchases by Thomas and other whites, was the naming of newly established tribal towns after clans. Therefore, the earliest communities were Wolf Town, Bird Town, Deer Town and Pretty Woman Town. The last may have been in reference to the Long Haired Clan. These early post-displaced Cherokee towns may have simply been a gathering of like individuals and/or clan family who also happened to be led by headmen who had attempted a radical alternative to remain in the Cherokee traditional aboriginal territory by selecting reservations. Even though these men and women eventually lost their reservations, through the use of brute force caused by white men, through selling their

Table 5.4. Date and Place of Death of 1819 Life Estate Reservees, and Place of Residence of Heirs.

Reservee	Date Died	Place Died	Heirs	Location of Heirs
Qualla Group				
Cahucar [F]	1827	Qualla	Susana	Died
Canaughty [M]	1829	Qualla	Chewahacah Ayoqui Unacuh John Davidson Tununih Checonsih Tom Canaughty	Arkansaw Arkansaw Arkansaw Qualla Qualla Qualla Qualla
John Ben [M]	1829	Qualla	Stekoyih Chokaunih Nakih Alsih Elowih Walesuh Ahleh Naneseh Noquesah	Qualla Qualla Qualla Qualla Qualla Qualla Arkansaw Arkansaw Arkansaw
Nanah / Old Nanni [M]	1832	Qualla	Cayutsi Akih Arch Nancy	Qualla Qualla Qualla Qualla
Tsunehecah / Bag/ Sap Sucker [M]	1833	Qualla	Wallis Cunistuh Cotutlah Chugoltoih Sallih Squinecolih Cheskunecoleh	Qualla Died Qualla Qualla Qualla Died Died
Sowiski [M]	1833	Qualla	Tekini Ceskeliska Charlie Salatih	Qualla Qualla Qualla Qualla
Tommih [M]	1836	Qualla	Ahlekih	Qualla
Yonaguska [M]	1839	Qualla	Tetoniska Tiyaha [?]olecha Cunantiska Cheyalehtah Yalahih Chulaouh Elkini Katolstah	Qualla Qualla Qualla Qualla Qualla Qualla Qualla Qualla

Table 5.4. Continued.

Reservee	Date Died	Place Died	Heirs	Location of Heirs
Dickawessa / Cat [M]	1841	Qualla	Ahwaniskih [wife] Jimma Wesser Cullauneskih Walleuh	Qualla Qualla Qualla Qualla
Sickatowih	1841	Qualla	Tunih Chunolagah Cutahyi Skineuh	Qualla Qualla Died Arkansaw
Outside Qualla				
Alechuh	1821	“was killed by unokah & John Welch at John Welchs house in 1821” Iola Town [modern Macon County, North Carolina]	Eyahula Uyeswaula	Qualla Qualla
Old Chunalusky / Old Junaluski	1822	Tuckaleecha [modern Bryson City, North Carolina]	Yonawoltla Umichanuh Qualla Yuku Salih Takah Aheyestih	Arkansaw Arkansaw Qualla Qualla Qualla Qualla
Ahowecatoge / Howecatogih / Standing Deer	1822	On Deep Creek [modern Bryson City, North Carolina]	Tukuh [wife] Sokina	Qualla Qualla
Hanaluh / Tentehee	1823	Died on his reserve near Franklin, North Carolina	Uhyusutih [wife]	Arkansaw
Stestachih / Mouse	1825	Elajay [modern Macon County, North Carolina]	Euchella Cunasena / John Tanene Cudlahi	Qualla Qualla Qualla Qualla
Costuh / The Sharp Fellow	1830	Died on his reserve near modern Franklin, North Carolina	Unnamed Wife Nancy Unokuh / Trout	Died Qualla Arkansaw
Santutlagih	1836	Cartugajay Creek, modern Macon County, North Carolina	Takah [wife] Iyanih Tecuquahtakah Ulaheyhtih Ohnih	Qualla Buffalo Qualla Qualla Qualla

Table 5.4. Continued.

Reservee	Date Died	Place Died	Heirs	Location of Heirs
Cherokee Nation East				
Yunsaw / Buffalo	1822	On the Valley River, modern Cherokee County, North Carolina	Coutla Tilehah	Qualla Qualla
Kisultih / Big George / Roman Nose	1831 or 1839	On the Valley River, modern Cherokee County, North Carolina	Aroneach	Qualla
Yonayaha / The Bear Going in a Hole	1831	Tusquitta Town [modern Cherokee County, North Carolina]	John Chigalisa Big Jack	“died west” Qualla
Scitehieh “Rabits son”	1831	Aquona / Nantihalla Town [modern Swain County, North Carolina]	Unnamed Wife Tunih Nancy	Died Arkansaw Qualla Qualla
Takentosih / The Pot Turning Over	1832	Tusquitta Town [modern Cherokee County, North Carolina]	Selahlisah Utiyu	Qualla Died
Uhyuscutla / Shell	1833	Hightower Georgia	Will Nancy Quatsih	Died Died Cherokee County, NC
Setleiska / Big George	1833	On Valley River, modern Cherokee County, North Carolina	Uticahowtih Tucah Chuchih Salih	Qualla Qualla Qualla Qualla
Yunatalona / Yellow Bear	1834	Aquona / Nantihalla Town [modern Swain County, North Carolina]	Nancy [wife] Ayahnulah Wagula Walih Takah Nanih Necuhtiyih Yonaheyuh Tahnunecudlehi	Qualla Qualla Qualla Qualla Qualla Qualla Qualla Qualla Qualla

Table 5.4. Continued.

Reservee	Date Died	Place Died	Heirs	Location of Heirs
Quatsih / “Betsey widow wife of John Cahoos”	1836	Tusquitta Town [modern Cherokee County, North Carolina]	Coletseh Catolstah Teconotiska	Qualla Arkansaw Died
Tsistu / Rabbit	1836	Cheoih Town [modern Graham County, North Carolina]	Big Will Umaculta Katih Wati Lucy Betsey Waheyacatagi Tikiyuska Ulih Choyuku Neddih Tanetulu Cosuyakih Tanegisi	Died Qualla Qualla Qualla Qualla Arkansaw Died Qualla Qualla Qualla Qualla Qualla Qualla Qualla Qualla Qualla
John Quichy	1836 “the first summer of the treaty was made”	On Valley River [modern Cherokee County, North Carolina]	Wahyinih Chulowih Utoltih Unnamed Daughter	Died Arkansaw Died Cheoih Town Unknown “at the ground squirrels”
Chugatoquih / Jacob	1837	Stekoih [modern Graham County, North Carolina]	Wasih Culasutla Yusah [2 nd wife] Nilsuh	Arkansaw Arkansaw Qualla Qualla
Yonawoltlah / The Bear at Home	1838	Ustanali Town, Tennessee	Ucatulahoweyuh	Qualla
Uyakh / Grass Grows	1838	Cocker Creek [Monroe County, Tennessee]	Nanih [wife] Aqualuh Tuwayeh Necutlih Cheqahchacuh Chinih	Arkansaw Arkansaw Arkansaw Arkansaw Arkansaw
Chiula / Weaver	1838	“near Calhoun TN” in concentration camp	Olly Chicowih Iyentuga Sally [?]lucha	Arkansaw Qualla Qualla Qualla Qualla
Arkansaw				

Table 5.4. Continued.

