

ANDREW JACKSON AND THE INDIANS, 1767-1815

by

JONATHAN RAY

TONY FREYER, COMMITTEE CHAIR

DAVID BEITO

LARRY CLAYTON

HOWARD JONES

GREGORY WASELKOV

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ABSTRACT

Andrew Jackson's experience with the Indians was an ambivalent relationship. From his childhood along the South Carolina-North Carolina border through his two terms as president, he had extensive interaction with both friendly and enemy Indians. As a child in South Carolina, Jackson grew up around the peaceful Catawba Indians. During the American War for Independence he served as a scout alongside the Catawbans as members of his community fought the British and their Indian allies from the west, most notably the Cherokees. Serving in this capacity he learned the value of Indian alliances that he carried with him throughout his professional, military, and political career.

Jackson came into direct contact with the Indians as he moved to Tennessee, as a young lawyer and businessman. In the western territory, various Indian tribes claimed the land the Whites were settling. Jackson learned to distinguish between the tribes that were recognized by the United States government as having legitimate claims to land and those that were not. Several tribes, particularly the Creeks and the Chickamaugas, a dissident faction of the Cherokees, frequently raided the White settlements in Tennessee, forcing Jackson to fight the Indians in defense of his community. He became an Indian fighter out of necessity and fought the enemy Indians while aligning with the friendly Chickasaws. During the Creek War and the War of 1812, Jackson applied his experience of using friendly Indian tribes to defeat the British and their Indian allies. He rewarded those who were loyal and punished those who joined Britain.

He carried this experience to his post-war career as Indian agent, and later, as president, negotiating dozens of treaties with the Indians as he insisted upon removal as the best policy. In these treaties he exchanged federal territory west of the Mississippi River for Indian land in the east. Although he is most well-known for signing the Indian Removal Act, he promoted the rights of Indians at times as he allowed Indian citizenship, encouraged intermarriage between Whites and Indians, frequently had Indian leaders as guests in his home, and adopted an Indian child. He advocated for removal through the exchange of land in treaties to preserve tribal autonomy.

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INTRODUCTION

Andrew Jackson had an ambivalent relationship with the Indians. The consensus of both the Jackson and Indian historiography does not take into account the dual nature of Jackson's encounter with the Indians. From his childhood in the Waxhaw community in the backcountry of South Carolina near the North Carolina border to his rise to prominence in Tennessee, he had extensive interactions with both friendly and enemy Indians. This dissertation explores the many levels of his contact with various tribes from his youth through his two terms as president of the United States. The result adds an important dimension to our understanding of Jackson during takeover and exchange of Indian lands through war, treaty, and purchase during the colonial period and during the struggle between competing Indian, federal, and state authorities.

The sources for this dissertation are a combination of state papers, Jackson's correspondence and papers, Jackson biographies, and Indian historiography. The best resources for work on Jackson are *The Papers of Andrew Jackson*, *Legal Papers of Andrew Jackson*, and *Correspondence of Andrew Jackson*.¹ Because so little primary evidence is available from Jackson's youth, recent works on the Carolinas during the Revolutionary period provide the story of Jackson's life as a boy and during the American Revolution.² Relevant state and colonial

¹ Sam B. Smith, Harriet Chappell Owsley, Harold D. Moser, Sharon Macpherson, David R. Hoth, John H. Reinbold, George H. Hoemann, J. Clint Clift, Daniel Feller, Laura Eve-Moss, Thomas Coens, et al., eds. *The Papers of Andrew Jackson* (Knoxville: University of Tennessee Press, 1980-2010); James W. Ely, Jr. and Theodore Brown, Jr., eds. *Legal Papers of Andrew Jackson* (Knoxville: University of Tennessee Press, 1987); John Spencer Bassett and Daniel M. Matteson, eds. *Correspondence of Andrew Jackson 6 vols.* (New York: Kraus Reprint, 1969).

² Peter N. Moore. *World of Toil and Strife: Community Transformation in Backcountry South Carolina, 1750-1805* (Columbia: The University of South Carolina Press, 2007); Hendrik Booraem. *Young Hickory: The Making of Andrew Jackson* (Dallas: Taylor Trade Publishing, 2001); Tom Hatley. *The Dividing Paths: Cherokees and South Carolinians through the Era of Revolution* (Oxford: Oxford University Press, 1993).

papers also provide access to Jackson's life and give voice to the Indians during this period.³ The surge in Indian scholarship in recent years has provided a better understanding of Jackson's complex relationship with the tribes by balancing the story traditionally told from the American or European perspective.⁴

Jackson was a prominent player in the paradoxes and tensions of federal and state Indian law. Indian legal scholar N. Bruce Duthu describes these conflicting interests and actions as "steady and predictable" at times and "violent and destructive" at others.⁵ The federal government recognized Indian tribes as sovereigns which were not states, and not subjects, but rather, "domestic dependent nations."⁶ The recognition of their autonomy led to a dual result. They lost land through war, purchase, and treaty exchanges, yet retained a degree of autonomy and self-determination in the lands they were able to keep.

Jackson embodied this ambivalence. He was responsible for defeating enemy warriors and seizing their lands following battle. He also negotiated the exchange of lands in dozens of treaties. But equally and perhaps most important, he protected those who wished to remain in their homelands, provided they abided by state law.⁷ The development of Jackson from his

³ William Laurence Sanders. *The Colonial Records of North Carolina, 10 vols.* (Raleigh: P.M. Hale, 1886-1914); Walter Clark, ed. *The State Records of North Carolina, 26 vols.* (Raleigh: P.M. Hale, 1886-1907); William L. McDowell. *Documents Relating to Indian Affairs, 2 vols* (Columbia: South Carolina Archives Department, 1958-1970); *American State Papers: Indian Affairs* (Washington: Gales and Seaton, 1832); Clarence Edwin Carter. *The Territorial Papers of the United States, 28 vols.* (Washington: United States Government Printing Office, 1934-1969).

⁴ Among the books that were most helpful in providing the Indian context for Jackson's life were Gregory A. Waselkov. *A Conquering Spirit: Fort Mims and the Redstick War of 1813-1814* (Tuscaloosa: The University of Alabama Press, 2006); James H. Merrell. *The Indians' New World: Catawbas and their Neighbors from European Contact through the Era of Removal* (Chapel Hill: University of North Carolina Press, 1989); John W. Hall. *Uncommon Defense: Indian Allies in the Black Hawk War* (Cambridge: Harvard University Press, 2009); Stuart Banner. *How the Indians Lost Their Land: Law and Power on the Frontier* (Cambridge: The Belknap Press of Harvard University Press), 2005; N. Bruce Duthu. *American Indians and the Law* (New York: The Penguin Group, 2008); Gregory A. Waselkov, Peter H. Wood, and Thomas M. Hatley. *Powhatan's Mantle: Indians in the Colonial Southeast* (Lincoln: University of Nebraska Press, 1989).

⁵ Duthu, xxv.

⁶ Banner, 220.

⁷ Banner, 206; Robert V. Remini. *Andrew Jackson and His Indian Wars* (New York: Penguin Books, 88-129).

childhood living among the peaceful Catawbas to his battles as an Indian fighter after moving to Tennessee reflects this dichotomy in American-Indian relations rather than the prevalent view of Jackson as the enemy of the Indians.⁸ In this respect, this dissertation takes a revisionist approach to Jackson, both opening a window into his other persona that defended Indian rights and sovereignty while revealing elements of Indian agency in defense of their own culture and property.

This dissertation focuses on Jackson's younger years through his triumph over the British at the Battle of New Orleans, and, in doing so, presents the encounter with the Indians from his point of view--that some Indians were friendly and some were enemies. Even in his efforts as president to remove the Indians from their homelands, he referenced his understanding of "his red children" from his "early youth."⁹ His practical, personal experience with the Indians--living among them, fighting with and against them, hunting and trading with them--influenced his approach to the Indians. Rather than theorizing about their nature from a distance in the nation's capital, or removed from them in the northern states or along the eastern coast, Jackson's firsthand experience with the Indians shaped his perception and policies.

The knowledge he gained from his engagement with the Indians from 1767 to 1815 eventually transferred to his presidential policies from his speeches on removal, signing the Indian Removal Act, his reaction to Supreme Court decisions, the Black Hawk War, and the early stages of relocation. His success--militarily, financially, legally, and politically--depended on his alliances and conflicts with the Indians rather than a simple adversarial relationship stereotypically associated with Jackson historiography.

⁸ For more on Jackson as an enemy of the Indians see Michael Paul Rogin. *Fathers and Children: Andrew Jackson and the Subjugation of the American Indian* (New York: Alfred A. Knopf, 1975); Ronald N. Satz. "Rhetoric Versus Reality: The Indian Policy of Andrew Jackson," in William L. Anderson, ed. *Cherokee Removal: Before and After* (Athens: The University of Georgia Press, 1991), 29-54.

⁹ AJ to the Chickasaw Indians, August 26, 1830, in *PAJ*, VIII:507-508.

Chapter One addresses Jackson's time with the Indians as a child in the Waxhaw community of South Carolina. Two tribes were nearby: the Catawbas and the Cherokees.¹⁰ The Catawbas were a peaceful, inoffensive tribe that lived among the Waxhaw settlers.¹¹ The Cherokees, however, lived to the west, and had fought Carolinians in the French and Indian War that preceded the Jacksons' arrival in the backcountry from Ireland.¹² Cherokees had terrorized and committed extremely violent acts against the British and American colonists during the Revolutionary War.¹³

One of the only indicators of Jackson's views on Indians as a child comes from an interview with Susan Alexander, given seven decades after Jackson's time in the Carolinas, who knew Jackson as a young man and his family.¹⁴ She claimed that Jackson and his mother "were at dreadful enmity with the Indians," using the term "Indians" without making distinctions between the Cherokees and Catawbas.¹⁵ Her opinion contradicts what Jackson said about his childhood and the Waxhaw contact with the Indians.¹⁶ Because of the absence of records relating to this period of Jackson's life, historians must rely on the community experience to gain better insight into his Jackson's formative years.

The people of the Waxhaw settlement feared the Cherokees, but relied on their neighbors, the Catawbas, as allies to defeat the enemy tribe.¹⁷ As a young boy and man, Jackson and his

¹⁰ Moore, 2, 26, 29.

¹¹ Booraem, 8, 194; Merrell, 199.

¹² Booraem, 194; Hatley, 128-129.

¹³ Hatley, 128-129; Moore, 26, 29; Grace Steele Woodward. *The Cherokees* (Norman: University of Oklahoma Press, 1963), 72-73.

¹⁴ Interview with Susan Alexander from *The National Intelligencer*, August 1, 1845. Reprinted in Major William A. Graham. *General Joseph Graham and His Papers on North Carolina Revolutionary History* (Raleigh: Edwards and Broughton, 1904), 71-78. The interview is cited in Booraem, 194-195 and Robert V. Remini. *Andrew Jackson* (New York: Palgrave MacMillan, 2008), 6-7.

¹⁵ Graham, 71.

¹⁶ AJ to the Chickasaw Indians, August 26, 1830, in *PAJ*, VIII:507-508.

¹⁷ Merrell, 161-162; 215-217.

brothers fought the Cherokees and hunted with the Catawbas.¹⁸ Thus, before his days fighting the Indians in Tennessee, Jackson recognized the Indians both as allies and adversaries. Traditional Jackson historiography either marginalizes or neglects the docile Catawbas and the nature of their status in the Waxhaws. Chapter One reclaims a forgotten experience the young Jackson shared with frontier Carolinians up to the American Revolution.

Chapter Two explores Jackson and the Indians during the War for Independence. Jackson and the Waxhaw community faced a triple threat of British, Tories, and Indians between 1776 and 1783.¹⁹ The Catawbas contributed to the American war effort, and the young Jackson learned that to win in battle and secure peace, the Whites needed Indian allies.²⁰ Jackson served alongside the Catawbas as a scout under Colonel William Richardson Davie.²¹ America's Indian enemies were largely to the west: Cherokees, Chickasaws, Choctaws, and Creeks, all joining the British war against the colonists.²²

The greatest threat to the backcountry was the Cherokees.²³ In 1776 Americans along the Catawba River launched a series of raids into Cherokee territory in western South Carolina and North Carolina, and into present-day Tennessee.²⁴ The Carolinians' Catawba allies joined the invasion of Cherokee land.²⁵ Much of the historiography of Jackson during the Revolutionary era neglects the Indians, however, and focuses on his capture and imprisonment by the British army,

¹⁸ Marquis James. *Andrew Jackson: The Border Captain* (New York: Garden City Publishing Co., Inc., 1940), 4; AJ to the Chickasaw Indians, August 26, 1830, in *PAJ*, VIII:507-508.

¹⁹ Graham, 71-73, 77.

²⁰ Douglas Summers Brown. *The Catawba Indians: The People of the River* (Columbia: University of South Carolina Press, 1966), 266-270; Merrell, 216.

²¹ Brown, 266-270; James Picuch, *Three Peoples, One King: Loyalists, Indians, and Slaves in the Revolutionary South, 1775-1782* (Columbia: University of South Carolina Press, 2008), 209; Robert V. Remini. *Andrew Jackson* (New York: Palgrave Macmillan, 2008), 8-9.

²² James H. O'Donnell. *Southern Indians in the American Revolution* (Knoxville: University of Tennessee Press, 1973), 12, 64, 92, 104.

²³ Moore, 191-192; O'Donnell, 41.

²⁴ Hatley, 192, 195-196; see also Mary Elinor Lazenby. *Catawba Frontier, 1775-1781: Memories of Pensioners* (Washington: M.E. Lazenby, 1950), 3-99; Moore, 62.

²⁵ Lazenby, 3, 81; O'Donnell, 44-45.

and the death of his mother and brothers during the war, leaving him alone as a fourteen-year-old-orphan.²⁶ The British took Jackson's family and destroyed his community, leaving him with a hatred for the British which he carried to his death.²⁷ Jackson learned as a teenager during the American Revolution of the danger of European-Indian alliances, but he also appreciated the value of Indian allies.

Following the War for Independence, Jackson attempted several occupations: teaching, tending to horses, keeping a shop, before choosing law as a profession.²⁸ Chapter Three details Jackson's early law career and his attempt to establish himself financially, professionally, and domestically, in the territory of western North Carolina that eventually became Tennessee. He studied law in North Carolina where he made professional connections that helped him gain the appointment of attorney general in the counties to the west.²⁹ The frontier, however, would be vastly different than the eastern Carolinas because of the isolated conditions and the large Indian populations.³⁰ In the Carolinas, Jackson's contact with the Indians was minimal in the years following the Revolution, for he had left the region's largest tribe, though small in number compared to other Indian groups, the Catawbas, when he moved to North Carolina.³¹ Indians in the Carolinas were often less than one percent of the population.³² When Jackson moved west, he was in the minority as few Whites had come to Tennessee.³³ Not only was Jackson entering territory in which the Whites were a fraction demographically, but he also arrived in a situation

²⁶ James, 18-31.

²⁷ James Parton. *Life of Andrew Jackson* (New York: Mason Brothers, 1860), 95; Booraem, 95.

²⁸ Parton, 96-101; Booraem, 136.

²⁹ Booraem, 167-193.

³⁰ Gordon S. Wood. *Empire of Liberty: A History of the Early Republic, 1789-1815* (Oxford: Oxford University Press, 2009), 123.

³¹ Waselkov, Wood, and Hatley, 38-63.

³² *Ibid.*

³³ John Haywood. *The Civil and Political History of the State of Tennessee* (Nashville: Publishing House of the Methodist Episcopal Church, 1891), 269.

in which land claims were disputed and fluid.³⁴ Jackson, embarking on a new challenge and a new career, had to learn to distinguish between White property and the territory of the various tribes (Cherokee, Creek, Chickasaw, Shawnee, Choctaw, and Chickamauga) while representing a small proportion of the territory's population.

Chapter Four examines Jackson's success in building a legal career, wealth, and a family while facing both hostile and friendly Indians. Jackson rarely fought the Indians for the first few years of his residence in the western land. His booming legal career occupied most of his time as he became one of the most successful, and busiest, lawyers in Tennessee.³⁵ He also excelled as a businessman, plantation owner, store owner, and land speculator in his first years on the frontier.³⁶ Also, during this time, he met Rachel Donelson Robards, who divorced her husband and married Jackson under controversial circumstances.³⁷ Jackson met the founders of Tennessee, James Robertson and the Donelson family, and joined the political faction of William Blount, becoming a major player in frontier politics.³⁸ In the midst of Jackson's numerous occupations and relationships he eventually also had to fight the Indians, although sporadically at first.

In these early encounters Jackson only fought the Indians reactively, when called upon because of an Indian attack. Jackson learned of the violent frontier from experience.³⁹ He became an Indian fighter out of necessity as the Cumberland region constantly faced raids from the

³⁴ Kristofer Ray. *Middle Tennessee, 1775-1825: Progress and Popular Democracy on the Southwestern Frontier* (Knoxville: The University of Tennessee Press, 2007), 4.

³⁵ Parton, 136.

³⁶ Patricia Brady. *A Being So Gentle: The Frontier Love Story of Rachel and Andrew Jackson* (New York: Palgrave Macmillan, 2011), 48-50; Remini, *Life of Jackson*, 33; James, 89; "Account Book, Jackson's Nashville Store, 1795," in *PAJ*, I:455-476.

³⁷ Brady, 35-57.

³⁸ James, 50, 62, 127; Meeker, Cochran, and Company to AJ, August 11, 1895, and Morgan Brown to AJ, September 2, 1795, in *PAJ*, I: 64-65, 71.

³⁹ J.G.M. Ramsey. *The Annals of Tennessee to the End of the Eighteenth Century* (Charleston: John Russell, 1853), 197-202; Brady, 13-16; Harriette Simpson Arnow. *Seedtime on the Cumberland* (New York: The MacMillan Company), 282-306.

Indians, particularly the Creeks and Chickamaugas.⁴⁰ Though he did not actively seek Indian fights, he contributed well to the defense of the settlements as part of the community.⁴¹ Jackson fought defensively, abiding by the federal government's insistence on restraint.⁴² There was only one offensive action against Indians in his first six years in Tennessee.⁴³ Jackson's focus between 1788 and 1796 was building wealth, career, and family. Indian fighting hindered and threatened that development. He fought to prevent the raids, not because he wanted to destroy the Indians.

Chapter Five looks at Jackson's direct experience with Indians from his arrival in Tennessee through his term as the first Tennessean in the U.S. House of Representatives. While Jackson was busy establishing himself in the new region, he struggled with the Indians over treaty provisions, White encroachment on Indian land, violent raids by the Indians, and occasional military actions to protect his new home. Jackson understood the land claims, based on treaties, of the five major tribes contending for territory in Tennessee: Cherokees, Chickasaws, Chickamaugas, Creeks, and Shawnees. Travelling through the state for his legal practice and business, he learned to distinguish between friendly and hostile tribes.⁴⁴ In this sense, he built upon his Carolina contact with the Catawbias. He learned that the Chickasaws in Tennessee, Mississippi, and northern Alabama were allies in peace and war.⁴⁵ Of the various tribes in the Territory south of the Ohio River, the federal government only recognized the Chickasaws and Cherokees as having valid land claims in Tennessee.⁴⁶ The Chickamaugas were a segment of the Cherokee Nation who broke away from the tribe in protest against what they

⁴⁰ Arnow, 282-306; Parton, 120-125.

⁴¹ Parton, 120-125; Remini, 15; A.W. Putnam. *History of Middle Tennessee* (Nashville: Southern Methodist Publishing House, 1859), 315-318.

⁴² Arnow, 301.

⁴³ Arnow, 301.

⁴⁴ *PAJ*, I:112fn.

⁴⁵ *Ibid.*

⁴⁶ Ronald Satz. *Tennessee's Indian Peoples: From White Contact to Removal, 1540-1840* (Knoxville: University of Tennessee press, 9179), 36.

deemed was an illegal sale of Cherokee land.⁴⁷ The Creeks and Shawnees claimed hunting grounds in middle Tennessee although they were not recognized as legitimate owners of the land by the federal government.⁴⁸ As a result of these land conflicts and the inability of the Whites' government to keep intruders off Indian land recognized by treaty, the Creeks and Chickamaugas launched violent raids across Tennessee, including the Cumberland settlement which was Jackson's home.⁴⁹ Jackson built an alliance, however, with the Chickasaws, particularly their leaders Chief Piomingo and the Colbert family.⁵⁰ His dual experience with the Indians continued in Tennessee. The Indians, for their part, exercised autonomy through treaty and resistance.

Chapter Six covers Jackson in the most famous role of his pre-presidency years as "the Indian fighter" in the Creek War and the War of 1812. Here, as in Chapter Two, he faced a double threat from the British and the Indians.⁵¹ The Shawnee prophet Tecumseh, however, posed a unique dilemma to the Americans as he incited southern Indians, particularly the Creeks, to war and fought alongside the British army against Americans.⁵² Tecumseh recruited Indians in the south for a united front against White encroachment on Indian Territory and Jackson sought alliances among the Chickasaws, Choctaws, Cherokees, and Creeks to repel both Indian and British forces.⁵³ Professor Gregory A. Waselkov explains the divisions in Creek society during

⁴⁷ James P. Pate, "The Chickamaugas: A Forgotten Segment of Indian Resistance on the Southern Frontier" (Mississippi State University, PhD. Diss., 1969), 50-53.

⁴⁸ Satz, *Tennessee's Indian Peoples*, 36. The Creeks, however, valued and claimed this land for hunting. They were angry with White settlers for destroying the deer population and retaliated with raids. For more on the Creeks and deer population, see Harold Hickerson. "The Virginia Deer and Intertribal Buffer Zones in the Upper Mississippi Valley," in Anthony Leeds and Andrew P. Vayda. *Man, Culture, and Animals: The Role of Animals in Human Ecological Adjustments*. (Washington, D.C.: American Association for the Advancement of Science, 1965), 43-66.

⁴⁹ "Speech before the U.S. House of Representatives," December 29, 1796, in *PAJ*, I:106-107.

⁵⁰ AJ to Robert Hays, January 8, 1795, and AJ to Robert Hays, February 18, 1800, in *PAJ*, I:111-112, 227.

⁵¹ James, 149-270.

⁵² Waselkov, 77-80; Howard Jones. *Crucible of Power: A History of American Foreign Relations to 1913* (Lanham, MD: Rowman & Littlefield Publishers, Inc.), 81, 86.

⁵³ Thomas Pinckney to AJ, January 9, 1814; Thomas Pinckney to AJ, January 29, 1814; AJ to Rachel Jackson, April 1, 1814, in *CAJ*, I:438-440, 448-449, 493.

the era in his book, *A Conquering Spirit: Fort Mims and the Redstick War of 1813-1814*.⁵⁴ The rift in Creek society led to the massacre at Fort Mims on August 30, 1813, in which hostile Creeks, known as the Redsticks, killed hundreds of Whites and “mixed-bloods” in south Alabama.⁵⁵ Jackson viewed this Creek attack in the middle of the War of 1812 as connected to the larger war with Jackson’s childhood enemy, the British, who were preparing an invasion of the south.⁵⁶ Jackson marched into Creek territory and, with the help of his Indian allies, defeated the Redsticks, won the Creek War, and acquired Creek land in Georgia and Alabama by the Treaty of Fort Jackson.⁵⁷ He then proceeded with Creek, Cherokee, and, particularly, Choctaw allies to invade Spanish Florida to repel a British invasion and punish the hostile Creeks and their Seminole allies.⁵⁸

Jackson’s Choctaw alliance served him well at the climactic Battle of New Orleans in which Choctaws contributed to the American victory led by Colonel Pierre Jugeant, a “mixed-blood,” and supported by Chief Pushmataha.⁵⁹ Jackson’s manipulation of Indian allies against both Indian and European enemies came through at his finest military moment. The victory at New Orleans, aided by his Choctaw allies, propelled him to the status of a national hero and later the presidency.⁶⁰

⁵⁴ Gregory A. Waselkov. *A Conquering Spirit: Fort Mims and the Redstick War of 1813-1814* (Tuscaloosa: The University of Alabama Press, 2006)

⁵⁵ Waselkov, 2-3.

⁵⁶ Henry DeLeon Southerland and Jerry Elijah Brown. *The Federal Road through Georgia, the Creek Nation, and Alabama, 1806-1836* (Tuscaloosa: The University of Alabama Press, 1989), 33; “Jackson’s Talk to the Creeks,” September 4, 1815, in *CAJ*, II:216-217.

⁵⁷ Remini. *Andrew Jackson*, 37-77.

⁵⁸ Remini, *Andrew Jackson*, 79-85.

⁵⁹ Gene A. Smith, ed. Arsene Lacarriere Latour. *Historical Memoire of the War in West Florida and Louisiana, 1814-1815* (Gainesville: University Press of Florida, 1999), 86; Gideon Lincecum, “Life of Pushmataha,” in Greg O’Brien, ed. *Pushmataha: A Choctaw Leader and His People* (Tuscaloosa: The University of Alabama Press, 2004), 98.

⁶⁰ Robert V. Remini. *Andrew Jackson and the Course of American Freedom, 1822-1832* (New York: Harper & Row Publishers, Inc.), 39, 73, 149.

The Epilogue explores the years from the Battle of New Orleans through Jackson's two terms as president and how his dual experience with the Indians affected this period. The record shows that although he did not approve of the federal government's treaty-making process with the Indians because he did not view them as independent nations, he was among the leaders of federal agents making treaties with the southern tribes as commissioner and later with all tribes as president.⁶¹ Through these treaties, Jackson acquired three-quarters of the states of Alabama and Florida, one-third of Tennessee (mostly in the west), one-fifth of Mississippi and Georgia, and small portions of North Carolina and Kentucky from the Indians.⁶² Throughout this process, however, he made provisions for Indians who wanted to remain in the east to stay so long as they abided by state law, even granting 640 acres in fee simple per family who remained.⁶³ He continued this practice after winning the election of 1828 when he signed the Indian Removal Act and oversaw the removal of 45,690 Indians across the Mississippi River.⁶⁴ Still, 9,000 remained in the east.⁶⁵ Among these were the Quallatown Indians from the Cherokees in North Carolina, who were among the first Indians to have citizenship as a result of Jackson's treaties.⁶⁶ Also, the Poarch Band of Creek Indians continued to reside in Alabama as descendants of Jackson's Creek allies in the Creek War of 1813-1814.⁶⁷ During his presidency, Jackson fought the Black Hawk War in which federal troops and the Illinois militia defeated Black Hawk and the Sac and Fox Indians with the help of Menominee, Dakota, Potawatomi, and Ho Chunk

⁶¹ Jackson to Monroe, March 4, 1817, in *PAJ*, IV:95

⁶² Michael Paul Rogin. *Fathers and Children: Andrew Jackson and the Subjugation of the American Indian* (New York: Alfred A. Knopf, 1975), 165.

⁶³ Charles J. Kappler, ed. *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), 143.

⁶⁴ Robert V. Remini, *The Life of Andrew Jackson* (New York: Perennial, 2001), 218.

⁶⁵ *Ibid.*

⁶⁶ John R. Finger, "The Impact of Removal on the North Carolina Cherokees," in William L. Anderson, ed. *Cherokee Removal: Before and After* (Athens: The University of Georgia Press, 1991), 96-97; Kappler, II:140-144, 177-181.

⁶⁷ J. Anthony Paredes. *Indians of the Southeastern United States in the Late 20th Century* (Tuscaloosa: The University of Alabama Press, 1992), 120-121.

(Winnebago) allies.⁶⁸ The end of this war reflects the complexity of Jackson and removal as his allies helped the Americans win. The Indians agreed to treaties for the exchange of land and removal west of the Mississippi, but many of them remained to the east.⁶⁹

In eight years as president, Jackson oversaw seventy treaties, adding 100 million acres in the east in exchange for 32 million acres in the west and 68 million dollars.⁷⁰ Yet, as an expert on Indians and the law points out, the treaties did not simply dispossess the Indians of their land.⁷¹ They were exchanges that, despite removing Indians from their homelands, provided a way for Indians to preserve their identity, for “through the formal exchange of promises, the treaty signers effectively redistributed political power over certain territories and shifted control over particular natural resources, but otherwise agreed that their respective communities would coexist as distinct cultures with different views and ways of living.”⁷² This is the paradox of Jackson that resulted from his dual encounter with the Indians from his childhood through the presidency. He, perhaps more than any other American, was responsible for their removal. However, the removal rested on a legal treaty process that sought to preserve Indian autonomy. Jackson exemplifies the complex relationship of American growth and power, Indian tragedy and autonomy, law, and the treaty structure.⁷³

⁶⁸ John W. Hall. *Uncommon Defense: Indian Allies in the Black Hawk War* (Cambridge: Harvard University Press, 2009), 8-11, 140-213.

⁶⁹ Hall, 212, 215-216, 229-233, 261-262.

⁷⁰ Robert V. Remini. *Andrew Jackson and His Indian Wars* (New York: Penguin Books, 2001), 238.

⁷¹ Duthu, xxiii.

⁷² *Ibid.*

⁷³ Jackson’s policies led to removal which tragically resulted in the “Trail of Tears” under President Martin Van Buren in 1838-1839, two years after Jackson had left the presidency. Jackson was president during the forced removal of some of the Creeks, his old enemies, in 1836 following the Second Creek War in 1836. Christopher D. Haveman, “The Removal of the Creek Indians from the Southeast” (Ph.D. Diss., Auburn University, 2009), 269-316.

CHAPTER ONE: JACKSON AND THE INDIANS IN BACKCOUNTRY SOUTH CAROLINA TO THE AMERICAN REVOLUTION

Andrew Jackson learned the value of Indian allies and the danger of hostile tribes during his childhood and teenage years, through his community in the Waxhaws of South Carolina.⁷⁴ There were two Indian tribes in the Carolinas of his youth: the Cherokees and the Catawbas.⁷⁵ The Catawbas were a peaceful tribe that lived among Jackson and the Waxhaw residents.⁷⁶ The Cherokees, on the other hand, had attacked backcountry South Carolina during the French and Indian War and did so again during the American Revolution.⁷⁷ Given the violence of the backcountry Jackson's learned animosity toward some Indians becomes more understandable. Nevertheless, his understanding of the difference between those Indians who were cooperative and those who wanted to harm him served him well as he grew up along the South Carolina-North Carolina frontier border preceding the American Revolution. Much of the Jackson historiography either neglects or marginalizes the different experiences between the Cherokees and the Catawbas, who, though small in number, were a part of the Waxhaw community.⁷⁸

⁷⁴ Hatley, 129; John S. Pancake. *This Destructive War: The British Campaign in the Carolinas, 1780-1782* (Tuscaloosa: The University of Alabama Press, 1985), 76-77; Merrell, 215-222.

⁷⁵ Moore, 2, 26, 29.

⁷⁶ Booraem, 8, 194; Merrell, 199.

⁷⁷ Hatley, 128-129; Pancake, 76-77.

⁷⁸ Moore, 2, 26; Merrell, 199.

Jackson's early view of Indians emerges in an interview with Susan Alexander, who knew Jackson as a young boy along the Carolinas' border.⁷⁹ The Alexander interview, given to a leading newspaper, *The National Intelligencer*, occurred in 1845, the year of Jackson's death. Alexander described Jackson and his family during the American Revolution, in which the Jacksons, and their relatives, the Crawfords, fled British, Tory, and Cherokee aggression in their home of the Waxhaws in South Carolina and crossed the border into North Carolina. Alexander's interview was most famous because of her description of young Jackson and his mother's view of the Indians. She described Betty Jackson as being "at dreadful enmity with the Indians."⁸⁰ Alexander used the term "Indians" without making distinctions among the Indian enemies of the colonists during the War for Independence, in which the British used many Indian allies, specifically, the Cherokees, Creeks, Chickasaws, and Choctaws in the south.⁸¹ Her account did not acknowledge that the Catawba Indians closest to Jackson's childhood home remained allies of the American revolutionaries throughout the war.

Alexander's interview failed to capture the nuances in Indian relations that the residents of the Waxhaws experienced prior to and during the Revolution. Most Carolinians lived in fear of the Cherokees, in part, because of atrocities committed against Whites.⁸² These same Carolinians recognized, however, the importance of making Indian alliances whenever possible.

⁷⁹ Interview with Susan Alexander from *The National Intelligencer* August 1, 1845. Reprinted in Major William A. Graham. *General Joseph Graham and His Papers on North Carolina Revolutionary History* (Raleigh: Edwards and Broughton (1904)), 71-78. Alexander states that Jackson and his mother were very close. Jackson's father died when he was a baby and Jackson's mother and brothers all perished during the American Revolution. Young Andrew Jackson was "very fond of his mother." During the war she was "very anxious" and she "moaned about home." Alexander says "it was a time of great trials" and her youngest son, Andrew, "was her all." Alexander says that the Indians killed the brother, but she is mistaken. He died from exhaustion after the Battle of Stono from the "excessive weather, and the fatigues of the day." Giving her interview fifteen years after the passage of the Indian Removal Act, Alexander praised Jackson's involvement in protecting the frontier settlers against hostile Indians while neglecting his skill in forging Indian alliances. Booraem, 194-195 and Remini, Robert V. *Andrew Jackson* (New York: Palgrave MacMillan, 2008), 6-7 cite the Alexander interview.

⁸⁰ Graham, 71.

⁸¹ James H. O'Donnell, III. *Southern Indians in the American Revolution* (Knoxville: The University of Tennessee Press, 1973), 12, 33, 74, 111.

⁸² Booraem, 194.

⁸³ Alexander, speaking just months after the war hero's death, portrayed Jackson as a man who grew up fighting Indians on the frontier rather than a man who understood the complexity of the early settler-Indian relations.

The same men who hated the Cherokees initially sought their alliance; but after being rejected, they relied on the Catawbas as allies throughout the war.⁸⁴ The hatred Carolinians such as Alexander and Elizabeth Jackson shared did not necessarily indicate enmity against all "Indians." Rather, they directed their anger at the Cherokees and other British Indian allies in the south who were a principal enemy during wartime and a terror threat in peace. Meanwhile, they developed a respect for the Catawbas, who rejected British entreaties to attack colonists and then fought alongside their White neighbors.⁸⁵

Jackson and the Waxhaws

Andrew Jackson, Sr. came to America from Ireland in 1765 to escape poverty.⁸⁶ The Jacksons arrived shortly after the French and Indian War in which Cherokees had joined the French in terrorizing the British and colonists in the Carolina backcountry.⁸⁷ Because of the violence, the British implemented the Proclamation of 1763, which separated colonists from the Indians. Britain also enticed poor Protestants to settle the backcountry to bolster the White numbers along the Indian frontier. Jackson's father, along with most other immigrants to the Carolinas, came for the inexpensive land.⁸⁸ Jackson was born amid these struggles. The elder

⁸³ Merrell, 215-217.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ James, 3, 365fn.

⁸⁷ Hatley, 128-129.

⁸⁸ Robert Kilgo Ackerman. *South Carolina Colonial Land Policies* (Columbia: University of South Carolina Press, 1977), 3; James Parton. *Life of Andrew Jackson* (New York: Mason Brothers, 1860), 57.

Jackson was “very poor in Ireland and did not fare much better in his short time in America.”⁸⁹

South Carolina drew Irish White Protestants to the colony in 1761 by offering them free land, tax exemptions, and free tools to offset the growing African slave population.⁹⁰ A Bounty Act of 1761 brought roughly 500 immigrants to the South Carolina backcountry, including the Jackson family by 1765.⁹¹ The total Piedmont White and Black population increased fifty percent in five years.⁹² The White population a few miles across the border in western North Carolina increased 229 percent between 1755 and 1767.⁹³

The immigrants of Jackson, Sr.’s generation escaped harsh conditions in Ireland by emigrating to an isolated, impoverished community. They were not only “extremely poor,” but also vulnerable to drought and crop failure.⁹⁴ In South Carolina during the late 1760s there was a “prospect of famine” as there were few settlers, poor roads, no water power, little meat, and poverty throughout the region.⁹⁵ The family settled in the Waxhaw district along Twelve Mile Creek in what became the border of North and South Carolina.⁹⁶ The settlement had less than 1,000 people. The most accurate description depicts the area as having “one hundred and twenty families” which historians have calculated to mean between 600 and 700 residents in 1768.⁹⁷ By 1775 the landowning population was 933.⁹⁸ The territory was isolated and families were close. A resident could go twenty miles in any direction from the Waxhaws and see only woods, swamps,

⁸⁹ Parton, 47.

⁹⁰ Booraem, 1; Richard James Hooker, ed. *The Carolina Backcountry on the Eve of Revolution: The Journal and Other Writings of Charles Woodmason, Anglican Itinerant* (Chapel Hill: University of North Carolina Press, 1953), xxii, fn; Robert Meriweather. *The Expansion of South Carolina, 1729-1765* (Kingsport, TN: Southern Publishers, Inc., 1940), 225, 241-242, 257.

⁹¹ Meriweather, 257.

⁹² Charles M. Hudson. *The Catawba Nation* (Athens: University of Georgia Press, 1970), 49.

⁹³ Moore, 18.

⁹⁴ Moore, 50; Hooker, ed., 7; Meriweather, 242-243.

⁹⁵ Moore, 53.

⁹⁶ Parton, 46-54.

⁹⁷ Elam Potter to Ezra Stiles, September 12, 1768 in George Howe. *History of the Presbyterian Church in South Carolina, 2 vols.* (Columbia: Duffie and Chapman, 1870), I:363; Booraem, 2.

⁹⁸ Moore, 112.

and a few roadside houses, many of them hundreds of yards away from the road.⁹⁹ Travelers regularly passed through the district on the Camden Road, which connected Charles Town, the capital of the colony, with Virginia and Pennsylvania. After Jackson's father died his mother went to live with her sisters and their husbands--the Crawfords, across the border in nearby North Carolina soon after Jackson's birth in 1767.¹⁰⁰

Jackson's experience in the Waxhaw community shaped his worldview. Recent scholarship has explored the community life in backcountry South Carolina before and during the Revolutionary period.¹⁰¹ Because Jackson's earliest surviving writing does not appear until he was twelve years old, historians must rely on indirect evidence to reconstruct Jackson's childhood.¹⁰² The Waxhaws community during Jackson's early growth was wary of the Cherokees to the west; the community also grew close to the Catawbas living beside them following the Cherokee War of 1759-1761.¹⁰³ The leaders of the Waxhaws, Ninety-Six, and Long Cane, all backcountry settlements of South Carolina shared a common experience in the Cherokee War as protectors of women and children.¹⁰⁴

The South Carolina Gazette reported that a band of roughly 100 Cherokees attacked backcountry settlers, killing or capturing forty, most of them women and children.¹⁰⁵ Nine of the children wandered through the woods after being cut up by tomahawks.¹⁰⁶ The South Carolina government could not react quickly enough as "every hour brought to Charleston accounts of ravages, depredations, scalplings, and ruin" at the hands of the Cherokees.¹⁰⁷

⁹⁹ Booraem, 5.

¹⁰⁰ Booraem, 16-17.

¹⁰¹ Moore; Booraem.

¹⁰² "A Memorandum on How to Feed a Cock," March 22, 1779, in *CAJ*, I: 2.

¹⁰³ Hatley, 125-127, 193.

¹⁰⁴ Hatley, 172-173.

¹⁰⁵ Hatley, 127; Moore, 26.

¹⁰⁶ Hatley, 127.

¹⁰⁷ Hatley, 128

The British government tried to preempt any further conflict between colonists and Indians by issuing the Proclamation of 1763.¹⁰⁸ It stated that “it is just and reasonable, and essential to our interest, and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as, not having been ceded to or purchased by us, are reserved to them . . . as their hunting grounds.” In the proclamation Britain declared itself the protector of the Indians while claiming sovereignty and having dominion over them. Also, the British government warned the colonists against purchasing or settling on Indian land without approval of the mother country.¹⁰⁹

The Proclamation line prevented colonists from westward movement and settlements in Cherokee lands. It provided a legal barrier between the colonists and Indians, and was intended to protect South Carolina.¹¹⁰ Before the Cherokee War, South Carolina’s policy was to increase European settlers to counter the Indians, offset the slave population, trade with the Indians, and use the trading relationships to form military alliances with the Indians.¹¹¹ The Proclamation line made the backcountry safe enough to attract new settlers, serve as a buffer between the Carolinas and the Indians, and shut off a western escape route for South Carolina’s huge slave population.¹¹² South Carolina also offered free land, tax exemptions, free tools, and payment for the transatlantic voyage to encourage Irish Protestants like the Jackson family to settle the backcountry.¹¹³

¹⁰⁸ Hatley, 180; James P. Pate. “The Chickamauga: A Forgotten Segment of Indian Resistance along the Frontier” (PhD Diss.; Mississippi State University, 1969), 46.

¹⁰⁹ “The Proclamation of 1763,” October 7, 1763, in Henry Steele Commager, ed. *Documents of American History, Third Ed.* (New York: F.S. Crofts & Co., 1946), 48-49.

¹¹⁰ Commager, 48-49; Hatley, 180; Pate, 46.

¹¹¹ Hudson, 43; Ackerman, 109.

¹¹² Hatley, 183; Hudson, 43.

¹¹³ Moore, 27; Booraem, 1; Ackerman, 48-49; Meriweather, 225, 241-242, 257; Hooker, xxii-xxiii.

The rising numbers of immigrants in South Carolina was evident in the numbers of grants and acres issued since the mid-1700s. In 1745 South Carolina issued only sixty-five land grants for a total of 17,325 acres. In 1760, in the middle of the Cherokee War there were 170 grants, a decline of over thirty-five percent from 1755, although the total acres, 43,984, were roughly the same. By 1765, however, there were 942 grants and 208,877 acres. This was over a five hundred percent increase after 1760. The increase continued in 1770 with 1,064 grants and 264,010 acres.¹¹⁴ The boom in immigration and land grants following the Cherokee War was evidence of South Carolina's continuing policy of establishing immigrants to keep the Cherokees away from South Carolina and to prevent the slaves from escaping to Cherokee land. The Catawbas joined the residents of the Waxhaws to accomplish both goals.¹¹⁵

British and American victory in the Cherokee War allowed a large land acquisition from that tribe.¹¹⁶ On December 18, 1761, a treaty between the Cherokees and South Carolina officially ended hostilities and was supposed to have established a boundary between the Cherokees and Whites.¹¹⁷ The Carolinians, however, did not establish the line until 1766.¹¹⁸ Although South Carolina increased its land holdings as a result of this treaty, the colonial government restricted private citizens from interfering with Indian land. Because "great resentments and animosities" had been created between the Cherokees and South Carolinians, the South Carolina legislature prohibited citizens from purchasing or in any way acquiring Cherokee land on their own.¹¹⁹ This restriction of citizen purchase of land was a source of

¹¹⁴ Ackerman, 114.

¹¹⁵ Hudson, 57-58; Hooker, ed., xxii-xxiii fn.

¹¹⁶ Ackerman, 105.

¹¹⁷ Ackerman, 105-106.

¹¹⁸ Ackerman, 106.

¹¹⁹ "An Act to Restrain and Prevent the Purchasing Lands from Indians," in Thomas Cooper, ed. *The Statutes at Large of South Carolina*, 4 vols. (Columbia: A.S. Johnston, 1838), III:525-526.

contention for backcountry Carolinians, not only between the colonists and Indians, but also between the colonists and their government.¹²⁰

Some Carolinians also feared that the Cherokees would trigger slave uprisings.¹²¹ The fear of a slave rebellion with Cherokee assistance was not new for the Carolinians. The danger united the otherwise hostile Anglicans and Presbyterians of South Carolina as the slaves were deemed an “internal enemy” rising in numbers “daily” with the potential to bring the Whites “one common death.”¹²² As early as 1708, the slave population of South Carolina surpassed that of Whites, reaching a total of 4,100.¹²³ By 1720, British merchants sold one thousand slaves to South Carolina annually.¹²⁴ In 1765 South Carolina imported more than 8,000 slaves.¹²⁵ By 1769, the slave population of South Carolina was 80,000 and the White population was only 45,000.¹²⁶ The Cherokees were notorious even before the war for inviting slaves to come to Cherokee country by promising them freedom.¹²⁷ At the beginning of the Cherokee War, Governor James Glen of South Carolina warned that “whatever danger threatens Carolina from the Indians they are greatly increased by the number of negro slaves there, whose behavior of late has been seditious. They will undoubtedly be invited by the Indians to join them and will be incited to it by the hopes of Liberty.”¹²⁸

In response to the growing number of slaves, the South Carolina legislature began to restrict the importation of slaves. Because of “the most dangerous consequence” of the growing

¹²⁰ *Ibid.*

¹²¹ Moore, 27; Ackerman, 49. Hooker, ed. xxii fn; Meriweather 242-243.