Reservee	Date Died	Place Died	Heirs	Location of Heirs
Arkaluka / Whirlwind	1839	Arkansaw	Senecuyuh	Qualla
Cawisetuh / Parch Corn Flour / Flower	1839	Arkansaw	Unnamed Wife Cutih Unnamed Daughter Cotaski Talitingisi Ealakah	Died Died Arkansaw Qualla Qualla Qualla
Colecha “an old woman”	1839	Arkansaw	George Eyuhuluh Unnamed Son	Valley River, NC Qualla Arkansaw
Tlaquih / Snail	1839	Arkansaw	Cheynanih Echargih Nickojack Nowyutih Queni Danih Salih Cheheuh Tomaha Walisuh Nakih	Qualla Arkansaw Arkansaw Arkansaw Arkansaw Arkansaw Arkansaw Died Arkansaw Arkansaw Arkansaw Arkansaw
Big Tom	1840	Arkansaw	Tickaniska Cunoskiska Uwilyuso Chocohe Tahnagoska	Qualla Buffalo No information “west” “west”

claim to the North Carolina, or through cases of local white fraudulence, they none-the-less tried by every means to remain on their farms and maintain their communities. A second important example of (re)emplacement is expressed by paying attention in the Life Reservee list to marriages. For instance, Nancy was married to Waggula, and in the 1840s lived in a tribal community around Qualla. Nancy was the daughter of Nannah / Old Nanny, while Waggula was the son of Yonatalona / Yellow Bear. Even though Nannah and Yellow Bear held reservations in 1819, neither was located near each other, yet, both lived in one of the Qualla communities during the 1830s. Likewise, reservee Tsistu's daughter Ulih was the wife of Iyentuga, the son of reservee Suila, or Weaver. Both reservations were located in Macon County, North Carolina. While we are not sure where Suila relocated after being displaced following the land sale of 1820, he died in 1838 in one of the concentration camps near Calhoun, Tennessee. Following his displacement, Tsistu relocated to Cheoah Town, and died in 1836. Iyentuga and Ulih, however, were listed as living in the tribal communities around Qualla Town in the 1840s.

***From Many Places Making New Communities: Internally Displaced
Refugees and the Composition of Post-1838 North Carolina
Cherokee Communities***

It is difficult to grasp who were the original settlers of the tribal communities around Qualla Town. Suila, or Weaver, is a great example. This 1819 reservee was listed as having died in captivity in the concentration camps around Calhoun in 1838 but was also listed as receiving provisions and clothing in 1836 at the Qualla Town store.

This same person was not listed in either the 1835 or 1840 Qualla Town census.³¹⁹

Cherokees were very mobile, and even if they lived in the Cherokee Nation. They continued to visit relatives, attend dances or stickball games, and did business at various stores, regardless of location. Nineteenth century Cherokees continued a long history of trans-border communities.

Nonetheless, we need to explore the original Cherokee settlers in the tribal communities around Qualla Town as expressions of (re)emplacement. These findings are based on comparing the above referenced lists with a sort of census compiled by William H. Thomas illustrating places of residence in 1835 and 1840. As a point of reference, a date was chosen for the final tally. I also elected to corollate these lists with an additional Qualla Town store Ledger Book dated 1840. For the purposes of illustrating the movement of internally displaced people, I chose the date of 1840, or just three years prior to the establishment of the fourth Board of Cherokee Commissioners, as a date for identifying tribal settlers around Qualla.

In a roster created by William H. Thomas, which I have termed the “post-1835 Treaty of New Echota Qualla Town Roster” he listed seventy-four “Cherokees belonging to Qualla Town who settled in that town since the Cherokee treaty of 1835 was concluded” (Figure 5.2).³²⁰ For the most part the older generation, those Cherokees who had registered for reservations in 1819, and were among the first group of internally

³¹⁹ Duke University/Special Collections Library/William Holland Thomas Papers/Letters, 1831-1891.

³²⁰ Duke University/Special Collections Library/William Holland Thomas Papers/Letters, 1831-1931.

The various Cherokee communities around Qualla Town consisted of Cherokee families from many different portions of the Appalachian summit of western North Carolina, eastern Tennessee and north-central Georgia. They originally came from Sugar Town and Cowee on the Little Tennessee River in modern Macon County, from the Tuckasegee River Valley in Swain and Jackson County, from the modern Copper Basin of southeastern Tennessee and north central Georgia, from the Cheoah River Valley in Graham County to the Valley River and Hiwassee River valleys in Cherokee and Clay Counties, North Carolina.

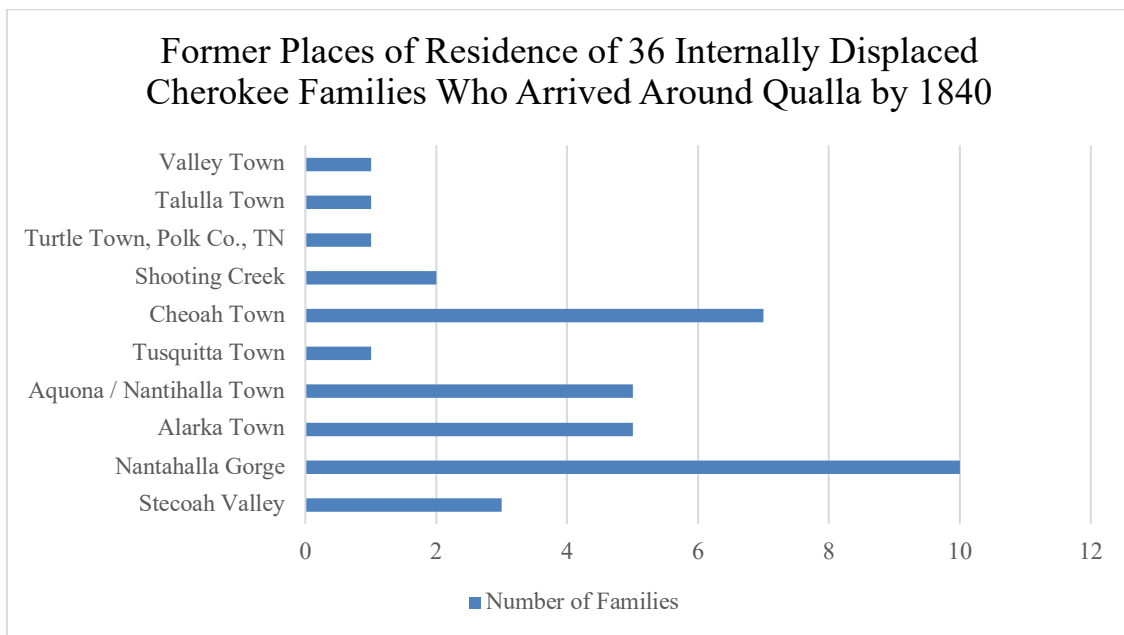


Figure 5.3. Former Places of Residence of 36 Internally Displaced Cherokee Families Who Arrived Around Qualla by 1840.

Euro-American Settlement of North Carolina Cherokee Ceded Lands: 1820s – 1830s Euro-American Emplacement

To understand a Euro-American emplacement of Cherokee locations in western North Carolina I examined the Haywood County, North Carolina, Land Entry Books for evidence of Cherokee locations from a period covering 1809 – 1842. The earliest cultural geographic locational identifiers utilized by whites claiming lands included Cherokee locational identifiers. Following the establishment of the Meigs Freeman Line, explored in depth in Chapter Two, white settled lands along, near, or across “The Indian Boundary Line” or “the Indian line.”³²¹ For example, on 26 Sept 1809, Amos Brown entered 640 acres of land “Beginning on The South Side of Scots Creek . . . Running with the Indian Line Across the Creek . . . Including All the Land Between The Indian Boundary Line and James Brisons Land.”³²²

Other early examples of white utilization for their own land entries of Cherokee geographical identifiers included Eliazer McDowel’s entry of 27 Sept 1809 claim of 420 acres on “Both Sides of the Savannah Creek . . . Including an Indian old Field Whare the Indian Path Forks one Leading to Wattagah and The Other to Cowee.”³²³ Some white land entries included locations whereon specific Cherokees resided, such as the claims of Daniel Fullbright, John Fullyaner and David Fullbright, entry dated 4 April 1810, in which they claimed 640 acres “of Land on the oconolufy River Below Thomas Dillers

³²¹ NCSA/Haywood County Records/Land Entry Book, 1809-1842.

³²² NCSA/Haywood County Records/Land Entry Book, 1809-1842/Amos Brown.