¹²² Hooker, ed., 94.

¹²³ Wood, Peter S., “The Changing Population of the Colonial South: An Overview by Race and Region, 1685-1790” in Wood, Waselkov, and Hatley, eds. *Powhatan's Mantle: Indians in the Colonial Southeast*, 47.

¹²⁴ Ackerman, 49.

¹²⁵ Meriweather, 243.

¹²⁶ Ackerman, 111.

¹²⁷ Hatley, 74; William L. McDowell. *Colonial Records of South Carolina: Documents Relating to Indian Affairs*, (Columbia: South Carolina Archives Department, 1958) I:83.

¹²⁸ Governor Glen to Stanwix, November 11, 1759, in Hatley, 112.

number of slaves, the legislature, in an attempt to “obviate the danger,” passed “an additional duty upon them as to totally prevent the evils.”¹²⁹ The tax to discourage the importation of slaves to South Carolina went into effect in 1766 at a time when South Carolina was actively encouraging White immigration of “free poor Protestants” such as the Jackson family.¹³⁰

South Carolinians recruited Catawbas to counter the dangers of the Cherokees.¹³¹ In late 1765, the year the Jacksons arrived in South Carolina, the governor of South Carolina invited Catawbas to hunt runaway slaves. The Catawbas succeeded in capturing slaves “by the terror in their name, their diligence, and singular sagacity in pursuing enemies.”¹³² The slaves chose to surrender and “return to their duty rather than expose themselves to the attack of an enemy so dreaded and so difficult to be resisted or evaded.”¹³³ The governor rewarded the Catawbas for their work.¹³⁴ The next year, in 1766, South Carolina’s governor hired the Catawbas to hunt runaway slaves who were rumored to be planning an insurrection.¹³⁵ Although the Cherokees enticed the slaves to run away, the Catawbas frightened the slaves. The slaves feared falling into the hands of the Catawbas as there was “a natural dislike and antipathy” between slaves and Catawbas.¹³⁶

The Jacksons’ new home in the Waxhaw community included other disruptive Scotch-Irish immigrants nearby the powerful Cherokee nation. Charles Woodmason, an Anglican minister, noted the potential for clashing civilizations because just thirty miles from the Cherokees’ “best hunting grounds” was an area populated by “a set of the most lowest vilest

¹²⁹ “An Act for Laying an Additional Duty upon All Negroes Hereafter to Be Imported into this Province, for the time Therein Mentioned, to Be Paid by the First Purchasers of Such Negroes,” in Cooper, IV: 187-188.

¹³⁰ Meriweather, 243.

¹³¹ Hudson, 58.

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*

¹³⁵ Hooker, ed., xxii-xxiii fn.

¹³⁶ Hudson, 57.

crew breathing--Scotch Irish Presbyterians from the North of Ireland” who had “built a meeting house [the Waxhaw Presbyterian Meeting House] and have a pastor, a Scots man [William Richardson] among them.”¹³⁷ These Scotch-Irish immigrants to whom Woodmason referred in the Waxhaws included the Jacksons and Crawfords. The land, according to the Anglican minister, was a “tract of land being most surprisingly thick settled beyond any spot in England of its extent.”¹³⁸ While the Cherokees’ hunting land was only thirty miles away, the colonial seat of government, Charleston, was one hundred and fifty miles away.¹³⁹ Charlotte, the county seat of Mecklenburg County, North Carolina, was only twenty miles away.¹⁴⁰ People in the Waxhaws, thus, were more likely to conduct legal transactions and other business in Charlotte, North Carolina, along with land transactions and other legal business, than in Charlestown, South Carolina.¹⁴¹

Because of distance, travel difficulty, and weak government administration, the Presbyterian Church in the Waxhaw settlement was more important, in many civic and social functions, than the provincial administration.¹⁴² The Presbyterian congregation oversaw morals and standards of conduct, settled disputes between and among its members, and monitored daily conduct of individuals.¹⁴³ The minister of the Waxhaw Presbyterian Church, William Richardson, was perhaps the most well respected man in the community. Richardson left his books, along with money to complete an education at Princeton, to William Richardson Davie,

¹³⁷ Hooker, ed. 14.

¹³⁸ Hooker, ed., 13-14.

¹³⁹ Booraem, 9.

¹⁴⁰ *Ibid.*

¹⁴¹ Booraem, 9. For more on localized government, in the Carolinas during the late 1700s, see Laura Edwards. *The People and Their Peace* (Chapel Hill: The University of North Carolina Press, 2009).

¹⁴² Howe, George. I:288-293, 416-420; Booraem, 18-22.

¹⁴³ *Ibid.*

who was a Revolutionary War hero and Jackson's mentor.¹⁴⁴ As a missionary to the Cherokees, the frustrated Richardson said "tho never much inclined, now they [the Cherokees] shew the greatest indifference" to Christianity.¹⁴⁵ Not only were the Cherokees hostile to Richardson's religious message, they "took up arms [against the colonists] through the instigation of the French."¹⁴⁶ After experiencing hunger, fever, exposure, and delays, and disappointment with the angry and unreceptive Cherokee audience, left his Cherokee mission and came to the Waxhaws to evangelize the Catawbas in 1759.¹⁴⁷

Parson Richardson, who baptized Jackson, evaluated the education and morals, and oversaw the learning of the catechism by all the young boys in the Waxhaws from 1759 to his death in 1771.¹⁴⁸ Religion was of high importance to the Waxhaw settlers, particular to Jackson's pious, Presbyterian mother, Betty. She wanted him to become a minister like Richardson.¹⁴⁹ Betty made sure that young Andrew attended church at the "meeting-house," which was four miles away from the Crawford house--Jackson's residence, every Sunday, and on Saturdays as well on communion weekends.¹⁵⁰ It was "seldom" that "less than 1,200 people assembled" at the church on Sunday. From that estimate, combined with other population estimates of the Waxhaws, every Presbyterian in the community, plus many outside the Jackson's hometown, most attended services at the church every week.¹⁵¹

In the backcountry there was the usual combination of devotion to Christianity, with a failure to adhere to Christian teaching. Nearly every child in the Waxhaws had to memorize the

¹⁴⁴ Howe, I:420; Booraem, 22; Robert V. Remini. *Andrew Jackson and the Course of American Empire, 1767-1821* (New York: Harper & Row Publishers, 1977), 17. Richardson was Davie's uncle and adopted father.

¹⁴⁵ Hatley, 105.

¹⁴⁶ Howe, I:293.

¹⁴⁷ Howe, I:293; Moore, 1.

¹⁴⁸ Howe, I:416-420; Booraem, 21-22; Moore, 4.

¹⁴⁹ Remini, *Andrew Jackson and the Course of American Empire*, 5.

¹⁵⁰ Howe, I:288-290; Booraem, 18; Hooker, ed., 14.

¹⁵¹ Hooker, ed., 14.; Howe, I:363.

Westminster Catechism--a series of one hundred and seven questions and answers summarizing orthodox Christian doctrine.¹⁵² The culture of oral tradition required memorization skills and the use of repetition to secure knowledge. Although parents were expected to teach the catechism, the local minister or an elder of the church visited with the children and kept a record of their intellectual and spiritual progress.¹⁵³ Poorly trained sons and daughters reflected on the heavenly and civic responsibility of the parents, although the Church enforced these educational and spiritual requirements.¹⁵⁴ By the 1770s, complaints appeared that the Ulster Presbyterian immigrants were losing religion and had turned to “drunkenness, profane swearing, and Sabbath breaking,” and had become “idle, worthless, and rowdy.”¹⁵⁵ His mother and minister may have forced the boy to learn the Westminster Catechism, but he quickly turned to profanity, gambling, and drinking whiskey.¹⁵⁶ The first surviving letter from young Jackson describes how best to feed a young rooster, implying that he was preparing it for cock-fighting.¹⁵⁷

Growing up in the Waxhaws, Jackson learned to fear both God and the Cherokees. He also witnessed the alliance between Whites and Catawbas. His formative years along the Carolinas’ border shaped his view of the world. Jackson learned that although the Cherokees were a threat along the border, the Catawbas and Waxhaw residents were allies. Cherokee alliances with the French led to distrust of the tribe in South Carolina during Jackson’s childhood. However, because of their strength, the colonists needed peace with their western

¹⁵² Howe, I:509; Booraem, 20.

¹⁵³ Howe, I:288-293; Booraem, 18.

¹⁵⁴ Booraem, 18-22.

¹⁵⁵ Booraem, 227fn.; Thomas Reese, “An Essay on the Influence of Religion on Civil Society,” (Charleston: Markland and M’Iver, 1788), 74; see also Smyth, John Ferdinand, *A Tour in the United States of America*, 2 vols. (London: G. Robinson, 1784), I:132 for the declining morality of Presbyterians in eastern North Carolina during Jackson’s youth.

¹⁵⁶ Remini, *Andrew Jackson and the Course of American Empire*, 7.

¹⁵⁷ “A Memorandum on How to Feed a Cock,” March 22, 1779, in *CAJ*, I: 2.

neighbors for security. The Catawbas, though less powerful than the Cherokees, proved a faithful ally by the 1760s within the Waxhaw community.

Catawbas, Cherokees, and the Waxhaws

From the time of Jackson's birth through the Revolution, he and the Waxhaw community had contact with both Catawbas and Cherokees.¹⁵⁸ As a result of the first Cherokee War, Carolinians had first gained an ally among the Catawbas.¹⁵⁹ This alliance continued from the mid-1760s to the American Revolution. The Catawba population had steadily decreased throughout the 1700s, as did its military strength, falling from 1,500 Catawba warriors in 1700, to 240 in 1755, and only 100 in 1775.¹⁶⁰ In comparison, in 1755 there were an estimated 2,390 Cherokee warriors to the west of the Waxhaws.¹⁶¹ By the time of Jackson's birth in Lancaster, South Carolina, the Catawbas occupied a fifteen-square mile tract of land, a few miles away, straddling the Catawba River in today's Lancaster and York Counties in South Carolina. Because of their location and declining population, they frequently offered assistance to the British, and later, during the Revolution, to the Americans. Since the 1750s, they had helped the colonists first against the French and their allies the Cherokees. They readily offered the support so long as the British and Americans guaranteed protection of Catawba land in South Carolina.¹⁶² With the Catawbas, as with other tribes, however, the British and the Americans often broke their promises. In the mid-1750s there were 500 White families living in Catawba lands along the

¹⁵⁸ Moore, 2, 26.

¹⁵⁹ Merrell, 161-162.

¹⁶⁰ Moore, 16; Merrell, 96-97,110-112,117; Letter of Governor Arthur Dobbs, January 4, 1755, in *CRNC*, V, 320-321.

¹⁶¹ Letter of Governor Arthur Dobbs, January 4, 1755, in *CRNC*, V, 320.

¹⁶² Moore, 28; Treaty between King Hagler of the Catawbas and Commissioners James Carter and Alexander Osburn, August 1, 1754 in *CRNC*, V: 141-144; Minutes of the Lower House of the North Carolina. General Assembly, September 30, 1756 - October 26, 1756, in *CRNC*, V:722; Minutes of the Upper House of the North Carolina General Assembly, February 03, 1764 - March 10, 1764, in *CRNC*, VI:1090

North Carolina-South Carolina border, and although both colonies forbade the White settlements, neither colony aggressively tried to end the settlements. South Carolina law, for example, prevented Whites from living within thirty miles of Catawba land, though this was not well enforced.¹⁶³

The Catawba Nation was composed of several other refugee and minority Indian tribes.¹⁶⁴ Many of these tribes came into the Catawba Nation following a war; some had moved into Catawba land because they found strength and shelter among the friendly Catawbas. Still others moved there for strength through alliance. The Catawbas welcomed these tribes into their nation to replenish their declining population, twice, in 1738 and 1759, sapped by outbreaks of smallpox.¹⁶⁵ Other tribes also consistently threatened the Catawbas. The addition of the smaller tribes bolstered Catawba strength and prevented them from fading into obscurity sooner than they eventually did.¹⁶⁶

For the Catawbas and the Whites in the Waxhaws, the Cherokees were the major foe during Jackson's time in the Carolinas.¹⁶⁷ In 1670, the Catawbas fought the Westos, in 1672 and 1707, they fought the Shawnees, and throughout the 1700s they were attacked at various times

¹⁶³ Moore, 27; Treaty between King Hagler of the Catawbas and Commissioners James Carter and Alexander Osburn, August 1, 1754 in *CRNC*, V: 144; The State of the Former Proceedings Relative to the Boundary Line between the Northern and Southern Colonies, in *CRNC*, V:384, 387; Matthew Rowan to Board of trade, June 3, 1754, *CRNC*, V:124.;Catawba King and Others to Governor Glen, November 21, 1752, *DRIA*, I:361, Governor Glen to the Catawba Head Men, April 24, 1754, in *DRIA*, I:490.

¹⁶⁴ Douglas Summers Brown. *The Catawba Indians: The People of the River* (Columbia: University of South Carolina Press, 1966), 3. Brown explains that the Catawbas were the dominant Indian group of many tribes, who by the mid-1700s, identified as "Catawba Indians." Among these various other tribes who were incorporated into the Catawba Nation were: Cheraws, Sugarees, Waxhaws, Congarees, Santees, Pedees, Waterees, Waterr-Chickanees, Shakori, Eno, Sissipahaws, Keyauwees, Sewees, Waccamaws, Woccons, Etiwaws, Turelows, Saponis, Natchez, Coosahs, Chowans, and Yamassees.

¹⁶⁵ John Duffy. *Epidemics in Colonial America* (Baton Rouge: Louisiana State University Press, 1953), 82-83

¹⁶⁶ The most persistent enemies of the smaller tribes of South Carolina Indians from the late 1600s to the American Revolution were the Westos, Shawnees, Tuscaroras, Chickasaws, Yuchi, Creeks, Delawares, Meherrin, Nottoways, and Notowegas, Brown, 157-160.

¹⁶⁷ Brown, 157-160. The most persistent historical enemy of the Catawbas were the Iroquois Nations: Mohawks, Senecas, Cayugas, Oneidas, Onondegas. The Tuscaroras later joined these five nations. Several smaller tribes fought against the Catawbas until they were either subdued or joined the Catawbas: Waxhaws, Congarees, Cheraws, Pedees, and Natchez.

by the Iroquois, Creeks, or Cherokees.¹⁶⁸ In the various wars between Indians and Whites of the 1600s and 1700s, only once, in the Yamasee War of 1715-1716, did they join Indians to fight against the Whites.¹⁶⁹ The Catawbas supported the English in the first major Indian war of South Carolina--the Westo War--and they later helped the British in the Tuscarora War.¹⁷⁰ During the French and Indian War, the British used the Catawbas to fight off the Cherokees, who had allied with the French.¹⁷¹

By the time the Jacksons arrived as part of the great wave of Scotch Irish settlers in the Waxhaws, the ranks of the Catawbas were declining in population. Smallpox had decimated the Catawba Nation in 1738, as well as the Cherokees, who had a much larger population.¹⁷² The Cherokees accused the British of spreading the disease among them and threatened to trade with the French.¹⁷³ For the Catawbas, the smallpox epidemic of 1759 was even more severe. In December 1759 *The South Carolina Gazette* reported that smallpox had so “raged with great violence among the Catawba Indians, that it has carried off near one-half that nation.” In addition to those who died because of the disease there were others who committed suicide because of the illness “by throwing themselves into the river.”¹⁷⁴

Because of declining population, the Catawbas relied upon South Carolina for supplies and protection. Between 1740 and 1760 South Carolina gave them at least 1,972 pounds of powder, 4,016 pounds of bullets, 2,750 flints, and 76 guns.¹⁷⁵ The colony also supplied corn, fearing that the tribe may move to another colony for better supplies and trade. South Carolina

¹⁶⁸ Brown, 157-160.

¹⁶⁹ Brown, 124.

¹⁷⁰ Brown, 124.

¹⁷¹ Hudson, 38.

¹⁷² Duffy, John, 82-83. Hudson, 46; Brown, 181; Merrell, 136.

¹⁷³“Journal of Antoine Bonnefoy, 1741-1742,” in Newton Messenes, ed. *Travels in the American Colonies* (New York: The MacMillan Company, 1916), 239.

¹⁷⁴ Quoted in Duffy, 92.

¹⁷⁵ Merrell, 153, 332fn.

continued to furnish the Catawbas with ammunition in exchange for loyalty during the colonial period even as the British, French, and Spanish did the same for western tribes.¹⁷⁶ The governor of South Carolina also delivered commissions to Catawba leaders, which gave the Indian men credibility among the colonists and allowed them to bargain favorably for their people.¹⁷⁷ A report by the British Board of Trade claimed that the Catawbas were “directed entirely by the government of South Carolina.”¹⁷⁸ The Catawbas proved a very beneficial ally to the colonists against the Cherokees twice in a span of twenty years. The relationship was mutually advantageous.¹⁷⁹

The governments of North Carolina and South Carolina allowed the Catawbas wide latitude in self-policing. The degree to which they operated independently of the White man’s government shows the trust between the two groups. If a colonist was killed or his property stolen, Catawbas were sometimes left alone to investigate the crime and “order the offender or offenders to make satisfaction.”¹⁸⁰ North Carolina representatives told the Catawbas that “when one of your people do any of these things [crimes], we have no remedy but are obliged to apply ourselves to you, that the offenders may be punished according to . . . your manner and customs.”¹⁸¹ North Carolina allowed Catawbas to take vengeance on a White murderer if the tribe was not satisfied with the result of the colony’s jury trial because the North Carolina government said it was better to sacrifice one man than to start a war with its Indian ally.¹⁸² In return, the Catawbas punished their members who wronged Whites. The tribe executed a warrior who, while intoxicated, killed a White child. This action was particularly noteworthy as

¹⁷⁶ Merrell, 149, 153-156, 161.

¹⁷⁷ Merrell, 151-152.

¹⁷⁸ Merrell, 156.

¹⁷⁹ Merrell, 161, 215-217; 278; Hudson, 38.

¹⁸⁰ Governor Glen to the Catawba Head Men, March 14, 1752 in *DRIA*, I:221.

¹⁸¹ Treaty between King Hagler of the Catawbas and Commissioners James Carter and Alexander Osburn, August 1, 1754 in *CRNC*, V, 143-144.

¹⁸² Merrell, 158; Arthur Dobbs to Waddell, Osburn, and Alexander, July 18, 1756, in *CRNC*, V, 604-605.

traditional Catawba custom would have excused the warrior's action because of his drunken state of mind.¹⁸³ The Catawbas once went after a war party that had killed sixteen settlers and occasionally colonists and they punished Cherokee war parties jointly.¹⁸⁴ The Catawbas promised to stand "firm together" with the colonists against the Cherokees "like a large mountain which cannot be moved."¹⁸⁵ Carolina colonists and Catawbas also showed mutual respect as they would bury one another's dead when discovering a body from the opposite group.¹⁸⁶ The Catawbas recovered horses and other items stolen from colonists by Cherokees and returned the horses to their rightful owners in North Carolina.¹⁸⁷

During the Cherokee War of 1759-1761, which ended not long before the Jacksons arrived in the Waxhaws, the Catawbas joined the colonists as they had close relations with North Carolina, Virginia, and particularly South Carolina.¹⁸⁸ As Chief Hagler said, "I look upon the English and ourselves as many good things put into one pocket as brothers that have issued from one womb."¹⁸⁹ The Catawbas depended on South Carolina for protection against other tribes, particularly the Natchez, Chickasaws, and Cherokees.¹⁹⁰ To prove this mutual loyalty, a group of South Carolinians once captured some Natchez Indians who had attacked the Catawbas, and had the enemies beheaded, their heads pickled, and put in barrels, and sent to their Indian allies.¹⁹¹ When a group of Cherokees kidnapped some of the Catawbas, the friendly tribe's leader wrote to

¹⁸³ Merrell, 158.

¹⁸⁴ Merrell, 188; Catawba Chief Hagler at a Conference Held with the Kings and Warriors of the Catawbas by Mr. Chief Justice Henley at Salisbury, NC, May 26, 1756, *CRNC*, V, 581, 583.

¹⁸⁵ Catawba Chief Hagler at a Conference Held with the Kings and Warriors of the Catawbas by Mr. Chief Justice Henley at Salisbury, NC, May 26, 1756, *CRNC*, V:583.

¹⁸⁶ Merrell, 189.

¹⁸⁷ Catawba Chief Hagler at a Conference Held with the Kings and Warriors of the Catawbas by Mr. Chief Justice Henley at Salisbury, NC, May 26, 1756 *CRNC*, V, 581.

¹⁸⁸ Merrell, 161. Hudson, 38.

¹⁸⁹ Catawba Chief Hagler at a Conference Held with the Kings and Warriors of the Catawbas by Mr. Chief Justice Henley at Salisbury, NC, May 26, 1756, *CRNC*, V:582.

¹⁹⁰ Merrell, 155.

¹⁹¹ *Ibid.*

the governor of South Carolina “we leave it to your Excellency, as we have nobody to see us rightified but you.”¹⁹²

Cherokees, however, occupied the western portion of South Carolina and occasionally raided settlements near the Jacksons’ Waxhaw community in the 1760s.¹⁹³ Tensions were high in the Waxhaws when the Jacksons arrived because of the fear of Cherokee raids.¹⁹⁴ In 1760, Cherokees killed dozens of White settlers and captured several more in the Waxhaws.¹⁹⁵ In 1761, during the French and Indian War, the Cherokees joined the French against the British and the colonists, and attacked the settlement again.¹⁹⁶ When the Cherokees attacked, they fought both Whites and Catawbas. Each group was defending its home against the Cherokee invaders. Catawbas recognized their dependence on the Whites for support against the Cherokees as early as the 1750s, after Cherokees had invaded Catawba land and kidnapped Catawba women. The Catawbas then turned to the government of South Carolina for assistance.¹⁹⁷ At the beginning of the Cherokee War of 1759-1761 the Catawbas sent sixty of their three hundred warriors to help defeat the French and Cherokees.¹⁹⁸ There were five hundred Catawbas living in the Waxhaws at the time they assisted the Waxhaw residents during the Cherokee War in 1761.¹⁹⁹ Forty of these warriors marched into Cherokee territory on a raid with the colonial militia.²⁰⁰ The Catawbas assured the Whites that they were “able and determined to strike our hatchets into the heads of the Cherokees.”²⁰¹

¹⁹² Merrell, 155.

¹⁹³ Booraem, 194

¹⁹⁴ Graham, 71-76.

¹⁹⁵ Moore, 26.

¹⁹⁶ Moore, 29.

¹⁹⁷ Merrell, 136.

¹⁹⁸ Merrell, 192; Brown, 210-212; Hudson, 38.

¹⁹⁹ Hudson, 49.

²⁰⁰ Merrell, 197.

²⁰¹ Merrell, 197.

George Washington operated with the Catawbas in war prior to the Jacksons' arrival in the Waxhaws. Twenty-five Catawbas joined his forces during the French and Indian War.²⁰² Early in the conflict, Washington knew the importance of having Indian allies. He warned that "unless we have Indians to oppose the Indians, we may expect but small success."²⁰³ Washington courted both Cherokees and Catawbas, but, as the Carolinians learned, the Catawbas were more reliable. Washington declared that, "no time should be lost, nor any means omitted, to engage all the Catawbas and Cherokees that can possibly be gathered."²⁰⁴

The South Carolina legislature praised the Catawbas for their help.²⁰⁵ The people's representatives also provided the tribe with money and clothing, and built a fort, in return for the Catawbas' support of the Carolinians against the Cherokees.²⁰⁶ In the Treaty of Augusta in 1761, Britain guaranteed the Catawbas a fifteen-square mile tract of land that lay along the Catawba River in northern South Carolina.²⁰⁷ The Catawbas claimed, but had never been granted, a larger, circular area, sixty miles across in present-day Lancaster County; however, the tribe received a smaller parcel of land.²⁰⁸ South Carolina officially granted a fifteen-square mile tract of land to the Catawbas with a law barring Whites from hunting or settling there without Catawba permission.²⁰⁹

At the end of the French and Indian War it was apparent that, although the British enjoyed great support from many southern tribes, the Catawbas were more aligned with the colony of South Carolina than with the British Empire. At the Augusta Conference of 1763,

²⁰² Washington to Colonel Bouquet, August 21, 1758, in John C. Fitzpatrick. *Writings of George Washington*, 37 vols. (Washington: U.S. Government Printing Office, 1931-1944), II:310.

²⁰³ Washington to Dinwiddie, April 24, 1756, in Fitzpatrick, *Writings of George Washington*, II:147.

²⁰⁴ *Ibid.*

²⁰⁵ Brown, 213.

²⁰⁶ Brown, 241.

²⁰⁷ Booraem, 8; Merrell, 198, 347fn; Brown, 245.

²⁰⁸ *Ibid.*

²⁰⁹ *Ibid.*

British Indian Agent John Stuart invited Indians from the Cherokee, Chickasaw, Creek, Choctaw, and Catawba tribes. Of the nearly 1,000 Indians at the conference, only sixty-nine were Catawbans. To further show their low rank among southern tribes, the Catawba leaders were the last to speak at the conference. Stuart said “the Catawbans...have an absolute dependence on [South Carolina] and are inseparably connected with its interests.”²¹⁰

By the 1770s, the Catawbans were much weaker than they had been earlier in the century. One reason for their diminished condition, in addition to the smallpox outbreaks, was their geographical location.²¹¹ The Catawbans lived in the relatively flat land along the North Carolina-South Carolina border. Cherokees, for example, particularly in the Overhill Towns, living in the mountainous region of the western parts of North and South Carolina into present day Tennessee, had natural barriers of mountains for protection. Other Indian groups living farther away benefitted from distance. The Catawbans, however, remained in territory that was rapidly being settled by Whites and were easily attacked by their hostile Indian neighbors. By the time of Jackson’s arrival, the Catawbans faced the same Cherokee threat to the west as the Whites of the Waxhaws.

Jackson, South Carolina, and the Cherokees

Although the Catawbans, living near the Waxhaw colonists were friendly during Jackson’s youth, the Cherokees to the west were a constant threat. The Waxhaw community experienced the violence of the Cherokees during the Cherokee War of 1759-1761 just before the Jacksons arrived. This experience shaped the community’s view of the Indians and fostered the colonists’

²¹⁰ Merrell, 205.

²¹¹ Merrell, 119.

anger toward the British for employing the Cherokees up to the point the Americans declared independence.

There were four main geographic regions of the Cherokees. During Jackson's childhood, the most familiar were the "Lower Town" Cherokees. The Lower Town Cherokees occupied western South Carolina and northeastern Georgia, with Keowee as the capital. The Lower Towns generally were more peaceful, a sort of buffer between the colonists and the more hostile Cherokees to the west who often launched the raids against South Carolina.²¹² Just before the French and Indian War, the Lower Towns ceded land to the British in South Carolina in exchange for two forts: Ft. Prince George near the Lower Towns' capital Keowee, and Ft. Loudon near the main capital of the Cherokee nation, Chota, further west.²¹³ In 1768, to define the boundary between South Carolina's White population and the Lower Towns, the two sides agreed to the Treaty of Hard Labor, but Whites still encroached on Cherokee land.²¹⁴ Despite the persistent problem of Whites defying boundaries, the Lower Towns generally wanted peace at the beginning of the Revolution, declaring to South Carolina officials that they were "determined to remain [neutral], in the present contest between Great Britain & the Colonies."²¹⁵

In western North Carolina, however, there were more militant Cherokees. The Middle Towns were farther to the west and north than the Lower Towns; their capital was at Cowee, near modern-day Franklin, North Carolina.²¹⁶ Still more aggressive Cherokee towns to the west were part of the Valley Towns and the Overhill Towns.²¹⁷ The Valley Towns occupied what is

²¹² Pate, 55.

²¹³ Pate, 32; Woodward, 70-71.

²¹⁴ Pate, 46-47.

²¹⁵ Willie Jones to Governor Caswell, June 2, 1776, in *SRNC*, XXII: 743.

²¹⁶ Pate, 3.

²¹⁷ Pate, 3, 55; Willie Jones to Governor Caswell, June 2, 1776, in *SRNC*, XXII: 743.

today the southwestern corner of North Carolina. The capital of the Valley Towns was Tamotley, which is the current site of Murphy, North Carolina.²¹⁸

The most prominent Cherokee foes of Jackson's youth, however, were the Overhill Towns. While the Lower Towns wanted peace, and even ceded land to the Americans, the Overhill Towns were the most openly hostile Cherokees toward the Carolinians.²¹⁹ The Overhill Towns and their descendants produced the most militant faction of the Cherokees, the Chickamaugas, who later separated from the Cherokee Nation because they perceived weakness and appeasement in the older Cherokees. The Overhill Towns were located in eastern Tennessee, a source of conflict for South Carolina in Jackson's youth, and an impediment to his settlement in Tennessee as a young adult. The capital of the Overhill Towns, and the larger Cherokee Nation, was Chota.²²⁰ From the Overhill Towns of Chota, Chatuga, Toqua, Tamotley, Tuskegee, Settico, Chilhowee, Great Tellico, Tennessee, Great Island, Coyatee, Talasee, and Gusti, the Cherokees launched raids against colonists in western South Carolina and North Carolina.²²¹ These towns were the source of aggression against the Americans and the victim of American attacks during the Cherokee War.²²²

As early as the 1750s, South Carolina recognized the importance of having stability on its northwestern frontier through peace with the Cherokees. Governor James Glen referred to the Cherokees as "the key of Carolina" because from Cherokee country "may be made frequent incursions, almost without any possibility . . . to restrain them" and they may "cut off a number

²¹⁸ Pate, 3.

²¹⁹ Hatley, 157.

²²⁰ Pate, 4, 55; Willie Jones to Governor Caswell, June 2, 1776, in *SRNC*, XXII: 743. Chota was located in Monroe County, in southeast Tennessee.

²²¹ Pate, 4.

²²² For specific mention and accounts of raids against these towns see Mary Elinor Lazenby, *Catawba Frontier, 1775-1781: Memories of Pensioners* (Washington: M.E. Lazenby, 1950).

of families” in the western part of South Carolina.²²³ The British colonial government and the Cherokee Nation made an agreement to live in peace in September 1730, which preserved stability during the mid-1700s. In the British-Cherokee agreement, the Indians recognized the sovereignty of the English king, agreed to trade with the colonial ruler rather than France or Spain, allowed the English to settle among the Cherokees, agreed to apprehend and return any runaway slaves, and surrender any Indian guilty of killing an Englishman, while the Cherokees had the “privilege of living anywhere they please,” and the English king “ordered his people...in Carolina to trade with the Indians, and to furnish them with all manners of goods that they want.”²²⁴ The Articles of Agreement, also known as the Articles of Friendship and Commerce, bound the Cherokees to the British for fifty years.²²⁵

In young Andrew Jackson’s time, according to *The South Carolina Gazette*, the Cherokees were far more numerous than the Indian nations farther to the north as the Cherokees were “computed to be three times the number of the Six Nations together.”²²⁶ The Reverend Charles Woodmason, an Anglican minister in the South Carolina backcountry said that when people met at the tavern they discussed business, weather, and politics, or complained about poor crops or the Indian menace as they gambled at cards or dice.²²⁷ Woodmason, invited by the Jacksons’ Presbyterian minister William Richardson to speak, urged that Presbyterians and Anglicans to stand “in unity, be it only against the dangers to our lives and properties as may

²²³ Governor Glen to Lieutenant Governor Dinwiddie, June 1, 1754, in *DRIA*, I:525.

²²⁴ Pate, 30-31; Woodward, 65-66. Another report of the Cherokees submission to the English king is in “The Journal of Sir Alexander Cuming” in Samuel Cole Williams, ed., *Early Travels in the Tennessee Country* (Johnson City, TN: The Watauga Press, 1928), 129.

²²⁵ Woodward, 66.

²²⁶ Hatley, 78.

²²⁷ Merrell, 179; Hooker, ed., 96-97.

arise” from the Indians, whom the Anglican leader referred to as “an external enemy near at hand.”²²⁸

Even before the Cherokee War of 1759-1761 began, the Cherokees had terrorized frontier settlers. In 1757, during the French and Indian War, a Cherokee man named Savannah Tom at Tellico murdered a pregnant White woman in South Carolina in a gruesome way as he “executed his inhuman, cruel, and barbarous will on her body by stabbing her several times with a knife, scalping and opening her belly, and taking out a poor infant creature that she had in her body.”²²⁹ Although Carolinians feared Cherokee raids, these fears intensified in 1759 as the Cherokees declared war on the colonists. This war began as the Cherokees, who were allies of the British at first during the French and Indian War, took stray horses from Virginians as well as food from their smokehouses and storage cellars.²³⁰ The Cherokees thought that because they were allies of the colonists, the Virginians should allow them to take the horses and food.²³¹ The colonists, however, were angry about the theft and retaliated by killing twenty-four Cherokees who they thought were raiders rather than allies.²³²

This tragic misunderstanding led to the Cherokee War of 1759-1761 and a series of retaliatory attacks, or “horrid atrocities” as Alexander termed them, committed by the Cherokees against Carolina frontier settlers.²³³ Virginia Governor Robert Dinwiddie sent gifts and apologies to the Cherokee Nation, but the Cherokee chiefs harbored resentment. Cherokee Chief Attakullakulla, or Little Carpenter, informed Captain Raymond Demere that the Cherokees would no longer serve as Virginia’s allies. Cherokee warriors then raided Virginia and North

²²⁸ Hooker, ed., 93-94.

²²⁹ Captain Demere to Governor Lyttleton, August 10, 1757, in *DRIA*, II:400.

²³⁰ Woodward, 71-72; Pate, 34-35.

²³¹ *Ibid.*

²³² Woodward, 71-72.

²³³ Graham, 76.

Carolina on their way home, burning settlers' cabins, while "scalping women and helpless children" along the frontier.²³⁴ Although Attakullakulla apologized to Dinwiddie for the actions of the warriors, he allowed them to "hold scalp dances and riotous celebrations upon their return from the settlements they had ravaged."²³⁵ In Keowee and the Lower Towns of the Cherokee Nation in western South Carolina in 1759, Cherokee warriors launched a retaliatory raid on the backcountry and murdered twenty-four settlers in return for the twenty-four Cherokees whom the Virginians had killed. South Carolina Governor William Henry Lyttleton demanded that the Cherokees turn over the assassins. Attakullakulla gave three warriors to South Carolina officials, but immediately thereafter more Cherokee warriors murdered thirty to forty families who lived in the Long Cane settlement of South Carolina.²³⁶ At the heart of this violence was the issue that remained in contention for the next several decades: territory. In one episode, after murdering some White men at Fort Loudon, Cherokee warriors filled a dead White man's mouth with dirt, exclaiming, "you dog, since you so greedy of earth, be satisfied and gorged with it."²³⁷

The new immigrants to America came for land and the Cherokees were looking to preserve their land claims. From the time of the Jacksons' arrival in America to the Revolution, Carolinians competed with Cherokees for land.²³⁸ The Catawbas gained an ally in the Waxhaws to preserve their land, but the Cherokees turned to Britain for protection. Jackson, the Waxhaw residents, and the Catawbas joined the patriot cause while the Cherokees joined the Tories and the British during the American Revolution.²³⁹

²³⁴ Woodward, 72.

²³⁵ Woodward, 72-73.

²³⁶ Woodward, 73.

²³⁷ Journal of M. Bossu, January 10, 1760 in M. Bossu, *Travels through That Part of North America Formerly Called Louisiana* (London, Covent-Garden, 1771), I:331.

²³⁸ Ackerman, 105-106.

²³⁹ Merrell, 215-217; Hatley, 218-228.

Jackson, the British, and the Indians during the Imperial Crisis of 1776

At the start of the American War for Independence in South Carolina, Jackson, his family, and the Waxhaw settlement feared a two-front war with both the invading British army and any or all of the potential Indian allies of the British: Cherokees, Creeks, Chickasaws, and Choctaws.²⁴⁰ Fortunately for Jackson and the people of the Waxhaws, the Catawbas, unlike the Indians of the west, remained loyal to the Americans during these crucial war years.²⁴¹ Accordingly, the Catawbas joined the Americans during the Revolution and helped fight the Cherokees to the west, the Tories at home, and the invading British armies.

Jackson's family had reasons for distrusting the British years before the American Revolution. Jackson's mother, Elizabeth, told him, as a child, of how when Jackson, Sr. was a boy in Ireland, the British threatened to shut the Jacksons' Presbyterian place of worship since a "rancorous spirit of intolerance and persecution" existed among the Jackson family as political and religious enemies of the British.²⁴² Jackson's mother sang songs to her children of the terror of the British siege of Carrickfergus in Ireland with its "drunken soldiers, and their midnight plunderings" and the "terror" left upon the Jackson family.²⁴³ She told them how the Irish nobility oppressed the poor laborers and how they should defend and support the "rights of man" against British oppression.²⁴⁴ During the years preceding the Revolution, in addition to the immediate harm the British brought to Jackson's world, they also induced paranoia and fear because of the possibility of Indian attacks. Both Britain and America were negotiating with the

²⁴⁰ O'Donnell, x.

²⁴¹ Merrell, 215-217.

²⁴² Samuel McSkimin, *The History and Antiquities of the County of the Town of Carrickfergus, from the Earliest Records till 1839* (Belfast: Mulland, J. Cleeland, Davidson, and M'Kormack, 1909), 76.

²⁴³ Parton, 38-39.

²⁴⁴ Remini, *Andrew Jackson and the Course of American Empire*, 15.

four major tribes of the American South: Cherokee, Creek, Chickasaw, and Choctaw. Each country also competed for the loyalty of the Indian tribe in the Waxhaw settlement: the Catawba.

Leading up to independence, the colonists were wary of British attempts to use both Indians and slaves against the colonists. Before the Declaration of Independence, in 1775, Thomas Jeremiah, a free Black, was “hanged and burned” after he was accused of conspiring with the British navy to distribute arms in South Carolina.²⁴⁵ Still, on the eve of independence, for Jackson and the people of the Waxhaws, the Cherokees initially were the greatest threat. Britain, led by agent John Stuart, recruited the Cherokees, Creeks, Chickasaws, and Choctaws. In 1775, Whigs of South Carolina formed an Indian Department of their own to counter Stuart’s efforts among the Indians, but the leader of this group, William Henry Drayton, was not as successful as Stuart and the British at recruiting Indians.²⁴⁶

Before independence, Stuart recognized that problems were looming with the Cherokees. Though the western Cherokees were always more militant, those to the east faced the choice of joining the more aggressive Overhill Towns or succumbing to White expansion with a rapidly increasing immigrant population during the late 1760s and early 1770s. Stuart understood that “the extension of our boundaries into the Indian hunting grounds has rendered what the Indians reserved to themselves on this side the ridge of mountains of very little use to them, the deer having left those lands, frightened by the numberless White hunters and the settlements so near them.”²⁴⁷ The British colonists considered lands not occupied by Indian towns “vacant,” but the Cherokees thought that the land thirty miles to the west of Jackson’s Waxhaw district was their best hunting land.²⁴⁸

²⁴⁵ Hatley, 191.

²⁴⁶ Hatley, 187.

²⁴⁷ Hatley, 211-212.

²⁴⁸ Moore, 18-19, 129fn.

By 1775, rumors circulated in South Carolina that British agent Stuart had ordered the Cherokees and Catawbas to attack the settlers of the backcountry.²⁴⁹ Carolina revolutionaries attempted to gain allegiance from the Creeks and Cherokees, but the Tory opposition intercepted the weapons. Whigs then attacked the Tories who were on Cherokee land in violation of the Proclamation of 1763.²⁵⁰ During 1775 it was apparent that the Indians to the west, particularly the Cherokees, had chosen to join the British as the conflict escalated between the White men. The British, after all, had made a legitimate attempt to stop White encroachment of Cherokee lands with the Proclamation of 1763. In 1775 the men of the Waxhaws recognized the British-Cherokee alliance and went west into Cherokee territory to subdue Cherokees and their Tory allies.²⁵¹ The royal governor, fearing mob violence, had been escorted out of Charleston by a ship suspiciously named *Cherokee*.²⁵² By the spring, 1775 a majority of southern and northern Indians supported the British.²⁵³

Affirming their support of the Crown, Cherokee leaders told British agent Alexander Cameron that they would “die in defense” of the British.²⁵⁴ Stuart and Cameron urged patience on the part of the Cherokees and, although grateful for their support, were hesitant to use the “assassin-allies” before the Americans declared independence.²⁵⁵ Stuart, knowing that the most of the Southern Indians were loyal to him, realized that the best way to ensure that loyalty was to supply the Indians. Since 1775 the Americans also were competing with the British for Indian allegiance.²⁵⁶ Speaking to Creeks and Cherokees, Stuart said that he would support ““such of His Majesty’s faithful subjects as may have already taken or shall hereafter take arms, to resist

²⁴⁹ O’Donnell, 18; Hatley, 188.

²⁵⁰ Hatley, 188.

²⁵¹ Booraem, 46.

²⁵² Hatley, 191.

²⁵³ O’Donnell, 13.

²⁵⁴ O’Donnell, 29.

²⁵⁵ O’Donnell, 29-30.

²⁵⁶ O’Donnell, 31, 34.

the lawless oppression of the rebels and their attempts to overthrow the Constitution and oppose His Majesty's authority."²⁵⁷ The British were better positioned with more resources to purchase the loyalty of the King's "faithful subjects."²⁵⁸

While the Cherokees joined the British early and remained allies throughout the Revolution, the Catawbas sided with the colonists.²⁵⁹ Initially they had hoped to remain neutral. A week before the skirmishes at Lexington and Concord set off the military phase of the American Revolution, the Catawbas assured the British that they wished to "live amongst the White people in peace and unanimity" and, despite having "offers which appeared advantageous from other nations," the Catawbas declined them because their "love for the White people made us" want to "continue" to live in peace among the Whites.²⁶⁰ The Catawbas sent delegates to Charleston to inquire about the possibility of war and the South Carolina leadership reassured them that "your case and our case is just the same."²⁶¹ As one historian of South Carolina concluded, the Catawba loyalty to the colonists was "never any question."²⁶²

South Carolina Councilman William Henry Drayton told the Catawba representatives that he did not believe the "bad talk" among some Whites that the Catawbas may join the British and attack the backcountry.²⁶³ Throughout the summer of 1775 Catawbas and South Carolinians reassured one another that they would remain allies in the conflict. In July the South Carolina Council of Safety thanked Joseph Kershaw, the American representative to the Catawbas, for his work in procuring military support from the Catawbas and informing the council that the Indian

²⁵⁷ O'Donnell, 33.

²⁵⁸ *Ibid.*

²⁵⁹ Merrell, 215-217.

²⁶⁰ Prow, King of the Catawbas to Lord Dunmore, April 12, 1775, in Brown, 260.

²⁶¹ Merrell, 215.

²⁶² Picuch, 63.

²⁶³ Brown, 26.

allies were “hearty in the interest” of the Whigs.²⁶⁴ In August of 1775 the revolutionary leaders fully “expected” that the Catawba warriors would join the patriot cause.²⁶⁵ By the fall of 1775 it was clear that the Americans had Catawba support despite other Indian nations joining the British, and the Catawbas fulfilled their promise of support throughout the conflict. Even British agent John Stuart knew, as Tory leader Tarleton would learn later, that the Catawbas would not leave the Americans. Stuart said that the Catawbas had been “practiced upon and seduced by the inhabitants with whom they now live.”²⁶⁶ The “inhabitants” to whom Stuart referred were Jackson and his neighbors in the Waxhaws.

The primary role of the Catawbas early in the war was to capture runaway slaves, particularly during 1775 and 1776.²⁶⁷ Many slaves tried to escape from the low country through the back country and into safety in Cherokee territory or with the British or Tory support. Catawbas also tracked down Tories in the low country during the fall of 1775.²⁶⁸ In December 1775, the fifty-four Catawba warriors joined the Whigs as they attacked Sullivan’s Island where 500 fugitive slaves were waiting to board British ships. The combined force of patriots and their Catawba allies killed fifty Blacks and captured other slaves and British, though twenty Blacks escaped to be rescued by the British.²⁶⁹

The Catawbas went on to serve alongside the men of the Waxhaws and others throughout the South Carolina backcountry and western North Carolina. Catawbas took part in some of the same battles as young Jackson and his brothers, most notably at Rocky Mount, Stono, Hanging Rock, Yadkin River against Charles Cornwallis, and under Nathanael Greene at Guilford

²⁶⁴ Picuch, 63.