³²³ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Eliazer McDowell.

where Indian Olley now Lives.”³²⁴ Other early entries simply included Cherokee habitation sites called “camps,” such as Thomas Welch’s entry of 3 Oct 1809 in which he entered for 100 acres of land “on a small Branch of the Ravens fork of oconolufy River . . . including an old Indian house or Camp.”³²⁵ In 1810 Martin Fullbright’s entry dated 4 April 1810 claimed 640 acres “on scots Creek where Indian Dick now lives,” and on the same day John Fullbright claimed 640 acres of land “on Oconolufy at the mouth of Socoh Where Big Will now lives.”³²⁶

Other early white claims utilized Cherokee geographical identifiers such as “Indian paths,” such as David Carson’s entry dated 17 Oct 1810 for 150 acres of land “on the waters of the tuckeage waters on Both sides of the old Indian Road that Leads to tillinoah known by the Name of the Whiteoak flan and joins the Indian Line.”³²⁷ Similarly, some included former tribal habitation sites, such as Russell Thomas, William Thomas, and Joshua Jones’ entry for 640 acres of land “including Chohe old town in the fork of the silver.”³²⁸

An interesting, and powerful examples of white emplacement vs. Cherokee (re)emplacement can be seen in the land entry for Felix Walker, dated 13 Jan 1813:

Felix Walker enters four hundred acres of land in Haywood County on the east

³²⁴ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Daniel Fullbright, John Fullyaner, David Fullbright.

³²⁵ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Thomas Welch.

³²⁶ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Martin Fullbright, John Fullbright.

³²⁷ NCSA/Haywood County Records/Land Entry Book, 1809-1842/David Carson, entry dated 17 Oct 1810.

³²⁸ NCSA/Haywood County Records/Land Entry Book, 1809-1842/David Carson, entry dated 17 Oct 1810; Russell Thomas, William Thomas, and Joshua Jones, entry dated December 1811.

side of oconulfty River on [beech] including a town house & large old field
Commonly known by the name of Holland old Field with all the improvements.
Beginning on the east bank of the River where Hollands old line Crosses the same
and Running up the River for Compliment. Entered the 13 day of January 1813.
Warrant issued.³²⁹

Felix Walker was an interesting early settler of Jonathans Creek Valley, partly located in modern in the town of Maggie Valley, Haywood County, North Carolina, just across the Soco Mountains to the east of what would become the Qualla Town area. Walker was considered a “solider, politician, and pioneer” of Watauga Tennessee, as well as Haywood County, North Carolina.³³⁰ Following the end of the American Revolution, and throughout his tenure in North Carolina, he became a land surveyor, land speculator, businessman, and politician serving in the North Carolina General Assembly representing Buncombe at various intervals, between 1792 and 1806. He later served in the US House of Representatives for Buncombe County between 1817 and 1823. It was just prior to 1817 that he established a trading post along Soco Creek, where he hired a young orphan named William Holland Thomas. Oral stories tell us when he was unable to pay Thomas for his years of service, he locked the trading store and gave the keys to Thomas as payment, thus establishing William Holland Thomas as the leading white trader among the displaced Cherokees.

Apocryphal stories aside, what is important about Walker’s land entry of January 1813 is the inclusion of a “town house” within what was known locally as Hollands Old Field. While the exact location for this town house unknown, today Hollands Old Field

³²⁹ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Felix Walker, entry dated 13 Jan 1813.

³³⁰ <https://www.ncpedia.org/biography/walker-felix>.

includes the majority of the river bottoms along the Oconaluftee River along both US 441 and Aquoni Road. Today this land includes on the west side of the river the locations of the modern offices of the BIA, the EBCI Tribal Council House, offices of the Principal and Vice Chief, and the Museum of the Cherokee Indian. On the east side of the river are the former locations of Qualla Housing, the former location of the EBCI Supreme Court, and the present locations of the Ginger Lynn Welch complex, offices of the Cherokee Boy's Club, and Cherokee Transit. This bottom also currently includes several private residences of enrolled members of the EBCI. Of interest is the historic location of Nvnyvi Town to this area. Somewhere in this vicinity of Nvnyvi Town was the location of the 1813 town house.

Nevertheless, the town house is important for several reasons. First, it represents a Cherokee place, Cherokee (re)emplacement within the larger white settlement emplacement of these bottoms. It equates to a local church located in an area surrounded by houses, yet the town house represented much more than just a church. Historically town houses represented the central locational identifier for Cherokees. Within the town house lay the central town fire, the physical embodiment of the divine, of the Creator, for all Cherokees living within the town's physical and cultural borders. In the nineteenth century, as we have seen in former chapters, Cherokee towns ceased to be nuclearly settled, and instead could range for miles. Yet, the town house, or the nineteenth century equivalent, remained the centralizing architectural feature of the surrounding community. We know, for instance, from the Wofltown Chronicles, Cherokees in the 1860s utilized the town house for Wofltown for dances, public meetings, including those of the town

council and the local Gadugi, as well as locations for meetings dealing with international affairs, such as meeting with Thomas or other whites debating removal, or evaluation of removal funds.³³¹

As such, something culturally resonated in the lives of hyper-displaced Cherokees to locate a town house at this specific location. Former reservees who had migrated to this area recalled the days of Nvnvnyi Town, or perhaps it can be attributed to oral traditions associated with Rattlesnake Mountain, just above, and overlooking, Hollands Old Field. We may never know the myriad of reasons Cherokees chose to establish and continue to utilize a town house at this location. What is important, however, is they chose to build and utilize the town house at this location, and it continued to be used while surrounded by white farms following the displacements of the 1820s. This location was so culturally important they not only established a town house at this location, but, by the 1840s this same location became the private claim of a Cherokee man named Flying Squirrel, a head man of Paint Town, and later a leading, and the first Principal Chief, of the EBCI. Regardless of why Cherokees chose to maintain a town house at this location, the very fact of its presence historically and culturally resonates regarding Cherokee (re)emplacement and white emplacement.

Throughout the Haywood Land Entry Books whites claimed lands upon which other whites already lived. A land entry was just a claim, not legal title. It did not necessarily equate to a land purchase. In fact, the entry taker often included the terms

³³¹ Chronicles of Wolfstown: Social Documents of the North Carolina Cherokees, 1850-1862. Anthropological Papers, No. 75. (Washington, D.C.: Bureau of American Ethnology, 1966).

“Warrant Issued.” Throughout the early nineteenth century, the validity of land claims was structured around first, the claim entered, then whether a Warrant was issued. The Warrant was the first step to legalizing the claim. County officials issued warrants to set aside land for sale or surveys. As such, a deed was not issued until the land was surveyed, following the issuance of the warrant, and then patented, referencing that the possessor had indeed purchased the land and subsequently surveyed the land. Only after these bureaucratic steps were followed would the county execute the deed and have the information placed in the county deed books.³³² As such, early nineteenth century land issues in western North Carolina were, and remain today, confusing and very hard to trace, especially in light of huge land sales following the acquisition of thousands of acres in 1820 and 1838.

The entanglements of nineteenth century land issues for whites also illustrates the large numbers of whites already living in the areas around Qualla Town wherein internally displaced Cherokee refugees moved to throughout the hyper-displacement era.

White Locations within Qualla 1809 - 1812

Upper Oconaluftee River / including Ravins Fork:

1809: Jessie Cornwell; Robert Reed; Jacob Mingus [including marking or blazing trees with personal identifiers]; David Elders; Thomas Dillard; William Welch;

1810: John Moroson;

1811: Robert Turner; James Davidson; John Hyde; Robert Reed; Benjamin Hyde

Big Cove:

³³² <http://www.directlinesoftware.com/deeds.htm>.

1809: Joseph McDaniel

1812: Charles Ellis

Lower Oconaluftee River / towards confluence with Soco Creek:

1809: Samuel Sherrill

Lower Oconaluftee River / including Hollands Old Field:

1812: Anthony Enloe

Lower Soco Creek:

1809: Johnathan Gabby; John Dobson; John Henry

Hollands Old Field:

1809: John Hide

Cherokee Locations within Qualla

Upper Oconaluftee River / including Ravins Fork:

1809: “on a small Branch of the Ravens fork of oconoluftee River . . . including an old Indian house or Camp.”³³³ An “Indian camp” on “Samuel Swaringims mill Creek” [modern Mingus Mill Creek].³³⁴ A “Burnt Indian Camp” where “David Elders now lives on.”³³⁵

1810: A land entry including 75 acres including “Owl Camp.”³³⁶ An entry specifically locating a currently utilized “Indian house of camp” near the head of the Ravins Fork of the Oconaluftee River.³³⁷ Land entry including

³³³ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Thomas Welch, entry dated 3 Oct 1809.

³³⁴ NCSA/Haywood County Records/Land Entry Book, 1809-1842/David Elders, entry dated 16 Oct 1809.

³³⁵ Ibid.

³³⁶ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Joseph McDaniel, entry dated 10 Jan 1810.

³³⁷ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Thomas Welch, entry dated 19 March 1810.

the land of Thomas Dillard “where Indian Olley now Lives.”³³⁸

Lower Oconaluftee River / towards confluence with Soco Creek:

1810: “Where Big Will now lives.”³³⁹

1813: “below the mouth of Soco Including a large Indian old field and old Indian town house at the mouth of a branch.”³⁴⁰

Big Cove:

1812: “on the left hand fork including the old Indian path Running up Both Sides.”³⁴¹

This condensed list only shows three years of land claims, but Cherokees found themselves severally geographically marginalized. To look for their homes and town locations one has to look for where they are not located. We therefore find them deep up the Oconaluftee River drainage, at the head of Ravens Fork, or near the head of Adams Creek. Some towns, such as Deer Town, may be lost to history, even though oral tradition places it in portions of modern Paint Town and Wolfe Town on the Qualla Boundary. Other locations, such as Pretty Woman Town, were lost, but now are seen here for the first time (Figure 5.4).

³³⁸ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Daniel Fullbright, entry dated 4 April 1810.

³³⁹ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Martin Fullbright, entry dated 4 April 1810.

³⁴⁰ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Whitfield W. Bond, entry dated 20 Dec 1813.

³⁴¹ NCSA/Haywood County Records/Land Entry Book, 1809-1842/John Hyde, entry dated 7 April 1812.



Figure 5.4. Pretty Woman Town ca. 1840.³⁴²

Pretty Woman Town: An Example of Post-1838 North Carolina Cherokee Settlement Patterns

Located in the modern community of Deep Creek in Swain County, North Carolina, Pretty Woman Town consisted of fourteen Cherokee families: Chunawhinka; Corn Tassell; Joe / Jim Caine; Larch; Martin; Saddler; Feather; Jimme Wesser; Wallis; Big Will; Bear; Artytege; Gigagarge; Gronchage; Joe Welch (Fig. 5.6). They lived on farms consisting of between fifty and 150 acres of land. The farms were located along various watercourses within the larger Deep Creek watershed. For instance, Chunawhinka, Corn Tassell and Joe / Jim Caine were located along one creek; Larch, Saddler and Martin were located along another creek; Feather, Jimme Wesser, Wallis, Big Will and Bear were located on yet another creek; and lastly the Artytege, Gicacarge,

³⁴² Duke University/Special Collections Library/James Taylor, Valley River, N.C./Papers, 1886, Sept. 15-1932 & n.d./VII-E/Box 3.

Cronehage and Joe Welch farms were located along Kittey Wolf Creek. This spatial expression typifies both eastern and western post-removal resettlement strategies.

Moreover, Gilbert noted that as late as 1943, “Each town consists of a number of log cabins strung out at intervals of from a quarter to a half mile apart.”³⁴³ What remains unique, however, for the North Carolina Cherokees was they were creating home in a radically altered geo-political and racial landscape.

In fact, by the 1820s and 1830s Cherokee locational identifiers were gone from the white land claims. In a way Cherokees were displaced even from the cartography of western North Carolina. Gone were locations whereon a Cherokee lived, or the path which leads from one tribal town to another. Whites were emplacing western North Carolina, as exemplified by Elihu Chambers entry of 150 acres of land “on the Oconolefty River including the land and improvement Whare Thomas Grimes and George Gunter and Benjamin Hide now live.”³⁴⁴ Even local identifiers began to be replaced by white bureaucratic language by the 1830s, as in James R. Love’s entry for 100 acres “on the waters of Tuckasegee River Beginning on a Black oak on the point of a ridge near the fork of a Branch that runs through Isaac Gibsons Plantation and runs to and adjoining the lines of Section No. 94 in District 2 of the Surveyed lands of the Cherokee Purchase.”³⁴⁵

³⁴³ Gilbert, Jr., “The Eastern Cherokees,” 201.

³⁴⁴ NCSA/Haywood County Records/Land Entry Book, 1809-1842/Elihu Chambers, entry dated 4 Feb 1825.

³⁴⁵ NCSA/Haywood County Records/Land Entry Book, 1809-1842/James R. Love, entry dated 2 May 1836.

It is tempting to think of the Qualla Boundary settled only by Cherokees in the 1830s, but it would be yet another forty years before the Qualla Boundary would be a home for only enrolled tribal members. In fact, the early history of the settlement of the Oconaluftee River and Soco Creek was more akin to the 1816 letter from the Kituwah Town House, which stated the whites are crossing the line daily, and there will soon be nowhere for our young men to hunt or to find homes.

CHAPTER SIX

CONCLUSION

Hyper-Displacement Analysis

Hyper-displacement is among the key conceptual contributions of this dissertation. Through this lens we can visualize how a series of traumatic displacing events affected communities, individuals, institutions, networks and borders. This conceptual framework envisions immediate, and compounding repercussions of displacement on displaced peoples by emphasizing the continuation of violence throughout each displacing episode. By utilizing hyper-displacement as an analytical tool, the removal of the Cherokee people from the southeast is not a singular event of displacement, but as a series of compounding events. Hyper-displacement enables scholars to analyze not only the action of displacement, but how further displacement episodes build in intensity and frequency, while simultaneously examining resettlement patterns in new political and economic landscapes. Moreover, hyper-displacement enables scholars to understand the impacts of removal on the cultural landscape.

By the 1820s, Cherokees in portions of western North Carolina, eastern Tennessee, northern Georgia, and northern Alabama increasingly found themselves displaced from former Cherokee landscapes, and reformulated tribal communities, and socially constructed networks in new territories, or often on the borders of increasingly hostile white population settlements. Cherokees navigated each displacing episode as communities or neighborhood groups. The initial nineteenth century displacements discussed in this dissertation destroyed the physical settings of tribal communities but did

not always break apart the cultural networks which lay at the heart of Cherokee communities.

Beyond the debate of synchronic versus diachronic, I assert we shouldn't lose sight of the connected networks through time and space. Each Cherokee community in this dissertation was affected by displacement. Each community took part in the discussions and construction of the treaties of 1817, 1819 and 1835. Moreover, each tribal community made claims to the various Cherokee Claims Commission boards. Hyper-displacement recognizes historical contexts of displacement across time and space. The narrative which follows reflects a more diachronic approach which has wider implications on discussions about space and place, identity and membership in community.

From the 1820s through the 1840s Cherokee people found themselves displaced from, or within, the central cosmographical landscape of the *Aniyunwiya*. Following displacement Cherokees were often left with few resettlement options, including resettling among an increasingly hostile white population. While events enabled several families to remain within the traditional aboriginal territory, by the 1840s the landscape merged from a tribal one to a white one through (re)emplacement of white bureaucracy and increased white settlement. The story of those Cherokees who remained east following the hyper-displacing episodes were of strangers in their own homeland.

This research is an important step to reconnect the various displacing events which further marginalized Cherokee communities throughout the mid-nineteenth century. I am by no way saying former examinations of Cherokee removal are

inadequate. On the contrary, the several sources discussed throughout this dissertation bring to life in detail various specificities of removal events. This research, on the other hand, ties them all back together in such a way as to understand the compounding effects of removal after removal on individuals and communities.