²⁶⁵ Moultrie, William. *Memoirs of the American Revolution*, (New York: David Longworth, 1802), I:81.

²⁶⁶ Picuch, 63.

²⁶⁷ Brown, 262.

²⁶⁸ Merrell, 216; Lazenby, 81.

²⁶⁹ Picuch, 82; Brown, 262.

Courthouse and Haw River.²⁷⁰ According to the leading scholar of the Catawbas, their service in the American Revolution was the “capstone of their adjustment to the new American world and the cornerstone of their ability to endure in that world for the next two centuries...it was... the Nation’s finest performance.”²⁷¹

While the Catawbas assured the South Carolinians of alliance, the Indians to the west allied and pinned their hopes on each other and the British in 1776. The British tried to stop the western encroachment by Whites into Indian lands since the Proclamation of 1763; but the colonists had repeatedly ignored the boundary, driving the western Indians into alliances with one another and the British as they fought the colonists. In early 1776, the Cherokees, led by Dragging Canoe, informed the British that the primary reason they opposed the Americans was because of the repeated White encroachment of Cherokee land despite numerous treaties and concessions. The Cherokees also felt that local Whites had cheated them in trade and were generally duplicitous in negotiations.²⁷²

The violence that erupted in 1776 was the culmination of many events that had built up since the end of the Cherokee War in 1761. The Cherokees resisted White encroachment of land, curtailment of trade, and the Whites’ unfair trading practices. In addition, the militant Dragging Canoe replaced older Cherokees, leading to confrontations with the colonists, Indian alliances, and increasing British supplies and encouragement.²⁷³ In May 1776, the Ottawa, Shawnee, Delaware, and other Indian nations sent delegations to the Overhill town of Chota to meet with the Cherokees to discuss an alliance. They painted themselves black, and painted the posts of the

²⁷⁰ Merrell, 216.

²⁷¹ Merrell, 215.

²⁷² O’Donnell, viii-ix.

²⁷³ O’Donnell, viii-ix, 37, 40; Henry Stuart’s Account of His Proceedings with the Cherokee Indians about Going against the Whites, August 27, 1776, in *CRNC*, X, 763-785.

town red and black, a traditional symbol for the preparation of war.²⁷⁴ This meeting, before the Americans had declared independence, confirmed an impending assault on the American settlers. Added to this was the fact that agents Stuart and Alexander were purchasing loyalty from these same Indians who later attacked Jackson's homeland. The Cherokees led this meeting, but other Indian alliances were forming at the same time. The Chickamaugas, the more hostile branch of Cherokees, entered into numerous discussions and visits with the Shawnees of the north.²⁷⁵

Just before the Indian meeting at Chota in May 1776, the most militant Cherokee and head of the Chickamaugas, Dragging Canoe, met with British agent John Stuart and his brother Henry Stuart at Mobile in April 1776 to discuss tension among the Whites. The Chickamauga leader complained to the Stuarts of White encroachment onto Cherokee land. The British gave the Cherokees "thirty horse loads of ammunition" at Mobile, and Dragging Canoe, along with John Stuart returned to Cherokee land, where Stuart noted that "nothing was talked of but war."²⁷⁶ The Shawnees were also present at the meeting and gave the British officials a war belt in solidarity.²⁷⁷ As the leading historian of the Chickamaugas said, "the Chickamauga cooperated completely with the British war effort."²⁷⁸

Although many tribes were organized against the American Independence movement, the Waxhaw community felt that the greatest threat in the South Carolina backcountry came from the Cherokees. The British took advantage of this fear. The Cherokees at the start of the war had

²⁷⁴ Pate, 60-62; Henry Stuart's Account of His Proceedings with the Cherokee Indians about Going against the Whites, August 27, 1776, in *CRNC*, X, 777-779.

²⁷⁵ Pate, 96.

²⁷⁶ Henry Stuart's Account of His Proceedings with the Cherokee Indians about Going against the Whites, August 27, 1776, in *CRNC*, X, 763-785, for quotes, see 765, 774.

²⁷⁷ Hatley, 218; Henry Stuart's Account of His Proceedings with the Cherokee Indians about Going against the Whites, August 27, 1776, in *CRNC*, X:777-779; Although a leading historian of the southern Indians in the American Revolution states that the Stuarts, and the British generally, only wanted an "armed peace" from the Indians, the perception of Americans must have been that this was a preparation for war, particularly considering the subsequent Cherokee atrocities perpetrated on Whites. O'Donnell, 38.

²⁷⁸ Pate, 83.

a population of between 12,000 and 14,000 with 3,000 of these being warriors.²⁷⁹ Even so, by spring 1776, hope of peaceful relations with the Cherokees had been abandoned in South Carolina.²⁸⁰ The Continental Congress, recognizing the danger of Indian interference in the war, warned the tribes, “Brothers and Friends! . . . This is a family quarrel between us and Old England. You Indians are not concerned in it. We don’t wish you to take up the hatchet against the king’s troops. We desire you to remain at home, and not join either side, but keep the hatchet buried deep . . . if the king’s troops take away our property, and destroy us who are of the same blood with themselves, what can you, who are Indians, expect from them afterwards?”²⁸¹

In response to the Cherokee attacks of 1776, General Charles Lee, echoing Thomas Jefferson’s list of grievances in the Declaration of Independence, blamed Britain for inciting Indian attacks. He warned that the British had inspired the Cherokee effort and that “a capital and favorite part of a plan laid down by our enemies is to lay waste provinces, burn the habitations, and mix men, women, and children in one common carnage, by the hand of the Indians . . . it seems absolutely necessary to crush the evil before it arises to any dangerous height.” Speaking directly about the Overhill Cherokees, General Lee insisted that American troops should “march into the country of the Overhill Cherokees . . . and make a severe, lasting, and salutary example of them.”²⁸²

The Cherokees, again, had aroused the anger of the Waxhaws by siding with the enemy for the second time in less than two decades. The threat of Cherokees was more formidable with the help of their Tory and British allies during the latter stages of the war. By providing a

²⁷⁹ Picuch, 28.

²⁸⁰ Hatley, 191.

²⁸¹ Worthington C. Ford. *Journals of the Continental Congress, 34 vols.* (Washington: U.S. Government Printing Office, 1904-1937), II:182.

²⁸² Thomas Jefferson, “Declaration of Independence”; General Charles Lee to Edmund Pendleton, July 7, 1776 in Peter Force. *American Archives, Series Five* (Washington: M. St. Clair and Peter Force, 1848-1853), I:95.

constant danger to the west, the Cherokees posed the possibility of a two-front war of British and Cherokees for the Waxhaws, with the threat of Loyalists within South Carolina. While the men of the Carolina border fought Cherokees, their hometowns were vulnerable to British attack from the east. In one of these British attacks young Jackson was taken prisoner. Thus, the anger Jackson directed at his British captors was also directed toward their Cherokee allies. The anger directed at the Cherokees and British contrasted sharply with Jackson's recognition that the Catawbas were allies in battle as well as long-time friends of the Waxhaw community.

CHAPTER TWO: JACKSON, THE INDIANS, AND THE WAR FOR INDEPENDENCE

Although fighting and raids were common throughout 1775 between the Carolinians and the Cherokees, the action intensified in the Cherokee War of 1776. In this war, young Jackson experienced an Indian war in the midst of a European attack on Americans. To the Waxhaw community this was a reminder of the Cherokee War of 1759-1761, in which there was a corresponding European assault on the Americans in the French and Indian War of 1754-1763. A similar problem arose during the Cherokee War of 1776, which coincided with the American War for Independence. In the later years of the Revolution when the British attacked the Waxhaw region, Jackson's community faced a triple enemy of British, Tories, and Indians, most notably the Cherokee Indians.²⁸³

Early in the war, however, colonists from the South Carolina backcountry and western North Carolina, whether Whig or Tory, had one common enemy, an enemy that had been terrorizing Carolinians for decades and vice versa, the Cherokees. Although the opposing sides of the American Revolution did have violent clashes in the early years of the Revolution, there were moments when they united against the Cherokees in retaliation for Cherokee raids into Georgia and South Carolina.²⁸⁴ Jackson learned what the older Carolina generation knew, that it was helpful to combat Indians with Indians to mitigate the damage to the Whites. Carolinians used the Catawbas in 1759-1761, and again in the Revolution. Jackson learned to recognize Indians who were for, and those who were against the Americans.

²⁸³ Graham, 71-73, 77.

²⁸⁴ Pate, 70.

Americans versus the Cherokees

Many of the combatants in the Cherokee Wars of 1759-1761 and 1776 were the same. Jackson's military role models fought against the Cherokees during the violent Cherokee War of 1759 to 1761 before the Jacksons arrived in South Carolina.²⁸⁵ Those men became heroes to young boys in the backcountry. When war renewed against the Cherokees, who were aided by the British and Tories during the American Revolution, the South Carolina forces resembled that of fifteen years before.²⁸⁶ This continuity of leadership, however, was not one-sided. Some of the young Cherokee leaders who brought fear to South Carolina just before Jackson arrived were the same Cherokee and Chickamauga leaders who terrorized the backcountry and what became Tennessee throughout the 1770s and 1780s. The archenemy of men in Tennessee and along the South Carolina-North Carolina frontier, the famous Chickamauga leader, Dragging Canoe, who led the militant separatist group of Cherokees, as well as Young Tassel (John Watts, Jr.), grew up in the period following the devastating defeat of the Cherokees in 1761.²⁸⁷

Because of the threat of an allied Indian attack, American leaders suggested, and even insisted upon the recruitment of Indians during wartime. In the south, as Governor James Glen of South Carolina predicted at mid-century, the Cherokees were the most valuable Indian ally. When Thomas Jefferson was governor of Virginia, he suggested that his state, as well as South Carolina and North Carolina, supply the Cherokees to win their support.²⁸⁸ The Americans frequently negotiated for Cherokee support.²⁸⁹ George Washington, throughout his early military career, requested Cherokee support and thought the use of "such a body of Indians joined by

²⁸⁵ Hatley, 45. Among the heroes of the American War for Independence who fought in the Cherokee War of 1759-1761 were Owen Roberts, Christopher Gadsden, Francis Marion, William Moultrie, Henry Laurens, Barnard Elliott, William Thompson, Andrew Williamson, and Thomas Sumter.

²⁸⁶ Hatley, 198.

²⁸⁷ Hatley, 160.

²⁸⁸ O'Donnell, 92-93.

²⁸⁹ O'Donnell, 110.

some of our woodsmen, would probably strike no small terror into the British and foreign troops, particularly the new comers. The good resulting from the measure, if these savages can be kept in the field at so great a distance from their native haunts, would more than compensate for the trouble and expense they might cost us.”²⁹⁰

Many other Americans, however, gave up on the prospect of gaining a Cherokee alliance by the time of the Revolution. Richard Henry Lee thought that Congress, in 1775, had already “taken the most effectual measures to secure the friendship of the Indians all along our extensive frontiers.”²⁹¹ Jefferson was angry with the Cherokee violence and support of Britain. He said that “I hope that the Cherokees will now be driven beyond the Mississippi and that this in the future will be declared to the Indians the invariable consequence of their beginning a war. Our contest with Britain is too serious and too great to permit any possibility of avocation from the Indians. This then is the reason for driving them off, and our Southern colonies are happily rid of every other enemy and may exert their whole force in that quarter.”²⁹² On the verge of war with Britain in 1776, the signers of the Declaration of Independence acknowledged this cruel method of warfare practiced by the Indians in the list of grievances against King George III. As Jefferson wrote, the king “has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.”²⁹³

Fighting between the colonists and Cherokees in the early stages of the war was fierce. One Carolina leader, describing the American plan of attack in the punitive expeditions

²⁹⁰ Washington to the Committee of Congress with the Army, January 29, 1778, in Fitzpatrick, *Writings of Washington*, X:400-401.

²⁹¹ Richard Henry Lee to George Washington, August 1, 1775 in Philander D. Chase, ed. *The Papers of George Washington: Revolutionary War Series* (Charlottesville: University Press of Virginia, 1985), I:209.

²⁹² O’Donnell, 23.

²⁹³ Jefferson, “Declaration of Independence,” in Force, I:95.

following Cherokee raids, told his commanders to “cut up every Indian corn field, and burn every Indian town . . . every Indian taken shall be the slave and property of the taker . . . the nation shall be extirpated, and the lands become the property of the public. For my part I shall never give my voice for a peace with the Cherokee Nation upon any other terms than their removal beyond the mountains.”²⁹⁴ The Carolinian echoed the sentiments of Jefferson and the Virginians concerning the defeat and removal of the Cherokees. One of the leaders from Jackson’s Carolina, Griffith Rutherford, who led raids on the Cherokees during 1776, said one day after America declared independence that if a Virginia-Carolina alliance could fight the Cherokees there would be “no doubt of a final destruction of the Cherokee Nation.”²⁹⁵ Some Carolinians also enslaved Cherokees.²⁹⁶ Members of the North Carolina delegation to the Continental Congress said that “were it not for their Christian duty and conscience, their goal would be to extinguish the very race of them and scarce to leave enough of their existence to be a vestige in proof that a Cherokee nation once was [for that] would perhaps be no more than the blood of our slaughtered countrymen might call for.”²⁹⁷ To avoid such a harsh line toward the Cherokees would be a grave mistake because, as one delegate phrased it, “mercy to the warriors is cruelty to ourselves.”²⁹⁸

After the Cherokees met with the British at Chota, the violence intensified in a most savage way. In May, 1776, just weeks before the Declaration of Independence mentioned the violence of Indian attacks and its connection to the British as a cause of independence, Cherokees killed seventeen Whites as they “horribly mutilated them, scalping the entire head,

²⁹⁴ Hatley, 192.

²⁹⁵ Griffith Rutherford to Council of Safety, July 5, 1776, in *CRNC*, X:652.

²⁹⁶ Hatley, 195-196; 295fn.

²⁹⁷ Letter from the North Carolina Delegates in the Continental Congress to the North Carolina Provincial Council, August 7, 1776, in *CRNC*, X:731.

²⁹⁸ *Ibid.*

and hacking the body into many pieces.”²⁹⁹ This was not a skirmish; it was an act of deliberate terror. The addition of the other Indians supported by the British, to the already gruesome Cherokee method of warfare, led to the “hatred” many Carolinians harbored for the British and their Indian allies.³⁰⁰

The Cherokee war plan of 1776 called for taking the offensive. The Overhill warriors, led by Dragging Canoe, attacked present-day eastern Tennessee, including the Carter’s Valley, Clinch, Nolichucky, Watauga, and Holston settlements.³⁰¹ Dragging Canoe personally led the assault on Carter’s Valley and Holston, while Great Warrior raided Watauga and Nolichucky.³⁰² Jackson, though, experienced the Cherokee War of 1776 in South Carolina, which was the second part of the Cherokee plan. The Cherokees sent 600 warriors, led by the Middle and Valley Towns, into Georgia, South Carolina, and North Carolina.³⁰³

In June 1776, while the Second Continental Congress met in Philadelphia to discuss declaring independence from Britain, Cherokees, supplied by the British, raided the southern frontier. South Carolinians had predicted a month before independence that “whenever any one of the Southern Colonies shall be attacked on the Sea Coast, they will attack the same province on the Frontiers,” and that prediction came true.³⁰⁴ The Lower Town Cherokees, the most peaceful of the four groups, and closest to the Waxhaws, brought the Cherokee War of 1776 into South Carolina as they tore through the backcountry destroying property, taking prisoners, and killing settlers.³⁰⁵ The same groups then attacked western North Carolina less than a week after

²⁹⁹ Moore, 191-192.

³⁰⁰ Graham, 71-77.

³⁰¹ Pate, 65; O’Donnell, 41.

³⁰² O’Donnell, 41.

³⁰³ Pate, 65; O’Donnell, 41.

³⁰⁴ Willie Jones to Governor Caswell, June 2, 1776, in *SRNC*, XXII: 743.

³⁰⁵ O’Donnell, 42-43; Griffith Rutherford to the Council of Safety, July 14, 1776, in *CRNC*, X: 669.

the colonists declared independence, killing thirty-seven colonists.³⁰⁶ Meanwhile the Overhill warriors raided villages and destroyed buildings, sending some settlers back east for safety.³⁰⁷

While the Cherokees were assaulting the frontier, other groups were aiding them. The British gave them provisions and western Indians were increasingly sending supplies or warriors. All this occurred just as the Americans declared independence and were awaiting the British invasion. South Carolina ordered British agent Alexander Cameron to leave Cherokee land, because he was aiding and inciting the enemy, and then the Americans tried to assassinate him.³⁰⁸ James Colbert, a Loyalist Chickasaw agent brought one hundred horse loads of supplies and ammunition to the Cherokees to support the raids.³⁰⁹ The British then ordered agent John Stuart to actively recruit Creeks to assist in the Cherokee raids.³¹⁰ Dragging Canoe met with Henry Stuart, then on his way from Mobile with ammunition and Creek allies after courting more Indians to join the Tories and the British.³¹¹ The Tories were involved as well in July 1776, and most notoriously so, as the Whigs captured four Tories “painted like Indians.”³¹² Cameron then fled to Creek country as the war between the Americans and Cherokees intensified and Dragging Canoe moved the headquarters of the Chickamauga to present-day Chattanooga.³¹³

In response to the Cherokee raids and the British strengthening ties with the hostile Indians, the southern colonies launched punitive expeditions throughout the summer and fall of 1776 and into 1777. General Griffith Rutherford of North Carolina, in July 1776, ordered a combined force of 2,500 North Carolinians and South Carolinians to march against the

³⁰⁶ Griffith Rutherford to the Council of Safety, July 14, 1776, in *CRNC*, X:669.

³⁰⁷ O’Donnell, 43.

³⁰⁸ Pate, 59.

³⁰⁹ Pate, 63. Stuart and his brother Henry Stuart were also Indian agents.

³¹⁰ Pate, 84.

³¹¹ Hatley, 223.

³¹² Hatley, 195.

³¹³ O’Donnell, 48.

Cherokees.³¹⁴ In all, over 6,000 men from South Carolina, North Carolina, and Virginia retaliated against the Cherokees for their actions of the spring of 1776 at the command of General Charles Lee, the Southern Commander of the Continental Army, and other generals such as Rutherford, Thomas Sumter, William Thompson, and Andrew Williamson.³¹⁵ South Carolina, including men from the Waxhaws, had already been punishing the Cherokees, but by mid-1776, as the South Carolina troops continued to invade the Lower Towns, North Carolinians joined the South Carolina forces in assaulting the Middle and Valley Towns, while the Virginians raided the powerful Overhill Towns.³¹⁶

By August 1776, Williamson led 1,100 men into Cherokee territory and burned Keowee.³¹⁷ The South Carolina forces, under Williamson, “burnt every town, and destroyed all the corn from the Cherokee line to the middle settlement” that same month.³¹⁸ The forces faced stiff resistance through the Lower Towns and into the Valley Towns, but marched on under Williamson, went to Cameron’s abandoned plantation, and stole his slaves and livestock. The Cherokees retreated because of a lack of ammunition.³¹⁹ Rutherford destroyed “the greater part of the Valley Towns” and captured seven Whites among the Indians. Then Williamson and Rutherford’s combined forces “destroyed...the corn and everything that might be of service to the Indians.” The damage was so great that the Americans “flatter[ed] themselves that the southern states will suffer no further damage this season, from the savages, as it will employ their whole time to provide sustenance, and shelter for their squaws and children.”³²⁰ The Lower Towns had warned the Middle and Valley Towns of how powerful the American forces were.

³¹⁴ Pate, 71. Jackson knew Rutherford. See “Jackson’s Description of His Experiences during and Immediately Following the Revolutionary War,” in *PAJ*, I:5, 9fn.

³¹⁵ O’Donnell, 44, 141; Hatley, 194.

³¹⁶ O’Donnell, 44.

³¹⁷ Hatley, 194.

³¹⁸ O’Donnell, 45; Williamson to Rutherford, August 14, 1776, in *CRNC*, X:745-748.

³¹⁹ Pate, 72; North Carolina Council of Safety to Governor Patrick Henry, October 25, 1776 in *CRNC*, X:860-861.

³²⁰ North Carolina Council of Safety to Governor Patrick Henry, October 25, 1776 in *CRNC*, X:860-861.

Cameron urged the Cherokees to continue the resistance as he recruited Creeks to join his Indian allies.³²¹

Rutherford led his combined forces into the Middle Towns “to subdue those savage wretches” and destroyed the vacated towns with little resistance.³²² Although there were some incidents of resistance, on August 23, 1776, the Council of Safety reported that the “lower, valley, and middle settlements have abandoned their towns.”³²³ In addition to hunting down the Cherokees, Rutherford also wanted to expel the Creek Indians, the “many White men,” and the British agents supporting the Cherokees.³²⁴ He found no Indians in many of the Middle Towns, and marched on into the Valley Towns.³²⁵ The Cherokees fled many of the towns and the White soldiers were angry because they wanted a chance for satisfaction. One soldier in Williamson’s group said that “it grieves us that we should not have an engagement to get satisfaction of them heathens, for the great slavery and hardships they put us to.”³²⁶ For two weeks in September 1776, Williamson and Rutherford led their forces on a “scorched-earth” campaign that destroyed thirty Cherokee Middle and Valley Towns as the Carolinians returned home with Cherokee captives, slaves, livestock, and received seventy-five pounds for every scalp.³²⁷ The Virginians attacked the Overhill Towns, but the Carolinians refused incursions into these hostile settlements

³²¹ O’Donnell, 46.

³²² Council of Safety to Governor Rutledge, July 16, 1776, in *SRNC*, XI: 316; Council of Safety to General Charles Lee, July 16, 1776, in *SRNC*, XI:316-317, Council of Safety to General Rutherford, July 16, 1776, in *SRNC*, XI:317; Council of Safety to William Sharpe, July 24, 1776, in *SRNC*, XI:328; Council of Safety to Hooper, Hewes, and Penn, August 14, 1776, in *SRNC*, XI:343-345.

³²³ Journal of the Council of Safety, August 23, 1776, in *CRNC*, X:703.

³²⁴ Council of Safety to Hooper, Hewes, and Penn, August 14, 1776, in *SRNC*, XI:343-345.

³²⁵ Pate, 71; O’Donnell, 47; *CRNC*, X:860-861; Journal of the Council of Safety, August 23, 1776, in *CRNC*, X: 703; Griffith Rutherford to the Council of Safety, September 1, 1776, in *CRNC*, X:788-789; Council of Safety to Governor Patrick Henry, October 25, 1776 in *CRNC*, X:860-861; Council of Safety to Hooper, Hewes, and Penn, September 9, 1776, in *SRNC*, XI: 349.

³²⁶ Hatley, 195.

³²⁷ Pate, 73; O’Donnell, 47; Council of Safety to Governor Patrick Henry, October 25, 1776 in *CRNC*, X:860-861.

and returned home because of the fierce resistance beyond the mountains and in the dangerous mountain passes.³²⁸

Following the punitive expeditions, some of the Cherokees were ready for peace. By 1776, the Lower, Middle, and Valley Towns asked for a truce as some of them fled to the Overhill Towns.³²⁹ The militant Overhill Towns were not a safe refuge and struggled to continue resistance as they were running out of ammunition.³³⁰ The Virginians destroyed the Overhill Towns of Great Island, Tellico, Chilhowie, and Settico, while sparing the capital of Chota, but left thousands of Cherokees homeless, many of whom escaped into Creek territory or western Florida.³³¹ The Cherokees left their livestock and belongings as they fled their villages. In the chaos, “their towns [were] all burned, their corn cut down, and themselves driven into the woods to perish and a great many of them killed.”³³² One soldier observed that the Cherokees “were reduced to a state of the most deplorable and wretched, being often obliged to subsist on insects and reptiles of every kind.”³³³ The punitive expeditions left the Cherokees “temporarily impotent.”³³⁴ Many Cherokee leaders, especially the elder leaders, requested a peaceful settlement. The Raven, Attakullakulla, and Oconostosa, led the talks. Dragging Canoe and the militant Chickamauga faction, however, refused to settle for peace.³³⁵ George Washington also wanted a settlement with the southern Indians but warned of another invasion if the Cherokees continued to fight.³³⁶

³²⁸ Pate, 73; O’Donnell, 47.

³²⁹ Pate, 74.

³³⁰ Pate, 74.

³³¹ Pate, 75.

³³² O’Donnell, 52.

³³³ Hatley, 195.

³³⁴ O’Donnell, 52.

³³⁵ Pate, 75.

³³⁶ O’Donnell, 56.

By mid-1777 the Cherokees agreed to two treaties that ended the conflict of the Cherokee War of 1776: The Treaty of DeWitt's Corner in May and the Treaty at Long Island of Holston in July. In the Treaty of DeWitt's Corner, the Cherokees ceded to South Carolina the lands along the Savannah and Saluda Rivers and east of the Unicoi Mountains, promised to release all captives and property, and declared their intention to deliver any Loyalists who had participated in the war. In total, the Cherokees lost 5,000,264 acres in these treaties.³³⁷ This settlement forced Lower Town Cherokees to move into Georgia or settle with the still militant Chickamaugas near Chattanooga.³³⁸ Even as negotiations were going on, Dragging Canoe scalped Whites and stole horses in the vicinity of the treaty grounds.³³⁹

In the Treaty at Long Island of Holston the American representatives from North Carolina and Virginia wanted all Cherokee land north of the Little Tennessee River. The Cherokees angrily refused, but ceded all land north of the Nolichucky River except the Long Island of the Holston River.³⁴⁰ The Virginia delegation insisted on peace, restitution for damages, and a rejection of the British by the Cherokees, but the Cherokees reminded the Virginians, "do you remember that the difference is about our land?"³⁴¹ The colonists did try to settle the land dispute through treaties and various laws telling the Whites to stay off Cherokee land and limit the use of the militia in confrontations with the Cherokees, but much of it was hard to enforce, particularly because the Americans were more concerned with the American War for

³³⁷ Woodward, 97.

³³⁸ Pate, 78; O'Donnell, 58; Woodward, 97-99.

³³⁹ Woodward, 98.

³⁴⁰ Pate, 78.

³⁴¹ O'Donnell, 56.

Independence by 1777.³⁴² James Robertson, founder of Nashville, became Indian commissioner to the Overhill Cherokees following the treaty.³⁴³

Cherokee leader Old Tassel summed up the feelings of the Cherokees at the Treaty of Long Island of Holston:

It is surprising that when we enter into treaties with our fathers the White people their whole cry is more land. . . . We do not quarrel with you for the killing of an occasional buffalo or deer on our lands, but your people go much farther. They hunt to gain a livelihood. They kill all our game; but it is very criminal in our young men if they chance to kill a cow or hog for their sustenance when they happen to be in your lands. . . . The Great Spirit has placed us in different situations. He has given you many advantages . . . He has stocked your lands with cows, ours with buffalo; yours with hogs, ours with bears; yours with sheep, ours with deer. He has given you the advantage that your animals are tame, while ours are wild and demand not only a larger space for range, but art to hunt and kill them. They are, nevertheless, as much our property as other animals are yours, and ought not to be taken from us without our consent, or for something of equal value.³⁴⁴

To the Cherokees, the difference was land, but to the Whites they scalped and murdered, the issue was survival, particularly as the Cherokees gained numerous Indian allies and had the support of the official enemy of the colonists--Britain. Also, although Old Tassel and the elder generation of Cherokees talked about peace, the militant faction, the Chickamaugas led by Dragging Canoe, were at war with the Americans and continued to be so throughout Jackson's early life. The Americans could not enforce their treaties on all Whites, and the Cherokees lacked the authority to impose the agreements on all Indians, despite any good intentions the leaders of either side may have had. The people Jackson knew as a child saw the conflict firsthand rather than in the peaceful postwar discussions. The men along the borders of North Carolina and South Carolina knew the danger of the Cherokees and had helped to temporarily bring an end to hostilities in the early phase of the war.

³⁴² Talk by Corn Tassel concerning encroachment on Cherokee land, September 25, 1782, in *SRNC*, XVI:415-416; Benjamin Harrison to Alexander Martin, November 12, 1782 in *SRNC*, XVI: 457-458

³⁴³ Woodward, 98.

³⁴⁴ Pate, 78-80.

The Cherokee threat revived, however, with British support in 1780. After the British took over the Waxhaws in 1780-1781, burned the meeting house, and took Jackson, his brother, and seven other young Waxhaw boys prisoner, the Waxhaws were vacant, the Catawbas had also fled, and the region was not a major threat to the British or to the Indians of the west. Still, other Americans knew the threat to the west, and if the people of the Waxhaws wanted to return to a normal life, the threat must be removed.³⁴⁵ Even after the punitive expedition against the Cherokees, frontier Americans did not trust the Indians and believed “the Creeks, Cherokees, Tories, and co.” were planning a coordinated attack in 1781.³⁴⁶ There was good reason to be suspicious. North Carolina Governor Alexander Martin knew that the “Chickamaugas ask no favors, being still determined to do all the injury they can.”³⁴⁷

Some Americans, however, including Southern commander Nathanael Greene, were willing to negotiate with the Cherokees.³⁴⁸ Greene told John Sevier and Martin to negotiate with the Cherokees and other friendly tribes for prisoners, boundaries, and peace.³⁴⁹ Greene, did this however, without Congressional approval because of “the importance of stopping the ravages of two such powerful nations of savages encouraged at a great expence by the enemy, and in the critical situation things were in, in the southern states, the measure will appear prudent and necessary, and tho’ accomplished with some expence, meet the approbation of Congress.”³⁵⁰

The Americans did meet with Cherokees, in the late spring of 1781, while young Jackson was in a Camden jail as a captive of the British. The Cherokees admitted to the Americans that they had behaved as “rogues” by joining the British and were now willing to accept peace.³⁵¹ In

³⁴⁵ Booraem, 104; Pate, 113.

³⁴⁶ O’Donnell, 117.

³⁴⁷ Alexander Martin to Benjamin Hawkins, December, 1782, in *SRNC*, XIX: 938

³⁴⁸ O’Donnell, 110-111.

³⁴⁹ *Ibid.*

³⁵⁰ O’Donnell, 111.

³⁵¹ O’Donnell, 117.

early September 1781, the Cherokees went to Virginia to discuss peace with the Americans, but informed the British that they only met with the Americans “to make the rebels believe the nation meant peace, but it was only to save the corn upon the ground and prevent our towns being burnt when our corn is made we will attack them with as much spirit as ever.”³⁵² By December 1781, however, after promising peace with the Americans, the Cherokees were again raiding the South Carolina frontier.³⁵³

Pickens and Elijah Clarke invaded Cherokee territory and found many towns deserted. The Americans demanded the release of prisoners and the Cherokees agreed to cede territory from Savannah to South Carolina.³⁵⁴ The leading scholar of the Chickamaugas, however, says that the expedition was not a total victory for the Americans as Pickens, Clarke, General Charles McDowell, Sevier, and Evan Shelby were not coordinated in their attacks. Still, the Americans did inflict punishment on the Cherokees. This action, however, led more peaceful Cherokees into the camp of the ever-increasingly hostile Chickamaugas.³⁵⁵

The Waxhaws, the Catawbas, and the War for Independence

Men from Jackson’s home along the Catawba frontier fought a two-front war against the Cherokees to the west and the Tories and their invading British allies at home. Historian Mary Elinor Lazenby compiled firsthand experiences of these men from the North Carolina and South Carolina border on the Catawba River in *Catawba Frontier, 1775-1781: Memories of Pensioners*. The compilation is full of men raiding the hostile Cherokees early in the War for Independence only to return home to fight Tories and British regulars. To these men, as well as

³⁵² O’Donnell, 118-119.

³⁵³ O’Donnell, 119.

³⁵⁴ O’Donnell, 127.

³⁵⁵ Pate, 122-123; Alexander Martin to Benjamin Hawkins, December, 1782, in *SRNC*, XIX:938.

to young Jackson, the Revolution was not just an attempt to rid themselves of British control, but also a war to secure their western border from Indian attacks. The British and the Indians were colluding to destroy the Americans along the Catawba frontier.

Jackson was familiar with many of these men because he referenced the leader of one of the Cherokee expeditions, Rutherford, in his detailed account of his own experiences in the Revolution. Jackson, when explaining his capture by the British, noted that Rutherford had been made prisoner as Jackson escaped Rawdon and Tarleton by retreating to North Carolina.³⁵⁶ In Lazenby's compilation, several of the men remembered following Rutherford into Cherokee Territory. Abraham Forney, James Graham, James Gillespie, John Morrison, Jeremiah Scruggs, David Dobbins, and Joseph Sharpe all joined General Rutherford in his Cherokee raid of 1776.³⁵⁷

Many of Jackson's neighbors from along the Catawba River and the North Carolina-South Carolina border, including the Waxhaws, participated in the Cherokee War of 1776, which was a "scorched-earth campaign."³⁵⁸ In 1775, William Alexander stated that his mission was "to protect the valley of the Catawba from the incursions of the Cherokees."³⁵⁹ In 1777, fourteen-year-old William Falls went with his father, who was a captain to Davidson's Fort on the Catawba River to guard the frontier against Cherokee invasions.³⁶⁰ William Knox, who died after accidentally being shot by one of his own men while on the Cherokee expedition, was, according to the *American General Gazette* in 1776, "defending the just right of his injured country" in pursuing the Cherokees who had "committed atrocities" against the colonists.³⁶¹ Robert Knox

³⁵⁶ "Jackson's Description of His Experiences during and Immediately Following the Revolutionary War, 1781-1783," in *PAJ*, I:5, 9fn.

³⁵⁷ Lazenby, 26, 31, 33, 37, 81, 90.

³⁵⁸ Moore, 62.

³⁵⁹ Lazenby, 6.

³⁶⁰ Lazenby, 28.

³⁶¹ Lazenby, 55.

went to Tryon County (now Rutherford County), North Carolina to protect the frontier and received fire from hostile Indians in a grain field.³⁶²

Another veteran of the American War for Independence, William Lenoir, stated that in the summer of 1776, Americans from along the Catawba River were trapped between two enemies. The British and Tories threatened the inhabitants from the east and the Cherokees posed danger from the west. These Americans living just north of Jackson on the Catawba River had been compelled to flee their homes “because of the depredations committed upon them, and from the great danger of their situation,” but when they sought security in the interior settlements, they faced danger from the Cherokees.³⁶³ As far away as Surry County, the people “had been much alarmed and annoyed by the depredations of the Indians.”³⁶⁴ To the people of the Catawba frontier, Britain and the Cherokees were a common enemy that worked together to terrorize the Americans.

The Americans were quite successful in their expedition against the Cherokees in 1776, but another enemy, with whom these forces would fight throughout the rest of the war, was ready for battle back in the Carolinas--the British and their Tory allies. The soldiers of the Catawba frontier frequently recalled the immediate transition from fighting Indians along and beyond the mountains, to fighting Tories and British in their hometowns. Archibald Houston, who was with General Rutherford along the Catawba River in North Carolina, stated that he combined forces with the troops from South Carolina while fighting the Cherokees across the mountains. After “destroying the Indian crops” and killing “a few Indians” the troops “marched directly home . . . for the purpose of keeping down the Tories who were rising in that section.” Houston and his

³⁶² Lazenby, 57.

³⁶³ Lazenby, 60-61.

³⁶⁴ *Ibid.*

men were “guarding and defending the neighborhood from the notorious raider ‘Tory [Sam] Brown.’”³⁶⁵

1776 was the year for the troops from western North and South Carolina to fight the Cherokees along the frontier and 1777 was the year to return home and fight the Tories. In addition to Houston, several other soldiers mentioned the need to quickly return home to fight the White enemy after raiding Cherokee towns. Lenoir described how the Cherokees ambushed troops from South Carolina, killing fifteen Whites and then burying them in a swamp.³⁶⁶ The soldiers fighting alongside Lenoir were suffering, and many died from “exposure, privation, and fatigue.”³⁶⁷ Still, following the summer raid across the mountain on Cherokee towns, they had to rush back east and fight Tories.³⁶⁸ James Martin, colonel of the Guilford County, North Carolina militia, mentioned the lack of downtime between the raid on Cherokees to fighting Tories in 1777.³⁶⁹

The war against the three enemies continued throughout the remainder of the Revolution. As Jackson spent the late 1770s and early 1780s moving from South Carolina across the border to North Carolina, depending on where British troops were invading, James McFadden, who was a veteran of the 1776 Cherokee Expedition, stated that he spent the “whole year [of 1779] . . . harried by Indians and Tories.” In 1781, he spent three months fighting in Cherokee Territory.³⁷⁰ Thomas Wright, who volunteered in June 1776 for “war with the Cherokee Indians,” participated in several skirmishes against the Cherokees and drove the Indians from their towns. He then

³⁶⁵ Lazenby, 49.

³⁶⁶ Lazenby, 60-61.

³⁶⁷ *Ibid.*

³⁶⁸ *Ibid.*

³⁶⁹ Lazenby, 73.

³⁷⁰ Lazenby, 79-80.

fought a combination of British and Tory forces in 1780. Wright signed up to protect his homeland from Cherokee raids and ended fighting off British advances.³⁷¹

The Catawba Indians also supported their White neighbors in the Cherokee War of 1776.³⁷² Their primary role for South Carolina throughout 1776 was to capture runaway slaves. The Catawbas went on expeditions to capture fugitive slaves under Captain Samuel Boykin.³⁷³ They were also successful as scouts for the American forces in 1776.³⁷⁴ They received “colony pay” for defending Charleston against a possible British attack in 1776.³⁷⁵ Those Catawbas, serving under Andrew Williamson invaded Cherokee territory and burned Cameron’s plantation, as twenty Catawba scouts assisted the South Carolinians as they fought Cherokees and burned a town.³⁷⁶ Several Catawbas lost their lives in 1776 fighting under the command of Williamson against Cherokees near Franklin, North Carolina.³⁷⁷ For Jackson and the Carolinians of his generation, there was not a hatred of all Indians. The Catawbas’ willing support of the Americans is evidence of a more complex White-Indian relationship.

The Catawbas proved to be loyal allies of the Americans. Following one Creek raid in 1779, the South Carolinians relied on their one true Indian ally, the Catawbas, for additional support. In spring 1779, William Moultrie wrote Governor Rutledge and specifically requested some Catawba warriors who “would be of infinite service” against the Creeks. And he “shall be very glad” to have them.³⁷⁸ While Jackson and the Americans in the Waxhaws were facing a triple threat of British, Tories, and Indians, led by the Cherokees to the west, the Americans’

³⁷¹ Lazenby, 99.

³⁷² Lazenby, 3, 81.

³⁷³ Picuch, 63.

³⁷⁴ Brown, 264.

³⁷⁵ Picuch, 64.

³⁷⁶ O’Donnell, 44-45.

³⁷⁷ *Ibid.*

³⁷⁸ Moultrie to Rutledge, April 23, 1779, in Moultrie, I:379 ; and Moultrie to Rutledge, May 3, 1779, in Moultrie, I:397.

loyal Indians, the Catawbas, though small in number, played a vital role in 1780. One leading historian of the Catawbas insists that the Americans may not have had victory at King's Mountain had the Catawbas not been loyal.³⁷⁹ Cornwallis, either dishonest or unaware of what British agents were doing among the Cherokees, when offering amnesty to the "rebels" said that "the only Indians employed since the invasion of Carolina are those of the Catawba by the rebels."³⁸⁰

General Thomas Sumter actively recruited Catawbas to join his army.³⁸¹ He specifically used them to find Loyalist hideouts in the South Carolina backcountry.³⁸² Some Catawbas served under Sumter throughout his southern campaign. Others led by Catawba General New River, joined Colonel William Richardson Davie and Jackson's cousin, Major Robert Crawford.³⁸³ It was nothing new for Jackson's family to interact with the Catawbas as his older brother, Hugh, had "fought Cherokees in the Waxhaws and hunted with the docile Catawba" while Andrew was a young boy.³⁸⁴ The Catawbas during the Revolution normally fought under White leadership, but had a separate company of forty-one men under Captain Thomas Drennan from 1780 to 1782.³⁸⁵

When British Lord Rawdon arrived in the Waxhaws in the summer of 1780, the Tories were afraid of the Catawbas and asked the British for protection.³⁸⁶ The British again tried, but failed to enlist Catawba support.³⁸⁷ When the Jacksons and other Waxhaw residents evacuated

³⁷⁹ Brown, 264.

³⁸⁰ Piecuch, 209.

³⁸¹ Brown, 266.

³⁸² Piecuch, 289.

³⁸³ Piecuch, 209; Brown, 266-270; Merrell, 216; Booraem, 56; Moore, 74.

³⁸⁴ James, 4.

³⁸⁵ Brown, 267.

³⁸⁶ Piecuch, 209.

³⁸⁷ Merrell, 216; "Diary of the Congregation in Salem," June 13, 1781, in Fries, Adelaide, *Records of the Moravians in North Carolina*, (Raleigh: Edwards & Braughton Company, 1930) IV:1695-1696.

the district north of the South Carolina border following the British invasion, the Catawbas fled as well to North Carolina and Virginia.³⁸⁸

Many historians have largely ignored the Catawbas' contributions. To the people of the Carolinas, particularly the Catawbas' neighbors in the Waxhaws, their mere support meant one less enemy to combat as the region was attacked from all sides. One leading historian of the Catawbas calls their role in the war "rather negligible."³⁸⁹ Another says "it is unlikely that the [Catawba] Nation ever determined a battle" in the American War for Independence.³⁹⁰ The leading historian of the British Campaign in the Carolinas during the early 1780s does not even mention the Catawbas.³⁹¹ Another leading Revolutionary War scholar only discusses their role as slave catchers.³⁹²

The Catawbas did serve, as has been shown earlier, throughout the war, and they continued to contribute to the overall American war effort, but in a significant way to the people along the Carolina border, in 1781, at the Battle of Haw River. On February 25 the Catawba warriors shared in the American victory and inflicted several casualties on the British.³⁹³ On March 15 at the pyrrhic British victory at the Battle of Guilford Courthouse, Catawbas served as scouts for General Nathanael Greene.³⁹⁴ On September 8 in the last major battle in the Carolinas at the Battle of Eutaw Springs in Orangeburg County, South Carolina, Catawbas fought alongside patriot forces.³⁹⁵

³⁸⁸ Merrell, 216.

³⁸⁹ Hudson, 51; Merrell, 217.

³⁹⁰ Merrell, 217.

³⁹¹ Merrell, 352-353fn.

³⁹² *Ibid.*

³⁹³ Brown, 270.

³⁹⁴ Brown, 270.

³⁹⁵ *Ibid.*

The Catawbas offered other types of support in addition to military service in the latter years of the war. They supplied the American soldiers with food, specifically beef and corn.³⁹⁶ After the British took Charleston in May 1780, the Catawba reservation became a center of resistance.³⁹⁷ The Catawbas allowed Sumter to use the reservation as a base of operation as he gathered 500 soldiers there in the summer of 1780, and 200 Catawba soldiers joined Sumter's men.³⁹⁸ They supplied food for the Americans and allowed Sumter to use their reservation as headquarters, but they also lost alongside the Americans. During 1780 and 1781 the British destroyed Catawba villages in the Waxhaws.³⁹⁹ When the Catawbas returned home from helping the Americans in battle in late 1781, they found that "all was gone; cattle, hogs, fowls, etc., all gone" as they spent years sacrificing with the Americans.⁴⁰⁰

The British and the Indians

The British brought devastation onto Jackson's Waxhaw community and destroyed his family and his society while possibly destroying his future. In addition to the immediate harm the British brought to Jackson's world, they also brought continual paranoia and fear because of the possibility of British-supported Indian attacks on Jackson and his family before and throughout the Revolution. Both Britain and America were negotiating with the four major tribes of the American South: Cherokee, Creek, Chickasaw, and Choctaw. Both countries also competed for the loyalty of the Indian tribe in the Waxhaw settlement: the Catawba.

From the beginning of the war, many western Indians supported Britain. Although the Cherokees were the most threatening tribe to Jackson, only one of the four major tribes, the

³⁹⁶ Brown, 267.

³⁹⁷ Merrell, 216; Picuch, 209.

³⁹⁸ Picuch, 209.

³⁹⁹ Brown, 270-271; Merrell, 216.

⁴⁰⁰ Merrell, 216.