As such, it was initially very difficult for me to answer those initial questions while serving in the EBCI THPO as to why the EBCI and the Qualla Boundary were in western North Carolina, while the other two federally recognized Cherokee tribes were located in Oklahoma. Additionally, why were there several evident differences in the body-politics of the UKB, the Cherokee Nation and the EBCI. To visualize how this came to be I needed to understand examine the root machinations of Cherokee removal from the southeast. This research moved west across the Mississippi River, and returned east, as, in fact, many Cherokees have done in the past 180 years. Hyper-displacement enables us to begin to see triggering events and decisions which had ramifications throughout Cherokee country. The application of hyper-displacement analysis to nineteenth century Cherokee communities emphasizes the interconnectedness of concerted efforts of state and federal agencies to increasingly marginalize and displace tribal peoples, while at the same time insisting on a synchronic discussion of tribal self-determination.

Several key anthropological discourses provide theoretical background for communities. Fredrik Barth argued that community was defined by ethnic boundaries.³⁴⁶

³⁴⁶ Fredrik Barth, *Ethnic Groups and Boundaries: The Social Organization of Culture* (Boston: Little, Brown and Company, 1969).

By categorizing the variation in cultural differences, differences in collectives are aggregated. Even though Barth pointed out that information flows across boundaries, social relations were maintained within the cultural border of others through the process of othering. Othering, therefore, is the fluid and dynamic cultural processes by which a community or ethnic group knows itself in contrast to another group, who is and who is not a member of any given community. What is interesting through a hyper-displacement analysis is recognizing that even though legally demarcated boundaries are often porous enabling information movement across the boundary, to create cultural borderscape, borders and boundaries are still created. In other words, the *thing* of the border remains, but I want to understand how to navigate along and through it.

In a way, Barth built on Anthony Wallace's 1956 definition of "boundary stress" as a demand for revitalization movements. Wallace wanted to understand certain local characteristics which, in part, drove social revitalization.³⁴⁷ In Wallace's later work, *The Death and Rebirth of the Seneca*, the Handsome Lake revitalization movements among the Seneca Nation were seen as a form of community action to inspire a sense solidarity and belonging to an internally displaced people. In turn, Wallace viewed cultural revitalization as a form of social organization which governed behavior through Handsome Lake's teachings "by oral tradition supported by a sense of duty" to a person's family, community, and the Tribe.³⁴⁸ As such, revitalization movements socially re-

³⁴⁷ Anthony F. C. Wallace, "Revitalization Movements," *American Anthropologist* 58, no. 2 (1956): 264-281.

³⁴⁸ Anthony F. C. Wallace, *The Death and Rebirth of the Seneca* (New York: Knopf, 1970), 25.

draw, and maintain, social boundaries. Social organization and community construction, for Wallace, was deliberate, and patterned. For Barth, members of a given community shared a common culture; therefore, ethnic self-ascription-maintained boundaries between groups. Barth, however, pointed out that boundary maintenance was not unproblematic. He wanted to understand the social formation of the community constituted by the boundary. Community, as such, is defined here as a culturally bounded space. Various cultural processes, including, but not limited to, revitalization movements, or outside displacement stresses, call attention to socially constructed boundary markers which bound place and space.

Anthropologists Akhil Gupta and James Ferguson argued space mattered in social representations of a community, but these representations were created through interconnectedness within and without a given community. They were also interested in hybrid cultures. For Gupta and Ferguson, community identity could be constructed in what they called a “ruptured landscape,” but was not maintained through identifiable ethnic boundaries, but interconnected networks across the landscape.³⁴⁹ Place, and representations of place, for the authors, was pivotal to explore. Archaeologists Denise L. Lawrence and Setha M. Low argued that “culturally specific patterns” of architecture or community settlement provided a great deal of information about community organization.³⁵⁰ Lawrence and Low believed the built community, the buildings and

³⁴⁹ Akhil Gupta, James Ferguson, “Beyond ‘Culture’: Space, Identity, and the Politics of Difference,” *Cultural Anthropology* 7, no. 1 (1992):8.

³⁵⁰ Denise L. Lawrence, Setha M. Low, “The Built Environment and Spatial Form,” *Annual Review of Anthropology* 19 (1990):460.

community layout, illustrated what they called the “spatial articulation” of the community.³⁵¹ For them community was more than just social cohesion of ethnicity or shared culture, spatial arrangements could illuminate articulations of economics, society and culture.

This dissertation has also moved across time and space. Hyper-displacement not only foregrounds Cherokee agentic actions of self-determination in the face of an increasingly hostile white settler bureaucracy but insists we must move through space and time to follow their lives through displacement to re-settlement. Displaced Cherokees did not simply forget the trials of being uprooted from home and hearth. The various Boards of Commissioners records indicate a sophistication of tribal claims, as well as a lack of understanding or remorse from either the federal government or state legislatures for the often-violent displacing episodes. By visualizing hyper-displacement, we are also able to think about immediate choices of individuals and communities on the ground as Cherokees navigated through displacing events culminating in resettlement through emplacement or (re)emplacement.

Space and place became throughout this dissertation an important analysis to better understand tribal communities, both in the nineteenth century and for those today. The Cherokee word for town, *gaduhi*, implies collective action, and as such, I have urged throughout this narrative to think of communities as social processes. It is not so much an acknowledgement of the historical evidence for community mobility, but the actions required of all people within the community. Ideally at the heart of all Cherokee

³⁵¹ Lawrence and Low, “The Built Environment and Spatial Form,” 492.

communities, even today, is *gadugi* the responsibility to ensure all community members live life in *osi*. Here I have used *osi* to understand how life should be lived well. During the nineteenth century hyper-displacement episodes within this narrative it became the responsibility of Cherokees to ensure social networks of clan, family and town were retained through the various forms of hyper-displacement navigation explored. If, ideally, a Cherokee wishes to live life well, to live *osi*, they must become actively engaged in *tohi*, or living life balanced, on a clear path. Through *gadugi* the community practices *tohi* to ensure individuals, families, the town, or even the tribal region, lives life *osi*. Therefore, *gaduhi* is the physical embodiment of what it means ideally to live Cherokee. These collective and individual actions are also expressions of self-determination when everything else has been taken by an aggressively minded expansionist settler framework. At various times hyper-displaced Cherokees enacted self-determination to rebuild their lives and networks through emplacement or (re)emplacement.

Our socially constructed networks are further expressed as borders, borderscapes and boundaries through the social process of bordering. As with networks, these social manifestations should be understood not as nouns but as processes. The bordering process underlies what political scientist Anna Krasteva called the “spatialisation of identities.”³⁵² Actors act to demarcate legislatively and culturally the other and engage in dialogues about order in the social world through the bordering process. Some border scholars focus not just on the border, but the ordering of multiple networked boundary

³⁵² Anna Krasteva, “Spaces, Lines, Borders: Imaginaries and Images,” in *Borderscaping, Imaginations and Practices of Border Making* (Burlington: Ashgate Publishing Limited, 2015), 22.

layers.³⁵³ How are these multiplexes of borders constructed and subsequently crossed, as border people integrate, maintain networks, adapt and become transnational.

A great deal of border literature deals with the social spatial manifestations of

³⁵³ Henk van Houtum and Anke Struver, "Borders, Strangers, Doors and Bridges," *Space & Polity* 6, no. 2 (2002): 141-146; Eiki Berg and Henk van Houtum, "Prologue: A Border is Not a Border: Writing and Reading Borders in Space," in *Routing Borders Between Territories, Discourses and Practices* (Burlington: Ashgate Publishing Limited, 2003), 1-12; Dider Fassin, "Policing Borders, Producing Boundaries: The Governmentality of Immigration in Dark Times," *Annual Review of Anthropology* 40 (2011): 213-226; David Newman, "Contemporary Research Agendas in Border Studies: An Overview," in *Ashgate Research Companion to Border Studies* (Burlington: Ashgate Publishing Limited, 2011): 33-47; Jason Cons, "Histories of Belonging(s): Narrating Territory, Possession, and Dispossession at the Indian-Bangladesh Border," in *Borderland Lives in Northern South Asia: Non-State Perspectives* (Durham: Duke University Press, 2013): 214-244; Chiara Brambilla, Jussi Laine, James W. Scott and Gianluca Bocchi, "Introduction: Thinking, Mapping, Acting and Living Borders under Contemporary Globalisation," *Borderscaping: Imaginations and Practices of Border Making* (Burlington: Ashgate Publishing Limited, 2015): 1-12; Holger Pötzsch, "Seeing and Thinking Borders," in *Borderscaping: Imaginations and Practices of Border Making* (Burlington: Ashgate Publishing Limited, 2015): 217-228.

borders in relation to new communities,³⁵⁴ identities,³⁵⁵ belonging and the other,³⁵⁶ and the role of the state in construction and regulation of the border.³⁵⁷ Since the

³⁵⁴ Ellia Hernández and Gloria Anzaldúa, “Re-Thinking Margins and Borders: An Interview with Gloria Anzaldúa,” *Discourse* 18, nos. 1 & 2 (1995): 7-15; Bradley J. Parker, “Toward and Understanding of Borderland Processes,” *American Antiquity* 71, no. 1 (2006): 77-100; Grundy and Dean, “ ‘The Boundaries of Contested Identities: ‘Kachin’ and ‘Karenni’ Spaces in the Troubled Borderlands of Burma’”; Rosalind Evans, “The Perils of Being a Borderland People: On the Lhotshampas of Bhutan,” in *Borderland Lives in Northern South Asia: Non-State Perspectives* (Durham: Duke University Press, 2013): 117-140.

³⁵⁵ Anzaldúa, *Borderlands / La Frontera: The New Mestiza*; Kent G. Lightfoot and Antoinette Martinez, “Frontiers and Boundaries in Archaeological Perspective,” *Annual Review of Anthropology* 24 (1995): 471-492; Hernández and Anzaldúa, “Re-Thinking Margins and Borders: An Interview with Gloria Anzaldúa”; Parker, “Toward and Understanding of Borderland Processes”; Richard Jenkins, “Boundaries and Borders,” in *Nationalism, Ethnicity, and Boundaries: Conceptualising and understanding Identity Through Boundary Approaches* (New York: Routledge, 2015), 11-27; Judith Vorrath, “On the Margin of Statehood? State-Society Relations in African Borderlands,” in *Understanding Life in the Borderlands: Boundaries in Depth and in Motion* (Athens: The University of Georgia Press, 2010), 85-104.

³⁵⁶ Houtum and Struver, “Borders, Strangers, Doors and Bridges”; Mark Purcell and Joseph Nevins, “Pushing the Boundary: State Reconstructing, State Theory, and the Case of the U.S.-Mexico Border Enforcement in the 1990s,” *Political Geography* 24 (2005): 211-235; Fassin, “Policing Borders, Producing Boundaries: The Governmentality of Immigration in Dark Times”; Jason Cons, “Histories of Belonging(s): Narrating Territory, Possession, and Dispossession at the Indian-Bangladesh Border,” in *Borderland Lives in Northern South Asia: Non-State Perspectives* (Durham: Duke University Press, 2013), 214-244; Michael Rosie, “A' the bairns o' Adam? The Ethnic Boundaries of Scottish National Identity,” in *Nationalism, Ethnicity, and Boundaries: Conceptualising and Understanding Identity Through Boundary Approaches* (New York: Routledge, 2015), 124-141.

³⁵⁷ Michel Callon and John Law, “On Interests and Their Transformation: Enrolment and Counter-Enrolment,” *Social Studies of Science* 12, no. 4 (1982): 615-625; Michael Baud and Wilem Van Schendel, “Toward a Comparative History of Borderlands,” *Journal of World History* 8, no. 2 (1997): 211-242; Berg and van Houtum, “Prologue: A Border is Not a Border: Writing and Reading Borders in Space”; Grundy and Dean, “The Boundaries of Contested Identities: ‘Kachin’ and ‘Karenni’ Spaces in the Troubled Borderlands of Burma’”; Rajaram, “ ‘Making Place’: The ‘Pacific Solution’ and Australian Emplacement in the Pacific and on Refugee Bodies”; Alexander C. Diener and Joshua Hagen, “Introduction: Borders, Identity, and Geopolitics,” in *Borderlines and Borderlands: Political Oddities at the Edge of the Nation-State* (New York:

1990s border discourse has emphasized that individual, communal and national identities are constantly being contested, accommodated and redefined along borders.

As with networks, I am heavily influenced by Gloria Anzaldúa's work about culturally constructed border and trans-border culture, about growing "up between two cultures, the Mexican . . . and the Anglo."³⁵⁸ I have combined this trans-border networked cultural interaction with border researcher Henk van Houtum's bordering and ordering to show how the landscape, people, and time are expressions of narrative, memory and geographic interpretations and re-interpretations about claims to space. For Berg and van Houtum, routinization of daily life reflects bordering processes. The *thing* of the border is therefore made visible and alive by the identities and practices provided by bordering processes.

Newly encircled communities transform "into 'resident strangers' in their own homeland" in a hyper-displacement bordering process.³⁵⁹ To understand what happens to hyper-displacement communities following displacement episodes is to explore what Grundy and Dean called the "human topographies" of the borderlands.³⁶⁰ Borders, therefore, play a pivotal role in the identification process, ergo, who belongs and who is

Rowman & Littlefield Publishers, Inc., 2010), 1-14; Anssi Paasi, "A Border Theory: An Unattainable Dream of a Realistic Aim for Border Scholars?," in *The Ashgate Research Companion to Border Studies* (Burlington: Ashgate Publishing Limited, 2012), 11-32; Anna Krasteva, "Spaces, Lines, Borders: Imaginaries and Images," in *Borderscapes, Imaginations and Practices of Border Making* (Burlington: Ashgate Publishing Limited, 2015), 13-26.

³⁵⁸ Alvarez, Jr., "The Mexican-US Border: The Making of an Anthropology of Borderlands," 462.

³⁵⁹ Grundy and Dean, "The Boundaries of Contested Identities: 'Kachin' and 'Karenni' Spaces in the Troubled Borderlands of Burma," 85.

³⁶⁰ *Ibid.*

the other. Borders, therefore, still matter as physical manifestations of Fredrik Barth's ethnic boundary maintenance, state and national boundaries. Through attention to the trans-border networks, however, we highlight agentive actions of solidarity as socially negotiated identities.

Border impacted identity work has also illustrated how expressions of claims of space have enhanced new identities. This border culture, according to Gloria Anzaldúa is socially born by "crossing over" the border.³⁶¹ For her, borderlands represent vague socially constructed lands. Symbolic, economic and political impacts of crossing over enhances and maintains a borderlands landscape. Moreover, these culturally created and re-created borderlands can become a focal point for legislating the other.³⁶²

For instance, I have argued here the Cherokee Nation was able to emplace in the west many of the political and cultural structures from the east because in many instances entire communities were able to navigate the hardships of removal as intact networks of neighborhoods. At other times the records present personal hardships of the family, as many were broken by deaths, or simply because some family members emigrated while others remained in the east. Similarly, the Arkansaw Cherokees moved further up river following the treaty of 1828 as entire communities. In many ways, they found security in numbers as former trade, relational, clan, or even religious networks remained intact.

³⁶¹ Anzaldúa, *Borderlands / La Frontera: The New Mestiza*, 100.

³⁶² Anzaldúa, *Borderlands / La Frontera: The New Mestiza*; Lightfoot and Martinez, "Frontiers and Boundaries in Archaeological Perspective"; Alvarez, Jr., "The Mexican-US Border: The Making of an Anthropology of Borderlands"; Hernández and Anzaldúa, "Re-Thinking Margins and Borders: An Interview with Gloria Anzaldúa"; Vorrath, "On the Margin of Statehood? State-Society Relations in African Borderlands."

While this research was limited to only two post-removal Cherokee Nation districts, the evidence is clear that Arkansaw Cherokees settled together, and following 1838, former Cherokee Nation East communities settled together. As such, in many instances culturally recognizable borders were reconstructed, and the Cherokee Nation in Indian Territory was able to reconstruct outside of many white intrusions. This research did not go into depth regarding the well documented Ross vs. Ridge, anti-treaty vs. pro-treaty, strife which rocked the newly arrived Cherokee communities, and threatened the pre-established political sovereignty of the Arkansaw Cherokee / Cherokee Nation West. Such an examination through the lens of hyper-displacement could shed new light on just how fragile the early post-removal days really were in the west.