Chickasaws, was completely loyal to the British throughout the war.⁴⁰¹ When the Chickasaws pledged loyalty to Britain in 1777, they threatened to punish the Choctaws if the tribe did not join.⁴⁰² The Choctaws then joined the British and their Indian allies.⁴⁰³ They plainly stated their reason for loyalty as one Choctaw chief said, “Two people love us [and] whoever gives us the most will be the most regarded.”⁴⁰⁴ The Americans learned that gifts purchased Indian loyalty. The Chickasaws and Choctaws were not a direct threat to Jackson during the Revolution, but they did help the British-Cherokee war effort by defending the Mississippi River while Creeks and Cherokees invaded the eastern colonies.⁴⁰⁵ The Chickasaws captured settlers and gave them to John Stuart to ransom.⁴⁰⁶ By 1780, in need of supplies, the Choctaws joined Cherokees and Creeks in joint raids under the British flag in return for gunpowder.⁴⁰⁷

Threats from the Cherokees, who occupied parts of western South Carolina, North Carolina, and what would later become Tennessee across the Appalachian Mountains, were most significant because of the size, sophistication, and strength of the tribe. The Catawbas, if mobilized for or against the Americans, would make a difference not because of their size or strength, as they were relatively weak at the time of the American Revolution, but because of their location--in Jackson’s immediate vicinity. The Creeks were dangerous because of their brutality and strength and relative closeness. The Chickasaws and Choctaws were not an immediate concern of the Waxhaw residents because of their distance, but could become a major player if the British convinced these western tribes to come east. Also, there remained the

⁴⁰¹ O’Donnell, 12, 92.

⁴⁰² O’Donnell, 100.

⁴⁰³ O’Donnell, 64.

⁴⁰⁴ O’Donnell, 92.

⁴⁰⁵ O’Donnell, 87.

⁴⁰⁶ O’Donnell, 85-86.

⁴⁰⁷ O’Donnell, 104.

looming threat of a raid from the north by the Iroquois, who were the habitual enemies of the Catawbas.⁴⁰⁸

In 1778, the British-Cherokee alliance continued, though the year was not filled with the intensity of Cherokee and American raids of 1776. By 1778, however, there was a major split in the Cherokee Nation as the Lower, Valley, and Middle Towns were less active, and the Overhill Towns were divided between the older generation of the Cherokees and the younger generation of Chickamaugas. The Chickamaugas and some Cherokees were willing to help the British defeat the Americans in 1778 because they needed British supplies following crop failures, White settlers were coming over the mountains at a rate of one hundred per month, and the colonists had developed a large and growing settlement near present-day Knoxville in eastern Tennessee.⁴⁰⁹

Following a meeting with 400 Cherokees in Pensacola in January 1778, John Stuart was sure that “the bulk of Indians would join his majesty’s forces.”⁴¹⁰ He was correct as thousands of western Indians continued to support the British. The number of British Indian allies was growing, as in October 1778, Henry Hamilton, who was notorious for helping the British to gain Indian allies to attack the frontier, met with a group of Cherokees, Chippewas, Wyandottes, Shawnees, Ottawas, and Miami at the Miami village of Petit Gris on the St. Joseph River. Hamilton promised them supplies in return for their loyalty, which would include the Cherokees attacking the Carolina backcountry.⁴¹¹ The Indians passed war belts and agreed to Hamilton’s offer.⁴¹²

⁴⁰⁸ Moore, 26.

⁴⁰⁹ Pate, 85.

⁴¹⁰ Pate, 84.

⁴¹¹ Pate, 86.

⁴¹² Pate, 86.

The Overhill Cherokees, Chickamaugas, and Cherokees in northern Georgia joined Loyalist refugees and attacked the frontier, intercepted communications, and disrupted supply lines throughout 1778. Other Chickamaugas, “instigated by British emissaries,” fought to keep colonists away from the Tennessee River, which earned them support from peaceful Cherokees and Upper Creeks to raid the frontier.⁴¹³ The Chickamaugas also welcomed Loyalist refugees into their towns.⁴¹⁴ British agents Cameron, John McDonald, and Walter Scott met with the Chickamaugas, supplied them, and coordinated attacks upon the Americans.⁴¹⁵ The Chickamaugas often received supplies by horse from Pensacola.⁴¹⁶

The Americans again raised troops to combat the Indians to the west. The troops the southern colonies used against the Indians could have been used to fortify the colonies against the pending British invasion. North Carolina raised a force of 400 militia to protect the frontier against the Indian incursions.⁴¹⁷ Governor Patrick Henry of Virginia ordered a joint raid by Virginia and North Carolina to stop the Chickamaugas.⁴¹⁸

In 1779, the British side of the war directly affected the Jacksons. Until 1779, most of the Jacksons’ and their relatives, the Crawfords’, experience with the Revolution was the fear of British invasion and the real fear of the Cherokee War throughout the Carolina border region and to the west. In 1779, Davie, Jackson’s Uncle James Crawford, Jackson’s brother Hugh Jackson, and other men from the Waxhaws went to Charles Town to defend the capital city against British attack.⁴¹⁹ While Jackson’s older brother and older role models went to Charles Town to fight off the British invasion, to the west, the British continued to recruit hostile Indians and raid the

⁴¹³ Pate, 88; Patrick Henry to Richard Caswell, January 8, 1779, in *SRNC*, XIV:243-245.

⁴¹⁴ Patrick Henry to Richard Caswell, January 8, 1779, in *SRNC*, XIV:243-245.

⁴¹⁵ Pate, 88; Patrick Henry to Richard Caswell, January 8, 1779, in *SRNC*, XIV:243-245.

⁴¹⁶ Pate, 88-89; Patrick Henry to Richard Caswell, January 8, 1779, in *SRNC*, XIV:243-245.

⁴¹⁷ Pate, 86.

⁴¹⁸ Pate, 88-89.

⁴¹⁹ Booraem, 47; Moore, 74. Remini, *Andrew Jackson and the Course of American Empire*, 15.

backcountry. The Chickamaugas, always loyal to the British, spent the early months of 1779 stocking supplies they received for the British in preparation of a spring offensive against the Carolinas and Georgia.⁴²⁰ Dragging Canoe wholeheartedly supported the British against the Americas because Cameron, in addition to supplying the nation and helping curb colonists' settlement of Cherokee land, planned to help Dragging Canoe bring all the Cherokees into one united Chickamauga community.⁴²¹ The Chickamaugas proved their loyalty by joining Britain in an attack on Savannah in April of 1779.⁴²² By the end of that year the Chickamaugas had eleven villages south of the Overhill Towns and received their supplies from the British in Pensacola and the Creeks to the south.⁴²³

Stuart recruited additional Choctaws and Creeks by telling them that the Americans were too weak for another invasion; particularly now that the British army was among the southern colonies, and that the British could offer support against a raid should one occur.⁴²⁴ Some Upper Creeks, who had been on the Americans' side or neutral, threw their support behind Britain after receiving supplies from the British in 1779.⁴²⁵ The British took advantage of their Indian allies and used them to raid the backcountry as British forces moved inland from the east. At least 800 Cherokees, Chickamaugas, and Upper Creeks raided South Carolina in 1779.⁴²⁶ All but seventy-five of the Chickamaugas' warriors were busy in 1779 either raiding South Carolina or Georgia, or protecting the Tennessee River.⁴²⁷ Dragging Canoe and Cameron led a force of 305 Indians plus Loyalists in an invasion of Georgia and South Carolina in August 1779.⁴²⁸

⁴²⁰ Pate, 91.

⁴²¹ Pate, 92.

⁴²² O'Donnell, 83.

⁴²³ Hatley, 225.

⁴²⁴ O'Donnell, 71, 86.

⁴²⁵ O'Donnell, 87.

⁴²⁶ Pate, 93.

⁴²⁷ Pate, 93.

⁴²⁸ Pate, 96-97.

By 1779, the Creeks were as forceful as the Cherokees had been earlier in support of Britain. In April, at least thirty Creeks joined Loyalists who were painted and dressed like Indians in burning the house of a Whig in the backcountry of South Carolina.⁴²⁹ The British, after recruiting two-hundred Lower Creeks to raid South Carolina, acknowledged that the supplies bought the loyalty of the Creeks, for “without presents the Indians . . . are not to be depended on.”⁴³⁰ A total of 300 Creeks raided South Carolina, confiscating property, including slaves, throughout the spring and summer of 1779 as Jackson’s brother and uncle were away from home fighting the British.⁴³¹

As the British raided the Waxhaws from the east throughout 1780 and 1781, destroying the lives and property of many of the residents, they used the Indians to attack the Whites in the west. In April of 1780 nine families from the Carolina backcountry were travelling to Natchez when brutally attacked by a combined force of Cherokees and their Shawnee allies, killing forty Whites.⁴³² In June 1780, Governor Jefferson of Virginia, fearing a combined British-Indian assault, appointed William Campbell to lead Virginia troops against hostile Cherokees and Chickamaugas to stop the British interference in the west and bring peace to the southern frontier.⁴³³ After Americans defeated British and Tories at King’s Mountain on October 7, 1780, British General Cornwallis ordered Cherokees to attack frontier settlements.⁴³⁴ The Cherokees then joined the British in raiding the frontier.⁴³⁵ John Sevier fought the Cherokees in mid-

⁴²⁹ Picuch, 153.

⁴³⁰ O’Donnell, 87.

⁴³¹ O’Donnell, 81-82.

⁴³² Delavillebeuvre to Miro, April 25, 1780, in Kinnaird, Lawrence, ed., *Spain in the Mississippi Valley, 1765-1794: Translations of Materials from the Spanish Archives in the Bancroft Library, Part I: The Revolutionary Period, 1765-1781* (Washington: United States Government Printing Office, 1949) I:376.

⁴³³ Pate, 107.

⁴³⁴ O’Donnell, 106.

⁴³⁵ Martin to Jefferson December 12, 1780, in O’Donnell, 106.

December 1780 and found in their baggage, British documents and proclamations from Hamilton.⁴³⁶

Campbell, recognizing the need for action against the Cherokees, said that “if the enemy are not repelled before they get leave to penetrate into the country this winter, we must the ensuing summer [1781] be subjected to the depredations of a savage enemy.”⁴³⁷ Campbell joined Sevier in late December 1780, and the two men led forces that burned Toqua, Chilhowee, and smaller villages. The Cherokees then asked for peace, but it was too late and Campbell was resolute. He refused the Cherokee request for peace, then burned Chota, Settico, and Tuskegee. When he captured the town of Hiwassee, he learned that British agent John McDonald was conspiring with Indians and Tories at the Chickamauga town of Chestoe, twelve miles away.⁴³⁸ The punitive raids of 1780 were devastating to the Cherokees, but not as bad as they had been in 1776.⁴³⁹ Campbell’s group destroyed more than 1,000 Cherokee houses, 50,000 bushels of corn, and other supplies.⁴⁴⁰ This destruction pushed many Cherokees into the Chickamauga-British camp, but forced some Cherokees to ask for peace.⁴⁴¹ In 1781, although the Cherokees were discussing peace with the Americans, The Raven told the British at Savannah that the Americans attacked in late 1780 “in such numbers last fall there was no withstanding them, they dyed their hands in the blood of many of our women and children, burnt seventeen towns, destroyed all our provisions by which we and our families were almost destroyed by famine this spring.”⁴⁴²

Some Americans feared that the raids on the Cherokees in late 1780 would make the Indians “irreconcilable enemies” of the Americans and hurt Whig recruiting efforts, but others

⁴³⁶ Pate, 107-109.

⁴³⁷ O’Donnell, 106-107.

⁴³⁸ Pate, 109-110.

⁴³⁹ O’Donnell, 107.

⁴⁴⁰ Pate, 110-111.

⁴⁴¹ Pate, 110-111.

⁴⁴² Hatley, 226-227; O’Donnell, 118-119.

understood the Cherokee-British connection and the need to stop the dangerous alliance to secure the frontier and achieve independence.⁴⁴³ As the British devastated Jackson's homeland in the Waxhaws, they encouraged the Cherokees to terrorize the frontier as Jackson's family tried to escape.

After the Battle of Yorktown in October 1781, Americans had the momentum and moved toward victory after the British surrender, but for Jackson, the Catawbas, and the people of the Carolinas, the war was still going on to the west. The British still claimed to have large numbers of Indian supporters to the west including 3,000 Cherokees, 7,319 Creeks, 7,022 Choctaws, and 750 Chickasaws.⁴⁴⁴ South Carolinians, seeking revenge on the Cherokees and unwilling to trust them after the failed negotiations of 1781, wanted another raid on the Cherokees. General Andrew Pickens led the South Carolina troops along with some troops from Georgia. North Carolina sent 1,000 men under the condition that the Americans not harm friendly Cherokee towns and that the commanders "observe strict discipline among the men, suffering no marauding or plundering by individuals."⁴⁴⁵

The British and the Waxhaws

Members of the Waxhaw community saw action early in the Revolution although the fighting did not affect the district directly until 1780. At the beginning of the war in 1775, some Waxhaw volunteers went on a raid to subdue Cherokees and Loyalists nearby in western South Carolina.⁴⁴⁶ From the start, Cherokees were synonymous with the British in the American War for Independence in posing the main threat early in the war to the backcountry. In 1779,

⁴⁴³ O'Donnell, 109.

⁴⁴⁴ O'Donnell, 120.

⁴⁴⁵ O'Donnell, 126. Instructions to Charles McDowell concerning an expedition against the Cherokee Nation, July 23, 1782, in *SRNC*, XVI:697-698.

⁴⁴⁶ Booraem, 46.

however, Jackson's older brother Hugh and uncle and mentor James Crawford went with William Richardson Davie to defend Charles Town against the British in 1779.⁴⁴⁷ At age twelve, Jackson suffered his first loss to the British when his brother, Hugh, died. Hugh Jackson fought at the Battle of Stono in 1779 and collapsed from exhaustion.⁴⁴⁸ He barely made it home following the battle, then died and was buried in the churchyard at the Waxhaw Meeting House.⁴⁴⁹ Fighting alongside Hugh at Stono were several Catawba Indians from the Waxhaw community.⁴⁵⁰

The British Army invaded the Waxhaws in late 1780. Jackson said that during this invasion he saw British General Banastre Tarleton pass through. Tarleton, in addition to brutally attacking Jackson's South Carolina neighbors, passed through Jackson's neighborhood on the way to recruit Catawbas for the British cause.⁴⁵¹ Britain had already enlisted the support of the four major Southern Indian tribes, instilling fear into the backcountry of South Carolina, and now Tarleton recruited the lone "friendly" tribe in South Carolina.

Young Jackson and the Carolinians particularly hated Tarleton. Jackson, later in life, recalled that he made a mistake when he, after viewing Tarleton, let him go when he was so close that Jackson "could have shot him."⁴⁵² Although there was always a hatred of the British, most residents of the Waxhaws wanted to avoid the conflict. They did avoid direct conflict against the British until the invasion of 1780, when over half of the Waxhaw men enlisted to defend their homes.⁴⁵³

⁴⁴⁷ Booraem, 47.

⁴⁴⁸ Booraem, 47; Moore, 74.

⁴⁴⁹ *Ibid.*

⁴⁵⁰ Merrell, 216.

⁴⁵¹ "Jackson's Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783," in *PAJ*, I:4.

⁴⁵² *Ibid.*

⁴⁵³ Moore, 62.

In May 1780 the British captured Charleston and moved toward North Carolina to put down the Whigs, including Jackson's uncle, James Crawford. On May 29, 1780 British troops arrived in the Waxhaws. The Americans had only 350 Virginia regulars to defend them under the command of Colonel Abraham Buford. General Cornwallis sent Tarleton with 270 to prevent Buford and his men from reinforcing Salisbury, North Carolina.⁴⁵⁴ In one of the more brutal attacks of the war, Tarleton killed Buford's forces while they were trying to surrender near Camden, South Carolina at "Buford's Massacre."⁴⁵⁵ One hundred and thirteen Americans were killed that day, sixty died later from wounds, and fifty-four were taken prisoner.⁴⁵⁶

Jackson, an early teenager at the time, saw the effects of this massacre. Following Buford's defeat and the subsequent pillaging by the British troops, the Waxhaw residents moved the wounded to the meeting house, which became a hospital. Elizabeth Jackson, Andrew's mother, Robert, his brother, and young Andrew treated the wounded.⁴⁵⁷ Several men were missing one or both arms as a result of the slashing of Tarleton's troops. Each man attacked had at least three gashes, and some had as many as thirteen gashes on them.⁴⁵⁸ After the tragedy, many Waxhaw men sought revenge. Tarleton tried to enlist Catawba support, but the tribe joined the Americans in waging guerrilla warfare on the British invaders. This loyalty surely had impact on the young Jackson.⁴⁵⁹

Tarleton returned to the Waxhaws and demanded that every man swear an oath of loyalty to King George III.⁴⁶⁰ Jackson and his cousins, the Crawfords, escaped to Mecklenburg County,

⁴⁵⁴ Moore, 60.

⁴⁵⁵ Booraem, 59.

⁴⁵⁶ Moore, 61; Tarleton, Banastre, *History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America*, (Dublin: Printed for Colles, etc., 1787), 80-83.

⁴⁵⁷ Remini, *Andrew Jackson and the Course of American Empire*, 14-15.

⁴⁵⁸ Booraem, 50.

⁴⁵⁹ Booraem, 49; Moore, 68.

⁴⁶⁰ Booraem, 50.

North Carolina.⁴⁶¹ The British left the Waxhaws thinking there was nothing remaining except poor Irish.⁴⁶² The western South Carolina White communities “were, in effect, one big Irish Presbyterian settlement”⁴⁶³

During the summer of 1780 Davie, led South Carolina Continental Army troops under Jackson’s cousin Robert Crawford, volunteers, and militia from Mecklenburg County, North Carolina, where many residents of the Waxhaws had sought refuge during the British invasion, and a band of Catawbas under General New River.⁴⁶⁴ They fought to “prevent the enemy from foraging on the borders of [North Carolina]” and “check the depredations of the Loyalists who infested that part of the country.”⁴⁶⁵ Throughout the summer of 1780, the Americans found whatever food they could as British soldiers foraged the crops of the Waxhaws, depleting Jackson’s community of provisions and turning his community into a ghost town, with residents scattered into North Carolina.⁴⁶⁶

Jackson saw British forces firsthand at the Battle of Hanging Rock on August 6, 1780 as American forces led by veteran General Thomas Sumter defeated the larger Loyalist forces. Young Jackson, along with slaves who remained with the Patriots, watched horses for the men fighting the British. Jackson was at Hanging Rock with the “closest thing to a father he ever had,” Uncle James Crawford.⁴⁶⁷ Jackson witnessed the brutality of war as his cousin was shot through the body.⁴⁶⁸ In an effort to clean the gash, someone drew a handkerchief through the

⁴⁶¹ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783,” in *PAJ*, I, 5.

⁴⁶² Booraem, 51-52.

⁴⁶³ Booraem, 54.

⁴⁶⁴ Moore, 68-69.

⁴⁶⁵ Moore, 68-69.

⁴⁶⁶ Moore, 68-69.

⁴⁶⁷ Booraem, 87.

⁴⁶⁸ Booraem, 68.

wound.⁴⁶⁹ Thinking his cousin, also named James Crawford, was dying, Jackson, his brother Robert, and his other Crawford cousins laid the wounded man down near a creek with his head resting on his coat as a pillow.⁴⁷⁰ Crawford was still alive, but dying. The young men left the body thinking that “in a day or two the women would come and recover the body.”⁴⁷¹ Crawford later recovered, but the British had badly wounded a member of Jackson’s family. The Americans won a moral victory at Hanging Rock as they bloodied the British and seized 100 horses and 250 guns. The Americans had “struck a blow for freedom and against popery” at Hanging Rock.⁴⁷² The Scotch Irish were not alone in their defense of the Waxhaws. While Jackson kept watch over the soldiers’ horses, American slaves joined him in the watch.⁴⁷³ A dozen Catawba warriors helped defend South Carolina and fought to protect Jackson’s cousin Jim Crawford.⁴⁷⁴ While Jackson’s cousin was on the verge of losing his life, loyal Indians, the Catawbas, once again helped their neighbors of the Waxhaws.

Following the brief success at Hanging Rock on August 6, 1780, the Waxhaw men suffered a loss at Camden. After the Americans lost 900 killed or wounded, plus 1,000 captured at Camden, many Waxhaw residents fled the region so that the land looked “empty.”⁴⁷⁵ It was after the loss at Camden that Greene assumed command of the American forces in the Carolinas by replacing General Horatio Gates.⁴⁷⁶ Cornwallis punished the Americans severely by giving their property to Tories, imprisoning captives, and setting up camp for the British in the

⁴⁶⁹ *Ibid.*

⁴⁷⁰ *Ibid.*

⁴⁷¹ Booraem, 68.

⁴⁷² Booraem, 68.

⁴⁷³ Booraem, 64.

⁴⁷⁴ Booraem, 69; Merrell, 216.

⁴⁷⁵ Booraem, 74, 83.

⁴⁷⁶ *PAJ*, V:432fn.

Waxhaws.⁴⁷⁷ Cornwallis's new headquarters in September 1780 was the abandoned house of Jackson's cousin, Robert Crawford.⁴⁷⁸

The Waxhaws was a terrible scene in the fall of 1780. Near the Catawba settlement, the "depredations of both parties [had] made a desert" of Jackson's neighborhood.⁴⁷⁹ Its residents had fled across the North Carolina border and its troops had dispersed.⁴⁸⁰ Disappointed to see the condition of the region, one American lamented that it "has been ravaged and plundered by both friends and enemies...I am really afraid it will be impossible to subsist the few troops we have."⁴⁸¹ Even the British were disappointed with their new temporary home. Tarleton said that by the end of September 1780, three weeks after setting up camp in the Waxhaws, "flour, cattle, and forage were collected with difficulty by the main army . . . the depredations having made a desert of the country."⁴⁸²

After fleeing their home, Jackson's mother faced great fear while a refugee in North Carolina by worrying about atrocities that may be committed by the British, Hessians, Cherokees, Tories, or a combination of all four.⁴⁸³ The British forced the Jacksons to flee General Cornwallis's army and leave the Waxhaws for North Carolina in September 1780 when Jackson was thirteen years old.⁴⁸⁴ Elizabeth Jackson, referred to as "Betty," her sister, brother-in-law, John McKamie, a Black girl named Charlotte, young Andrew Jackson, and several horses fled the British and stayed with Alexander. Betty was distraught about "things being left in

⁴⁷⁷ Moore, 69-70.

⁴⁷⁸ Moore, 70.

⁴⁷⁹ Tarleton, 161.

⁴⁸⁰ Tarleton, 158.

⁴⁸¹ Moore, 71.

⁴⁸² Tarleton, 161.

⁴⁸³ Graham, 71-72; "Jackson's Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783," in *PAJ*, I:5.

⁴⁸⁴ Graham, 74.

desolation at home” [in the Waxhaws].”⁴⁸⁵ She “feared everything they had would be destroyed . . . and they hid many of their things in the woods”⁴⁸⁶

From 1781 to the end of the war in 1783, the British, Hessians, and Cherokees, along with other Indians were certainly a threat, but the more immediate danger in North and South Carolina was the Tories. At age fourteen, Jackson, while serving as a bodyguard to Captain John Land, suffered an assault by the Tories in March 1781.⁴⁸⁷ During this attack, Tories shot Jackson’s Uncle James Crawford who later died from the wound, while Jackson escaped.⁴⁸⁸ The British sympathizers took the life of Jackson’s mentor, Crawford, who was his father-figure, the man who provided for Jackson, his brothers, and his widowed mother, and the leader of the Waxhaw settlement local Presbyterian Church.⁴⁸⁹ Jackson joined many Whigs in wanting revenge on these murderers.⁴⁹⁰ Some Whigs wanted to mutilate the Tories and British and let the birds eat the corpses.⁴⁹¹ Reflecting later in life, Jackson noted that some Americans did exact vengeance, but with a guilty conscience later.⁴⁹² Jackson said that he had a friend who killed over twenty Tories, but “never was a happy man afterwards.”⁴⁹³

Jackson particularly hated the Tories. Throughout the 1770s in the Waxhaws, bands of outlaws, including runaway slaves, terrorized the district. When the war began, these same outlaws became Tories and sought British protection.⁴⁹⁴ Even some British prison guards were ashamed of the actions of the Tories, as Jackson noted how a Massachusetts Loyalist captured

⁴⁸⁵ Graham, 71.

⁴⁸⁶ Graham, 78.

⁴⁸⁷ Booraem, 85-87.

⁴⁸⁸ Booraem, 92.

⁴⁸⁹ Booraem, 87.

⁴⁹⁰ Booraem, 92.

⁴⁹¹ Booraem, 93.

⁴⁹² Booraem, 94.

⁴⁹³ *Ibid.*

⁴⁹⁴ Booraem, 52.

Jackson and imprisoned him, treating the prisoners “harshly and inhumanly” while “confined.”⁴⁹⁵

Jackson and many others in the Waxhaw community had many reasons for wanting vengeance on the British, particularly following the British imprisonment of numerous young males from the neighborhood. Jackson, his brother Robert, and some of his Crawford cousins, were prisoners of the British in April 1781 at the Camden jail.⁴⁹⁶ Soon after the capture, a British officer ordered Jackson to clean his boots, degrading the young man.⁴⁹⁷ Jackson refused, contending that he should be treated with the dignity attached to an official prisoner of war.⁴⁹⁸ The officer struck Jackson across the forehead with a sword, leaving a deep cut, which later scarred, and cuts across his fingers, which Jackson had used to try to block the attack.⁴⁹⁹ Jackson and the Americans saw themselves as independent and equal to the British, whereas the British dismissed the Patriots as rebels.⁵⁰⁰

Jackson’s mistreatment at the hands of the British fueled his anger. The British had put Jackson, along with roughly two hundred and fifty more prisoners, in a jail in Camden.⁵⁰¹ When the British realized the relation of the Jacksons and the Crawfords, they separated them.⁵⁰² Jackson recounted that “no attention whatever was paid to the wounds or to the comfort of the prisoners.”⁵⁰³ Smallpox broke out in the camp, causing many to suffer.⁵⁰⁴ Jackson said that he

⁴⁹⁵ AJ to Sam Houston, August 8, 1824, in *PAJ*, V:431.

⁴⁹⁶ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783,” in *PAJ*, I:9.

⁴⁹⁷ *Ibid.*

⁴⁹⁸ *Ibid.*

⁴⁹⁹ *Ibid.*

⁵⁰⁰ Booraem, 97.

⁵⁰¹ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783,” in *PAJ*, I:7.

⁵⁰² *Ibid.*

⁵⁰³ *Ibid.*

⁵⁰⁴ *Ibid.*

“frequently heard them groaning in the agonies of death and no regard was paid to them.”⁵⁰⁵ Jackson became “infected with the contagion.”⁵⁰⁶ He later said that he “was abused very much” while imprisoned.⁵⁰⁷ The guards, according to Jackson, threatened to “hang us all” soon after they defeated the American army.⁵⁰⁸ Even British Captain Robert Campbell recognized that Jackson and his fellow prisoners were being treated “badly and inhumanely” at the Camden prison.⁵⁰⁹ Among the abuses was the fact that some British guards withheld food from the prisoners and gave it instead to their “plundered negroes.”⁵¹⁰

Jackson’s mother arranged a prisoner exchange and Jackson, stricken with smallpox and a wounded head, walked out, while his brother Robert, who also had a head wound, which may have caused his premature death, and weak because of a “severe bowel complaint,” rode a horse alongside his mother.⁵¹¹ The forty-five mile journey away from the prison camp was horrible.⁵¹² Robert died two days later. Jackson blamed Robert’s death on the abuse and neglect shown by the British guards.⁵¹³ The British took Jackson’s shoes and jacket, forcing him to walk barefoot.⁵¹⁴ He said that “the fury of a violent storm of rain” caused him and his family to be exposed, further resulting in sickness to the point that he became “dangerously ill.”⁵¹⁵

Jackson’s mother nursed him back to health as best she could, but he still suffered during the spring of 1781. She rushed to Charleston to care for William and James Crawford, who were

⁵⁰⁵ *Ibid.*

⁵⁰⁶ *Ibid.*

⁵⁰⁷ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783,” in *PAJ*, I:5-6.

⁵⁰⁸ *Ibid.*

⁵⁰⁹ AJ to Houston, August 8, 1824, in *PAJ*, V:431

⁵¹⁰ *Ibid.*

⁵¹¹ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War, 1781-1783,” in *PAJ*, I:7.

⁵¹² *Ibid.*

⁵¹³ *Ibid.*

⁵¹⁴ *Ibid.*

⁵¹⁵ *Ibid.*

imprisoned in Charleston, and negotiate a possible prisoner exchange.⁵¹⁶ After giving Jackson's cousins medical attention in prison, Jackson's mother left Charleston to return home. She died three miles outside of Charleston.⁵¹⁷ Betty Jackson had caught typhus from one of the prisoners she treated, which resulted in her untimely death. One of Jackson's cousins died in Charleston as a prisoner of war, and the other was eventually released and went home to the Waxhaws.⁵¹⁸ Betty Jackson never returned home to the Waxhaws and never had a public funeral. Her body lies in an unmarked grave near Charleston.⁵¹⁹

By the spring of 1781, the British and Tories were responsible for the deaths of his brothers Hugh and Robert, his mother, and his uncle. They also continued to destroy the Waxhaw settlement. Jackson, through the spring of 1780, ached with the burning of smallpox, headaches, weakness, along with chills and fever from malaria following the smallpox.⁵²⁰ He suffered through all this as his mother left him to care for others and his brothers were dead. At age fourteen, Jackson was an orphan, homeless, and dependent on others. His father, mother, and brothers were all dead with no stone marking their burial places, and the British onslaught continued.⁵²¹

In April 1781 the British performed one of their most devastating acts in the Waxhaw community by destroying the church--the Waxhaw Meeting House. This infuriated young Jackson.⁵²² The building was the center of the small Waxhaw community of less than 1,000 people.⁵²³ Jackson grew up four miles from the meeting house and he, along with most Ulster

⁵¹⁶ *Ibid.*

⁵¹⁷ *Ibid.*

⁵¹⁸ Booraem, 109.

⁵¹⁹ James C. Curtis. *Andrew Jackson and the Search for Vindication* (New York: Harper Collins Publishers, 1976), 10.

⁵²⁰ Booraem, 107-108.

⁵²¹ Parton, 95.

⁵²² Booraem, 95.

⁵²³ Booraem, 2, 218fn; Howe, I:363.

immigrants in the Waxhaws attended church there every Sunday.⁵²⁴ Members of the community did very little visiting and did not work on Sunday, as “virtually all families in the community were fellow worshipers at the Waxhaw meeting house.”⁵²⁵

The church was more than just a meeting place. It was also the center of Waxhaw law and order. British destruction of the meeting house was an attack on the heart of the settlement. In the Waxhaws, civil suits were “almost unknown prior to the mid-1770s”⁵²⁶ The local church was the court in many situations. Litigation was low prior to the mid-1770s in the South Carolina backcountry because the circuit courts had yet to be established, and litigation in distant courts would be expensive and time consuming.⁵²⁷ The Waxhaw church also had an excellent minister in Jackson’s childhood, William Richardson, whom the church members highly trusted, and would have little reason to turn elsewhere to resolve disputes.⁵²⁸ The Presbyterian congregation, led by Richardson, handled morals and standards of conduct, settled disputes, and monitored daily conduct. It was more influential than either of the North Carolina or South Carolina governments because law was local in the Waxhaws.⁵²⁹ The church particularly handled disputes over property and boundaries in Jackson’s youth as the rising immigration rates, multitudes of new surveys, haphazard techniques of eighteenth-century surveyors, expanding markets, and open-range grazing of livestock led to more and more disputes.⁵³⁰ Church members were accustomed to the sessions, or religious courts, which heard cases regarding “sexual offenses,

⁵²⁴ Booraem, 18; Howe, I:288-290; Hooker, ed., 14.

⁵²⁵ Booraem, 42.

⁵²⁶ Moore, 54

⁵²⁷ Moore, 138n; The Circuit Courts were established in South Carolina in 1771. Moore, 26.

⁵²⁸ Moore, 55. Richardson was the namesake of Colonel William Richardson Davie.

⁵²⁹ Booraem, 4, 9.

⁵³⁰ Moore, 54.

false testimony, unethical business dealings, family discord, Sabbath breaking, profanity, . . . and disputes between church members in civil cases.”⁵³¹

The meeting house in the Waxhaws was also a symbol of fighting British aggression. Within the Waxhaws there were strong divisions between the Presbyterians, who were generally Whigs, and the Anglicans, who were generally Tories. The fight against the British was not just a fight against the king, but it was also a fight against the “popery” of the Anglican Church.⁵³² In White colonial South Carolina, “the deepest divisions . . . were based on religious, not sectional, differences.”⁵³³ Presbyterians would, at times, disrupt Anglican sermons in the South Carolina backcountry.⁵³⁴ Some Presbyterians would not allow non-Presbyterians to be baptized.⁵³⁵ There was little interdenominational marriage between Anglicans and Presbyterians, and “the cultural and social boundaries between Anglican and Presbyterian were sharply drawn” in the South Carolina backcountry of Jackson’s youth.⁵³⁶ The burning of the Waxhaw meeting house was a victory on many levels for the British and Anglican Tories.

The British invasion of the Waxhaws also affected the education of Jackson and other children. Jackson attended school as a young man. He had learned to read early on, which was typical for Ulster Irish communities. The average Ulster Irish community was at least seventy-five percent literate.⁵³⁷ Some historians suggest that these communities were up to ninety-eight percent literate.⁵³⁸ Although Jackson was certainly literate, his degree of and desire for education is questionable. His mother stressed the need for education to young Andrew as she wanted him

⁵³¹ *Ibid.*

⁵³² Booraem, 68.

⁵³³ Moore, 34.

⁵³⁴ Hooker, ed. 16-17, 20, 30, 45

⁵³⁵ Hooker, ed..16, 43.

⁵³⁶ Moore, 37-38

⁵³⁷ Booraem, 22.

⁵³⁸ David Hackett Fischer. *Albion’s Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), 716.

to be a Presbyterian minister.⁵³⁹ Because his mother so desired Jackson to be a minister, he had the benefit of a better education.⁵⁴⁰ Jackson had studied the “dead languages,” and on occasion throughout his life he uttered Latin phrases.⁵⁴¹ Most importantly to his mother, however, was his religious education. The local minister inspected every Presbyterian child’s education in the Waxhaws. The minister came by homes of the congregation members to make sure that each child had memorized the Westminster Catechism, which was a series of one hundred and seven questions and answers that summarized basic Presbyterian doctrine.⁵⁴²

The British invasion, however, cut his educational opportunity short. The War for Independence began shortly after Jackson’s eighth birthday. The British attack of South Carolina forced the shutdown of the academy Jackson was attending in 1779. Jackson and his family retreated to Charlotte, North Carolina where he briefly attended another academy until the British attack on Charlotte in February 1780.⁵⁴³ The Tories inflicted “wounds, disease, death, and imprisonment” on the Presbyterians.⁵⁴⁴ Between the attacks, retreat, supporting troops, and his later capture by the British army, Jackson had little time to devote to education in the formative years between the ages of eight and sixteen.

When the British withdrew from Charleston in 1782, Cherokees and Chickasaws, with loss of face, sought peace with the Americans while the Choctaws wavered and the Creeks remained with Britain.⁵⁴⁵ The Cherokees, however, raided North Carolina and Virginia again before peace negotiations could begin.⁵⁴⁶ In January 1783, a large contingent of Indians including Mohawks, Senecas, Delawares, Shawnees, Mingos, Tuscaroras, Upper Creeks, and a

⁵³⁹ Remini, *Andrew Jackson and the Course of American Empire*, 6-7.

⁵⁴⁰ *Ibid.*

⁵⁴¹ Remini, *Andrew Jackson and the Course of American Empire*, 6.

⁵⁴² Howe, George, I:509.

⁵⁴³ Booraem, 32-33; Howe, George, I:449.

⁵⁴⁴ Howe, George, I:449.

⁵⁴⁵ O’Donnell, 125.

⁵⁴⁶ O’Donnell, 111; Minutes of the North Carolina Senate, June 23-July 14, 1781 in *SRNC*, XVII:803.

smaller group of Lower Creeks and Cherokees, went to St. Augustine to tell the British that they wanted to continue resistance.⁵⁴⁷

The Americans demanded that the Cherokees deliver prisoners, drive the British out of the Chickamauga towns, and send Cherokee volunteers to raid hostile Chickamauga towns. North Carolina Governor Martin told Virginia Governor Benjamin Harrison that peace was more beneficial with the Cherokees than punishment because peace was necessary “on some permanent principles, that the cruelties and horrors of the Indian War, intolerable among civilized nations, in future may be prevented.”⁵⁴⁸

While most of the Cherokees were already leaning toward peace, the British decision to leave America forced them into the peace camp.⁵⁴⁹ The British decision to abandon the war effort and sign the Treaty of Paris in 1783 shocked the Indians.⁵⁵⁰ While the Cherokees, and even some Chickamaugas, released some prisoners in hopes of peace late in 1782, it was not until the British evacuation that the Indians to the west truly bargained for peace.⁵⁵¹ By 1783, when the war was over, the Chickamaugas’ supply of guns, powder, blankets, and horses, which they had received from the British and Spanish throughout the war, was disrupted, but only temporarily. They renewed trade with Europeans after the war and harassed settlers in Tennessee.⁵⁵² The Overhill Cherokees politely requested a demarcation of the boundary from North Carolina and requested that the North Carolina government stop White encroachment in the meantime.⁵⁵³ The Cherokees gave land to the Americans, and the Cherokees were bounded by the Tennessee, Holston, and French Broad Rivers. The Americans guaranteed observance of the boundary line

⁵⁴⁷ O’Donnell, 129.

⁵⁴⁸ O’Donnell, 128.

⁵⁴⁹ O’Donnell, 132.

⁵⁵⁰ O’Donnell, 130.

⁵⁵¹ O’Donnell, 125.

⁵⁵² Pate, 137.

⁵⁵³ Talk by Corn Tassel Concerning Encroachment on Cherokee Land, September 25, 1782, in *SRNC*, XVI:415-416, Benjamin Harrison to Alexander Martin, November 12, 1782, in *SRNC*, XVI:457-458

and punishment of Whites who trespassed, licensed traders, and appointed Joseph Martin as state agent for the Cherokees.⁵⁵⁴ Martin and Donelson then met separately with the Chickamaugas and gave them 1,000 pounds of supplies in return for land north of the Tennessee River.⁵⁵⁵

Once the outcome of the war was decided in 1783, the Creeks and Cherokees began to return some property voluntarily.⁵⁵⁶ The Chickasaws wanted peace with the Americans and John Donelson of the Cumberland settlement came east looking to speed up negotiations.⁵⁵⁷ The Chickasaws, desperately seeking peace, rushed the negotiations.⁵⁵⁸

The end of the war reduced the Cherokees as a major power rival of the frontier settlers in the Carolinas because the Treaty of Paris 1783 left the Cherokees without immediate access to guns and powder. The Cherokees in 1783 stood by as settlers from North Carolina came across the mountains, took up hunting grounds, and eventually set up the State of Franklin.⁵⁵⁹ The new onslaught of White settlers pushed many moderate Cherokees into the hostile Chickamauga ranks.⁵⁶⁰ In Tennessee the hostilities continued as more and more settlers came onto or near Cherokee land throughout the 1780s and 1790s.

The Catawbas did not lose territory in the Treaty of Paris 1783, but they lost influence as the Americans no longer needed them as a military ally in the South Carolina backcountry. The South Carolina legislature paid the Catawbas, from time to time, in food for their service during the war.⁵⁶¹ The Catawbas, however, did not get the same respectful treatment later and were surprised because as they said in 1786, when petitioning for hunting rights in South Carolina,

⁵⁵⁴ O'Donnell, 134; Talk by Alexander Martin to the Cherokee Nation Concerning Settlement on Cherokee Land, May 25, 1783, in *SRNC*, XVI, 810.

⁵⁵⁵ O'Donnell, 134.

⁵⁵⁶ O'Donnell, 135.

⁵⁵⁷ O'Donnell, 131-133.

⁵⁵⁸ O'Donnell, 136.

⁵⁵⁹ *PAJ*, I:156fn.

⁵⁶⁰ Pate, 137-138

⁵⁶¹ Merrell, 217.

they had “always been loyal friends to the White people and during the late war we have exerted ourselves as good soldiers in behalf of this state.” The South Carolina legislature did grant the request for the hunting rights.⁵⁶² Still surprised at the lack of reward after the war, a Catawba leader said, “I fought against the British for your sake, the British have disappeared, and you are free, yet from me the British took nothing nor have I gained anything by their defeat.”⁵⁶³ Still, the Catawbas remained loyal. Years after the war, when the Catawbas found that some of their tenants on their land had been Tories, they tore down their houses and kicked them off the reservation.⁵⁶⁴

While the Catawbas were weakened, poor, and afraid, some Cherokees were weakened as well. Other Cherokees, however, regrouped and became as hostile as before in the Chickamauga Nation. The British were gone in the legal sense, yet some stayed behind and, with the Spanish, continued to supply hostile Indians to attack Americans. The Americans, exhausted from revolution, forged a stronger union with a more centralized Constitution.

Back in the Waxhaws in 1783, things were much more peaceful. The community began to rebuild even though the heart of the community, the church, was destroyed. Almost all Tories had either been killed or had fled the region. When South Carolinians found six British men at the close of the war, they executed them in a sign that the anger was still alive though the threat, particularly from Britain, was diminishing.⁵⁶⁵ Jackson, alone because of the British war, now had to find his place.

⁵⁶² Brown, 279-280.

⁵⁶³ Merrell, 218.

⁵⁶⁴ Merrell, 219.

⁵⁶⁵ Moore, 74.

CHAPTER THREE: FINDING A CAREER AND THE INDIAN CHALLENGE

The historiography of Jackson in the immediate aftermath of the war shows the teenager wandering about the Carolinas, at times aimlessly. Jackson's biographers, provide numerous anecdotes of Jackson playing pranks, gambling, and drinking.⁵⁶⁶ Many of these stories are true, but they fail to explain his struggle to find prosperity, and his gradual move into Indian territory. Jackson was born in the Waxhaw settlement of South Carolina on March 15, 1767. He lived in South Carolina near the peaceful Catawbas and participated in the Revolution against the British and their Indian allies, specifically the Cherokees. Jackson moved to North Carolina in 1784 one year after the war to pursue a career in law. He remained in North Carolina studying law and working until his move to Tennessee in 1788, which led him into hostile Indian country. The chief biographers of Jackson's early legal career describe him as discouraged, "getting nowhere," and "drifting around."⁵⁶⁷ Hendrik Booraem details Jackson's youth and post-war years, including his fruitful decision to become a lawyer. Booraem, however, ends his story as Jackson accepted his job in Tennessee.⁵⁶⁸

Jackson pursued several careers briefly in his teens before finding a solid opportunity in a career in law, which led him from the Carolinas to Tennessee. The trip across the mountains was temporary at first, but Jackson in his early twenties found wealth on the frontier. He could have

⁵⁶⁶ James, 32-44; Parton, 96-115; Remini, *Andrew Jackson and the Course of American Empire*, 26-36; H. W. Brands. *Andrew Jackson: His Life and Times* (New York: Doubleday, 2005) 29-45; Andrew Burstein. *The Passions of Andrew Jackson* (New York: Alfred A. Knopf, 2003), 10-11.

⁵⁶⁷ *LPAJ*, xxxvi; Remini, *Andrew Jackson and the Course of American Empire*, 34-35.

⁵⁶⁸ Booraem, 118-200.

stayed in the Carolinas where there was little to no Indian threat, but he moved into hostile Indian Territory. In South Carolina, Jackson faced only the small Catawba population following the Revolution. In North Carolina, the Indians were also a small part of Jackson's life. However, the Indians occupied most of the land in Tennessee and had a sizeable population advantage, making Jackson and the Whites a minority population along the frontier. The Indian population was cautious, and rightly so, about the incoming White settlers. Jackson, as one of these settlers, had to be aware of his surroundings while trying to further his legal career on the frontier.

Between the War and North Carolina

Much of the Jackson historiography of the period between the end of the war and his move to Tennessee focuses on anecdotes of the young man's wandering. He lost his inheritance through spending, gambling, and drinking. He wasted the opportunity to become a saddler and drifted from job to job without finding stability in the years between 1781 and 1788. Following the War for Independence, Jackson faced a new world. His enemies were gone. The British evacuated Charleston in December 1782 and hostilities ended with the Treaty of Paris in September 1783. The Cherokee and Creek threat had subsided as the tribes stayed in the west. The peaceful Catawba population had dwindled even more and the pacific tribe lived alongside the Whites without making a major impact on South Carolina's society. Many Tories evacuated the backcountry following the war. Jackson, without enemies, was also without family.⁵⁶⁹

At age fourteen, following the American War for Independence, Jackson was an orphan. His father had died in 1767 and his mother and two brothers died in 1781 during the war. According to Jackson, he was "weak and feeble from disease," smallpox, and went to stay with

⁵⁶⁹ Henry Lee. Mark A. Mastromarino, ed.. *A Biography of Andrew Jackson: Late Major-General of the Army of the United States*. (Knoxville: Tennessee Presidents Trust, 1992), 5.

his “uncle,” Major Robert Crawford, who was a brother of James Crawford, Jackson’s uncle by marriage, from 1781 to 1783.⁵⁷⁰ While at Crawford’s, young Jackson had a dispute with Captain John Galbraith, who was in charge of the “commissary stores, ammunition, etc. for the American army” and was also staying at Crawford’s. Galbraith, according to Jackson, was “of a very proud and haughty disposition . . . [who] threatened to chastise” him for some reason. Jackson said he “had arrived at the age to know [his] rights, and . . . had courage to defend them” and he threatened to “most assuredly send [Galbraith] to the other world.”⁵⁷¹ Following this dispute, Jackson went to visit Joseph White, an “uncle to Mrs. Crawford.”⁵⁷² White’s son was a saddler. Jackson worked as a saddler for six months though still having “fever and ague.”⁵⁷³ Despite thinking he “would have made a pretty good saddler,” Jackson chose a different path from manual labor.⁵⁷⁴

Jackson did receive some inheritance following the death of his family, approximately two-hundred acres from his father on Twelve-Mile Creek in the Waxhaw District of South Carolina and in Mecklenburg County, North Carolina.⁵⁷⁵ His mother, after the death of her husband, settled a conflicting title to the land with another family, and, with the assistance of her brother-in-law, James Crawford, cleared the title for her sons. Because Jackson was the only survivor of the war, he not only inherited the land, but also some money which would have been enough to finish his education.⁵⁷⁶ Some historians claimed that Jackson inherited a large sum of money, “three or four hundred pounds sterling,” from his grandfather in Ireland, but this story is

⁵⁷⁰ “Jackson’s Description of His Experiences During and Immediately Following the Revolutionary War,” in *PAJ*, I:7,9fn.

⁵⁷¹ *Ibid.*

⁵⁷² *Ibid.*

⁵⁷³ *Ibid.*

⁵⁷⁴ *Ibid.*

⁵⁷⁵ “Deed from Thomas and Sarah Ewing, December 17,1770,” in *PAJ*, I:3-4; “Power of Attorney to James Crawford, November 28, 1792,” in *PAJ*, I:38-39.

⁵⁷⁶ “Deed from Thomas and Sarah Ewing, December 17,1770,” in *PAJ*, I:3-4; Booraem, 122.

likely not true.⁵⁷⁷ Whatever the amount, Jackson reflected later in life that he had spent it “rather too freely.”⁵⁷⁸

In 1783 Jackson left the Waxhaws and took a four-day journey to Charleston for the first time. He made two trips to the state capital that year, once with Major Crawford, and later alone. Jackson bought a horse with the money he made as a saddler or as part of his small inheritance and rode to Charleston.⁵⁷⁹ The state of South Carolina owed Crawford for the use of his house, timber, and slaves during the war.⁵⁸⁰ The second trip may have been to settle Jackson’s inheritance matters in the state capital.⁵⁸¹ While in Charleston, Jackson experienced the life of the big city. He left the small district of the Waxhaws for the booming city of Charleston with its population of over 16,000.⁵⁸² Jackson observed many new sights there. The city was largely absent of Indians, unlike the western part of the Carolinas bordering on Cherokee land and the Waxhaws with the small, but visible Catawba population.⁵⁸³ For the first time, he came into contact with large numbers of Blacks, who represented over half of the city’s population of nearly 17,000.⁵⁸⁴ Charleston, the fourth largest city in the United States following the war, had a

⁵⁷⁷ James, 34; Booraem, 122, 258n; Augustus C. Buell. *History of Andrew Jackson: Pioneer, Patriot, Soldier, Politician, President, 2 vols.* (New York: Charles Scribner’s Sons, 1904), I:57. Buell says that Jackson inherited the money from his grandfather Hugh Jackson in Carrickfergus, but he does not cite a source. Booraem contends that many of Buell’s assertions are not true. The story of the inheritance from the grandfather is not confirmed by any documented source. There was no record of Hugh Jackson in Carrickfergus at the time and the likelihood of the monetary inheritance making it across the Atlantic Ocean during wartime is improbable. Booraem, 201, 203.

⁵⁷⁸ Booraem, 122.

⁵⁷⁹ Remini, *Andrew Jackson and the Course of American Empire*, 27-28; Booraem, 122.

⁵⁸⁰ Booraem, 121-122.

⁵⁸¹ Booraem, 122.

⁵⁸² Walter J. Fraser. *Charleston! Charleston!: The History of a Southern City* (Columbia: University of South Carolina Press, 1989), 175, 178.

⁵⁸³ In the leading study of Charleston, the Indians are mentioned as servants during the early eighteenth century, but not included in the section on population, indicating the small number of Indians accounted for in the city during the late eighteenth and early nineteenth century and the city’s distance from the frontier. Fraser, *Charleston*, 51; 74-79.

⁵⁸⁴ Fraser, *Charleston*, 178; Timothy Ford. “The Diary of Timothy Ford, 1785-1786.” *South Carolina Historical Magazine* vol. 13 (July 1912): 142.

greater concentration of Blacks than the other three leading cities (New York, Philadelphia, and Boston) combined.⁵⁸⁵

Jackson also experienced the unpleasant side of the big city. He saw large-scale slavery for the first time, and the large population of impoverished citizens and new immigrants given to disease, gambling, and alcohol in the crowded and dirty city.⁵⁸⁶ There were one hundred inmates in the Poor House.⁵⁸⁷ The streets were unlit. Many people lived in tenements and shacks on narrow, crowded streets and alleys.⁵⁸⁸ Every summer and autumn in Charleston, according to one German traveler's account, the "fevers . . . generally prevail, sparing but few." The working classes owed much of their "shortening of life" to their "free use of strong drink." It was the "doctrine" in Charleston that one should "think and work little, and drink much."⁵⁸⁹

Jackson also saw the upper class in Charleston. He had seen "individuals of opulence and refinement" who had come to the Waxhaws as refugees from Charleston during the war.⁵⁹⁰ Every influential man of Charleston owned a slave who accompanied the master everywhere.⁵⁹¹ Rich and poor alike owned slaves who accompanied them throughout the city, with the number of slaves serving a man varying according to his status.⁵⁹² Even at dinner parties, a slave stood behind each chair, surrounding the table "like a cohort of Black guards."⁵⁹³ Everyone, from youngest to oldest, in the upper class, had a slave waiting on them.⁵⁹⁴ The Low country slave owners formed an oligarchy which consisted of a few aristocratic families based on wealth in

⁵⁸⁵ Fraser, 178.

⁵⁸⁶ Fraser, 175.

⁵⁸⁷ Fraser, 174.

⁵⁸⁸ Fraser, 174-175.

⁵⁸⁹ Alfred J. Morrison, ed. *Travels in the Confederation (1783-1784) from the German of Johann David Schoepf* (Philadelphia: William J. Campbell, 1911), 217-218.

⁵⁹⁰ Lee, 5

⁵⁹¹ Booraem, 127.

⁵⁹² Ford, 13:142

⁵⁹³ Ford, 13:143.

⁵⁹⁴ Ford, 13:142.

land, trade, and slaves.⁵⁹⁵ Their slave ownership, according to one observer, led them “from infancy to tyrannize” as they carried with them “a disposition to treat all mankind in the same manner.”⁵⁹⁶ Jackson did not fit in with the wealthy men of Charleston, who often referred to the people of the backcountry as “Crackers.”⁵⁹⁷

Although Jackson may have aspired to become one of the elites at some point, in 1783 he did not have the resources. He owned one horse. A horse would have cost between \$75 and \$125, the same price as between one and two young female slaves.⁵⁹⁸ Jackson chose purchasing a horse rather than a slave.⁵⁹⁹ His horse became the subject of the most famous anecdote used by Jackson biographers describing his stay in Charleston. After running into debt in Charleston and owing his landlord money, Jackson looked for a way out of Charleston before incurring further problems. Some of his Charleston acquaintances were playing a crap game called rattle and snap. Someone bet \$200 versus Jackson’s horse and he accepted the challenge. Jackson calculated that if he lost he would “give the landlord [his] saddle and bridle, as far as they would go toward the payment of his bill, ask a credit for the balance, and walk away from the city.”⁶⁰⁰ Fortunately for Jackson he won and abandoned throwing dice for a wager.

Deciding that he did not have the resources to live like a gentleman, and not wishing to reside desperately in the tenements, shacks, or Poor House in Charleston, Jackson abandoned the city and rode home alone back to the Waxhaws. Without parental guidance the teenager would

⁵⁹⁵ Fraser, Walter J. *Patriots, Pistols, and Petitcoats: “Poor Sinful Charles Towne” During the American Revolution* (Columbia: University of South Carolina Press, 1993), 29.

⁵⁹⁶ *Ibid.*

⁵⁹⁷ Morrison, 222. Schoepf, defining the backcountry men as “Crackers” says the term comes from the noise which the backcountry men make with their whips when they come into town with their teams.

⁵⁹⁸ Nancy L. Struna. *People of Prowess: Sport, Leisure, and Labor in Early Anglo-America* (Urbana: University of Illinois Press, 1996), 171.

⁵⁹⁹ Booraem, 127-128.

⁶⁰⁰ Parton, 98; Remini, *Andrew Jackson and the Course of American Empire*, 27-28.

have to find his way. He had wasted his inheritance. He did not want to be a saddler, yet he did not have the luxury of living like a gentleman.

Jackson returned to the Waxhaws and stayed with Major Crawford and with the McCamie family from time to time. He was alone and homeless for two years in the land he shared with the peaceful Catawbas. There was no threat of uprising or attack along this frontier after the Revolution. He decided to teach school along the North Carolina-South Carolina border. Before the British invasion and Indian uprisings, Jackson had received a better education than most young men. His mother, intending for him to be a minister, had given him “more than the common school education which his older brothers received.”⁶⁰¹ He studied at a place described as the “flourishing academy” under a Mr. Humphries at the Waxhaw meeting-house until it was destroyed by the British.⁶⁰² When he returned from Charleston he continued studying at a place called New Acquisition under a Mr. McCulloch.⁶⁰³ The name of the school at New Acquisition along the North Carolina border was Bethel Academy.⁶⁰⁴

But, by 1784 there was no “flourishing academy” left in the Waxhaws, an area rendered desolate by the British invasion. The Waxhaw Meeting House and Academy had both been burned down during the war. During 1780-1781, “numbers were killed” and in the years following “numbers were gone, and others were ready to go, so that the congregation [of the Waxhaw church] was reduced to a small number.”⁶⁰⁵ The Waxhaws “instead of growing stronger became weaker,” a trend that continued throughout the mid-1780s as people left for new

⁶⁰¹ Dusenbery, Benjamin M., ed. *Monument to the Memory of General Andrew Jackson* (Philadelphia: Walker & Gillis, 1846), 9.

⁶⁰² Dusenbery, 10.

⁶⁰³ Arda Walker. “The Educational Training and Views of Andrew Jackson” *East Tennessee Historical Society’s Publications*. 16 (1944): 22.

⁶⁰⁴ Booraem, 133.

⁶⁰⁵ Howe, George, I:514.

settlements.⁶⁰⁶ The war had “provoked disruptions” in the backcountry and left places like the Waxhaws “a wasteland.”⁶⁰⁷

Jackson, though, stayed and taught school at Bethel Academy in 1783 and 1784. In both the Waxhaws and in the nearby Lancaster District, he “supervised reading and writing, broke up fights, punished misdeeds, and taught students how to shape their letters.”⁶⁰⁸ Although he still appraised horses and had learned the skill of saddler, he established himself as an educated man within the community by teaching school for small children.⁶⁰⁹ Jackson, still without stability and a career, was only eighteen years old at this point. He did not have close ties to the Waxhaws after his family had died and was willing to relocate for a better opportunity.⁶¹⁰ Many of his friends and relatives had moved to North Carolina. A number of his contemporaries entered the study of law. In 1785, growing restless in the peaceful Waxhaws with the Catawbas at the margin of his life, Jackson decided to study law after his brief experience with saddlery and teaching. This decision led him out of the relative comfort of the small town in the Waxhaws.

The Decision to become a Lawyer

Stuck teaching grammar to young children in a small town that was destitute following the war, Jackson looked for different opportunities. Two of his influences, William Richardson Davie and his cousin Will Crawford, had become lawyers in North Carolina. Law was a popular profession among the young Patriots. Jackson’s education, though limited, was as good as many

⁶⁰⁶ *Ibid.*

⁶⁰⁷ Rachel N. Klein. *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* Chapel Hill: The University of North Carolina Press, 1990), 115.

⁶⁰⁸ Parton, 99; Booraem, 136.

⁶⁰⁹ *Ibid.*

⁶¹⁰ The Waxhaws district, Jackson’s home, was a small region on the South Carolina side of the Carolina border.

others in the backcountry.⁶¹¹ Following American independence there was an ever increasing need for new lawyers since many of the best lawyers, the “giants of the law,” as one historian phrases it, had been nearly all Loyalists.⁶¹² As many as twenty-five percent of colonial lawyers left America, following the Revolution.⁶¹³ Loyalist lawyers in fact had few career options after 1783. They could leave America, retire, or be forcibly excluded from the profession by legislative acts or rulings of the state courts.⁶¹⁴ The law profession grew at a rate four times that of any other profession following the Revolution.⁶¹⁵

In the late 1780s many young men struggled to make a living. Unemployment was high, there was widespread poverty and restlessness, businesses had been disrupted or were at a standstill, and the British Navigation Acts cut off West Indies trade. Furthermore, other factors, including high prices, large public debts, debts to British creditors, a general unwillingness to pay debts, confiscatory taxation, and worthless paper money, plagued the financial and economic situation.⁶¹⁶

Another aspiring lawyer like Jackson remembered that in the 1780s when he “commenced the study of law [there] was a period of intense depression and poverty throughout the country.”⁶¹⁷ So there was a need for ambitious lawyers. Individuals struggled under laws of strict foreclosure and imprisonment for debt. The only property exempt from seizure on execution was the clothes on the debtor’s back. Collection of debt, foreclosure, insolvency,

⁶¹¹ Fischer, 716. Fischer emphasizes the relatively good education of Scotch-Irish children in America. For more on Jackson’s education, see, Walker, 22-29.

⁶¹² Lorenzo Sabine. *The American Loyalists* (Boston: Charles C. Little and James Brown, 1847), 52.

⁶¹³ Wood, *Empire of Liberty*, 402-403.

⁶¹⁴ Anton-Hermann Chroust. *The Rise of the Legal Profession in America*, 2 vols. (Norman: University of Oklahoma Press, 1965), II:5.

⁶¹⁵ Wood, *Empire of Liberty*, 403.

⁶¹⁶ Chroust, II:11.

⁶¹⁷ G.J. Clark, ed. *Memoirs of Jeremiah Mason* (Boston: Boston Law Book Co., 1917), 16.

recovery of property, and the drafting of deeds and titles were the primary jobs for lawyers.⁶¹⁸ There was also much work in the new republic because of complex land titles that involved negotiating the land among Whites and Indian claims.

In the Carolinas, there were many opportunities. Several of the leading lawyers of North Carolina retired from the North Carolina bar following the Revolution.⁶¹⁹ Most of the good lawyers in South Carolina had strong Loyalist ties since the majority of them were trained in the Inns of Court in London. They were called the “South Carolina Templars” because of their loyalty to the Crown. Many of them left the country or withdrew from the practice of law following the Revolution.⁶²⁰

North Carolina was more appealing to Jackson than South Carolina because the court system was in disarray in the mid-1780s. To bring some order and get justice within reach of the people, the South Carolina legislature established thirty-four courts, to meet quarterly.⁶²¹ Before that year South Carolinians had to travel great distances for court. For this reason, people of the Waxhaws often went to North Carolina for legal matters.⁶²² The journey to Charleston, as Jackson knew from his travel to settle inheritance matters, was four days. The new county courts of South Carolina in 1785 were intended to bring about a more “expeditious determination of suits and controversies, and the recovery of debts.”⁶²³

While North Carolina’s courts were in transition like South Carolina’s, North Carolina offered, nonetheless, many more opportunities. The Salisbury District Court of North Carolina, comprised of Anson, Rowan, Mecklenburg, Tryon, Guilford, Surry, Burke Counties and the

⁶¹⁸ Chroust, II:14-15.

⁶¹⁹ Chroust, II:9.

⁶²⁰ Chroust, II:11fn.

⁶²¹ “An Act for Establishing County Courts, and for Regulating The Proceedings Therein,” in Cooper, VII: 211-242.

⁶²² Moore, 54.

⁶²³ Cooper, VII:211.

District of Washington, had been established and functioning since 1777.⁶²⁴ Jackson went to North Carolina and spent Christmas in Salisbury.⁶²⁵ He never came back to the Waxhaws. Several of Jackson's mentors and acquaintances were already practicing law or studying law in North Carolina. The three most influential North Carolina lawyers in Jackson's life at this time were Colonel William Richardson Davie, John McNairy, and Jackson's cousin Will Crawford. Davie, the nephew and adopted son of Jackson's minister in the Waxhaws, William Richardson, and a Revolutionary War hero, began practicing law in Salisbury, North Carolina at the beginning of the American Revolution.⁶²⁶ Jackson, along with his Crawford cousins, and the Catawbas, followed Davie during the battles of the Revolution in the Waxhaws.⁶²⁷ The war disrupted his practice, but following the war he began riding the North Carolina circuit in 1783.⁶²⁸ He then moved his practice to Halifax, where his work load became "immense."⁶²⁹ He argued some of the biggest cases in North Carolina and became one of the leading orators of the early republic.⁶³⁰ John McNairy was also influential in Jackson's decision to come to North Carolina. Jackson first met McNairy during the American Revolution.⁶³¹ At the time Jackson was a refugee at Guilford County with his mother in 1780-1781.⁶³² When Jackson came to North Carolina and met with McNairy, it is likely that the two shared many of the same friends, and the same experience of the recent war.

Perhaps the most influential North Carolina lawyer on Jackson was his cousin Will Crawford, who, according to Jackson biographer Hendrik Booraem, convinced Jackson to come

⁶²⁴ *SRNC*, XXIV:36, 48.

⁶²⁵ James, 37.

⁶²⁶ J.G. de Roulhac Hamilton. *William Richardson Davie: A Memoir* (Chapel Hill: The University Press, 1907), 4-5.

⁶²⁷ Remini, *Andrew Jackson and the Course of American Empire*, 16-17.

⁶²⁸ Hamilton, 10-11.

⁶²⁹ Hamilton, 11.

⁶³⁰ Hamilton, 11-13; Jethro Rumple. *A History of Rowan County* (Salisbury, N.C.: J.J. Bruner, 1881), 275-277.

⁶³¹ Samuel Gordon Heiskell. *Andrew Jackson and Early Tennessee History* (Nashville: Ambrose Printing Co., 1918), 296.

⁶³² Booraem, 82.

to North Carolina to study law. Jackson traveled to Salisbury to sell slaves for Major Crawford in 1784 and met with Will Crawford who was studying law in Salisbury.⁶³³ Salisbury was the seat of the district courts for western North Carolina following the war and it was the “metropolis of the backcountry.”⁶³⁴ Salisbury is where Davie began his successful law practice in the 1770s.⁶³⁵ Crawford, like Jackson, had studied in the Waxhaws for a while, but after the war, he came to Salisbury and studied law.⁶³⁶ Crawford was Jackson’s first cousin and grew up in the same house with him.⁶³⁷ When Jackson arrived in Salisbury without money and a job, he charged his first purchase to Crawford’s account at the local store and resided with him.⁶³⁸ Crawford not only offered Jackson a place to live in his home, but also helped Jackson make connections in a new town and get started in the legal field.

Jackson also faced less professional competition in Salisbury than he would have in Charleston. He knew that the Charleston lawyers were well-trained and had studied in England. Among these were thirty-five lawyers who had studied at the Middle Temple of London in South Carolina, which had more of these students than any other state. By contrast, North Carolina had only one.⁶³⁹ Salisbury, however, was more like Jackson’s style in 1784--“pleasant” and “secluded from the commercial world.”⁶⁴⁰

⁶³³ Booraem, 138.

⁶³⁴ Booraem, 136-138.

⁶³⁵ Hamilton, 5.

⁶³⁶ Howe, George, I:582.

⁶³⁷ Booraem, 262. Booraem explains the familial relationship (262-263). There had been some confusion by Jackson biographers over the relationship between Jackson and Crawford, most likely because in a letter from 1797, Jackson referred to Crawford as his “old friend.”AJ to Robert Hays November 2, 1797, in *PAJ* I:151. Howe explains that it was Jackson’s cousin, Crawford, who studied law “after the war.” Howe, I:582.

⁶³⁸ Booraem, 263fn.

⁶³⁹ Booraem, 138, 263n.

⁶⁴⁰ Parton, 102, 103.

To read law Jackson sought out an established North Carolina lawyer for an apprenticeship.⁶⁴¹ He applied to study under Colonel Waightstill Avery in Morganton. Avery was a famous lawyer and had the best law library in western North Carolina. However, Avery rejected Jackson, unwilling to accept another resident.⁶⁴² Jackson returned to Salisbury and studied under Spruce Macay, who was district judge for Morgan County, North Carolina.⁶⁴³ Macay trained many young lawyers in North Carolina, including Jackson's three mentors and friends: Crawford, McNairy, and Davie.⁶⁴⁴ Davie was gone at this point, but young Jackson, John McNairy, and Crawford became known as the "Inseparables."⁶⁴⁵ Much of the Jackson historiography details his stay in Salisbury with anecdotes of the young man's bad behavior: drinking, gambling, playing games, and not taking his studies seriously. It was here, however, that he learned to be a lawyer. He was eighteen at the time he started his legal studies.

The work of a law student was tedious and not rewarding. One European observer of Carolina law students in the 1780s noted that: "young men who wish to be admitted to the bar have no other recourse to follow but for several years the teaching of some lawyer, and then must occupy most of their time with useless copying, and learn little more than the forms; and so they become passable attorneys perhaps, but not genuine lawyers."⁶⁴⁶ Jackson did this. For a fee, students read Coke and Blackstone's *Commentaries on the Laws of England*, a copy of which he carried to Tennessee in 1788.⁶⁴⁷ He also owned other treatises such as Geoffrey Gilbert's *The*

⁶⁴¹ For more on apprenticeship and legal training, see Lawrence M. Friedman. *A History of American Law*, 3rd ed. (New York: Simon & Schuster, 2005), 238.

⁶⁴² Parton, 101.

⁶⁴³ Booraem, 143.

⁶⁴⁴ Rumble, 275.

⁶⁴⁵ Parton, 105.

⁶⁴⁶ Schoepf, 216.

⁶⁴⁷ Friedman, 238; James W. Ely, Jr. "The Legal Practice of Andrew Jackson." *Tennessee Historical Quarterly* 38 (Winter 1979): 434.

Law of Evidence, Emmerich de Vattel's *The Law of Nations*, and Edward Coke's *Institutes*.⁶⁴⁸

After the monotony of a long day of learning law, copying and learning statutes and forms of legal documents, and reading law books, it is not surprising that the nineteen-year-old Jackson would have some fun in the evenings, which fill the pages of Jackson's biographers.

His social life helped advance young Jackson's career as he met many influential men while in North Carolina. In addition to lawyers Macay, Crawford, and McNairy, Jackson also interacted with future governor Alexander Martin.⁶⁴⁹ He spent an evening at the home of Jesse Benton, one of the richest property owners in Orange County, North Carolina, and father of two future leading American politicians.⁶⁵⁰ Jackson also knew store owner and wealthy landowner Thomas Henderson, whose brother was Judge Richard Henderson, who purchased large portions of Tennessee and Kentucky from the Cherokees.⁶⁵¹ Richard Henderson was also influential in sending Daniel Boone to settle Kentucky. In 1779 he, along with John Donelson and James Robertson, founded middle Tennessee.⁶⁵² Macay, Jackson's teacher, married the daughter of Judge Henderson.⁶⁵³

In late 1786 Jackson left Macay to study with Colonel John Stokes, who was one of the leading lawyers in North Carolina.⁶⁵⁴ Stokes had lost a hand in Buford's Defeat, a massacre of American soldiers in the Waxhaws in 1780, during the Revolution, and had his hand replaced with a silver knob.⁶⁵⁵ Stokes may have been nursed to health at the Waxhaw meeting house by

⁶⁴⁸ "Invoice for Law Books Purchased by Jackson from Robert Campbell & Company," January 7, 1797, in *LPAJ*, 5-6; Ely, "The Legal Practice of Andrew Jackson," 434.

⁶⁴⁹ Booraem, 28.

⁶⁵⁰ *Ibid.*

⁶⁵¹ Buchanan, 28.

⁶⁵² Booraem, 145-147.

⁶⁵³ Booraem, 156.

⁶⁵⁴ Remini, *Andrew Jackson and the Course of American Empire*, 33.

⁶⁵⁵ Remini, *Andrew Jackson and the Course of American Empire*, 33; Parton, 109-110.

Jackson's mother.⁶⁵⁶ Jackson and fellow student William Cupples travelled with Stokes on the circuit, riding almost four hundred miles in two months.⁶⁵⁷ Jackson finished his legal training with Stokes in 1787.

On September 26, 1787, at age twenty, Jackson received his license to practice in North Carolina County Courts.⁶⁵⁸ Lawyers could receive a general law license for ten pounds or one limiting them to practice in the county courts for five pounds.⁶⁵⁹ Jackson and Cupples chose the county court system.⁶⁶⁰ Jackson was admitted to practice as a "person of unblemished moral character" who possessed "a competent degree of knowledge in the law."⁶⁶¹ After admittance, Jackson began to work around the state. In October 1787, he was admitted to practice in Anson County, and a month later in Surry, Guilford, and Rockingham Counties.⁶⁶² In December 1787, he was admitted to practice in Randolph County.⁶⁶³ In the year that he practiced law in North Carolina, he rode a circuit that was more than one-hundred miles long.⁶⁶⁴ As was Jackson's custom, he worked law and business as he also ran a store in Guilford County in 1787.⁶⁶⁵ He continued to trade horses as well in Mecklenburg County.⁶⁶⁶

1788 was a busy year for Jackson. In February, he tried his first recorded case, and lost.⁶⁶⁷ By March, the legislature of North Carolina named him state attorney. In Randolph County, he handed out at least three indictments and prosecuted one case.⁶⁶⁸ He prosecuted one

⁶⁵⁶ Parton, 110.

⁶⁵⁷ Booraem, 181.

⁶⁵⁸ "License to Practice in North Carolina County Courts," September 26, 1787 in *LPAJ*, 3.

⁶⁵⁹ John Charles Waldrup. "James Iredell and the Practice of Law in Revolutionary Era North Carolina," (PhD. Diss.: University of North Carolina, 1985), 350.

⁶⁶⁰ Booraem, 173.

⁶⁶¹ "License to Practice in North Carolina County Courts," September 26, 1787 in *LPAJ*, 3.

⁶⁶² Remini, *Andrew Jackson and the Course of American Empire*, 431fn.

⁶⁶³ *Ibid.*

⁶⁶⁴ *CAJ*, I:16fn.

⁶⁶⁵ Remini, 34.

⁶⁶⁶ Booraem, 188.

⁶⁶⁷ Booraem, 195.

⁶⁶⁸ Booraem, 197-198.

man for “profane swearing” and being a “nusence [sic] to society.”⁶⁶⁹ Jackson, though a new lawyer, began to attract clients, and had become a state attorney less than five months after admission to practice. He also had business interests and influential connections in North Carolina. Yet he decided to go to Tennessee where he sensed greater opportunities. This was not unusual among the mobile people in the early United States. In Tennessee, however, he confronted the complexity of land titles following Henderson’s disputed purchase of Indian lands.⁶⁷⁰

Jackson and Population

The move to Tennessee not only offered Jackson work as a lawyer and opened his military and political career; it also confronted him with different demographics. The Cherokees of East Tennessee were much more numerous and powerful than the few Cherokees and Catawbas Jackson had encountered in the Carolinas during his first twenty-one years. In addition to the Cherokees, there were other powerful tribes west of the Carolinas--the Creeks of Georgia and Alabama, the Choctaws and the Chickasaws of Mississippi and Alabama, and the small, but contentious Chickamaugas who had separated from the Cherokees in East Tennessee.⁶⁷¹

The struggle for survival, physically and professionally, was difficult enough on the frontier. The added threat of Indians, defending their land against Jackson and the other White newcomers, however, thrust Jackson into his military and political careers.⁶⁷² Jackson quickly learned that the Indians of the West were not passive like the Catawbas of the Carolinas. He distinguished between the friendly and hostile Indians, and the alliances of convenience versus

⁶⁶⁹ Booraem, 198; Ely, “The Legal Practice of Andrew Jackson,” 423.

⁶⁷⁰ Satz, *Tennessee’s Indian Peoples*, 36; Buchanan, 26-27.

⁶⁷¹ R.S. Cotterill. *The Southern Indians: The Story of the Five Civilized Tribes before Removal* (Norman: University of Oklahoma Press, 1954), 44, 84, 154-155.

⁶⁷² Remini, *Andrew Jackson and the Course of American Empire*, 53.

the alliances of security. Property lines and populations were not settled on the frontier as they had seemed in the Carolinas.

The population of the United States was small during Jackson's early years, and much of it was in rural areas. Urban centers were few. As late as 1790 there were only five cities with populations greater than 10,000: Philadelphia, New York, Boston, Charleston, and Baltimore.⁶⁷³ Jackson grew up in rural northwestern South Carolina, travelled to Charleston as a teenager, and then moved to North Carolina to begin his professional life. North Carolina, during Jackson's residence there, had no towns with a population of more than 2,000.⁶⁷⁴ The west, which Jackson would later be so influential in settling, had no city in 1790 larger than Lexington, Kentucky with a population of 834.⁶⁷⁵ Jackson's neighboring Indians of the Carolinas were small by comparison with the White populations. Moving west in and through more heavily populated Cherokee territory as a young lawyer in 1788 provided a challenge to Jackson and the other White settlers.⁶⁷⁶

During Jackson's time in South Carolina Indians composed a very small percentage of its population. Although exact numbers of Indians are hard to determine, Peter H. Wood has compiled the available statistical data and estimated that South Carolina's Indians made up less than one percent of the overall population of South Carolina in 1775 just before the War for Independence.⁶⁷⁷ Indians represented only 500 out of a total population of 179,400 in South Carolina in 1775.⁶⁷⁸ The numbers are even less in 1790. Wood estimates that out of 249,400 South Carolinians in 1790, there were only 300 Indians.⁶⁷⁹ Most of the Indians in South Carolina

⁶⁷³ Wood, *Empire of Liberty*, 104.

⁶⁷⁴ *Ibid.*

⁶⁷⁵ *Ibid.*

⁶⁷⁶ *ASPIA*, I:38-39.

⁶⁷⁷ Wood, Waselkov, and Hatley, 38.

⁶⁷⁸ *Ibid.*

⁶⁷⁹ *Ibid.*

were Catawbas who lived in northwestern South Carolina.⁶⁸⁰ From Jackson's childhood to his move to Tennessee, the White population of South Carolina doubled, while the Black population stayed mostly the same, over 100,000, and the Indians remained an even smaller minority.⁶⁸¹ The majority of South Carolina's Catawbas lived near Jackson in the Waxhaw settlement.

As a young man in the Waxhaw settlement on the border of North and South Carolina, Jackson had little direct contact with hostile Indians. The tribes who were nearby were generally friendly and relatively small in number.⁶⁸² As already discussed, the Catawbas had lived in the Waxhaw region since the mid-seventeenth century after absorbing or displacing the Waxhaw tribe, the namesake of the region.⁶⁸³ The Catawbas were allies of the British throughout the eighteenth century. In 1761, at the Treaty of Augusta, the British rewarded the Catawbas' loyalty with a tract of land, square, with fifteen miles on each side, on the Catawba River in northern South Carolina.⁶⁸⁴ It also restricted Whites from settling or hunting on Catawba land without permission.⁶⁸⁵ After the Revolution, the Catawbas rented much land to the South Carolinians.⁶⁸⁶ Some White tenants did not like the fact that the Catawbas had so much control because the tenants felt like "tributaries" to their landlords.⁶⁸⁷ Occasionally the Catawbas would trade or sell pottery, moccasins, baskets, and mats to the Waxhaw settlers, but generally the tribe maintained its distance from the Whites during Jackson's childhood.⁶⁸⁸ After the Revolution, the Catawbas

⁶⁸⁰ Wood, Waselkov, and Hatley, 50.

⁶⁸¹ Wood, Waselkov, and Hatley, 38, 47.

⁶⁸² *Ibid.*

⁶⁸³ *Ibid.*

⁶⁸⁴ *Ibid.*

⁶⁸⁵ *Ibid.*

⁶⁸⁶ Merrell, 210.

⁶⁸⁷ *Ibid.*

⁶⁸⁸ Booraem, 8; Merrell, 210-211.

traded items as far away as Charleston. They had in fact become more involved with the South Carolinians gradually between 1760 and 1800.⁶⁸⁹

The Catawbas incorporated other Indian refugees into their tribe during the early 1700s, particularly following the Yamasee War.⁶⁹⁰ The Catawbas' numbers declined throughout the 1700s. An early traveler's account, suggesting a proper course for Indians in the future, blamed the Catawbas' population decline on their inability to "dwell in peace" and their lack of assimilation to "the manners of the White people."⁶⁹¹ Despite the claim that the Catawbas did not "dwell in peace," they did contribute to the American cause in the Revolution. The sparsely populated Catawba Nation, however, was Jackson's direct experience with Indians as a young man.⁶⁹²

The population of the Waxhaws settlement during Jackson's childhood was 120 families in 1770 or roughly 600 or 700 people.⁶⁹³ When Jackson was a child in the Waxhaws, the White settlers steadily grew in population and soon outnumbered the nearby Catawba tribe. The Catawba villages were now "ghost towns inhabited by the spirits of people never properly mourned and buried."⁶⁹⁴ According to the South Carolina Treaty Commissioners, looking back in 1840, the Catawbas had lived in "the midst of a dense White population for more than half a century" and there has never been "a dishonest charge made against a Catawba," nor have they meddled "with anything that did not belong to them, and [they] have always been harmless and friendly."⁶⁹⁵ There were a few incidents of violence between the Catawbas and the Waxhaw

⁶⁸⁹ Merrell, 211.

⁶⁹⁰ Wood, Waselkov, and Hatley, 50.

⁶⁹¹ "The Report of the Journey of the Brethren Abraham Steiner and Frederick C. De Schweinitz to the Cherokees and the Cumberland Settlements (1799)" in Williams, *Early Travels in the Tennessee Country*, 460; Disease from contact with Whites provides a more concrete explanation for the Catawbas' population decline. Merrell, 193.

⁶⁹² Booraem, 194-195.

⁶⁹³ Booraem, 218fn; Howe, George, 1:363.

⁶⁹⁴ Merrell, 195.

⁶⁹⁵ Merrell, 192.

residents, but they were relatively small in number.⁶⁹⁶ Some of the colonists in the 1760s complained of the “insults, gross abuses, and increasing insolence” of the Catawbas.⁶⁹⁷ The Catawbas, however, could not understand why “the White people about us [are] very cross to us.”⁶⁹⁸ The Catawbas tried, but they could not “conceive the meaning “of the hostility.”⁶⁹⁹ Generally, the Catawbas were not threatening. By the end of the eighteenth century “when a farmer looked out his window and saw Catawbas approaching, he was . . . more likely to grab a few coins or a jug of whiskey [for trade] than a musket or an axe.”⁷⁰⁰ This was vastly different than what the Cumberland settlers were experiencing west of the Appalachian Mountains at that time. The Catawbas assimilated traders and trade goods, but not missionaries. They leased land to settlers, fought on the American side during the Revolution, redefined their government as a republic, and became part of the local exchange network.⁷⁰¹ Although they only had 300 warriors in the 1760s, they were willing to help Carolinians against a possible Cherokee-Creek conspiracy.⁷⁰²

Despite fear while in South and North Carolina of the Cherokees to the west, particularly during the 1760s and in the Cherokee War of 1776, no one in Jackson’s family suffered from attacks by the Indians.⁷⁰³ For several years there were no major Indian attacks in the Waxhaws before the Jacksons arrived.⁷⁰⁴ Still, some South Carolinians, particularly the recent Irish

⁶⁹⁶ Merrell, 186-187.

⁶⁹⁷ Merrell, 186.

⁶⁹⁸ *Ibid.*

⁶⁹⁹ *Ibid.*

⁷⁰⁰ Merrell, 211.

⁷⁰¹ Bushnell, Amy Turner, “The First Southerners: Indians of the Early South” in John B. Boles, ed. *A Companion to the American South* (Malden, MA: Blackwell Publishing, 2004), 16.

⁷⁰² Merrell, 192-193

⁷⁰³ Booraem, 194.

⁷⁰⁴ *Ibid.*

immigrants, “hated those horrid Indians . . . on account of their barbarities” despite the lack of “barbarities” being perpetrated upon the immigrants.⁷⁰⁵

As early as 1708, South Carolinians were more concerned with a “numerous” group of Cherokees than they were the Catawbas.⁷⁰⁶ According to Governor Nathaniel Johnson of South Carolina in his report to his British Proprietors, the Cherokees had settlements in sixty towns “on a ridge of mountains” two-hundred and fifty miles northwest of Charleston with 5,000 fighting men and 15,000 total Cherokees.⁷⁰⁷

Jackson’s experience with Indians in western North Carolina, where he lived from 1784 to 1788, was similar to that in South Carolina. The Indian population was relatively stable there from 1775 to 1790. In 1775 there were only 500 Indians out of 209,600 people in North Carolina, well below one percent.⁷⁰⁸ Historian Peter H. Wood asserts that “the rapid migration of White farmers from England and Scotland, Virginia and Pennsylvania” transitioned the “native hunting lands and ‘old fields’ into colonial farms, whether slave or free” and “ensured that North Carolina’s unassimilated Indians would fall into statistical insignificance,” leaving only 400 Indians in a total population east of the mountains in North Carolina that was “rapidly approaching 400,000.”⁷⁰⁹ By contrast, while Jackson was in North Carolina, one out of four people were Black.⁷¹⁰ Like the Catawbas, the Indians in North Carolina were relatively peaceful. Since the mid-1700s the Indians living near the planters in North Carolina were “few” and those “few” were “in good harmony with the English and Americans with whom they constantly trade.”⁷¹¹

⁷⁰⁵ *Ibid.*

⁷⁰⁶ Wood, Waselkov, and Hatley, 63.

⁷⁰⁷ *Ibid.*

⁷⁰⁸ Wood, Waselkov, and Hatley, 38.

⁷⁰⁹ Wood, Waselkov, and Hatley, 46.

⁷¹⁰ Wood, Waselkov, and Hatley, 38.

⁷¹¹ Wood, Waselkov, and Hatley, 46.

Things were different on the Tennessee frontier. The earliest numbers available indicate a small population of Whites moving to the Tennessee frontier compared to the Indians who occupied the land. In July 1791, William Blount reported a census of the Territory South of the River Ohio in which 7,042 Whites lived in the Cumberland settlement in middle Tennessee, 25,584 Whites in eastern Tennessee, and 3,417 slaves for a total of 36,043 in the territory.⁷¹² Using the traditional ratio of four old men, women, and children to men of fighting age, we can adduce that there were 8,000 Whites of fighting age in the Territory South of the River Ohio in 1791.⁷¹³ By the Census of the Territory south of the Ohio River in July, 1795, there were 16,179 White males of fighting age, 19,994 White males under age sixteen, 29,554 free White females, 973 “other free persons,” and 10,613 slaves for a total population of 77,262.⁷¹⁴ In Davidson County, however, where Jackson lived, there were only 728 White males of fighting age and a total population of 3,613 in the county.⁷¹⁵ Of the eleven counties in the territory, Davidson had the fourth lowest population.⁷¹⁶ It was also one of only two of the eleven counties to have more slaves than adult males.⁷¹⁷ Although the population quickly rose, when Jackson entered the territory in 1788 he and his fellow Whites were outnumbered by the Indians. He learned to negotiate among the friendly and hostile tribes.

On June 15, 1789, in a letter to President Washington, Secretary of War Henry Knox estimated that there were 14,000 Indian warriors in the territory south of the Ohio River.⁷¹⁸

⁷¹² Albert C. Holt. “The Economic and Social Beginnings of Tennessee” (PhD. Diss.: George Peabody College, 1923), 163; Haywood, 269.

⁷¹³ Henry Knox to Washington, July 7, 1789, in *ASPIA*, I:38-39. Holt also estimates that there were four times as many women, children, and old men as warriors. Holt, 39. The 4:1 ratio also appears in Commissioners to Knox, November 20, 1789, in *ASPIA*, I:79. The commissioners were B. Lincoln, Cyrus Griffin, and D. Humphreys.

⁷¹⁴ Holt, 163.

⁷¹⁵ *Ibid.*

⁷¹⁶ *Ibid.*

⁷¹⁷ *Ibid.*

⁷¹⁸ Knox to Washington, June 15, 1789, *ASPIA*, I:12-13.

Those north of the Ohio River and below the Great Lakes, however, numbered only 5,000.⁷¹⁹ The southerners, including Jackson, faced a much greater challenge from the Indians. Based on Knox's population estimates, the challenge was three times as great. In attaining a total population number, the secretary of war said the number of old men, women, and children "may be estimated at three for one warrior."⁷²⁰ Gordon Wood, acknowledging that "estimates of Indian populations are notoriously difficult," contends that Knox underestimated the total number of non-warriors.⁷²¹ Still, given Knox's possible low estimate, the federal government believed that there may have been a total of at least 56,000 Indians in the southern territory in the first year of Jackson's arrival.

On July 7, 1789, Secretary Knox reported a low population of the Cherokees, whom he described as "seated principally on the headwaters of the Tennessee" with hunting grounds that extend from the Cumberland to Virginia, North Carolina, South Carolina, and Georgia.⁷²² Knox's letter to President Washington stated that "the frequent wars they have had with the frontier people of the said States have greatly diminished their numbers."⁷²³ In November 1785, federal commissioners estimated that the Cherokees had 2,000 warriors. By 1787, Colonel Joseph Martin, "who was well acquainted with them," estimated that there were 2,650 Cherokee warriors.⁷²⁴ In July 1789, Knox asserted that their numbers may have been reduced "by the depredations committed on them" by the frontier settlers.⁷²⁵

⁷¹⁹ *Ibid.*

⁷²⁰ Knox to Washington, June 15, 1789, *ASPIA*, I:13.

⁷²¹ Wood, *Empire of Liberty*, 123fn.

⁷²² Knox to Washington, July 7, 1789, *ASPIA*, I:38.

⁷²³ *Ibid.*

⁷²⁴ *Ibid.*

⁷²⁵ *Ibid.*

At Hopewell, in 1785, four Indian agents, calculating of the number of Indians in the “four southern states,” at 2,000 Cherokees, 800 Chickasaws, and 6,000 Choctaw “gun-men.”⁷²⁶ And, according to “an agent who resided for seven years” in the towns of the Upper and Lower Creeks, there were 5,400 Creek warriors.⁷²⁷ In addition to the primary tribes, there were Shawnees and some remnants of other, smaller tribes.⁷²⁸ In what seems to be a standard calculation for the time period, the agents stated that “at a moderate calculation, we reckon the women, the children, and the old men unfit for hunting, to four times the number of gun-men.”⁷²⁹

In November 1789, while attempting to obtain a peace with the Creeks and seek security along the frontier of Georgia and the Cumberland, three commissioners reported that the Creek population was 4,500 warriors. This number consisted of Upper Creeks, Lower Creeks, and Seminoles. According to the agents, there was roughly the same number of Upper Creeks as there were Lower Creeks and Seminoles. And there were more Lower Creeks than Seminoles.⁷³⁰ The same commissioners reported that there were 600 Cherokee gun-men, 700 Chickasaws, and 3,000 Choctaws, although they admitted that their focus was on the Creek numbers and they had spent less time investigating the other tribes.⁷³¹

There were many more Indians than Whites in Jackson’s Tennessee. In the Cumberland settlement to which he moved in 1788, the community was isolated from other people in the west. Between the Cumberland and the eastern settlements lay, a “wilderness infested by hostile Indians.”⁷³² Nashville remained small in the late 1700s and was surrounded by and often attacked by hostile Indians. By 1800 there were only 345 people in Nashville. Of these, 191 were

⁷²⁶ Knox to Washington, July 7, 1789, in *ASPIA*, I:38-39; The agents were Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lach’n McIntosh.