In the east, however, I have shown that post-removal Cherokees were politically, legally, and economically marginalized by an increasingly hostile white US citizen. Moreover, the legal citizenship question of those Cherokees who remained east following 1838 would not be answered for several more decades. In such a situation, Cherokees in the east, particularly in North Carolina, had to (re)emplace themselves surrounded by white farms, institutions, and legal apparatuses. In fact, these Cherokees found themselves as internally displaced persons within the very geography whose cultural cosmography was often being torn asunder by waves of white settlement. Very few pre-1817 or 1819 Cherokee geographic locational identifiers remain. Those which remain, have either been mistranslated, miss-interpreted, or simply locationally misplaced.

Local examinations of culture change have also remained hallmarks of Cherokee studies. Anthropologist Albert L. Wahrhaftig's classic examination of twentieth century

religious institutions in the Cherokee Nation illustrated how Cherokees “in the moment” moved beyond the distinction of full blood versus mixed blood to join together for internally important community matters. Innovations for the betterment of the community, according to him, flow from the bottom up, and illustrate that actual power was often situated in the local. As such, social boundaries are flexible; change, in the form of innovation, is situational “in order to keep their way of life intact.”³⁶³ Sarah Hill’s work has shown how examinations of the commercialization of the everyday creates a middle ground for Cherokee and white relations. For historian Carolyn Ross Johnson, on the other hand, culture change is not only local, but persistent in an increasingly acculturated nineteenth century Cherokee world.

When we center our research only on the changes in culture we lose the complexities of local inter- and intra-cultural exchanges captured within the larger contexts. I draw inspiration from historian R. David Edmunds’ now famous call for “New Indian History.”³⁶⁴ For Edmunds, New Indian History, like the formation of ethnohistory as methodology, encouraged anthropologists to explore the archives for historical examples, while calling on historians to gain knowledge from oral traditions and living communities. He urged that new scholarship bring out Native American views and interpretations in research.

³⁶³ Albert L. Wahrhaftig, “Institution Building Among Oklahoma's Traditional Cherokees,” in *Four Centuries of Southern Indians* (Athens: The University of Georgia Press, 2007 [1975]), 138.

³⁶⁴ Edmunds, “New Visions, Old Stories: The Emergence of a New Indian History.”

Post-displacement Cherokee individuals and communities earnestly searched for a common meaning to construct what historian Richard White called a “mutually comprehensible world.”³⁶⁵ How, therefore, can you make sense out of all the shifting values and interests without thick narrative at the local level? Narrative form provides rich detail and Geertzian thick description to embrace the passion of life silenced in archival materials. We can conduct ethnography in the archives if we read between the lines to listen along the margins for the silenced voices.

White correctly asserted the middle ground was a world of villages, a world of compromise and accommodation. This dissertation seeks to connect agentic acts of self-determination with wider issues of marginalization and federal and state authority. The various Cherokee communities in this narrative not only recognized themselves as distinct entities, but also maintained a larger, shared ethnic identity as Cherokees. The federal government, on the other hand, inundated with multiple generations of property claims, affidavits and memorials, bureaucratically recognized citizenship affiliation based upon time and place of residence. For example, I explored how the timing of the Treaty of New Echota in 1835 played a significant role in determining Cherokee citizenship and place of residence. The treaty called for the establishment of a board of commissioners to hear spoliation claims presented by displaced Cherokees. As the final judicial body to validate or invalidate claims, members of the eventual four boards made their determinations based on hearsay evidence. Since the original format for the spoliations

³⁶⁵ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991), ix-x.

included claims from the Treaty of 1819 through the Treaty of 1835, Cherokees made claims across generations, and from east and west of the Mississippi River.

From the standpoint of the federal government these factors were pivotal when determining which Cherokees were entitled to which monetary benefits, sometimes regardless of specific Cherokee Nation citizenship laws, which were enacted by the tribe prior to 1835. Additionally, many Cherokees outside of the Cherokee Nation body-politic, among the Qualla communities and the Arkansaw Cherokee communities, on the other hand, regarded membership on a more personal, linguistic and clan basis. For examinations of Cherokee versus federal identification markers I follow historian Daniel Usner's assertion that construction and reconstruction of autonomy can be found in examinations of what he called the "realm of livelihood."³⁶⁶

Yet, so many Cherokees did remain, and throughout the 1840s and into the 1850s, as the fourth Board of Cherokee Commissions was closing in Murphy, North Carolina, and all books and records were forwarded to the US War Department, tribal settlements around Qualla Town, along the Cheoah River in Graham County, as well as tribal locations along the Valley River, such as Welch's Town, or at Sand Town, in Macon County, began to regard "themselves as permanently settled."³⁶⁷ Even though these

³⁶⁶ Daniel H. Usner, Jr., "American Indians in a Frontier Exchange Economy," in *American Indians in the Lower Mississippi Valley: Social and Economic Histories* (Lincoln: University of Nebraska Press, 1998), 95.

³⁶⁷ William H. Thomas, Letter to William Medill, Commissioner of Indian Affairs, dated 28 March 1846, in *Public Documents Printed by the Order of The Senate of the United States, First Session of the Twenty-Ninth Congress, Begun and Held at the City of Washington, December 1, 1845*, vol. VIII (Ritchie & Heiss: Washington, DC, 1846), 408.

Cherokee communities had to (re)emplace themselves surrounded by white settlements, they began to thrive. In many ways, this dissertation has shown the difference between sovereignty and self-determination. Issues of sovereignty, in the west, as a nation, were more paramount than in the east.

Post-removal Cherokees in North Carolina simply wanted to be left alone, to rebuild their home and familiar networks. Post-removal tribal communities in the west and east simply wanted to reconstitute a Cherokee cosmography on their own terms, in their own way, among their own families and neighbors, as best they could. Post-displacement tribal communities navigated hyper-displacement through emphasizing networks of the local, the community, and the family. These three remain hallmark community identifiers to this day. John Gulick argued in 1958 the “main characteristics of social organization” among the EBCI during his field work, particularly in the Big Cove community, were church participation, “volunteer aid groups,” and “genealogical and marriage connections.”³⁶⁸ In many ways his characteristics reflect not only nineteenth century tribal navigation of hyper-displacement, but reflect EBCI, Cherokee Nation, and UKB communities today.

Identity is always situationally reshaped, and former networks must be adapted to new emerging economic and political systems to maintain community autonomy. As such, I agree with anthropologist Thomas Thornton’s assertion that the person is political,

³⁶⁸ John Gulick, “Language and Passive Resistance Among the Eastern Cherokees,” *Ethnohistory* 5, no. 1 (1958), 66.

and power is expressed at the local.³⁶⁹ New fluid social relations in a displaced setting can benefit, at times, both the displacer, and the displacee. In utilizing network research to reconstruction community identity, we focus not on declension models of indigenous lives, but highlight “Indian agency and versatility.”³⁷⁰

I am often asked why cultural anthropology left Indian Country in the 1960s and 1970s? The answer is most often found in the silences, such as Gulick’s assertion that “Little sense of community identity is in evidence, and there are no community-wide gatherings or organizations except for a community development club which was established in the 1940s.”³⁷¹ What I learned over a decade plus of living and working in a specific Cherokee community is that you often have not asked the right questions at the right time. This dissertation is the product of my experiences working and living among the EBCI, the Cherokee Nation, and the UKB. Modern Native American scholarship is longitudinal and must be co-constructed with the communities. It must illuminate not just the scholar’s interests, but speak to, and address, tribal questions and concerns. In other words, spend more time getting your jeans dirty helping dig the ditches upon which the bridges of communication and collaboration will rest.

³⁶⁹ Thomas F. Thornton, “From Clan to Kwáan to Corporation: The Continuing Complex Evolution of Tlingit Political Organization,” *Sovereignty and Governance, II* 17, no. 2 (2002): 167-194.

³⁷⁰ Daniel H. Usner, Jr., “Economic Strategies of American Indians in Louisiana During the Territorial and Early Statehood Era,” in *American Indians in the Lower Mississippi Valley: Social and Economic Histories* (Lincoln: University of Nebraska Press, 1998), 72.