⁷²⁷ *Ibid.*

⁷²⁸ *Ibid.*

⁷²⁹ *Ibid.*

⁷³⁰ Commissioners to the Secretary of War, November 20, 1789. *ASPIA*, I:78-79.

⁷³¹ Commissioners to the Secretary of War, November 20, 1789. *ASPIA*, I:79.

⁷³² Remini, *Andrew Jackson and the Course of American Empire*, 35.

White, 151 were slaves, and three were free Blacks. There were 131 White males and sixty White females.⁷³³

Living under these circumstances, Jackson could not simply employ force against the Indians. He chose negotiation and trade in his traffic. He also used Spanish influence to maintain peace since the United States government was too weak to protect the frontier and it many times declined to do anything when called upon, and even restricted Tennessee's ability to protect itself. As Jackson negotiated among a larger population of Indians and successfully built a career, he fought the Indians when forced to do so, but it was always a military and demographic challenge. The treaties provided a legal basis for White-Indian relations along the frontier.

Indian Land and Treaties in Tennessee, 1763-1788

Land was the chief source of struggle between Indians and White settlers in Tennessee during the late eighteenth century. Various Indians claimed land in Tennessee and sold parts of this land to Whites. The treaties provided a legal basis for White-Indian relations along the frontier. Disputes arose over which land sales, and later treaties were legitimate. When Jackson entered this region in 1788 he came directly into this conflict. He knew and worked closely with the men who made these deals and their families both before he entered Tennessee and as he established himself there. These were men such as Richard Henderson, James Robertson, and William Blount.⁷³⁴

One of the problems was the dispute over which tribes had legitimate claims to land in Tennessee. The two with the most land in Tennessee were the Cherokees of the east and the

⁷³³ Anita Shafer Goodstein. *Nashville, 1780-1860: From Frontier to City* (Gainesville: University of Florida Press, 1989), 205-206. The population was only 1,100 by 1810.

⁷³⁴ John Buchanan. *Jackson's Way: Andrew Jackson and the People of the Western Waters* (Edison, NJ: Castle Books, 2001), 26-27; "Treaty of Holston," in *TP*, IV:60-67; Woodward, *The Cherokees*, 113.

Chickasaws to the west. Within the Cherokees, there was a dispute among the older Cherokees of the Upper Towns, with whom the government of the United States dealt with most, and the hostile Chickamaugas near Chattanooga who resented any cession of land to the Americans. The Creeks, a hostile group from Alabama, claimed hunting land in Tennessee, as did the Shawnees, but the United States government did not recognize Creek and Shawnee claims to Tennessee.⁷³⁵ There were other, smaller bands of Iroquois and Delawares who came to Tennessee from time to time. However, only the Cherokees and Chickasaws held distinct land titles from the United States.⁷³⁶ Between them, both groups claimed three-fourths of Tennessee's land when it became a state in 1796.⁷³⁷

The Cherokees and Chickasaws dominated Tennessee land because they took it from other Indian tribes. During the eighteenth century, many tribes lost their land in Tennessee to other tribes. The Creek, Yuchi, and Shawnee were expelled early in the eighteenth century. The Cherokees were the only tribe that actually occupied Tennessee land, though the Chickasaws claimed land in west Tennessee and disputed with the Cherokees over land along the Tennessee River.⁷³⁸ Jackson, as he crossed into Tennessee, faced a multinational treaty structure involving Americans, various Indian tribes, Britain, and Spain. Before the Revolution, Britain issued the Proclamation of 1763. The proclamation forbade the purchase of Indian lands by colonists. At the time, colonists doubted whether this stipulation was permanent. Even George Washington said, in 1763, that it was “a temporary expedient to quiet the minds of the Indians.”⁷³⁹ An early

⁷³⁵ Satz, *Tennessee's Indian Peoples*, 36.

⁷³⁶ *Ibid.*

⁷³⁷ Satz, *Tennessee's Indian Peoples*, 72.

⁷³⁸ Stanley John Folmsbee, Robert Ewing Corlew, and Enoch L. Mitchell. *Tennessee: A Short History* (Knoxville: The University of Tennessee Press, 1989), 22.

⁷³⁹ George Washington quoted in Archibald Henderson. *The Conquest of the Old Southwest: The Romantic Story of the Early Pioneers into Virginia, the Carolinas, Tennessee, and Kentucky, 1740-1790* (New York: The Century Co., 1920), 106.

historian of the old Southwest states that it was “clearly” not the intent of the proclamation to permanently limit the expansion of Whites.⁷⁴⁰ Modern historians of Tennessee agree that the proclamation was not permanent, for superintendents of Indian Affairs could negotiate along with colonial governments for the cession of Indian lands.⁷⁴¹ Despite the imaginary line, Whites continued to cross it and hunt in Tennessee. North Carolina claimed all of Tennessee as its own.⁷⁴²

In 1768, with the Treaty of Fort Stanwix, the Iroquois surrendered all claims in the region south of the Ohio River to the Tennessee River. This included much land in Tennessee. The Cherokees were angry because they considered the land surrendered by the Iroquois part of their hunting land.⁷⁴³ Many Whites in the east thought this opened up the western lands to settlement.⁷⁴⁴ Also, in 1768, the British negotiated the Treaty of Hard Labor with the Cherokees which covered much land in Virginia and West Virginia. However, many White settlers believed this opened up more of the western lands and began migrating into eastern Tennessee.⁷⁴⁵

Because of White encroachment, British agent John Stuart renegotiated the Hard Labor line with the Treaty of Lochabar in 1770. Virginia gave the Cherokees compensation for land running from northern Tennessee to the Long Island of the Holston River. Whites further established their presence in upper east Tennessee. John Donelson came in 1771 to survey the Lochabar line and mistakenly carried it farther south allowing White settlers to remain on the land.⁷⁴⁶ Despite the wrong boundary, Cherokee chief Attakullakulla accepted the new boundary

⁷⁴⁰ Henderson, 106.

⁷⁴¹ Folmsbee, Corlew, and Mitchell, 49.

⁷⁴² John R. Finger. *Tennessee Frontiers: Three Regions in Transition* (Knoxville: The University of Tennessee Press, 2001), 39-43.

⁷⁴³ Ramsey, 76.

⁷⁴⁴ Folmsbee, Corlew, and Mitchell, 49.

⁷⁴⁵ Finger, 42-43..

⁷⁴⁶ Folmsbee, Corlew, and Mitchell, 50.

and allowed the Whites to stay.⁷⁴⁷ James Robertson and others of the Watauga and Nolichucky settlements requested that the Cherokees allow them to lease the land, which Attakullakulla granted.⁷⁴⁸ The Cherokee chief said, “It is but a little spot of ground you ask, and I am willing that your people should live upon it. I pity the White people. . . .”⁷⁴⁹ Robertson and the others leased the Cherokee land for ten years.⁷⁵⁰ The Cherokees officially sanctioned White settlements for the first time north of the Holston with the revised Lochabar line.⁷⁵¹ This gave the settlers more confidence in their right to the land and provided more motivation for easterners to come into Indian lands in the western territory.

In 1775, one of the most controversial transactions involving Indian land in Tennessee, Henderson’s Purchase, occurred. At Sycamore Shoals, on the Watauga River, Richard Henderson and his partners in the Transylvania Company of North Carolina met with 1,200 Cherokees and purchased 27,000 square miles in central Kentucky and Tennessee from the Cherokees for 10,000 pounds worth of goods.⁷⁵² The Cherokees also sold a two hundred thousand acre “Path Deed” that connected the Holston River and the Cumberland Gap.⁷⁵³ No Indians lived on this land, but they considered it their hunting land.⁷⁵⁴ Many Cherokee and White leaders represented their people at Sycamore Shoals. Attakullakulla, Oconostota, Old Tassel, and young Dragging Canoe were there for the Cherokees. Henderson, Daniel Boone, John Sevier, James Robertson, and Jesse Benton represented the Whites.⁷⁵⁵ This purchase led Dragging Canoe to separate from the Cherokees and form the Chickamaugas. He was angry because the older

⁷⁴⁷ Buchanan, 27.

⁷⁴⁸ Buchanan, 26-27.

⁷⁴⁹ Attakullakulla quoted in Buchanan, 27

⁷⁵⁰ Folmsbee, Corlew, and Mitchell, 56.

⁷⁵¹ Ramsey, 76-77, 102-103; Finger, 43.

⁷⁵² Ray, 4; Folmsbee, Corlew, and Mitchell, 58

⁷⁵³ Finger, 51.

⁷⁵⁴ Ray, 4.

⁷⁵⁵ Pate, 51.

chiefs who did not hunt any more sold the hunting lands of the younger Cherokees. He had offered Henderson the Kentucky land, but Henderson refused to accept only that.⁷⁵⁶ Dragging Canoe was furious with the older chiefs for selling the Tennessee land. He told Henderson that the lands below the Kentucky River were “bloody ground, and would be dark and difficult to settle.”⁷⁵⁷ This marked the beginning of Chickamauga resistance to White settlement in Tennessee that continued until 1794.⁷⁵⁸

The Whites saw an opportunity to expand their territory in Tennessee and seized the moment in the days following the Treaty of Sycamore Shoals. The Watauga settlement, in negotiations led by Charles Robertson and John Sevier, purchased the land they had leased from the Cherokees--two thousand square miles for two thousand pounds on March 19, 1775. On March 25, Jacob Brown purchased the Nolichucky settlements from the Cherokees.⁷⁵⁹ Some modern historians consider these purchases illegal.⁷⁶⁰ This is because the Proclamation of 1763 forbade such a purchase. In 1778, the Virginia legislature nullified the purchase, but the settlements in Middle Tennessee were in North Carolina, not Virginia, territory.⁷⁶¹ At the time, however, Richard Henderson, whose brother Jackson knew well while in North Carolina, claimed that it was a valid purchase.⁷⁶² Before purchasing the land, Henderson had applied to British legal authorities to receive an opinion and they sanctioned Henderson’s purchase.⁷⁶³ The Camden-Yorke opinion allowed private purchase of land from Indians.⁷⁶⁴ The Indians from the

⁷⁵⁶ “Deposition of John Reid,” in W.P. Palmer, ed. *Calendar of Virginia State Papers and Other Manuscripts, 1652-1781* (Richmond: R.F. Walker, 1875), I:284.

⁷⁵⁷ “Deposition of Samuel Wilson,” April 15, 1777 in Palmer, I:282-283.

⁷⁵⁸ Pate, iii.

⁷⁵⁹ Finger, 51.

⁷⁶⁰ Brands, 69.

⁷⁶¹ Folmsbee, Corlew, and Mitchell, 73.

⁷⁶² Henderson, 201-202; Booraem, 145.

⁷⁶³ Henderson, 201.

⁷⁶⁴ Folmsbee, Corlew, and Mitchell, 59fn.

Camden-Yorke opinion, however, were from India.⁷⁶⁵ The original opinions did apply to India, but by 1769, the laws regarding land purchases in India applied to land purchases from Indians in North America. By 1772, Henderson was aware of the new law and was confident the purchase would have “no legal bar whatsoever.”⁷⁶⁶

Following the Treaty of Sycamore Shoals, Whites to the east planned the occupation of territory that eventually became Tennessee. By 1779, the Henderson’s Transylvania Company sponsored settlement of the Cumberland Valley to be led by James Robertson and John Donelson. In that year Henderson negotiated the boundary between North Carolina and Virginia and found that the new settlement of Nashborough (later Nashville) was within North Carolina. These settlements, despite being purchased by the Whites, resulted in attacks led by the Chickamaugas.⁷⁶⁷ These attacks continued until 1794.

In 1777, Virginia and North Carolina negotiated the Treaty of the Long Island of the Holston with the Cherokees. The Whites originally wanted all land north of the Little Tennessee River, but the Cherokees compromised and gave them land north of the Nolichucky River with the exception of the Long Island of the Holston.⁷⁶⁸ During the negotiations, the angry Dragging Canoe attacked within ten miles of the treaty site.⁷⁶⁹ By the end of 1777 the young Cherokee leader felt humiliated that the older chiefs had ceded over five million square acres of Cherokee land through purchase and following defeat in the Cherokee War of 1776.⁷⁷⁰

The controversy over the lands, specifically the Cumberland settlements, continued into the 1780s and 1790s and led to much conflict between Chickamaugas and Whites. In 1785,

⁷⁶⁵ William S. Lester. *The Transylvania Colony* (Spencer, Ind.: S.R. Guard & Co., 1935), 27-28.

⁷⁶⁶ Henderson, 202.

⁷⁶⁷ Arnow, 287-299.

⁷⁶⁸ Pate, 78.

⁷⁶⁹ Pate, 81-82.

⁷⁷⁰ Pate, 81-82.

thirty-six Cherokee chiefs and 918 Cherokees negotiated the first Cherokee treaty with the United States at the Treaty of Hopewell. At the proceedings, Cherokee chief Old Tassel complained about Henderson's Purchase, but U.S. Commissioners Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Robert McIntosh showed the Cherokees the deed of the purchase signed by Chiefs Attakullakulla and Oconostota, and the Cherokees again agreed to relinquish the land. They specifically agreed to leave the Cumberland settlements alone and outside of Indian lands. The Treaty of Hopewell solidified the Cumberland claim to the land.⁷⁷¹ This further enraged Chickamaugas, but gave more legitimacy to the Cumberland settlements.

In another Treaty of Hopewell, in 1786, the United States negotiated with the Chickasaws of west Tennessee. Chief Piomingo agreed to allow the Whites to establish a trading post with a five mile radius at Bear Creek on the Tennessee River. Piomingo did this, despite his reluctance to sell land, to gain friendship with the Americans. He also did this over the objections of the Creek leader, Alexander McGillivray. In Article Two of the Treaty, Chickasaw leaders Piomingo, Mingotushka, and Latopia agreed that the tribe was "under the protection of the United States of America, and of no other sovereign, whatsoever," an obvious reference to Spain. Although some Chickasaws resisted the treaty, overall they were much more willing to negotiate with the Americans than were the Cherokees or hostile Chickamaugas and Creeks.⁷⁷²

The young lawyer Jackson had in 1788 left a legal career in North Carolina to enter a world that very few Americans fully understood. He entered a hostile territory with tens of thousands of Indians surrounding small White settlements in the middle of lands some Indians still considered their own. There were Whites who encroached on Indian land and Indians who raided White settlements obtained by treaty or purchase. Both sides caused fights and retaliatory

⁷⁷¹ Woodward, 105-106.

⁷⁷² James R. Atkinson. *Splendid Land, Splendid People: The Chickasaw Indians to Removal* (Tuscaloosa: The University of Alabama Press, 2004), 128-132.

attacks. The legality of the purchases and treaties was a matter of dispute. Jackson, seeking a better life, entered this world and had to adapt. Over time he met people like the Donelsons and James Robertson who helped him learn how to cope on the frontier. In addition to honing his skill as a young lawyer, Jackson learned how to negotiate among the Spanish, the divided Cherokees, the friendly Chickasaws, and the hostile Chickamaugas and Creeks.

The biggest change for Jackson came with the demographics of Tennessee. For the first time in his life, he lived among an Indian population that was central to society rather than marginal. In the Waxhaws, Charleston, and Salisbury, the Indians had been only minor, subordinate players. In Tennessee, whether through trade, treaty, or violence, the Indians, specifically the Cherokees, Chickamaugas, Creeks, and Chickasaws, determined events. Jackson learned quickly to work among and between the various tribes militarily, economically, socially, diplomatically, and politically.

CHAPTER FOUR: JACKSON IN TENNESSEE, 1788-1796: LAWYER, BUSINESSMAN, AND INDIAN FIGHTER

Between the end of the American Revolution in 1783 and Tennessee's admission to statehood, Andrew Jackson developed from a teenage orphan to one of the leading men of the state of Tennessee. He became famous as an Indian fighter on the frontier. But an examination of Jackson's actions in these years shows that Indian fighting was not a major part of his life. If anything, he wanted peace with the Indians so he could be free to further his legal, commercial, and political pursuits. His aim in going to Tennessee was not to conquer the Indians but, rather, to gain wealth and family. Many biographers cover Jackson's legal career, but most do so as merely a step in his military and political career. James Ely, Jr., one of the editors of *The Legal Papers of Andrew Jackson*, provides the best coverage of Jackson's successful legal career. Yet Ely, and Jackson's chief biographer, Robert V. Remini, contend that Jackson's move to Tennessee was one of desperation.⁷⁷³ Hendrik Booraem points out that Jackson had already made connections in law in North Carolina.⁷⁷⁴ Jackson was one of the hardest working lawyers and could have succeeded in North Carolina or Tennessee, but chose instead to remain in Tennessee.⁷⁷⁵

⁷⁷³ Remini, *Andrew Jackson and the Course of American Empire*, 26-56, and James, 32-82, cover the period well, but their focus is on the anecdotes and Jackson's later exploits. Buchanan, 47-49; 111-125; Jon Meacham. *American Lion: Andrew Jackson in the White House* (New York: Random House, 2008), 20-28; Brands, 35-40; Burstein, 10-27; LPAJ, xix-lx, and Ely, "The Legal Practice of Andrew Jackson," 421-435, provide the best coverage of Jackson's legal career;

⁷⁷⁴ Booraem, 167-193.

⁷⁷⁵ Booraem, 167-193; Remini, 45; Parton, 136; LPAJ, xxxix.

In addition to law, Jackson found success in commerce, passing between Natchez and Philadelphia, and speculated in land in the western territory. These ventures, despite some difficulty, gave Jackson such wealth that he was rich despite his public service as a prosecutor, which often failed to supply him with suitable income. The wealth Jackson accumulated through his ventures by the late 1790s was enough for Jackson and his family to live comfortably without pursuing a career in the military or politics.

Jackson, however, made connections in the Carolinas and Tennessee that propelled him into public work and built his fortune as well. Through these connections he found his wife Rachel Donelson, who was a part of one of the largest, wealthiest, and most prominent families in Tennessee.

With all his various careers and interests, Jackson hardly had time to fight Indians. When he did so in the territorial period, it was out of a voluntary defensive nature. Although Jackson's greatest biographer emphasizes Jackson as an "Indian Fighter" from his youth, Jackson's first offensive mission against the Indians was in 1794.⁷⁷⁶ He did not hate all the Indians, but he did hate the ones who committed atrocities on the settlement he was building. He distinguished between the friendly and violent Indians, and became famous later as an Indian fighter. Fighting Indians, particularly in an offensive nature, was one of the last things Jackson wanted in the 1780s and 1790s. Indian fighting disrupted his primary concerns: family, career, and wealth.

Jackson to Tennessee

Following the American Revolution, Congress asked states with western land claims to cede those lands to the federal government.⁷⁷⁷ After Virginia ceded land north of the Ohio River,

⁷⁷⁶ Remini, *Andrew Jackson*, 5-40.

⁷⁷⁷ Folmsbee, Corlew, and Mitchell, 79-80.

there was pressure for North Carolina to surrender the land that became Tennessee.⁷⁷⁸ The North Carolina legislature agreed to the cession in 1784, but then repealed the measure and did not cede the land again until 1789.⁷⁷⁹ In the eastern part of the region, the people formed a separate, short-lived State of Franklin, led by Governor John Sevier.⁷⁸⁰ In December 1789, the North Carolina legislature voted to give up its western lands to the new national government.⁷⁸¹ In 1790, Congress accepted the second secession of the region and named it the Territory South of the River Ohio.⁷⁸²

Jackson's major opportunity came through his old friend John McNairy. In December 1787, the state legislature of North Carolina elected McNairy to be judge of the Davidson County Superior Court in the western territory.⁷⁸³ McNairy's appointment influenced Jackson's decision to go west. The North Carolina legislature created Davidson County and established courts there in 1783.⁷⁸⁴ The appointment was not popular, being five hundred miles from the heavily populated parts of North Carolina, and across the mountains, but Jackson made the most of it.⁷⁸⁵

In the spring of 1788, Jackson, McNairy, Bennett Searcy, and three or four others moved across the mountains into the new territory. The three had each been a law student with Jackson and McNairy under Spruce Macay, and McNairy appointed him to be clerk of the court.⁷⁸⁶ They

⁷⁷⁸ *Ibid.*

⁷⁷⁹ *ibid.*

⁷⁸⁰ *ibid.*

⁷⁸¹ *TP*, IV:3-11. Folmsbee, Corlew, and Mitchell, 98.

⁷⁸² *TP*, IV:13-19. Tennessee became a state on June 1, 1796 with Jackson as a delegate to the Constitutional Convention. From the end of the American Revolution in 1783, when North Carolina established a Military Reservation in the Cumberland settlements to May 26, 1790, the territory belonged to North Carolina. From May 26, 1790 to June 1, 1796, it was a federal territory known as "Territory of the United States South of the Ohio River. I refer to the land as Tennessee throughout the dissertation although it became the State of Tennessee on June 1, 1796. *TP*, IV:424-425.

⁷⁸³ *SRNC*, XX:262, 270.

⁷⁸⁴ James Iredell. *Laws of the State of North Carolina* (Edenton, NC: Hodge & Wills, 1791), 473.

⁷⁸⁵ Parton, 119.

⁷⁸⁶ Remini, *Andrew Jackson and the Course of American Empire*, 35.

met at Morganton, North Carolina, and then traveled to Jonesboro, which was the principal town of the eastern part of what became Tennessee. They decided to wait at Jonesboro until a sufficient number of people gathered to make the 183-mile trip through hostile Indian Territory to Nashville.⁷⁸⁷ They knew they could not make it to Nashville in time for the spring session of court, so they decided to stay in Jonesboro for the summer and go to Nashville for the fall session of the court.⁷⁸⁸

While in Jonesboro, Jackson gained his first legal experience in the western territory. McNairy authorized him to practice law in Washington County on May 12, 1788 and in Greene County on August 5, 1788.⁷⁸⁹ Jackson defended at least one suit in Jonesboro in his stay there over the summer.⁷⁹⁰ It was in Nashville, however, that Jackson gained success. Since his mother's death, he had wandered at times, but always found a way to make a living. Although his appointment to North Carolina's western territory was "experimental" at first, he found success in Nashville, first as a lawyer, but also as a businessman and land speculator.⁷⁹¹

Jackson and his group arrived in Nashville on October 26, 1788.⁷⁹² A week later, on November 3, 1788, McNairy admitted Jackson to practice in the Superior Court of Law and Equity for Davidson County.⁷⁹³ Davidson County, along with Sumner and Tennessee Counties, formed the Mero District in 1788.⁷⁹⁴ The judge of Davidson County, McNairy, continued as judge of Mero District.⁷⁹⁵ Jackson's position in Davidson County and the Mero District was not guaranteed to bring success. There was no salary attached to the position at first and Jackson had

⁷⁸⁷ Parton, 119-121.

⁷⁸⁸ Remini, *Andrew Jackson and the Course of American Empire*, 36.

⁷⁸⁹ "Law License in Tennessee," November 3, 1788, in *PAJ*, I:13.

⁷⁹⁰ *LPAJ*, xxxvii.

⁷⁹¹ Jackson quoted in Booraem, 193.

⁷⁹² Remini, *Andrew Jackson and the Course of American Empire*, 40.

⁷⁹³ "License to Practice in the Superior Court of Law and Equity," November 3, 1788, in *LPAJ*, 4.

⁷⁹⁴ Edward Scott. *Laws of Tennessee*, 2 vols. (Knoxville: Heiskell & Brown, 1821), I:402.

⁷⁹⁵ Scott, I:402.

to petition the North Carolina legislature first, then later the United States House of Representatives, after Tennessee gained statehood, to allow payment for his work. From the time he arrived in 1788 until November 1789, Jackson had not received a salary since the acts of the North Carolina legislature creating the positions of attorney general for Davidson County and the Mero District did not so stipulate.⁷⁹⁶ When Jackson was elected attorney general by the North Carolina legislature, he petitioned for the salary.⁷⁹⁷ The legislature agreed to give him the same salary as the attorney general for the Washington District--forty pounds.⁷⁹⁸

In 1789, North Carolina ceded the Western Territory, which later became Tennessee, to the United States.⁷⁹⁹ Jackson maintained his position as attorney general throughout 1789 and assumed the salary would continue as he worked for the federal government.⁸⁰⁰ Congress, however, tabled Jackson's petition for payment in 1792, and again denied his appeal when he renewed it in 1794 and 1796.⁸⁰¹ Jackson worked without pay from the territorial government throughout much of this time. It was not until 1799 that the Tennessee General Assembly agreed to pay Jackson \$400 for his service as attorney general throughout the years of the territorial government.⁸⁰²

Jackson's criminal cases involved only litigants from North Carolina and the U.S. territorial government until 1797.⁸⁰³ Jackson prosecuted eighty-nine criminal cases on behalf of

⁷⁹⁶ "Petition with Affidavits for Payment for Service as Attorney General for the Mero District," November 27, 1789," in *PAJ*, I:18-19. *SRNC*, XXI; 637.

⁷⁹⁷ "Petition with Affidavits for Payment for Service as Attorney General for the Mero District," November 27, 1789," *PAJ*, I:18; *SRNC*, XXI: 412, 717. At the same time Jackson was elected attorney general of the Mero District, Jackson's old acquaintance from the war in South Carolina, Griffith Rutherford, was elected councilor and his old law teacher in North Carolina, John Stokes, was elected as an additional judge of the Mero District.

⁷⁹⁸ *SRNC*, XXI: 437; *LPAJ*, xxxvii.; "Petition to the Tennessee General Assembly," April 11, 1796, in *PAJ*, I:87-88.

⁷⁹⁹ Scott, I:405-408.

⁸⁰⁰ "Petition to the U.S. House of Representatives," March 6, 1792, in *PAJ*, I:35-36.

⁸⁰¹ *PAJ*, I:35-36fn.; "Petition to the Tennessee General Assembly," April 11, 1796, in *PAJ*, I:87-88.

⁸⁰² *PAJ*, I:88fn.

⁸⁰³ *LPAJ*, xxxvii, xxxix.

North Carolina and the U.S. territorial government.⁸⁰⁴ He spent much time on these prosecutions as he handled virtually all aspects of the cases, including preparing indictments and personally appearing in court.⁸⁰⁵ The largest category of cases involved assault and battery. Jackson also handled several cases involving petty larceny, perjury, and horse stealing. Jackson was relatively successful in his time as attorney general as he secured thirty guilty verdicts versus only nineteen not guilty in cases with a final judgment. The sixty-two percent successful conviction rate is similar to other conviction rates of the era.⁸⁰⁶ In addition to all the prosecutorial work, Jackson also instituted more than thirty proceedings for the territorial government to collect fines for statutory offenses against the court.⁸⁰⁷

Notwithstanding the stereotype of the violent frontier terrorized by Indians, Jackson dealt with relatively few violent crimes in his eight-year tenure as attorney general. He heard only two accusations of murder and one of rape.⁸⁰⁸ This low number of violent White on White crimes was in stark contrast to the violence Whites and Indians committed against one another.⁸⁰⁹ The Cumberland settlers had more to fear from Indians than themselves.⁸¹⁰

Jackson resigned as attorney general in 1796 to focus on his private practice, which occupied much of his time and generated much revenue. To be a successful lawyer on the Tennessee frontier, an attorney needed a good horse, a copy of Blackstone's Commentaries, and a copy of Tennessee's statutes.⁸¹¹ In the initial years of the Cumberland settlement, lawyers were

⁸⁰⁴ *LPAJ*, xxxix.

⁸⁰⁵ *LPAJ*, xxxviii.

⁸⁰⁶ *LPAJ*, xxxviii; Michael, Hindus. *Prison and Plantation: Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* (Chapel Hill: University of North Carolina Press, 1980), 91.

⁸⁰⁷ *LPAJ*, xxxviii.

⁸⁰⁸ *LPAJ*, xxxvii

⁸⁰⁹ Arnow, 282-306, 416.

⁸¹⁰ *Ibid.*

⁸¹¹ Daniel C. Calhoun. *Professional Lives in America: Structure and Aspiration, 1750-1850* (Cambridge: Harvard University Press, 1965), 61.

so scarce that those who chose to stay had a virtual monopoly of the clients.⁸¹² Sixteen attorneys practiced in Davidson County during Jackson's legal career from 1788 to 1798.⁸¹³ In the Davidson County session of April 1789, he was counsel for all thirteen cases.⁸¹⁴ In April 1793, out of 155 cases docketed in the court, Jackson was counsel in seventy-two. In July 1793, he was counsel in sixty of 135 docketed cases. In October 1793 he was employed in sixty-one of the court's 132 docketed cases. In the four terms of 1794, Jackson was counsel in 208 of 397 cases docketed in the Davidson County Court.⁸¹⁵

After only two years in Tennessee, Jackson had worked the third heaviest caseload in Davidson County and the second most cases in Sumner County.⁸¹⁶ Between 1788 and 1796, he represented more clients than anyone else in Davidson County.⁸¹⁷ Between 1788 and 1798, he represented clients in more than 400 lawsuits.⁸¹⁸ In 1794 and 1795, the apex of Jackson's private practice, he worked 256 cases in Davidson County. The lawyer with the second most cases had 181. He was one of only four with more than one hundred cases.⁸¹⁹ He handled between one-fourth and one-half of all of the cases in Davidson County within his first years of arrival.⁸²⁰ Jackson usually tried between eight and fifteen cases each quarter session of the county court. Sometimes he handled as many as thirty. Several times he tried more than three jury trials in a single day. His busiest day was April 10, 1793, when he had eight jury trials, winning five default judgments.⁸²¹

⁸¹² Calhoun, 67.

⁸¹³ *LPAJ*, xlv.

⁸¹⁴ Remini, *Andrew Jackson and the Course of American Empire*, 45.

⁸¹⁵ Parton, 136.

⁸¹⁶ Calhoun, 65.

⁸¹⁷ *LPAJ*, xlv.

⁸¹⁸ Ely, "The Legal Practice of Andrew Jackson," 426.

⁸¹⁹ Ely, "The Legal Practice of Andrew Jackson," 431-432.

⁸²⁰ Remini, *Andrew Jackson and the Course of American Empire*, 45.

⁸²¹ *LPAJ*, xxxix.

Most of Jackson's cases were in the Mero District in Davidson and Sumner Counties. Some, however, were as far away as the Washington District with its seat at Jonesboro and the Hamilton District with its seat in Knoxville, more than 200 miles from Jackson's home in Nashville.⁸²² In his first seven years in Nashville, Jackson travelled the near 200-mile journey between his home and Jonesboro twenty-two times. This was a total distance of 4,400 miles with more than 750 miles on horseback traveling on the trips from Nashville to Jonesboro alone.⁸²³ Not only was the work of an early Tennessee lawyer time-consuming, the physical burden of travel was exhausting as well.⁸²⁴

Jackson worked in litigation, as a debt collector, and as a land agent, which brought him into contact with the Indians. Of the judgments Jackson received in his plaintiffs' cases, he won 215 out of 241 cases.⁸²⁵ Most of Jackson's cases involved debt collection, suits to collect promissory notes, and enforcement of contracts. Jackson handled few tort cases. Most of his work was trial work rather than drafting wills or deeds.⁸²⁶ Jackson once even successfully defended a man against the charge of being a slave. Jackson represented the defendant and the court ruled he was "a free man."⁸²⁷ In addition to providing legal services, Jackson also served as a collection official and land agent for his clients.⁸²⁸ This service added to his popularity and influence among wealthy Cumberland settlers. Nashville's creditors had been waiting for someone to represent their interests and Jackson was the man to do so.⁸²⁹ Before a month had

⁸²² *LPAJ*, xxxix.. The Mero District was Jackson's home in middle Tennessee north of the Cumberland River. The Washington District bordered North Carolina. The Hamilton District was just to the west of the Washington District, still in northeast Tennessee. Finger, 130.

⁸²³ Parton, 138; James, 72.

⁸²⁴ Calhoun, 70.

⁸²⁵ Ely, "The Legal Practice of Andrew Jackson," 426-427.

⁸²⁶ Ely, "The Legal Practice of Andrew Jackson," 428-430.

⁸²⁷ *Gilmore v Williams* (1791) in *LPAJ*, 32-33.

⁸²⁸ *LPAJ*, xlii.

⁸²⁹ James, 50.

passed since his arrival in Nashville, he issued seventy writs to delinquent debtors.⁸³⁰ Jackson aligned his legal work with his business interests. Fulfilling his primary goal of securing himself financially, Jackson not only worked as a lawyer, but also took advantage of business and land speculation opportunities on the frontier, which also involved him indirectly in Indian affairs.

Jackson and Business

Lawyers in early Tennessee, more than in a thoroughly commercial society, had diverse revenue streams and did not limit themselves to legal practice.⁸³¹ As soon as Jackson arrived in Nashville, he began trading in Spanish-controlled Natchez, which brought him into Spanish territory and forced him to travel through Chickasaw and Choctaw lands. Western settlers travelling through Chickasaw land developed “trade and friendly intercourse with the Chickasaw Nation of Indians.”⁸³² He would often go there between court terms. In Natchez he traded such items as cotton, furs, and feathers for bedding, lime, pork, beef, boats, and slaves. On July 15, 1789 Jackson took an oath of loyalty to the king of Spain. The oath facilitated offering of legal and trading services to the residents in Spanish Natchez.⁸³³ This was required for Americans seeking land grants in Spanish territory. Although not for traders, most American merchants in Natchez also swore allegiance to the king of Spain.⁸³⁴ Jackson’s oath indicated that for settlers in the western country in the summer of 1789, there was uncertainty over the future, whether America or Spain would rule portions of western territories disputed by Indians, American settlers, Spain, or even Britain.

⁸³⁰ Parton, 135.

⁸³¹ Calhoun, 77.

⁸³² Zachariah Cox to AJ April 27, 1797, in *PAJ*, I:131-132.

⁸³³ Remini, *Andrew Jackson and His Indian Wars*, 285fn.

⁸³⁴ Brady, 48.

Jackson entertained the thought of joining Spain when he felt the federal government failed to protect Tennesseans, but he did not want to secede.⁸³⁵ Rather, he used the Spanish government to secure his financial interests. His discussions with that government were two-fold: first, convince the Spanish to stop the Indian attacks on Tennessee, and then benefit financially from a stable Tennessee economy working with the Spanish along the Mississippi River.⁸³⁶ Therefore, when he made his plea to Daniel Smith, who was secretary of the territory, to establish good relations with Spain, it was not, as some may assume, to undermine the American government. Rather, he wanted strong American-Spanish relations, “desiring a commercial treaty” with Spain “for the purpose of the benefit of the trade of this country” because he “had the good of [the United States] at heart.”⁸³⁷ Better commercial relations with Spain would improve Jackson’s bottom line and relieve him from the tedious circuit he was riding in his unsalaried federal position as attorney general of the Mero District.⁸³⁸

Jackson’s acquaintances in Nashville and Natchez enabled him to achieve greater success as a businessman. He worked through agents, including a man of Irish descent, George Cochran, in Natchez.⁸³⁹ Jackson discussed opening a tobacco business in Natchez, but Cochran discouraged him from doing so because of Spain’s restriction of tobacco from the Cumberland region.⁸⁴⁰ Jackson was also involved in the businesses of cock fighting, as well as horse racing,

⁸³⁵ AJ to John McKee, May 16, 1794, in *PAJ*, I:49.

⁸³⁶ AJ to Daniel Smith, February 13, 1789, in *PAJ*, I:16-17.

⁸³⁷ *Ibid.*

⁸³⁸ Jackson did not receive a salary as attorney general for many years and had to make numerous pleas to receive payment. He earned a salary through his private practice and business. *SRNC*, XXI:637; “Petition with Affidavits for Payments for Service as Attorney General for the Mero District,” November 27, 1789, in *PAJ*, I:18-19; “Petition to the U.S. House of Representatives,” March 6, 1792, in *PAJ*, I:35-36; “Petition to the Tennessee General Assembly,” April 11, 1796, in *PAJ*, I:87-88fn.

⁸³⁹ Remini, *Andrew Jackson and the Course of American Empire*, 55; Cochran to AJ, October 21, 1791, in *PAJ*, I:29-31.

⁸⁴⁰ Cochran to AJ, October 21, 1791, in *PAJ*, I:29-31; Nashville is located in the Cumberland River, which connects with the Ohio and Tennessee Rivers.

trading, and breeding in Natchez.⁸⁴¹ Jackson also made connections with English merchants in Natchez. Thomas Green, who had been a longtime friend of the Donelsons in Tennessee, gave Jackson the power of attorney to work for him in Davidson County.⁸⁴² Jackson used the Donelson connection, the English money, and his connections in Nashville and the nearest mercantile center outside of American territory, Natchez, to establish business that would trade from Tennessee, north to Kentucky, and south to the Gulf of Mexico and out to the world.⁸⁴³

By 1790, records indicate Jackson was buying goods such as wine and snuff at Natchez for his trading post in Bayou Pierre.⁸⁴⁴ Because he was a prominent trader between Nashville and Natchez, he often delivered and purchased slaves for his friends in Tennessee.⁸⁴⁵ He once returned a runaway slave to the Spanish governor in Natchez, Manuel Gayoso de Lemos, at the request of James Robertson.⁸⁴⁶ This, however, was a relatively small aspect of his commercial activities. Jackson was primarily a slaveholder rather than slave trader.⁸⁴⁷ By 1790, he owned one male slave aged twenty-eight, one female slave aged thirty-two, and three slave boys all under the age of eleven.⁸⁴⁸ By 1794, he owned ten slaves, all supervised by Rachel as Jackson kept the store and his law practice. By 1798, he owned fifteen slaves and later accumulated more.⁸⁴⁹

⁸⁴¹ Cochran to AJ, October 21, 1791, in *PAJ*, I:29-31; Thomas Reber, *Proud Old Natchez* (Natchez, MS: Thomas Reber, 1909), 18-19.

⁸⁴² Brady, 48.

⁸⁴³ Brady, 48-50.

⁸⁴⁴ "Andrew Jackson in Account with Melling Woolley," March 14, 1790 in *CAJ*, I:8.

⁸⁴⁵ Remini, 55; Reber, 18-19.

⁸⁴⁶ *Ibid.*

⁸⁴⁷ Brands, 73.

⁸⁴⁸ "List of Negroes for Jackson," November 8, 1790 in *CAJ* I:9.

⁸⁴⁹ Remini, *The Life of Andrew Jackson*, 51; By 1820, he owned forty-four: twenty-seven males and seventeen females. By his presidency, Jackson owned ninety-five slaves in Nashville. Near the end of his life he owned one hundred and fifty.

One of Jackson's two major financial pursuits was a mercantile business. He opened a store in Nashville with his brother-in-law, Samuel Donelson.⁸⁵⁰ Jackson purchased goods for it from Philadelphia, and sometimes Baltimore. They were carried by land to Pittsburgh, and then loaded on boats down the Ohio River to Louisville, then on wagons for a trip around the falls, back into the water to sail down the Ohio River, then to the Cumberland River for off-loading at Nashville.⁸⁵¹ Jackson sold many items in his Nashville store to keep the Cumberland settlements supplied. His inventory included raisins, chocolate, and beverages such as rum, wine, coffee, and tea. He sold clothing, household products such as scissors, pins, needles, carpet, hardware like hoes, knives, and gloves, compasses for the land speculators and books to men such as James Robertson. The books included Bibles and history books, particularly on the recent French Revolution.⁸⁵²

Jackson also had income from a plantation. At his home of Hunter's Hill he bought a new "cotton engine" (or cotton gin) and claimed it could do the work of forty men.⁸⁵³ Running the plantation was profitable. Because whiskey could be as valuable as cash in Tennessee, he added a distillery to the plantation and partnered with Thomas Watson to sell it.⁸⁵⁴

Jackson was also an active land speculator, often traveling to Philadelphia to deal in tens of thousands if not hundreds of thousands of acres.⁸⁵⁵ At times the trade was quite lucrative, but at others Jackson was discouraged. In 1794, for example, he entered into a partnership with John Overton in which each man was to "bear an equal proportion of all purchases, losses, and expenses, and to receive an equal part of all profits, advantages, and emoluments, arising from

⁸⁵⁰ *PAJ*, I:455.

⁸⁵¹ "Account of Freight and Expenses from Philadelphia," May-August 1795, in *PAJ*, I:58-59. This account details the route of the goods and the expenses incurred along the way.

⁸⁵² "Account Book, Jackson's Nashville Store, 1795" in *PAJ* I: 455-476.

⁸⁵³ James, 89; Remini, *Andrew Jackson and the Course of American Empire*, 89.

⁸⁵⁴ James, 89.

⁸⁵⁵ Remini, *The Life of Jackson*, 33.

the lands so purchased.”⁸⁵⁶ He and Overton bought land on credit at a low price hoping to sell when more settlers increased the demand and raised the price for a good profit.⁸⁵⁷ Land speculation brought many westerners including Jackson into conflict with the Indians over land titles.⁸⁵⁸ On May 13, 1794, they purchased 15,000 acres in the Western District for 500 pounds, and the following day 10,000 more acres in the Western District for 400 pounds. In 1794, they purchased 30,000 acres in the Western District for 1,000 pounds, buying an additional 25,000 acres in the Western District in 1795.⁸⁵⁹ They were unable to find buyers, leading to one of Jackson’s more calamitous business transactions: the Allison affair.⁸⁶⁰

Jackson had difficulty selling land at times because the value fluctuated based on Indian attacks and disputed claims resulting from conflicts among the tribes along the frontier and the United States and Spain.⁸⁶¹ As evidence of the difficult financial status of the frontier, land speculators dealt in pesos, pounds, and dollars to accommodate Spanish, British, and American traders.⁸⁶² Because of the uncertainty of the land market, Jackson was desperate in 1795 to find buyers. He went through three weeks of “difficulties such as I have never experienced before.”⁸⁶³ In the summer of 1795, because of the low demand, Jackson travelled to North Carolina and Maryland, then to Philadelphia, looking for buyers of Tennessee land.⁸⁶⁴

Despite law practice demands during the May Davidson County court sessions of 1795 and 1796, Jackson was in Philadelphia negotiating the sale of land to speculator David

⁸⁵⁶ “Partnership Agreement with John Overton,” May 12, 1794 in *PAJ*, I:46-48.

⁸⁵⁷ Brands, 70, 73.

⁸⁵⁸ John Overton to AJ, March 8, 1795, in *PAJ*, I:54.

⁸⁵⁹ Deeds from “Calendar of Transactions and Agreements, 1770-1803” in *PAJ*, I:429-454. See p. 436-439 for specific deeds of Jackson and Overton in western lands.

⁸⁶⁰ Remini, *Andrew Jackson and the Course of American Empire*, 87-90, 109.

⁸⁶¹ Brands, 70.

⁸⁶² *Ibid.*

⁸⁶³ AJ to Overton, quoted in Remini, *The Life of Jackson*, 33.

⁸⁶⁴ AJ to Overton, June 9, 1795, in *PAJ*, I:59.

Allison.⁸⁶⁵ Jackson made business mistakes dealing with Allison. These mistakes jeopardized his fortune and caused a distrust of finance. Desperate to find a buyer, Jackson accepted the offer of Allison, who was a partner of John B. Evans and Company, which dealt frequently in Cumberland land. Allison offered Jackson twenty cents per acre for thousands of acres of land. Jackson accepted the offer and took three promissory notes from Allison. In Philadelphia Jackson endorsed and offered Allison's notes in payment of goods for his mercantile store. Allison defaulted on the notes two months later and Jackson was liable for them. Jackson, as a lawyer and businessman, should have known that he would be liable when he endorsed the promissory notes; but, angry and shocked, he claimed that he was "placed in the dam'st situation ever a man was placed in."⁸⁶⁶ Jackson then sold his mercantile store for 33,000 acres of land and sold the land to James Stuart at twenty-five cents an acre to cover Allison's default.⁸⁶⁷

Jackson nonetheless recovered from the Allison affair and did quite well. Allison, by contrast, died in debtor's prison in Philadelphia.⁸⁶⁸ The Allison debacle, however, scared Jackson and fueled his hatred of debt, paper money, and banks.⁸⁶⁹ Still, fearing poverty more than the risk, Jackson overcame and pursued financial security. Rachel, not wanting Jackson to leave home, often complained, but he reminded her that if he did not go away from time to time and finish his commercial dealings, it could "involve us all in the calamity of poverty--an event which brings horror to my mind."⁸⁷⁰

⁸⁶⁵ *LPAJ*, xxxviii.

⁸⁶⁶ AJ to Overton, June 9, 1795, *PAJ*, I:59-61.; Statement Regarding the Allison Transaction, July 15, 1801 in *PAJ*, I:251-252; For a full recounting of the Jackson-Allison story, see Remini, *Andrew Jackson and the Course of American Empire*, 86-92.

⁸⁶⁷ Remini, *The Life of Jackson*, 34.

⁸⁶⁸ *PAJ*, I:58fn.

⁸⁶⁹ Remini, *The Life of Jackson*, 51.

⁸⁷⁰ AJ to Rachel Jackson, April 6, 1804, in *PAJ*, II:13.

Jackson's Tennessee Connections

Unlike his comparatively short time in North Carolina, Jackson made many connections during eight years that put him in the center of Tennessee's political, economic, legal, and military leadership. He also learned the value of Indian relations from his political and military mentors. Jackson had missed belonging to a family since he was a teenager when all of his immediate family had died before, during, or after the war. He admitted that he found such a family when he referred to Rachel Stockley Donelson as his "good old mother . . . that best of friends," asking Rachel, her daughter, to "tell her with what pain I reflect upon leaving home without shaking her by the hand and asking her blessing."⁸⁷¹ His brothers-in-law became his business associates. The most important male figure to Jackson in early Tennessee was James Robertson, who was "a fatherly adviser."⁸⁷² Most importantly, it was in Tennessee that Jackson met his wife, Rachel Donelson.

Arriving in Nashville in October 1788, Jackson found lodging with Rachel Stockley Donelson.⁸⁷³ She was the widow of one of Nashville's founders, John Donelson. The family, including eleven children, made a treacherous journey to the Cumberland region to establish a settlement in 1779-1780.⁸⁷⁴ He, along with James Robertson and Richard Henderson, founded the settlements of middle Tennessee. Donelson could have lived a more comfortable life in his home state of Virginia, where he had been a member of the House of Burgesses for five years and a colonel in the county militia during the War for Independence.⁸⁷⁵ Jackson never met Rachel's father because he was murdered under mysterious circumstances in 1785 before

⁸⁷¹ AJ to Rachel Jackson, May 9, 1796, in *PAJ*, I:91-92.

⁸⁷² *PAJ*, I:65.

⁸⁷³ Parton, 133.

⁸⁷⁴ "John Donelson's Journal" is reprinted in Ramsey, 197-202.

⁸⁷⁵ Brady, 13-15.

Jackson arrived.⁸⁷⁶ Although it is unclear whether Whites or Indians were the culprits, Rachel blamed White men because her father was too crafty in the ways of Indians to be murdered by them.⁸⁷⁷ Jackson's greatest biographer, Remini, however, believes that Indians murdered Donelson.⁸⁷⁸ Rachel's father had negotiated with the Indians before and Rachel had confidence in her father's ability to work among the Indians.⁸⁷⁹ Jackson, upon arriving and meeting the family, learned the story of the tragedy of the elder Donelson as well as the danger and uncertainty of living and negotiating among friendly and hostile Indians on the frontier.⁸⁸⁰

Because of the vulnerability of Indian attack along the Cumberland when Jackson arrived in 1788, the Donelsons invited Jackson to live with them to provide extra male protection. They had a large blockhouse and much property. Several other boarders stayed with Donelson as well, including John Overton.⁸⁸¹ Jackson soon noticed Rachel, who was married to Lewis Robards. She had just returned to Nashville from a miserable stay in Kentucky with her husband when Jackson arrived. Rachel had separated from her husband, but reluctantly agreed to give him another chance. Although the couple had bought a house five miles away from Rachel's mother, they too were staying in the Donelson blockhouse for protection against the frequent Indian attacks. Robards soon noticed that there was a connection between Rachel and Jackson.⁸⁸²

The controversy surrounding Jackson, Rachel, and Robards is indicative of the legal and emotional confusion on the frontier.⁸⁸³ Jackson remained with the Donelsons for a while, but then found other lodging at the station of Kasper Mansker. Robards left his wife temporarily and

⁸⁷⁶ Brady, 35; Remini, *Andrew Jackson and the Course of American Empire*, 41; Remini, *Andrew Jackson*, 14.

⁸⁷⁷ Brady, 35; Remini, *Andrew Jackson and the Course of American Empire*, 41.

⁸⁷⁸ Remini, *Andrew Jackson*, 14.

⁸⁷⁹ Brady, 33; Folmsbee, Corlew, and Mitchell, 75; Ramsey, 446.

⁸⁸⁰ Brady, 35; Remini, *Andrew Jackson and the Course of American Empire*, 41.

⁸⁸¹ Remini, *Andrew Jackson and the Course of American Empire*, 41; Parton, 133; James, 56-57.

⁸⁸² Remini, *Andrew Jackson and the Course of American Empire*, 41-43.

⁸⁸³ Fischer, 605-782.

returned to Kentucky.⁸⁸⁴ In 1789, Tennessee was still under North Carolina law, which only allowed divorce for one of three reasons: adultery, desertion, or extreme cruelty. There was little hope Rachel could prove any of these against Robards. Besides, the legislature, which had the authority to grant divorces, granted fewer than half of the petitions for divorce.⁸⁸⁵ Robards's estranged sister-in-law claimed that he had committed adultery with his slaves, but southern courts rarely considered this a violation of law or morals. Desertion was likely, because he had left his wife in Nashville as he returned to Kentucky, although he supposedly planned to continue the marriage. There was no evidence Robards physically abused Rachel. And although there was emotional abuse, southern legislator's often allowed men to chastise their wives to maintain masculine authority.⁸⁸⁶

Because there was no legal authority for Rachel to divorce Robards, and because her husband, despite his claims that he would make the marriage work, had left Rachel in Nashville, Rachel and Jackson decided to go to Natchez in December 1789. Jackson had already been trading in the area. There is no record of the two getting married in Natchez. Catholic priests were the only ones allowed to perform marriages in Spanish Natchez and they would not marry Protestants. A Protestant minister would have had no legal standing to marry Rachel and Jackson in Catholic territory.⁸⁸⁷

Although not legally married, Jackson and Rachel acted as husband and wife in Natchez until the summer of 1790 with Jackson leaving periodically to perform his legal duties in Tennessee. They lived together, visiting friends and renting the house in Bayou Pierre

⁸⁸⁴ Remini, *Andrew Jackson and the Course of American Empire*, 43-44.

⁸⁸⁵ Brady, 45-47. Edwards, 347fn. The legislature of North Carolina held the right to grant divorces until 1835.

⁸⁸⁶ Brady, 45-47.

⁸⁸⁷ Brady, 49-50.

together.⁸⁸⁸ Suggesting a domestic household, Jackson bought such items such as pots and knives, as well as items presumably for Rachel: a tea tray, rings, and cloth.⁸⁸⁹ Robards learned of Rachel and Jackson's relationship in Natchez through a friend who had seen the two together there.⁸⁹⁰ Robards then obtained permission from the Virginia Assembly to sue Rachel for divorce and he published a notice in the *Kentucky Gazette*.⁸⁹¹ Jackson and Rachel returned to Nashville and lived with her mother as though they were a married couple and the family accepted Jackson.⁸⁹² When John Donelson's estate was divided in early 1791, Robards, though still legally married to Rachel, received nothing. Rachel, who inherited slaves and over 400 dollars, was listed as "Rachel Jackson."⁸⁹³

The Jacksons and Donelsons assumed Rachel and Robards had been divorced through Virginia legal practice, which applied to Kentucky until 1792.⁸⁹⁴ The Jacksons bought a plantation called Poplar Grove in Tennessee on February 23, 1792. Jackson sold his father's 200 acres on Twelve Mile Creek in the Waxhaws to pay for his new home.⁸⁹⁵ In the same month, Robards published charges of adultery against Rachel in the *Kentucky Gazette*, which she did not answer. The Jacksons probably did not have access to the newspaper and had no idea the advertisement had been made.⁸⁹⁶ Because Kentucky had just become a state on June 1, 1792, courts were waiting for new officials. Robards, despite confusion over the divorce, went ahead and married Hannah Wynn in December 1792.⁸⁹⁷ Finally, on September 27, 1793, Robards was

⁸⁸⁸ Brady, 50-51

⁸⁸⁹ "Accounts with Melling Woolley" March-July, 1790, in *PAJ*, I:21-23.; Brady, 50-51.

⁸⁹⁰ Brady, 51-52.

⁸⁹¹ "Permission for Robards to Sue for Divorce," December 20, 1790 in *PAJ* I:424.

⁸⁹² Brady, 53-54.

⁸⁹³ "Inventory, Appraisal, and Division of John Donelson's Estate," January 28/April 15, 1791, in *PAJ*, I:425-427.

⁸⁹⁴ Brady, 55-56; Wood, *Empire*, 701.

⁸⁹⁵ James, 71, 383fn.

⁸⁹⁶ Brady, 56.

⁸⁹⁷ Brady, 55-57.

granted the divorce because Rachel had committed adultery.⁸⁹⁸ He and his new wife married again in November 1793.⁸⁹⁹ On January 18, 1794, Justice Robert Hays presided over the official marriage of Andrew and Rachel Jackson.⁹⁰⁰

Although he had been a part of the Donelson family since he arrived in Nashville in the fall of 1788, the marriage in January 1794 legitimized the Jacksons' relationship. Although he became well established as a lawyer in the district, the marriage solidified his presence in a family for the first time since his mother's death following the war. Jackson eventually presided over a family of cousins, nieces, and nephews numbering over sixty.⁹⁰¹ Other members of the Donelson family also proved beneficial to Jackson in early Tennessee. While he was away on business in Philadelphia during the spring of 1795 and 1796 he left his position as attorney general. His brother-in-law Stockley Donelson filled in for Jackson during those two court terms in the Mero District Superior Court.⁹⁰² While Jackson was away, Samuel Donelson also handled his civil business.⁹⁰³ Jackson returned the favor by taking care of Samuel's legal business while he was away.⁹⁰⁴ Stockley Donelson was particularly close to Jackson as he thanked Jackson for protecting and marrying his sister. He told Jackson that nothing gave him more satisfaction than Jackson's "expression of friendship."⁹⁰⁵ The two close friends also speculated in land together.⁹⁰⁶

⁸⁹⁸ "Divorce Decree" September 27, 1793, in *PAJ*, I:427-428.

⁸⁹⁹ Brady, 57.

⁹⁰⁰ "Marriage License" January 18, 1794, in *PAJ*, I:44; "Marriage Bond --Andrew Jackson and Rachel Donelson Robards," January 17, 1794, in *PAJ*, I:428.

⁹⁰¹ Donelson and Jackson Family Trees in Remini, *Andrew Jackson and the Course of American Empire*, xix-xxi; For more on family size and relationships in the early South, see Fischer, 610, 665.

⁹⁰² *LPAJ*, xxxviii-xxxix.

⁹⁰³ *LPAJ*, xlv.

⁹⁰⁴ Samuel Donelson to AJ, June 29, 1795, in *PAJ*, I:62-63.

⁹⁰⁵ Stockley Donelson to AJ, March 2, 1794, *PAJ*, I:45-46.

⁹⁰⁶ Remini, *Andrew Jackson and the Course of American Empire*, 90; *PAJ*, I:50, 73, 85-86, 94-95, 240fn, 243fn, 245, 292-293, 442, 446, 448, 450.

Jackson's biggest influence in early Tennessee was "the Father of Middle Tennessee," James Robertson.⁹⁰⁷ Robertson, along with Donelson, founded the Cumberland settlement in their expeditions of 1779-1780. Robertson convinced Donelson to settle in the Cumberland rather than in Kentucky.⁹⁰⁸ Marquis James referred to Robertson as "the first citizen of the Cumberland" and "Nashville's founder."⁹⁰⁹ Jackson met Robertson when he arrived in the Cumberland settlements. From Robertson, Jackson learned many valuable lessons on negotiating with and among the Indians, the delicate situation with Britain and Spain, fighting Indians on the frontier, and the art of negotiating political disagreements.⁹¹⁰ Jackson's temper and propensity for dueling are well-known, even though Robertson, like a father, played a role in limiting Jackson's fights with other leading figures such as John McNairy, Charles Dickinson, William Cocke, and John Sevier. Teaching him patience, Robertson discouraged Jackson from dueling.⁹¹¹

During Jackson's periodic absences, Robertson helped look after Rachel.⁹¹² He comforted her and offered assistance by acting as a father figure. Robertson trusted young Jackson and gave him important responsibilities on the frontier. He allowed Jackson to be a liaison travelling from Tennessee and through Indian Territory to the Spanish governor in Natchez. Affirming his confidence in Jackson, he told Spanish Commandant Manuel Gayoso that Jackson was "a gentleman of character and consideration, very much respected in this country, and generally

⁹⁰⁷ Finger, 80.

⁹⁰⁸ James, 52.

⁹⁰⁹ James, 60, 127.

⁹¹⁰ On Robertson as a mentor of AJ, see *PAJ*, I:64-65fn. On Robertson as military leader, see AJ to William C.C. Claiborne, January 8, 1807 in *PAJ*, I:165; on Robertson as Indian negotiator, see AJ to George Campbell, October 15, 1812; Robertson to AJ, September 16, 1813, in *CAJ*, I:319; *PAJ*, I:64fn; On Robertson and foreign policy, see *PAJ*, I:17fn

⁹¹¹ McNairy to AJ, May 4, 1797, in *CAJ* I:30; Sevier to AJ, May 8, 1797 in *CAJ* I:32; Sevier to AJ, May 11, 1797 in *PAJ*, I:142; AJ to William Cocke, June 24, 1798 in *CAJ*, I:48; Cocke to AJ, June 25, 1798, in *CAJ*, I:50; Sevier to AJ, November 8, 1803, in *PAJ*, I:490. Robertson to AJ, February 1, 1806, in *PAJ*, II:83-84.

⁹¹² Rachel Jackson to AJ, January 26, 1798, in *PAJ*, I:174.

esteemed.”⁹¹³ Robertson helped Jackson launch his political and judicial career by speaking of his qualities. Robertson praised Jackson’s legal abilities and service to his country.⁹¹⁴ The respect was mutual as Jackson called Robertson a “friend in the principles of Seventy-Six.”⁹¹⁵

Jackson joined the Tennessee faction of William Blount, who became another “political mentor” and fellow land speculator⁹¹⁶ Blount was governor of the Territory South of the River Ohio from 1790-1796. The two were allies in a political faction opposed to John Sevier. As governor, Blount appointed Jackson as district attorney for the Mero District.⁹¹⁷ Blount also appointed Jackson as Judge Advocate of the Davidson County militia.⁹¹⁸ Blount was also the most successful land speculator in Tennessee. In addition to helping launch Jackson’s political and military career, Blount supported Jackson’s business interests, including speculating in land.⁹¹⁹

Jackson dealt with many of the most influential men in Tennessee through business and constitutional politics. The ledger for one year shows that such prominent men as James Robertson, his brother Elijah Robertson, other members of the Robertson family, the Donelson family, John McNairy, Robert Hays, Robert Searcy, John Buchanan, and Daniel Smith traded with Jackson. Some of his clients were among the most influential lawyers, judges, politicians, and military leaders in Tennessee.⁹²⁰ Jackson also traded land, horses, and slaves with the public leaders of Tennessee, including William Blount, James Robertson, Judge Archibald Roane, and

⁹¹³ Robertson to Commandant Manuel Gayoso, May 17, 1790, quoted in James, 63.

⁹¹⁴ Robertson to AJ, September 7, 1803, in *CAJ*, I:69-70; *PAJ*, I:199fn.

⁹¹⁵ AJ to Robertson, July 4, 1801, in *PAJ*, I:249.

⁹¹⁶ *PAJ*, I:71.

⁹¹⁷ *TP*, IV:101fn; “Appointment as Mero District Attorney for the Southwest Territory,” February 15, 1791, in *PAJ*, I:26; “Petition to the U.S. House of Representatives,” March 6, 1792, in *PAJ*, I: 35-36; “Petition to the Tennessee General Assembly,” April 11, 1796, in *PAJ*, I: 87-88; *TP*, IV:442

⁹¹⁸ “Commission as Judge Advocate,” September 10, 1792, in *PAJ*, I:37-38; *TP*, IV:451.

⁹¹⁹ “Statement Regarding the Allison Transaction,” July 15, 1801, in *PAJ*, I:251-252; *PAJ*, I:441.

⁹²⁰ “Account Book, Jackson’s Nashville Store, 1795,” in *PAJ*, I:455-476.

Judge David Campbell.⁹²¹ In addition to his business connections, Jackson was elected to the Tennessee Constitutional Convention in 1796 at the end of the territorial period. Jackson, McNairy, Robertson, Thomas Hardeman, and Joel Lewis were Davidson County's delegates, and Jackson and McNairy represented the county on the twenty-two man drafting committee.⁹²²

The twenty-nine-year-old Jackson's election to the constitutional convention signaled that he had achieved prominence in land, law, farming, commerce, and politics, making it possible for his family to live comfortably for the first time. However, despite all the success, he still had to deal with the Indians. Indian attacks detracted from Jackson's ability to enjoy his successes. Some tribes were friendly and took advantage of the alliances with the Whites. Others, however, rejected the White man and made it difficult for the Jacksons to live peacefully. Jackson learned from Rachel, the Donelson family, and Robertson of the dangerous and delicate relationship between the Whites and Indians in Tennessee. Jackson would have been happy to devote himself entirely to his legal practices and various businesses, but relations with the Indians invariably sidetracked him into this delicate and sometimes dangerous area. Nevertheless, amid his commercial or legal success, Jackson found that while some tribes were helpful, but others threatened his very existence. He brought what he had learned in North Carolina and South Carolina with the Catawbias and Cherokees to a new territory.

Jackson Learns of the Violent Frontier

When Jackson left the Carolinas in 1788 he left a peaceful region. The local Indians, the Catawbias, were non-violent because of their alliance with the Americans during the War for Independence, their declining numbers, and their dependence on Whites for trade and

⁹²¹ "Statement Regarding the Allison Transaction," July 15, 1801, in *PAJ*, I:251-252, 441; "Calendar of Transactions and Agreements, 1770-1803" in *PAJ*, I:429-454. Roane was the second governor of Tennessee.

⁹²² *PAJ*, I:82-83, 134-135, 140.

protection.⁹²³ The hostile Cherokees of the Carolinas had been subdued and lost their land during the War for Independence.⁹²⁴ The Chickasaws to the west had made peace with the Americans following the war.⁹²⁵ The two tribes that would most likely threaten the Carolinas, the Chickamauga faction of the Cherokees and the Creeks, were recovering from the war and fighting off new settlers in Tennessee.⁹²⁶ The Carolinas were safe from Indian attacks in the years following the war.⁹²⁷

Jackson and other Carolinians, however, knew of the violent frontier across the mountains. McNairy received his appointment as judge in Davidson County only after his predecessor, John Haywood, resigned because he was afraid of being murdered by the hostile Indians in the Cumberland.⁹²⁸ The assembly of Tarboro, North Carolina, reported in 1787 that Indians had murdered thirty-three Whites in the Cumberland settlement.⁹²⁹ The North Carolina delegates to the Continental Congress said that to rid the country of the Cherokees “would perhaps be no more than the blood of our slaughtered countrymen might call for [because] mercy to the warriors is cruelty to ourselves.”⁹³⁰ Americans to the east knew that a journey across the mountains into Indian country could be treacherous.

Jackson learned of the danger of Indians from his new family, the Donelsons, who had experienced this threat in Tennessee. In December 1779 John Donelson, his wife, and eleven children, including his twelve-year-old daughter Rachel and his sons Samuel and Stockley, chose

⁹²³ Booraem, 193-195

⁹²⁴ *ibid.*

⁹²⁵ John Bell and Alexander Duggles to Colonel James Robertson, July 10, 1784, in *SNA*.

⁹²⁶ Pate, 168, 202

⁹²⁷ Booraem, 193-195.

⁹²⁸ Booraem, 194.

⁹²⁹ Booraem, 194; Parton, 139.

⁹³⁰ Letter from the North Carolina Delegates in the Continental Congress to the North Carolina Provincial Council, August 7, 1776, in *CRNC*, X:731.

to travel west and settle in the Cumberland region.⁹³¹ When they arrived in Tennessee the Cumberland River was frozen solid, so they waited before continuing west.⁹³² They later sailed from what is now Kingsport, Tennessee, on Donelson's one hundred-foot by twenty-foot boat, the *Adventure*, along with thirty other vessels with fellow travelers, down the Holston, Tennessee, and Ohio Rivers, and then on the Cumberland River until they reached their destination.⁹³³ Young Rachel experienced the danger of Indian attacks on the four-month journey. One of the first incidents Donelson recorded was the strange disappearance of Reuben Harrison who went out hunting for the group. His parents and fellow travelers fired guns hoping to alert the young man to the location of the group, but he never returned and the group had to move forward to the Cumberland without him. The group assumed Harrison may have been killed or captured by the hostile Chickamaugas.⁹³⁴ Four days after his disappearance, young Rachel and the group were struggling through the bitter cold conditions as a slave died from being "much frosted in his feet and legs."⁹³⁵ The group faced "hunger and fatigue."⁹³⁶ Occasionally the smaller crafts on the voyage were almost destroyed by the river in strong winds and some were overturned and lost their cargo.⁹³⁷ When boats did overturn or the Whites were separated from the group, to save his own life, Donelson was "compelled to leave them perhaps to be slaughtered by their merciless enemies."⁹³⁸

⁹³¹ "John Donelson's Journal" in Ramsey, J.G.M. *The Annals of Tennessee to the End of the Eighteenth Century* (Charleston: John Russell, 1853), 197, 201. Brady, 13-14.

⁹³² Brady, 16.

⁹³³ Brady, 16.

⁹³⁴ Ramsey, 197-198.

⁹³⁵ Ramsey, 198.

⁹³⁶ Ramsey, 201-202.

⁹³⁷ Ramsey, 198-202.

⁹³⁸ Ramsey, 199.

In the voyage of the early spring of 1780, Donelson recognized the difference between the Chickamauga towns versus the Cherokee and other groups.⁹³⁹ He quickly learned the tactics of the Chickamaugas as occasionally some Indians would come to the river bank to observe the White travelers, feigning friendship and inviting Donelson's group to come ashore. However, the westbound travelers noticed Indians painted in red and Black, the war colors, behind the "friendly" Indians or further upstream hoping to trap the emigrants.⁹⁴⁰

The Donelson family experienced many attacks, presumably by the Chickamaugas, along the way.⁹⁴¹ On one occasion, a man referred to as "poor Stuart," who along with his family and other members of the group had smallpox and agreed to stay behind the other emigrants for fear of spreading the disease, was "singled off from the rest of the fleet."⁹⁴² All twenty-eight of Stuart's group were killed or captured by the Indians.⁹⁴³ As the Donelsons moved ahead, the captured group's "cries were distinctly heard by those boats in the rear."⁹⁴⁴ When Robert Cartwright's boat overturned and lost the cargo, that was only part of the disaster. Donelson noted that "the Indians to our astonishment appeared immediately over us on the opposite cliffs and commenced firing down upon us...wounding four."⁹⁴⁵ To the travelers it seemed as though the Indians were watching them from the banks constantly, waiting on an opportunity to pounce on the poorly defended Whites and prevent further settlement in Tennessee. When the Indians fired on Donelson's group they attacked women and children as well. During one attack an

⁹³⁹ Ramsey, 198.

⁹⁴⁰ Ramsey, 198-199, 201; For more on Chickamauga war tactics, see Pate, iii.

⁹⁴¹ Ramsey, 198.

⁹⁴² Ramsey, 199.

⁹⁴³ *Ibid.*

⁹⁴⁴ *ibid.*

⁹⁴⁵ *ibid.*

“infant” died who had been born the day before one attack.⁹⁴⁶ The Chickamaugas carried one group of prisoners back to their town and burned a young boy to death.⁹⁴⁷

The last few records in Donelson’s journal are absent of Indian attacks. He notes that the situation was more peaceable once he got to the Cumberland and met with James Robertson, the other co-founder of Nashville. This is evidence of the Indians near Cumberland settlement, upon the Donelsons’ arrival, being friendlier as it was farther away from the Chickamauga towns. Things changed quickly, however, for the Donelsons and Robertsons established themselves in their new home, they soon became the target of Chickamauga raids. The Chickasaws also attacked the settlement at first until a peace was made with the tribe.⁹⁴⁸ The Chickamaugas, however, continued, along with the Creeks, to raid the Cumberland into the 1790s.⁹⁴⁹ Young Rachel fortunately survived the trip across Cherokee territory, facing numerous attacks from the Chickamaugas, and she faced many more raids in her new settlement.⁹⁵⁰ Because of the Indian attacks, Donelson and his family moved to Kentucky in late 1780, hoping to return to Tennessee when the Indian attacks were less “troublesome.”⁹⁵¹ Across the border in Kentucky the Donelsons suffered attacks from the Shawnees, allies of Britain.⁹⁵² The fear of Indian attacks occupied young Rachel’s mind as she helped her mother in the garden or tending chickens⁹⁵³ Although Chickamaugas and Creeks remained hostile, the Donelsons returned to Tennessee in 1785, two years after Donelson negotiated a peace with the Chickasaws that

⁹⁴⁶ Ramsey, 199-200.

⁹⁴⁷ Ramsey, 200fn,

⁹⁴⁸ Brady, 25.

⁹⁴⁹ A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791.” in *ASPIA*, I: 329-332.

⁹⁵⁰ Arnow, 282-306, 416.

⁹⁵¹ Brady, 26.

⁹⁵² Brady, 28.

⁹⁵³ Brady, 31-32.

defined an area between the Cumberland and Tennessee Rivers as the boundary between the Chickasaws and the Cumberland settlers.⁹⁵⁴

Throughout the 1780s the Cumberland settlers lived in extremely violent conditions as they experienced raids from the Chickamaugas and the Creeks.⁹⁵⁵ The mode of Indian attack was brutal. They once decapitated an old man in front of two small boys and placed the head on a pole outside Robertson's Station as a warning to James Robertson and the other settlers.⁹⁵⁶ When going out for chores, Cumberland settlers, as Rachel had seen in Kentucky, had to constantly be on guard against Indian attack. Workers would not go out alone. Two men, who stood back to back with rifles, would guard the workers against Indians.⁹⁵⁷ The threat of Indian violence even affected the layout of bedrooms of the Cumberland settlers as they learned to place the heads of beds against inside walls rather than against outer walls of the bedroom for fear of an attack through the wall in the night.⁹⁵⁸ In addition to physical violence, the raiders destroyed crops of the settlers, hoping to starve them or at least drive them away.⁹⁵⁹ Because the settlers received little or no help from the national government, they formed forts and stations. They also used scouts and guards from among the community who were often unpaid, and when they were paid, the money came from the settlers.⁹⁶⁰ Many Cumberland residents had dogs that they trained to fight the Indians.⁹⁶¹

⁹⁵⁴ Brady, 33. Folmsbee, Corlew, and Mitchell, 75; Ramsey, 446

⁹⁵⁵ Ramsey, 446. Ramsey says Cherokee, but it was more likely specifically the Chickamauga faction of the Cherokee tribe. Arnow, 289.

⁹⁵⁶ Ramsey, 446; Arnow, 287.

⁹⁵⁷ Arnow, 293, 299.

⁹⁵⁸ Arnow, 291.

⁹⁵⁹ Arnow, 287fn.

⁹⁶⁰ Arnow, 299.

⁹⁶¹ Arnow, 295-296.

One of the most telling indicators of the extreme violence on the frontier is that all forts on the Cumberland River had at least one person who knew how to treat a victim of scalping.⁹⁶² The treatment was called “pegging” a scalped head. The person treating the victim would make perforations over the outer table of the skull. The perforations would be close together so that the oozings from the holes would form a scab like, protective covering for the victim.⁹⁶³ Some scalping victims died, but many lived for many years after the assault. However, many of the survivors did not function in society after the attack, but lived as invalids.⁹⁶⁴ Although Jackson was not in Tennessee during the first few years of the Cumberland settlements, he learned from his wife about her experiences on the frontier and he also learned of the Indian challenges and how to negotiate among the tribes from his “father-like figure” James Robertson.⁹⁶⁵

Robertson, who co-founded Nashville along with Donelson, knew the complex and dangerous situation of the Tennessee frontier as well as anyone. Like Donelson, Robertson made the dangerous journey to the Cumberland in 1779-1780.⁹⁶⁶ By 1789 he had been wounded twice, lost two sons, two brothers, and many more relatives and neighbors, all in Indian attacks.⁹⁶⁷ Robertson was particularly angry with the Indians because in 1788 one of his children was “uncommonly massacred by the [Indians] who ought to have sense and bravery.”⁹⁶⁸ He had lived on the frontier through the war with Britain and also knew the danger the Spanish posed to the south and west. Most importantly, Robertson knew how to negotiate among the various Indian

⁹⁶² Arnow, 288.

⁹⁶³ Arnow, 288.

⁹⁶⁴ Arnow, 288fn.

⁹⁶⁵ *PAJ*, I:65.

⁹⁶⁶ Brady, 14-16.

⁹⁶⁷ Arnow, 287, 297.

⁹⁶⁸ Robertson to McGillivray, date unclear, 1788, *American Historical Magazine* 1 (January 1896): 83.

tribes as he had served as an emissary from the Cumberland to the Spanish, and to the Chickasaws and Creeks.⁹⁶⁹

Spain actively recruited Indian allies throughout the 1780s. In 1784 two Whites who were living in the Chickasaw Nation, John Bell and Alexander Duggles, warned Robertson of possible alliances between the Creeks, Chickamaugas, Choctaws, Chickasaws, and the Spanish in Mobile and Pensacola. They anticipated that these alliances would lead to a Spanish attack on Americans. Bell and Duggles reported that Spain had met with the Indians and had bestowed many gifts on the Creeks. At the meeting the Spanish officials told the tribes that they may attack the Americans soon and that they were looking to the tribes for support if hostilities commenced.⁹⁷⁰ Robertson learned that many of the tribes were willing to join Spain in a fight against the Cumberland settlers and other Americans. However, Bell and Duggles told Robertson that although the Creeks and Chickamaugas were willing to join Spain, “the Chickasaws do say they will not now nor never will fight against the Virginians . . . I am not able as yet to say how the Choctaws will take the Spanish talks. However, you may sir and all others of the settlements of Cumberland and Kentucky, prepare yourself for trouble and take the best steps you can to secure yourselves from the ravages of the Creeks and the Chickamauga Indians.”⁹⁷¹

Although the Creeks and Chickamaugas raided the Cumberland settlements in the early 1780s, the attacks intensified when Creek chief Alexander McGillivray protested the Cumberland settlements in 1785 and began a war on the Cumberland in 1786.⁹⁷² Robertson insisted that Spain was behind the Cumberland attacks.⁹⁷³ McGillivray pressured the Chickasaws

⁹⁶⁹ Robertson to Cruzat, unspecified date 1787, *American Historical Magazine* 1 (January 1896): 79; James Robertson to Governor George Matthews of Georgia, October 3, in *SNA*; Robertson to McGillivray, August 3, 1788, *American Historical Magazine* 1 (January 1896) 81.

⁹⁷⁰ John Bell and Alexander Duggles in the Chickasaw Nation to Colonel James Robertson July 10, 1784, in *SNA*.

⁹⁷¹ *Ibid.* The Chickasaws referred to the Cumberland settlers and other Whites as “Virginians.”

⁹⁷² Folmsbee, Corlew, and Mitchell, 94.

⁹⁷³ Folmsbee, Corlew, and Mitchell, 94.

to join his tribe in the raids on the Cumberland settlements in the summer of 1786 as the Creeks “began to do mischief.”⁹⁷⁴ Despite frequent pressure from the Creeks, the Chickasaws would “hear none of their talks” of attacking the Cumberland and would not respond to the Creeks without first consulting William Davenport, the American representative in the Chickasaw Nation.⁹⁷⁵ Other Indians, including the Waponcheys from the north, tried to convince the Chickasaws to attack the Cumberland, but again, the Chickasaws “refused them, and ordered them to the other side of the Ohio. [They] said they were a bad people, and would do some mischief and [the Chickasaws would] be blamed.”⁹⁷⁶ In the fall of 1786 Davenport negotiated among the Chickasaws and Choctaws, trying to secure an alliance with the two potential allies. When Creeks came into the Chickasaw land, the Choctaw chief informed the Creeks that the Choctaws and Chickasaws were now “one people.”⁹⁷⁷

Governor John Sevier of Franklin also learned that the Creeks were not alone in their intrigue against the frontier settlers.⁹⁷⁸ During the summer of 1786, the Creek leader McGillivray was at New Orleans doing “some business” with the Spanish governor and the Spanish leaders had “sent for the Indians that wear British medals to come and give them up and take Spanish ones or he must stop the trade.”⁹⁷⁹ The Spaniards in New Orleans used the trade along the Mississippi River as a leverage point with the Indians as they did with the frontier settlers. Not only were the Creeks and Spaniards conspiring against the settlers, there were also “some French boats in the Tennessee River supplying the Cherokees with ammunition.”⁹⁸⁰ Davenport offered a

⁹⁷⁴ Chickasaw Nation to John Sevier, July 28, 1786, in *SNA*.

⁹⁷⁵ *Ibid.*

⁹⁷⁶ *Ibid.*

⁹⁷⁷ William Davenport to Governor Edward Telfair, November 1, 1786, in *SNA*.

⁹⁷⁸ Sevier was governor of Franklin, a group of counties in Tennessee that had separated to form its own state from 1784-1788. See Finger, 111-124.

⁹⁷⁹ Chickasaw Nation to John Sevier, July 28, 1786, in *SNA*.

⁹⁸⁰ *Ibid.*

solution to Governor Sevier. Speaking of the Cherokees receiving the weapons from the French along the Tennessee River, Davenport said, “If they were removed they could get no supply.”⁹⁸¹

The French traders to whom Davenport referred were supplying the Chickamauga raids against the Cumberland.⁹⁸² The Chickasaws told Robertson that the French traders were offering them supplies in return for fighting the White settlers.⁹⁸³ The French had “excited” the Indians to war and supplied them to kill men, women, and children, and steal horses.⁹⁸⁴ The Creeks, whose incursions upon the settlers in the spring of 1787 had been “more severe than usual,” were using supplies given to them by the French as a reward for their raids upon the Cumberland.⁹⁸⁵

Robertson sent a militia group to track down one of the raiding parties to Coldwater and found two scalps of Whites who had been recently murdered.⁹⁸⁶ In an attempt to end the raids,

Robertson led the troops to attack the French trading post and the Indians in the Coldwater expedition 125 miles south of Nashville. Chickasaw Chief Piomingo told Robertson that the Chickamaugas, Creeks, and Cherokees were planning another raid on the Cumberland⁹⁸⁷

Robertson, along with David Hays, gathered a force of 130 men and marched south on a nineteen-day campaign to stop the attacks. Led by two Chickasaw guides, one named Toka, Robertson and his forces defeated the Indians at Coldwater Creek (present-day Tuscumbia, Alabama). The Cumberland men also killed some French traders and captured other French in the area.⁹⁸⁸ This success at Coldwater temporarily halted the raids coming from Alabama led by McGillivray, but they resumed and intensified in 1788 and 1789.⁹⁸⁹ Jackson learned upon arrival

⁹⁸¹ *Ibid.*

⁹⁸² *Ibid.*

⁹⁸³ Robertson to Cruzat, unspecified date 1787, *American Historical Magazine* 1 (January 1896): 79.

⁹⁸⁴ *Ibid.*

⁹⁸⁵ *Ibid.*

⁹⁸⁶ *Ibid.*

⁹⁸⁷ Buchanan, 95-97.

⁹⁸⁸ Albert James Pickett. *History of Alabama* (Montgomery: River City Publishing, 2003), 378-381

⁹⁸⁹ Pickett, 381; Robertson to Daniel Smith, July 7, 1789, in *SRNC*, XXII:790-791.

of the dangerous situation from the Donelsons, Robertson, and Sevier. Although he had come to Tennessee as a lawyer, he became an Indian fighter from 1788 to 1796, but out of necessity.

The Indian Fighter Out of Necessity

When Jackson arrived in 1788 he came at a time when attacks were rising. The following summer, according to Robertson, was the worst for Indian attacks since 1781.⁹⁹⁰ He suggested that the reason the attacks had amplified was because North Carolina, of which the territory of Tennessee was a part, was outside of the Union and not receiving assistance from the national government.⁹⁹¹ McGillivray claimed the Creeks, aided by the Spanish and French traders, as well as their Chickamauga allies, were “victorious in every quarter” against the Americans in the Cumberland and Georgia.⁹⁹² Jackson, out of necessity, joined Robertson in defending the Cumberland.

When Jackson first came to Tennessee, the first part of the journey from North Carolina to Jonesboro, like Jackson’s childhood territory, was “fairly clear of hostile Indians.”⁹⁹³ The eastern settlements, closer to American protection, were safer than the Cumberland. McGillivray, however, took credit for the relative peace in the east as he explained that he had helped convince the Cherokees, at Robertson’s request, to “refrain from all hostilities in general against the Whites” in 1788.⁹⁹⁴ McGillivray explained that while Jackson was in Jonesboro during the fall of 1788 Dragging Canoe was on the verge of attacking White settlers with one hundred warriors but had stopped the attack.⁹⁹⁵ McGillivray also announced that he was urging his Creeks

⁹⁹⁰ Robertson to Daniel Smith, July 7, 1789, in *SRNC*, XXII:790-791.

⁹⁹¹ *Ibid.*

⁹⁹² McGillivray to Cespedes, January 5, 1788 in John Walton Caughey. *McGillivray of the Creeks* (Norman: University of Oklahoma Press, 1938), 165.

⁹⁹³ Remini, *Andrew Jackson and the Course of American Empire*, 36.

⁹⁹⁴ McGillivray to Robertson, December 1, 1788, *American Historical Magazine*. 1 (January 1896): 85.

⁹⁹⁵ *Ibid.*

to keep peace and they had done so during the summer and fall of 1788 with the exception of taking “a few mares and colts brought in by hunters.”⁹⁹⁶ Arriving in Jonesboro too late to reach Nashville for the session of the court, the group decided to stay in Jonesboro until the fall of 1788.⁹⁹⁷

Although Jackson did not face an actual attack in this initial phase of his journey west, he did have a scare shortly after leaving North Carolina. Jackson’s group, which numbered close to one hundred for protection against hostile Indians, marched for thirty-six hours, never resting more than one hour at a time, so that they could quickly escape the Chickamauga territory.⁹⁹⁸ When they arrived at a resting place the women and children went to sleep early, while Jackson stayed awake with the sentinels. At ten o’clock, he heard something that sounded like owls. He grabbed his rifle and awoke his friend Searcy to alert him that the hooting sound was not owls, but rather Indians all around the camp who intended to attack before daybreak.⁹⁹⁹ Jackson’s group quickly escaped. A group of hunters, however, found the abandoned camp later in the evening and settled to rest. At daybreak the Indians attacked and killed all but one of the hunters. Jackson narrowly averted an Indian attack on his way to the Cumberland. A year later, Judge McNairy was travelling near the same location and Indians attacked his group, leaving one dead and four scalped.¹⁰⁰⁰ Jackson could have gone back to friendlier territory in North Carolina, but he marched on to the Cumberland.

When Jackson arrived in middle Tennessee he was welcomed as an extra body to fight the Indians.¹⁰⁰¹ He boarded with the widow Donelson and dealt with Indian attacks.¹⁰⁰² Upon

⁹⁹⁶ *Ibid.*

⁹⁹⁷ Remini, *Andrew Jackson and the Course of American Empire*, 36.

⁹⁹⁸ Parton, 120-125.

⁹⁹⁹ *Ibid.*

¹⁰⁰⁰ Parton, 120-125; James, 49.

¹⁰⁰¹ Parton, 125.

¹⁰⁰² Parton, 133.

arrival he contributed to the defense of Nashville. He garrisoned the forts, and pursued and attacked the enemy.¹⁰⁰³ In the summer of 1789 Jackson experienced his “first Indian campaign and Indian fight.”¹⁰⁰⁴ He was “conscripted” as a private to defend Robertson’s Station, along with sixty or seventy others under the command of Sampson Williams, who commended Jackson and General James Robertson for warding off thirty Chickamauga attackers.¹⁰⁰⁵ The Whites chased the attackers and caught up with them and killed several. Many of the Chickamaugas escaped. They left behind guns and clothing, which Jackson and his fellow soldiers took.¹⁰⁰⁶ He performed his duty by defending the community and helping his mentor Robertson.

Jackson also faced numerous scares of Indian attacks in his twenty-two trips on legal business from Nashville to Jonesboro.¹⁰⁰⁷ He noted several times how he felt he was being pursued by Indians, sometimes finding Indian tracks. Rather than flee, many times Jackson went on the offensive against those Indians who were following him.¹⁰⁰⁸ This gives him the misleading reputation of never hesitating “to pursue a savage foe” and “having a great ambition for encounters with the savages.”¹⁰⁰⁹ The attack on Robertson’s Station occurred soon after Jackson arrived in Nashville, but before he married Rachel and began travelling to Natchez and Philadelphia frequently for business. He did fight the Indians, but his other pursuits did not allow him time to seek out “encounters with the savages.”¹⁰¹⁰

¹⁰⁰³ Remini, *Andrew Jackson*, 15.

¹⁰⁰⁴ Putnam, 317-318; Ramsey, 484.

¹⁰⁰⁵ Remini, *Andrew Jackson*, 15; Putnam, 315-318.

¹⁰⁰⁶ Remini, *Andrew Jackson*, 15; Putnam, 317.

¹⁰⁰⁷ Remini, *Andrew Jackson and His Indian Wars*, 27-29.

¹⁰⁰⁸ *Ibid.*

¹⁰⁰⁹ Remini, *Andrew Jackson and His Indian Wars*, 27-29; Putnam, 31

¹⁰¹⁰ *ibid.*

The official policy of the national government at this time and of the Cumberland leader General Robertson was a defensive policy against the Indians.¹⁰¹¹ There were only two offensive actions from the Cumberland between 1779 and 1794.¹⁰¹² Robertson led both expeditions: the Coldwater offensive in 1787 months before Jackson arrived and the Nickajack expedition in 1794. Both were successful.¹⁰¹³ On September 6, 1794, after numerous attacks by the Chickamaugas, Jackson joined General Robertson on an offensive mission led by Major James Ore to disable the Chickamaugas. Jackson, along with more than 500 mounted infantry, killed “a considerable number” of Chickamaugas and destroyed their towns of Nickajack and Running Water.¹⁰¹⁴ Among the items Jackson and his group found were “two fresh scalps, which had lately been taken at Cumberland, and several that were old were hanging in the houses of the warriors, as trophies of war; [and] a quantity of ammunition, powder, and lead, lately arrived there from the Spanish government” as well as “sundry horses and other articles of property” that had been taken from the Cumberland settlements.¹⁰¹⁵ Jackson, according to the record, went on only one offensive expedition as an Indian fighter between 1788 and 1796 and it was successful. It hampered the Chickamaugas’ ability to raid the Cumberland and confirmed suspicions that they were stealing from the Cumberland and that Spain, along with the Creeks, was aiding them.¹⁰¹⁶

Jackson’s experience fighting Indians at this time comes mostly as a volunteer who fought effectively. Governor Blount awarded Jackson for his efforts by naming him judge

¹⁰¹¹ Arnow, 301; Randolph C. Downes. “Indian Affairs in the Southwest Territory, 1790-1796.” in *Tennessee Historical Magazine* 3 (January 1937): 248; Knox to Blount, August 15, 1792, in *TP*, IV: 163-164

¹⁰¹² Arnow, 301.

¹⁰¹³ Arnow, 301.

¹⁰¹⁴ James Ore to Governor William Blount, September 24, 1794, in *ASPIA*, I:632; Remini, *Andrew Jackson*, 17; Ramsey, 602-617.