³⁷¹ Gulick, “Language and Passive Resistance Among the Eastern Cherokees,” 67.

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APPENDICES

Appendix I

Evidence of Community from the John Benge 1838 Removal Detachment
 [Gilcrease Institute of American History and Art]

Name	Place of Residence 1835	Place of Residence 1840
John Benge	Lookout Creek, Walker Co. Georgia.	
Laughing Mush	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Sally Bark	(?)	
William Grimmet	Ft. Armstrong, modern Coosa River near Cedar Bluff, Cherokee Co. Alabama	
John F. Boot	Wills Valley, Alabama	
Bull Snake	Wills Valley, Alabama	
Charles Melton	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Arch Campbell	Creek Path, near modern Guntersville, Marshall Co. Alabama	[There was a Tasel Campbell living “about six miles from Ft. Smith” in 1842 / Skin Bayou District, who emigrated in the Benge Detachment]
Thomas Watts	Santah, Alabamab	
Ohwahdeyohu	(?)	
Heirs of Soldier	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Caleb Hunt	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Gaksahuler	(?)	
Stinking Fish	Wills Valley, St. Clair Co., Alabama	
Choctaw Killer	Wills Valley, St. Clair Co., Alabama	
Big Feather	Wills Valley, Jackson Co., Alabama	
Young Duck’s Widow	Wills Valley, St. Clair Co., Alabama	

Gowascoo wee	(?)	
Jeffrey “old man”	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Samuel Spring	(?)	
Scahlaklu & Oodaheder	(?)	
Seconcou	(?)	
Sides	Wills Valley, St. Clair Co., Alabama	
Pipe	Wills Valley, St. Clair Co., Alabama	
Cumberland	Wills Valley, St. Clair Co., Alabama	
Cheyohlasku	Crow Town, Jackson Co., Alabama	
Otter Lifter	[There is an Otter Lifter in 1835 on Etowah River, Cherokee County, Georgia]	
Coozilla	(?)	
Sally	Wills Valley, Alabama	
George C. Lowry	Wills Valley, Alabama	
George Baldrige	Lookout Creek, Walker Co. Georgia	[There was a Green Baldrige living “about six miles from John Benges on Lees Creek” in 1842 / Skin Bayou, who emigrated in James Brown’s Detachment]
James Ore	Mill Creek, Alabama	
Edward Lea	(?)	“About four miles from John Benges, on Lees Creek” in 1842. Edward was the son of Thomas Lee, and the Brother of Moses Lee. Edward & Moses stated that in 1838 he lived “in the old Nation, near the Chattoga River, Alabama”]
Rising Fawn’s Widow	[There was a Rising Fawn in 1835 on Lookout Creek, Walker County, Georgia]	
Moses Lea	Chatauga River, Walker County, Georgia	“About four miles from John Benges, on Lees

		Creek” in 1842. Edward was the son of Thomas Lee, and the Brother of Moses Lee. Edward & Moses stated that in 1838 he lived “in the old Nation, near the Chattoga River, Alabama”]
Jesse Lea	(?)	
Speaker	[There was a Speaker in 1835 in Blount Co., Alabama]	
Dick Allstring	Morgan Co., Alabama	
Young Dick	[There was a Young Duck in 1835 in Wills Valley, St. Clair Co., Alabama]	
Edward Gunter	Creek Path, near modern Guntersville, Marshall Co. Alabama	
George Gunter	Creek Path, near modern Guntersville, Marshall Co. Alabama	
Martin Benge	Lookout Creek, Walker Co., Georgia	[Waky Benge stated that she was the daughter of Martin Benge’s wife Tekah-se-na-ki, and lived in 1838 “on Hightower river, in Georgia,” that she emigrated in Benge’s Detachment, and resided in 1842 “about a half mile from John Benges”]
Robert Benge	Lookout Creek, Walker Co. Georgia	
William Alexander	Lookout Creek, Walker Co. Georgia	
Jack Miller	(?)	
H. Langley	(?)	
Jane Smith	(?)	
Sokinne Smith	Pettis Creek, Cass Co., Georgia	
Peter Will	(?)	
Young Beaver	Lookout Creek, Walker Co. Georgia	

Young Chicken	Ft. Armstrong / Little River, modern Coosa River near Cedar Bluff, Cherokee Co. Alabama	
Charisey	(?)	
Corn Tassel	Ft. Armstrong / Little River, modern Coosa River near Cedar Bluff, Cherokee Co. Alabama	
Rising Fawn	Lookout Creek, Walker Co. Georgia	
Prase McLemore	[Several McLamores in 1835 on Chickamauga Creek, Walker Co., Georgia]	
Tarpin Head	[There is 2 in 1835 on Coosawattee River, Murray Co., GA; 1 on Chickamauga Creek, Walker Co., Georgia]	
Thomas Campbell	(?)	
Oodiyu	(?)	
Oodaleder	(?)	
Dooniyu	(?)	

Appendix II

Breakdown of 1842 Cherokee Nation, West Claims [Penelope Johnson Allen Cherokee Collection]

Skin Bayou District: 101 claims / Predominantly Chattooga and Chickamauga District, Cherokee Nation East; Chattooga Valley Alabama; Wills Valley Alabama; Chickamauga Valley Georgia / Predominantly Capt. John Benge's Detachment; Major Ridge's Detachment; U.S. Army under General Nathaniel Smith by water / Predominately near Fort Smith; near John Benge's; on Little Salisaw and Big Salisaw River; Lee's Creek.

Tahlequah District: 228 claims / Predominantly Amohee District, Cherokee Nation East; Coosa River Valley Georgia; Hiwassee River Tennessee; Candy's Creek Tennessee; Red Clay Tennessee / U.S. Army under General Nathaniel Smith by water; John Benge's Detachment; Daniel Colston's Detachment; George Hicks' Detachment; Peter Hidebrand's Detachment; Richard Taylor's Detachment / Predominantly near Tahlequah community; near Park Hill community; on Fourteen Mile Creek; on Barren Fork Creek; on Caney Creek.

Delaware District: 540 claims / Predominantly Aquohee District, Cherokee Nation East; Shooting Creek North Carolina; Valley River North Carolina; Tusqitee River North Carolina; Ocoee Gorge Tennessee, including Duck Town, and Turtle Town; Lick Log Town, unknown; Hightower Valley; Cheoah Town North Carolina / Evan Jones' Detachment; Bushyhead's Detachment; Capt. Old Field's Detachment; Chuwalooqa's Detachment; George Hicks' Detachment; Peter Hildebrand's Detachment / Baties Creek; Brushy Creek; Grand River; Honey Creek; Wet Prairie; Spavinaw Creek; Suckers Town; Taylors Town; Woffords Town; Delaware Town.

Flint District: twenty-five claims / Predominantly Etowah District, and Chickamauga District, Cherokee Nation East; Hightower Town / Very little information regarding Detachments / Very little information regarding present place of residence.

Going Snake District: 782 claims / Predominantly Hickory Log and Coosawattee Districts, Cherokee Nation East / Predominantly water route detachments leaving from Ross' Landing in 1838 / Very little information regarding present place of residence.

Saline District: fifty Claims / Predominantly Alaculsa Creek; Peavine Creek; Ceader Creek / Predominantly Peter Hildebrand's Detachment / Predominantly on Spring Creek.

VITA

Tyler B. Howe was born in a small midwestern town surrounded by cornfields. He longed to understand the wider world outside, and left home at an early age to wander in a giant peach. Unfortunately, he became hungry, and ate part of his vessel as he travelled. He landed at several locations throughout his travels, only to long for deeper understanding of the wider world beyond those small, interwoven communities. Eventually he landed a gig as a traveling shoe salesman, which brought him through Knoxville, and the deeper south. Again, unfortunately he became hungry during his sales drives, and the sun began to melt his Adobe rental car. At last he found his way to a small town in the mountains, which just happened to have the best pie and coffee around. It was from one of the booths in that very diner that this dissertation, your just rapturously read, was first written on thirty-four rolls of paper towels.