¹⁰¹⁵ James Ore to Governor William Blount, September 24, 1794, in *ASPIA*, I:632.

¹⁰¹⁶ *Ibid.*

advocate for the Davidson County militia on September 10, 1792.¹⁰¹⁷ This appointment recognized Jackson's legal success, political power, and military accomplishments.¹⁰¹⁸ Although he performed well when he did fight the Indians, his focus from his arrival in Tennessee in 1788 to 1796 when Tennessee became a state was on his legal, commercial, and family responsibilities.

Some historians equate his Indian fighting days of the early 1800s with his early days in Tennessee. One often quoted description of Jackson's Indian fighting days indicates that he was "always ready to pursue a party of Indians 'that was in doing mischief'" and he had "great ambition for encounters with the savages." And when he did attack, he was "bold, daring, and fearless, and mad upon his enemies."¹⁰¹⁹ This evidence of Jackson's thirst for Indian fighting, much like the Alexander letter cited earlier in this work, however, is from a letter written in 1843 and a quotation from Sampson Williams in a book published in 1859 well after Jackson had established himself as an Indian fighter and national hero.¹⁰²⁰ Preoccupied with law, business, and family, he may have been "bold, daring, and fearless" as an Indian fighter, but he did this as he fought with a defensive mindset along the frontier, not with an aggressive, offensive boldness.

¹⁰¹⁷ "Commission as Judge Advocate," September 10, 1792, in *PAJ*, I:37-38.

¹⁰¹⁸ Remini, *Andrew Jackson and the Course of American Empire*, 53.

¹⁰¹⁹ Robert Weakley to James McLaughlin, February 25, 1843, quoted in Booraem, 194, Remini, *Andrew Jackson and the Course of American Empire*, 45; Putnam, 318.

¹⁰²⁰ Putnam, 318; Graham, 74.

CHAPTER FIVE: JACKSON AND THE INDIANS FROM HOPEWELL TO CONGRESS

Andrew Jackson's direct experience with the Indians in Tennessee from 1788 to 1796 consisted of a struggle over treaty provisions, violations, land conflicts, Indian raids, and occasional military action to stop the attacks. He went to the state to build a career, but competing land claims caused violence, negotiations, treaties, and broken promises from both Whites and Indians. The major Jackson biographers neglect to detail the specific treaty provisions from 1785 at Hopewell through Tennessee's statehood in 1796 that caused debate and frustration for Jackson and the Indians.¹⁰²¹

Jackson generally condemned treaties as useless.¹⁰²² He bitterly complained of Indian violations of the treaties in two letters written to John McKee, Governor William Blount's agent to conciliate the Cherokees in 1793, and agent to the Cherokees in 1794.¹⁰²³ The dispute over Cherokee lands, specifically those occupied by the Chickamaugas, was the source of conflict that led to raids by Chickamaugas, Creeks, Shawnees, and on occasion, Cherokees.¹⁰²⁴ Jackson distinguished among the Chickasaws, who were his allies, and the other "hostile" tribes.¹⁰²⁵ Yet,

¹⁰²¹ Remini, *Andrew Jackson and the Course of American Empire*, Meacham, Brands, Burstein, Parton, and Buchanan do not cover the details of the treaties. James, 73-74,78, notes the White violations of the Cherokee treaties and the Indian claims to land before 1785; In the Treaty of Hopewell with the Cherokees 1785, the Cherokees confirmed Henderson's Purchase and the legitimacy of the Cumberland settlements, but protested the White settlers from the state of Franklin on Cherokee land.

¹⁰²² AJ to John McKee, January 30, 1793, in *PAJ*, I:40-41; AJ to John McKee, May 16, 1794, in *PAJ*, I:48-49

¹⁰²³ *Ibid.*

¹⁰²⁴ John Bell and Alexander Duggles in the Chickasaw Nation to Colonel James Robertson July 10, 1784, in *SNA*; AJ to Daniel Smith, February 13, 1789, in *PAJ*, I:16-17. Cotterill, *Southern Indians*, 89-90; *TP*, IV:193.

¹⁰²⁵ *PAJ*, I:112fn; AJ to George Colbert, June 5, 1812, in *PAJ*, II:302-303. "Report of House Select Committee on Claims," January 17, 1797, in *PAJ*, I:113;

much of the historiography fails to capture Jackson's early understanding of the Chickasaws.¹⁰²⁶ Jackson's nemeses were the Cherokees, particularly the Chickamauga faction, and their allies in the Cumberland raids, the Creeks, because they had violated the treaties.¹⁰²⁷ Many of Jackson's biographers do not note that the target for his anger regarding the treaties was a Cherokee agent.¹⁰²⁸ Jackson's relationship with the Chickasaws was noticeably different than his dealings with the Cherokees, Creeks, and Chickamaugas.¹⁰²⁹ Learning from his Carolina experience, he negotiated among the Indians as they exercised their autonomy through treaty and resistance.¹⁰³⁰

Indian Treaties in Tennessee

Five different major Indian tribes competed for land in Tennessee through the 1780s and 1790s: the Cherokees, Chickasaws, Chickamaugas, Creeks, and Shawnees. The Cherokees and Chickasaws were the only tribes recognized by the United States government to have land claims in Tennessee.¹⁰³¹ The Chickamaugas were a faction of the Cherokees that had broken off from the older Cherokees in northern Tennessee and grew hostile to the Whites following the Treaty of Sycamore Shoals in 1775.¹⁰³² The Creeks and Shawnees claimed parts of middle Tennessee as their hunting ground, though the Americans did not recognize their claims.¹⁰³³ Other smaller

¹⁰²⁶ James; Burstein; Brands; Meacham neglect the Chickasaws in the early period; Buchanan, 76-78, 87-88, mentions the peace following the American Revolution and Spanish attempts to win Chickasaw support; Remini, *Andrew Jackson and the Course of American Empire*, 96, devotes one paragraph to the Chickasaws as allies of Jackson and the Americans.

¹⁰²⁷ AJ to John McKee, January 30, 1793, in *PAJ*, I:40-41; AJ to John McKee, May 16, 1794, in *PAJ*, I:48-49 ; "Report of House Select Committee on Claims," January 17, 1797, in *PAJ*, I:113.

¹⁰²⁸ Remini, *Andrew Jackson and the Course of American Empire*, 70-72; Buchanan, 36; James, 73, does note that McKee was "an emissary to the Cherokees," but he does not explain that Jackson's specific complaint was with Cherokee violations.

¹⁰²⁹ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd sess., 1741; AJ to John McKee, January 30, 1793, in *PAJ*, I:40-41; AJ to John McKee, May 16, 1794, in *PAJ*, I:48-49.

¹⁰³⁰ *Ibid.*

¹⁰³¹ Satz, *Tennessee's Indian Peoples*, 36.

¹⁰³² Pate, 50-53; "Deposition of Samuel Wilson," April 15, 1777 in Palmer, I:282-283.

¹⁰³³ Satz, *Tennessee's Indian Peoples*, 36.

tribes such as the Delawares and Waponcheys also unsuccessfully tried to claim hunting lands or settle in Tennessee.¹⁰³⁴

Jackson, as a lawyer and later a soldier, tried to bring order into the land conflict in Tennessee between Whites and Indians. Whites and Indians alike violated provisions of the treaties and neither side held the violators accountable in a systematic way. Jackson was aware of the White violations. He was also aware of the treaty provisions and legal claims of the various tribes.¹⁰³⁵ The Creeks, Shawnees, and smaller tribes had no legal claim to Tennessee land according to the law as it stood in the late eighteenth century.¹⁰³⁶ Jackson knew that the Chickasaws and Cherokees had negotiated agreements with John Donelson, James Robertson, and other Tennessee leaders.¹⁰³⁷ The Chickasaws generally abided by the treaties; Jackson respected the Chickasaws and at times looked after their interests. The Cherokees, however, were unpredictable. The older Cherokees had negotiated treaties that Jackson thought should be binding. The Chickamaugas and the younger Cherokees they recruited did not respect these treaties. They joined the Creeks in violent acts against the settlers in protest of the treaties they rejected.¹⁰³⁸ Jackson, from 1788 to 1797, while building a career, reputation, and family, negotiated among the tribes, cooperating with some while fighting others.¹⁰³⁹ The source of

¹⁰³⁴ Robertson to the Delawares, unspecified date 1787, *American Historical Magazine*, 1 (January 1896), 77; Chickasaw Nation to John Sevier, July 28, 1786, in *SNA*.

¹⁰³⁵ AJ to McKee, January 30, 1793, in *PAJ*, I:40-41; AJ to McKee, May 16, 1794, in *PAJ*, I:48-49; Overton to AJ, March 8, 1795, in *PAJ*, I:54; Claiborne to AJ, July 20, 1797, in *PAJ*, I:146-147; Sevier to AJ, November 26, 1797, in *PAJ*, I:154-156; AJ to Campbell, December 29, 1797, in *PAJ*, I:159; McIntosh to AJ, November 6, 1798, in *PAJ*, I:211-213.

¹⁰³⁶ Satz, *Tennessee's Indian Peoples*, 36.

¹⁰³⁷ Burstein, 14; Buchanan, 78.

¹⁰³⁸ Pate, 168; 202.

¹⁰³⁹ Buchanan, 76-78. See Chapters Three and Four for emphasis on Jackson's career and family during the same period he is involved in directly with the Indians.

conflict was the interpretation of the treaties and the determination of who rightfully owned land in Tennessee.¹⁰⁴⁰

The treaty structure is a useful indicator of the differences in the relationship among the various tribes and the Americans in Tennessee. Although these agreements were a step toward better White-Indian relations, Jackson complained about the Indians' lack of compliance with certain legal provisions.¹⁰⁴¹ The Chickasaws and older Cherokees negotiated with the Cumberland and American leaders, but the Chickamaugas and Creeks resisted the cessions and, at times, even the negotiations.¹⁰⁴² The Chickasaws, however, were more willing to work for peace with the Americans.¹⁰⁴³

Soon after the American Revolution, the Chickasaws agreed to the Virginia-Chickasaw Treaty of 1783.¹⁰⁴⁴ John Donelson and Alexander Martin negotiated the treaty, reporting to James Robertson of the Governing Committee of the Cumberland Association. Chief Piomingo and Red King represented the Chickasaws.¹⁰⁴⁵ In 1780, the Americans illegally built Fort Jefferson, a fort five miles below the confluence of the Ohio and Mississippi Rivers on the Chickasaw hunting ground.¹⁰⁴⁶ The years following the construction of the fort during the War for Independence were tense between both sides.¹⁰⁴⁷ The Americans mistakenly believed the land was in Cherokee territory and offered to buy it from them.¹⁰⁴⁸ Following the war, the Chickasaws met with American negotiators and agreed to recognize the border between the

¹⁰⁴⁰ Pate, 81-82; 193-194.

¹⁰⁴¹ For examples see AJ to John McKee, January 30, 1793 in *PAJ* I:40-41; AJ to John McKee, May 16, 1794 in *PAJ* I:48-49.

¹⁰⁴² Pate, 81-82.

¹⁰⁴³ Satz, *Tennessee's Indian Peoples*, 50.

¹⁰⁴⁴ Ralph S. Cotterill. "The Virginia-Chickasaw Treaty of 1783." *The Journal of Southern History*. 8 (Nov., 1942): 483-496.

¹⁰⁴⁵ Cotterill, "The Virginia-Chickasaw Treaty of 1783," 484, 490.

¹⁰⁴⁶ Atkinson, 108.

¹⁰⁴⁷ *Ibid.*

¹⁰⁴⁸ Cotterill, "The Virginia-Chickasaw Treaty of 1783," 484.

Cumberland settlements and Chickasaw territory in exchange for the Americans preventing White settlements on Chickasaw land. The Chickasaws made no cession, but rather recognized a boundary, giving legitimacy to the Cumberland settlements and agreeing to live in peace.¹⁰⁴⁹

Following the war, the Americans also tried to negotiate boundaries with the Cherokees, as both Whites and Cherokees had violated the previous treaties and purchases.¹⁰⁵⁰ Both groups met at Hopewell in November 1785.¹⁰⁵¹ The Cherokee leader Old Tassel complained of Henderson's Purchase of 1775 (Treaty of Sycamore Shoals), but the American commissioners showed Old Tassel the deed of Henderson signed by Cherokee chiefs Attakullakulla and Oconostota. The Cherokees relented and again confirmed the cession of land from Henderson's Purchase to the Americans, which included the Cumberland settlements.¹⁰⁵² The Cherokees negotiated the right to punish Americans who had violated the boundary "as they please" if the Whites had not moved within six months of the ratification of the treaty.¹⁰⁵³ Most importantly for the peace of the Cumberland settlers were the provisions requiring the Cherokees to stop raids on middle Tennessee. Article VI required the Cherokees to deliver anyone living on their lands who committed murder, theft, or other capital crimes against the Americans "to be punished according to the ordinances of the United States."¹⁰⁵⁴ The Americans also promised to punish American offenders who committed crimes against the Cherokees. The punishment would take

¹⁰⁴⁹ Cotterill, "The Virginia-Chickasaw Treaty of 1783," 495-496.

¹⁰⁵⁰ James, 73-74; Buchanan, 28-29.

¹⁰⁵¹ Kappler, II:8. The American negotiators were Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan McIntosh. William Blount was also present. There were 918 Cherokees at the Hopewell proceedings. Following the negotiations, the Americans gave the Cherokees \$1,311 in goods. ASPIA, I:43; Charles C. Royce. "The Cherokee Nation of Indians" in *Fifth Annual Report of the Bureau of Ethnology* (Washington: Government Printing Office, 1887), 155.

¹⁰⁵² Kappler, II:8-9; Woodward, 105; Royce, 153. Attakullakulla led the Cherokees until his death in 1780. Oconostota led the Cherokees until his death in 1782.

¹⁰⁵³ Kappler, II:9.

¹⁰⁵⁴ Kappler, II:9-10.

place “in presence of some of the Cherokees.”¹⁰⁵⁵ Another provision required the Cherokees to “give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighboring tribe or by any person whatsoever, against the peace, trade, or interest of the United States.”¹⁰⁵⁶ This part of the agreement stipulated that the Cherokees inform the Americans of any effort of the Cherokees, Chickamaugas, Creeks, or Shawnees who were living on Cherokee land and raiding the Cumberland settlements. Also, the Cherokee notion of “retaliation” became illegal. The Cherokees and the Whites, according to the treaty, could not counter attack with violence by attacking innocent settlers or Indians.¹⁰⁵⁷ In concluding the negotiations, supposedly, the “hatchet was forever buried” between the Whites and the Cherokees.¹⁰⁵⁸

In January 1786, the Americans negotiated a similar Treaty of Hopewell with the Chickasaws.¹⁰⁵⁹ Hawkins, Pickens, and Martin negotiated the treaty with “Piomingo, Head Warrior and First Minister of the Chickasaw Nation.”¹⁰⁶⁰ Most of the provisions of the treaty were the same. The Chickasaws could punish White settlers on Chickasaw lands “as they please.”¹⁰⁶¹ They must deliver any Indian on their land who had committed murder, theft, or other capital crime against the Americans.¹⁰⁶² It promised punishment of any Americans who committed capital crimes against the tribe “in the presence of some of the Chickasaws.”¹⁰⁶³ Other provisions required the Chickasaws to inform the Americans of any Indian plots in Chickasaw lands or from a neighboring tribe against the United States, and that both sides must

¹⁰⁵⁵ Kappler, II:10.

¹⁰⁵⁶ *Ibid.*

¹⁰⁵⁷ *Ibid.*

¹⁰⁵⁸ Kappler, II:10-11.

¹⁰⁵⁹ Kappler, II:14-16.

¹⁰⁶⁰ Kappler, II:14.

¹⁰⁶¹ Kappler, II:15.

¹⁰⁶² *Ibid.*

¹⁰⁶³ *Ibid.*

renounce the “idea of retaliation” as “unjust.”¹⁰⁶⁴ As with the Cherokees, according to the Treaty of Hopewell in 1786, the “hatchet was forever buried.”¹⁰⁶⁵

By the time Jackson arrived in Tennessee in 1788, the Treaties of Hopewell were governing the state of relations between the Americans and the two tribes with legitimate land claims in the territory: the Cherokees and the Chickasaws.¹⁰⁶⁶ The Chickamaugas, however, still did not approve of the land cessions to the Cumberland settlers, which had been confirmed again by Cherokee leaders in 1785.¹⁰⁶⁷ Although Hopewell was a minor victory for the Cherokees as it was the first treaty in which they had not surrendered new land, the Chickamaugas were still dissatisfied.¹⁰⁶⁸ The Creeks, in turn, were angry with the Cherokees and Chickasaws who continued to agree that the old Indian hunting lands in Tennessee now belonged to the Whites.¹⁰⁶⁹ Although relations between the Chickasaws and Americans remained relatively peaceful, the Cherokees still faced internal divisions over their relationship with the Whites. Plus, the Chickamaugas, Creeks, and Shawnees pressured the tribe to resist White encroachment.¹⁰⁷⁰ Still, despite the Hopewell treaties, Whites and Indians continued to violate the treaty provisions.¹⁰⁷¹

On August 7, 1790, Secretary Knox and Creek chief Alexander McGillivray negotiated a similar treaty at New York.¹⁰⁷² The Creeks agreed that they would be under the protection of the United States and under no other sovereign.¹⁰⁷³ They agreed to surrender all prisoners.¹⁰⁷⁴ Article

¹⁰⁶⁴ Kappler, II:15-16.

¹⁰⁶⁵ Kappler, II:16.

¹⁰⁶⁶ Satz, *Tennessee's Indian Peoples*, 34.

¹⁰⁶⁷ Pate, 156-157

¹⁰⁶⁸ Pate, 157.

¹⁰⁶⁹ Pate, 168.

¹⁰⁷⁰ Pate, 168.

¹⁰⁷¹ Pate, 167-172.

¹⁰⁷² Kappler, II:25-29.

¹⁰⁷³ Kappler, II:25. This provision most likely refers to Spain or Britain.

¹⁰⁷⁴ Kappler, II:26.

IV of the treaty made it explicitly clear that the Creeks ceded any claim to lands in middle Tennessee.¹⁰⁷⁵ Similar to the Hopewell Treaties, the Treaty of New York required the Creeks to surrender anyone living in their territory who committed murder, theft, or capital crimes against the Americans.¹⁰⁷⁶ It also stipulated that the Creeks surrender anyone known to plot against the interests of the Americans.¹⁰⁷⁷ According to the treaty, animosities would cease as violence and retaliatory attacks between the Whites and Creeks were to end.¹⁰⁷⁸

In 1791, the Americans, led by Governor William Blount, Secretary Daniel Smith, and James Robertson, negotiated a new treaty with 1,200 Cherokees and forty of their chiefs, led by Little Turkey (the successor of Old Tassel), Bloody Fellow, John Watts, Doublehead, and Hanging Maw, at the Treaty of Holston.¹⁰⁷⁹ The Cherokees had continued to allow raids from their lands without punishing the Indian attackers or notifying the Americans of the violators--violations of the Treaty of Hopewell.¹⁰⁸⁰ The Whites were guilty as well. Secretary of War Knox told President Washington that the “lawless Whites” had committed “disgraceful” violations of the Treaty of Hopewell as they had continued to encroach on Cherokee land.¹⁰⁸¹ Many of the Holston treaty’s provisions were the same as the Treaty of Hopewell: the Cherokees had to deliver any prisoners of war to the Americans; the United States had the sole right of regulating Cherokee trade; the Americans would protect Cherokee land; the Cherokees could punish unauthorized White settlers “as they please”; the Cherokees must deliver anyone who committed a capital crime against the Americans; there was to be no “retaliation”; and the Cherokees must give notice to the United States of anyone plotting “against the peace and interest of the United

¹⁰⁷⁵ *Ibid.*

¹⁰⁷⁶ Kappler, II:27.

¹⁰⁷⁷ Kappler, II:28.

¹⁰⁷⁸ Kappler, II:27-28.

¹⁰⁷⁹ *TP*, IV:60-67; Woodward, 113.

¹⁰⁸⁰ Kappler, II:9-10.

¹⁰⁸¹ Knox to Washington, July 7, 1789, in *ASPIA*, I:53.

States.” And again, for the third time, the Cherokees agreed that the Cumberland settlers had a right to the land.¹⁰⁸²

There were several new provisions in the 1791 treaty that indirectly involved Jackson. The Americans and Cherokees agreed to “perpetual peace and friendship.”¹⁰⁸³ In a reference to Spanish interference with Indian-American relations, Article II stated that the Cherokees would be under “no other sovereign” and they will not “hold any treaty with any foreign power.”¹⁰⁸⁴ Article III confirmed the Hopewell boundary lines, but added some territory to the south. The Americans agreed to pay the Cherokees \$1,000 annually for the newly acquired land, to which the Cherokees agreed.¹⁰⁸⁵ Article V, in an effort to protect the Americans from Chickamauga raids, stated that the Americans “shall have a free and unmolested use of a road from Washington District to Mero district, and of the navigation of the Tennessee River.”¹⁰⁸⁶ This was the road Jackson travelled so frequently in his law practice. The Americans gained more land, guaranteed the Cherokees a yearly payment for it, and emphasized the need for the Cherokees to stop the Chickamauga raids on the road between Nashville and east Tennessee, and along the Tennessee River. Jackson’s mentors, Robertson and Blount, along with his friend, Daniel Smith, negotiated the treaty. Much of it was unnecessary as it essentially reconfirmed the 1785 treaty. However, some “lawless Whites” and hostile Indians refused to be bound by the treaty and this new effort to stabilize Tennessee failed. Throughout the 1790s violence continued. The Cherokees in northern Tennessee may not have been responsible for the violent acts, but according to Articles X and XIII of the Treaty of Holston, they were responsible for the actions

¹⁰⁸² *TP*, IV:60-67. Articles III, VI, VIII, X, XI, XII, and XIII of the Treaty of Holston directly correspond to articles in the Treaty of Hopewell, 1785. Kappler, II:8-10. The first two times were the initial purchase at the Treaty of Sycamore Shoals in 1775 and the Treaty of Hopewell in 1785.

¹⁰⁸³ *TP*, IV:61.

¹⁰⁸⁴ *TP*, IV:61.

¹⁰⁸⁵ *TP*, IV:61-63.

¹⁰⁸⁶ *TP*, IV:63.

of any Chickamaugas, Creeks, or Shawnees living in Cherokee territory.¹⁰⁸⁷ Although the Chickamaugas were parties to the negotiations, under Dragging Canoe and John Watts, they continued to violate the agreement reached at Holston.¹⁰⁸⁸

Spain, the Indians, and Violence, 1785-1797

Despite the treaties and land payments, violence persisted in Tennessee after Jackson arrived. Whites and Indians continued to violate the treaties. Tennesseans urged the Indians to stop the raids in accordance with the requirements of the treaties. They also made numerous requests to the new national government to intervene, but to no avail. Jackson's experience was twofold: negotiating with some Indians was not efficient, and, the federal government was powerless against the Indians in the South benefitting from Spanish support. Chickamaugas, Creeks, Shawnees, and Cherokees thus continued to raid the Cumberland.

Robertson, Jackson, Sevier, and other Tennessee leaders were certain that Spain influenced the raiding Indians.¹⁰⁸⁹ Writing four years after the Treaty of Hopewell had supposedly settled the conflict between the Indians and settlers, the young Jackson said that the Spanish were the only "immediate way to obtain peace with the savage."¹⁰⁹⁰ To show the Spanish government how much North Carolinians desired peace, their legislature, at the suggestion of Robertson, named the middle Tennessee territory the Mero District in honor of Estevan Miro, the Spanish governor of Louisiana.¹⁰⁹¹ Jackson wanted to "show the governor [Miro] the respect this country honors him with by giving it his name."¹⁰⁹² Although Jackson

¹⁰⁸⁷ *TP*, IV:64-65.

¹⁰⁸⁸ *TP*, IV:66.

¹⁰⁸⁹ AJ to Daniel Smith, February 13, 1789, in *PAJ*, I:16-17; Folmsbee, Corlew, and Mitchell, 91, 94.

¹⁰⁹⁰ AJ to Daniel Smith, February 13, 1789, in *PAJ*, I:16-17.

¹⁰⁹¹ *PAJ* I:16-17fn. The legislature misspelled the name. Miro was governor of Louisiana from 1785-1791.

¹⁰⁹² AJ to Daniel Smith, February 13, 1789, in *PAJ*, I:16-17.

wanted the Spanish to stop the Indian raids, he also knew that Spain was vital to the Tennessee economy because of the Mississippi River. So he tended to be tactful in his discussions with and about the Spanish.¹⁰⁹³

The Spanish, however, had often recruited the Creeks, while the Chickamaugas had joined the Creeks, all to fight against the Cumberland settlers.¹⁰⁹⁴ The Spaniards and the Creeks joined together to recruit the Chickasaws to join them, but the Chickasaws remained outside the alliance.¹⁰⁹⁵ Knowing how the Americans were allying with the Chickasaws, Governor Miro vowed to arrest any foreigner without a Spanish passport within his jurisdiction.¹⁰⁹⁶ Northern Indians, particularly Shawnees, joined the Spanish-Creek alliance.¹⁰⁹⁷ The frontier settlers turned to the Cherokees and Choctaws for help, but the status of the Cherokees was wavering between Spain and America, while the Choctaws claimed to have formed an alliance with the Chickasaws who were friendly to the Americans.¹⁰⁹⁸ The Choctaws told William Davenport that the Spanish had asked their chief to start a war with the Americans.¹⁰⁹⁹ The Choctaw leaders also confirmed that the Spanish were arming McGillivray and the Creeks.¹¹⁰⁰ The Choctaws asserted that they would remain peaceful so long as they received supplies from the Americans.¹¹⁰¹

Spain also aided the Chickamaugas in the 1780s and 1790s.¹¹⁰² The gifts provided to the Chickamaugas by Spain, and also by the British, enticed many of the younger Cherokees to join

¹⁰⁹³ *Ibid.*

¹⁰⁹⁴ John Bell and Alexander Duggles in the Chickasaw Nation to Colonel James Robertson July 10, 1784, in *SNA*.

¹⁰⁹⁵ John Bell and Alexander Duggles in the Chickasaw Nation to Colonel James Robertson July 10, 1784, in *SNA*.; Chickasaw Nation to John Sevier, July 28, 1786, in *SNA*.

¹⁰⁹⁶ William Davenport to Governor Edward Telfair of Georgia, November 1, 1786, in *SNA*.

¹⁰⁹⁷ State of Franklin to Governor Edward Telfair, September 30, 1786, in *SNA*

¹⁰⁹⁸ State of Franklin to Governor Edward Telfair, September 30, 1786, in *SNA*; William Davenport to Governor Edward Telfair of Georgia, November 1, 1786, in *SNA*.

¹⁰⁹⁹ William Davenport to Governor Edward Telfair of Georgia, November 1, 1786, in *SNA*.

¹¹⁰⁰ *ibid.*

¹¹⁰¹ Cherokee Nation (agent John Woods) to Governor Edward Telfair of Georgia, January 14, 1787, in *SNA*.

¹¹⁰² Pate, 137; Woodward, 114.

the resistance movement to the south.¹¹⁰³ By 1788, the Chickamaugas, using Spanish-supplied guns and ammunition, were attacking Knoxville and Nashville.¹¹⁰⁴ The Spanish were using the Chickamaugas and the Creeks to fend off White expansion and create a buffer zone between American and Spanish territories, specifically after the creation of the Territory South of the Ohio River.¹¹⁰⁵ By 1792, Chickamauga Chief John Watts had negotiated agreements so that Spain routinely supplied his tribe with guns, powder, patronage, and other forms of aid.¹¹⁰⁶ Assured of Spanish support, the Chickamaugas escalated raids and waged war on the Cumberland residents.¹¹⁰⁷ The Chickamauga chief used this promise of Spanish support to induce some Indians, who were otherwise peaceful and moderate, to attack the White settlements.¹¹⁰⁸ “Only the Spaniards,” according to Little Turkey, “the most influential chief of the Cherokees,” were to blame for the Chickamauga War.¹¹⁰⁹ Despite Jackson’s earlier requests for peace with Spain, the Spanish inducement of Indians to war led Jackson to complain of “the hated Dons.”¹¹¹⁰

By late 1787, the frontier settlers were bitterly complaining of Indian attacks, particularly Creek depredations. Governor Sevier of Franklin thought the conduct of the Creeks was “extraordinary.” They demanded a White person “as retaliation for damage done to them when it is notoriously known that they have been the first aggressors, and that they have frequently and indiscriminately murdered our good and peaceable citizens at all opportunities for many months past.”¹¹¹¹ Robertson had also reported to Governor Sevier of “murders and ravages” in the

¹¹⁰³ Pate, 137-138.

¹¹⁰⁴ Pate, 181-182.

¹¹⁰⁵ Pate, 188; 213-214.

¹¹⁰⁶ Pate, 191-192

¹¹⁰⁷ Pate, 216.

¹¹⁰⁸ “Letter from Little Turkey,” September 2, 1792, in *ASPIA*, I:276-277; Pate, 216.

¹¹⁰⁹ *Ibid.*; Knox to George Washington, July 28, 1792, in *TP*, IV:160.

¹¹¹⁰ Remini, *Andrew Jackson and the Course of American Empire*, 36.

¹¹¹¹ Governor Sevier of Franklin to Governor George Mathews of Georgia, August 30, 1787, in *SNA*.

Cumberland by the Creeks.¹¹¹² Sevier was livid with the Creeks saying that “every overture made by that perfidious nation . . . is intended for deception,” and that they are leading the settlers to a “barbarous and cruel war.”¹¹¹³ Sevier explained that the Creeks were preventing him from “securing and protecting our citizens in their lives and the peaceable enjoyment of their property and domestic employments.”¹¹¹⁴ Sevier, ready for the fight against the Creeks, stated that the settlers were “honor bound to call those transgressors [the Creeks] to an account for murdering so many of our friends and fellow citizens. And to evince such perpetrators that they by no means will be suffered to escape with impunity.”¹¹¹⁵ Sevier exclaimed, “It is our duty and highly requisite in my opinion that such lawless tribes be reduced to reason by dent of the sword.”¹¹¹⁶ Sevier, typical of the frontier experience, used language referring to the “duty” of the settlers, the “lawless” tribes, and the need to teach the Indians “reason” through war. Also, Sevier described the settlers as being “indiscriminately murdered.”¹¹¹⁷

Because of the constant threat of Indian attacks, the Cumberland settlers prepared to defend themselves throughout early 1789. General Orders of April 1789 to the Cumberland settlers warned that “the repeated depredations of a savage enemy make it necessary to put the district in the best posture of defense our situation will admit of . . . [and] the Commanding officers of the counties in the district are therefore called upon to have the militia of their respective counties in readiness to march at a minute’s notice.”¹¹¹⁸ The Orders also warned that “frequent private musters should be called . . . and the law requires each non-commissioned officer and private to have a good serviceable gun with nine charges of powder and ball, a spare flint, a

¹¹¹² *Ibid.*

¹¹¹³ *Ibid.*

¹¹¹⁴ *Ibid.*

¹¹¹⁵ *Ibid.*

¹¹¹⁶ *Ibid.*

¹¹¹⁷ *Ibid.*

¹¹¹⁸ General Orders, April 5, 1789, *American Historical Magazine* 1 (January 1896) 86-87.

worm and picker all in good order.”¹¹¹⁹ Because of “the horrid murders committed on the frontier” the militia should “follow every party of savages which annoy” the settlers “whose trail can be followed.”¹¹²⁰ The plan was that “by often doing this, many [Indians] may be overtaken and made examples of to deter others” from doing “mischief” to the settlers.¹¹²¹

The situation was particularly deadly in the Cumberland region. Between 1780 and 1794, in a radius of six miles of Nashville, the Indians killed on average one person every ten days.¹¹²² The murders were not limited to able-bodied men. There were examples of the killing of “four boys,” “three children,” the scalping of an “old man, his wife, his son, and daughter,” killing and scalping a man and his wife, leaving “five small children in poverty and wretchedness.”¹¹²³ Not only did the Cumberland residents fear for their lives, they confronted the persistent threat of being taken by the Creeks or Chickamaugas, and held for ransom as prisoner, or to be enslaved.¹¹²⁴ Some of the violent acts were particularly gruesome. In one attack south of Knoxville, the militia found sixteen Whites who had been murdered in various ways, including “bellies sliced open, their hearts ripped out, their privates cut off and stuffed into their mouths.”¹¹²⁵ In another attack Chickamaugas butchered Captain William Overall and his friend. The Indians, led by Doublehead, scalped the men, confiscated their whiskey and drank it, stripped them naked, roasted their bodies, and ate the men, then took the scalps back through the Chickamauga towns to show off as war trophies.¹¹²⁶

¹¹¹⁹ *Ibid.*

¹¹²⁰ *Ibid.*

¹¹²¹ *Ibid.*

¹¹²² Parton, 139.

¹¹²³ Parton, 139-140.

¹¹²⁴ Haywood, 343, 386-387, 414.

¹¹²⁵ Buchanan, 44.

¹¹²⁶ Woodward, 115.

Jackson's political mentor, William Blount, appealed for federal help in this violent time.¹¹²⁷ Despite the request for help, President Washington and Secretary Knox continued to insist on only a defensive policy toward the southern Indians.¹¹²⁸ The reluctance of the national government to be more forceful against the Indians was due to the belief that the Cherokees, particularly while committing violent acts, nonetheless had legitimate grievances with the Cumberland settlers over land.¹¹²⁹ The Northwest Territory was involved in an Indian war as well. Knox first wanted to subdue the hostile Indians in the North so that through a treaty, he could purchase the lands as a deficit-reducing source of revenue.¹¹³⁰

In his report, Blount listed the atrocities committed by Indians against Tennessee residents while also, when possible, naming the offending tribe.¹¹³¹ The governor noted that between January 16, 1791 and October 3, 1792, in the Southwest Territory, the Indians killed seventy-one, wounded fifteen, and killed twenty-seven, with one person missing.¹¹³² Among the victims were nineteen women, fourteen children, and six slaves.¹¹³³ In these attacks, Blount reported that the Chickasaws and Choctaws were not responsible. The Creeks, Shawnees, and Cherokees were the aggressors. When Blount mentions the "Cherokees," however, he recognized them as Chickamaugas from the Lower Towns or under the leadership of John Watts, rather than the friendly, older Cherokees.¹¹³⁴ The attacks were often joint raids by two or three of the tribes (Creeks, Chickamaugas, and Shawnees).¹¹³⁵ Blount reported forty-six Indian raids in just over

¹¹²⁷ "A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791." in *ASPIA*, I: 329-332.

¹¹²⁸ Knox to Blount, August 15, 1792, in *TP*, IV:162-164.

¹¹²⁹ Knox to Washington, July 28, 1792, in *TP*, IV: 159-161.

¹¹³⁰ ; Downes, 240, 243, 245.

¹¹³¹ A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791." in *ASPIA*, I: 329-332.

¹¹³² *Ibid.*

¹¹³³ *ibid.*

¹¹³⁴ *ibid.*

¹¹³⁵ *ibid.*

twenty-one months that resulted in deaths, wounded, or prisoners being taken.¹¹³⁶ Of the twenty-nine attacks in which the Indians could be identified, the Chickamaugas were involved in twelve, the Creeks participated in fifteen, and the Shawnees were in four, while the Chickasaws and Choctaws remained peaceful.¹¹³⁷

The Chickamaugas repeatedly violated the treaties by aligning themselves with Spain and attacking the frontier settlements.¹¹³⁸ The Creeks and Shawnees invaded Tennessee despite having no legal claim to do so.¹¹³⁹ The Chickasaws and Choctaws remained relatively peaceful, despite Spanish attempts to incite them to violence.¹¹⁴⁰ Jackson knew that “the hated Dons” from the Spanish territory were assisting these attacks.¹¹⁴¹ He distinguished between the hostiles and the friendlies from the Cherokees and Creeks.¹¹⁴²

The Shawnees and the Creeks

Of the hostile tribes in Tennessee, the Shawnees and Creeks had the least legitimate complaints against the Cumberland settlers, which by 1788 included Jackson.¹¹⁴³ In the early eighteenth century the Chickasaws and Cherokees had joined to remove the Shawnees from the Cumberland Valley.¹¹⁴⁴ Still, the Shawnees claimed middle Tennessee as part of their hunting land and joined the Creeks in attacking Whites while trying to retake it.¹¹⁴⁵ When Shawnee chief Puckshenoah, who had once lived in middle Tennessee, died, his elder son Cheesekau became

¹¹³⁶ *ibid.*

¹¹³⁷ *ibid.*

¹¹³⁸ Pate, 181-182; “A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791.” in *ASPIA*, I: 329-332.

¹¹³⁹ Satz, *Tennessee’s Indian Peoples*, 34.

¹¹⁴⁰ Letter from John Bell and Alexander Duggles in the Chickasaw Nation to Colonel James Robertson July 10, 1784; Chickasaw Nation to John Sevier, July 28, 1786; State of Franklin to Governor Edward Telfair, September 30, 1786; William Davenport to Governor Edward Telfair of Georgia, November 1, 1786, in *SNA*.

¹¹⁴¹ Remini, *Andrew Jackson and the Course of American Empire*, 35.

¹¹⁴² “Report of House Select Committee on Claims,” January 17, 1797, in *PAJ*, I:113-114.

¹¹⁴³ Satz, *Tennessee’s Indian Peoples*, 36.

¹¹⁴⁴ Brady, 12; Cotterill, *Southern Indians*, 31.

¹¹⁴⁵ Satz, *Tennessee’s Indian Peoples*, 35-36.

responsible for looking after his younger brother Tecumseh, whose mother was Creek.¹¹⁴⁶ In the late 1780s Cheesekau went to Tennessee and joined the Chickamaugas, Creeks, angry Cherokees, and some Tories, who under the leadership of Dragging Canoe, terrorized White settlers.¹¹⁴⁷ Tecumseh followed his older brother to Tennessee where Cheesekau was killed in battle.¹¹⁴⁸ The Shawnees selected Tecumseh, who vowed revenge on the Whites, to replace Cheesekau as their new leader.¹¹⁴⁹

Tecumseh led the Shawnees in joining Creeks and Chickamaugas in raiding the Cumberland settlements throughout the 1790s.¹¹⁵⁰ The Shawnees coordinated with the Creeks and Chickamaugas in securing supplies from the British in Detroit.¹¹⁵¹ Dragging Canoe's brother sent Chickamaugas to Shawnee territory to secure the alliance with the northern Indians.¹¹⁵² The Shawnees had at least one hundred warriors living in the Chickamauga town of Running Water by the early 1790s.¹¹⁵³ The Chickamaugas, in return, sent warriors to help the Shawnee, Wabash, and Miami tribes fight against Americans in the northern territory under the command of General Joseph Harmer.¹¹⁵⁴ The Shawnees were most closely allied to the Creeks, inciting them to war.¹¹⁵⁵ Creek Chief Alexander McGillivray, informing the Spanish governor of his north-south Indian alliance, cultivated the relationship with the Shawnees who led his "northern confederacy" alliance in the months during the height of the Creek raids on the Cumberland

¹¹⁴⁶ H.C. Shetrone. "The Indian in Ohio." *Ohio Archaeological and Historical Quarterly* 27 (January 1918): 430; Satz, *Tennessee's Indian Peoples*, 36.

¹¹⁴⁷ Satz, *Tennessee's Indian Peoples*, 35.

¹¹⁴⁸ Shetrone, 430; Satz, *Tennessee's Indian Peoples*, 35.

¹¹⁴⁹ Satz, *Tennessee's Indian Peoples*, 35-36. Tecumseh remained an influential leader of Indian unity and resistance to Whites from the 1790s to 1810s.

¹¹⁵⁰ Satz, *Tennessee's Indian Peoples*, 35-36.

¹¹⁵¹ Pate, 189-190.

¹¹⁵² Cotterill, *Southern Indians*, 89; Pate, 189-190.

¹¹⁵³ "A Description of the Five Towns Lying Northwest of Chatanuga (sic) Mountain," March 15, 1792 in *ASPIA*, I:264; Cotterill, *Southern Indians*, 89fn.

¹¹⁵⁴ "Statement Relative to the Frontiers Northwest of Ohio," December 26, 1791, in *ASPIA*, I:197-199; Pate, 190-192.

¹¹⁵⁵ "Minutes of a Conference Held at Henry's Station," February 6, 1793, in *ASPIA*, I: 447-448; Cotterill, *Southern Indians*, 101.

settlements.¹¹⁵⁶ The Creeks welcomed the additional support from the Shawnees as the Creeks and Chickamaugas terrorized the Southwest Territory.¹¹⁵⁷

McGillivray, who negotiated the Treaty of New York with Secretary Knox, developed a close relationship with Spain while supposedly seeking peace with the Americans.¹¹⁵⁸

Recognizing the importance of McGillivray, Robertson offered the Creek leader guns and land, telling him that he had already “caused a deed for a lot in Nashville to be recorded” in McGillivray’s name.¹¹⁵⁹ Still, throughout the late 1780s and after the Treaty of New York into the 1790s, the leader of the Upper Creeks, McGillivray, continued to prompt attacks on the Cumberland. Jackson knew that it was the “Upper Creeks” rather than the Lower Creeks causing the trouble.¹¹⁶⁰

McGillivray and the Creeks repeatedly violated the Treaty of New York. At the signing of the treaty, McGillivray became an honorary brigadier general of the United States with a salary of \$1,200 per year.¹¹⁶¹ The Creek chief told Spanish Governor Miro that he rejected the commission when he found that it required an oath to the United States, but that is not true as United States Supreme Court Justice John Blair witnessed McGillivray signing the oath to the Americans.¹¹⁶² Despite being paid by the United States and taking an oath of allegiance, he also took money and commissions, including \$2,000 per year, then \$3,500 per year, from Spain.¹¹⁶³ Miro acknowledged that McGillivray played the traditional Creek foreign policy by pitting one

¹¹⁵⁶ McGillivray to Carondelet, January 15, 1793, in Caughey, 352.

¹¹⁵⁷ James Carey to Blount, March 20, 1793, in *ASPIA*, I:438-439; Knox to Blount, August 15, 1792, in *TP*, IV:163; “An Abstract of Indian Affairs,” October, 1792, in *TP*, IV:177.

¹¹⁵⁸ Kappler, II:28; Buchanan, 100-104, 107; McGillivray to O’Neill, March 4, 1787 in Caughey, 145; McGillivray to O’Neill, June 20, 1787, in Caughey, 153-155.

¹¹⁵⁹ Robertson to McGillivray, August 3, 1788, *American Historical Magazine* 1 (January 1896): 81.

¹¹⁶⁰ “Report of House Select Committee on Claims,” January 17, 1797, in *PAJ*, I:113-114; Knox to Blount, October 9, 1792, in *TP*, IV:195.

¹¹⁶¹ McGillivray to Miro, February 26, 1791, in Caughey, 290; Caughey, 144; Cotterill, *Southern Indians*, 86.

¹¹⁶² *Ibid.*

¹¹⁶³ Caughey, 47, 56; Buchanan, 107.

ally against another to gain the greatest advantage for the Creeks.¹¹⁶⁴ The Spanish governor understood this, not fearing he would lose the friendship of the Creeks as they accepted gifts from the Americans.¹¹⁶⁵

The Americans, for their part, did not honor the agreement at New York as they continued to allow White settlers to remain on Creek land in violation of Articles VI and VII of the treaty.¹¹⁶⁶ Washington said that “scarcely anything short of a Chinese wall” would prevent White settlers and speculators from encroaching on the Creek lands south of Tennessee.¹¹⁶⁷ The Creeks, however, according to the treaty, had authority to punish the violators as they pleased, with or without American assistance.¹¹⁶⁸ Still, the Creeks were angry about the Treaty of New York. At the urging of Spanish Governor Carondelet, the Creeks renounced the Treaty of New York, negotiated a new treaty with Spain, and renewed the war on the Cumberland settlers in 1792.¹¹⁶⁹ All these actions in 1792 violated the original treaty with the Creeks.¹¹⁷⁰ When McGillivray rejoined the Spanish, he ensured that the Spanish would supply the weapons that allowed the Creeks to mount the attacks on White settlers.¹¹⁷¹

Even before McGillivray renounced the Treaty of New York, the Creeks continued to attack Americans and steal horses in the Southwest Territory in violation of the treaty.¹¹⁷² The Creeks, notwithstanding the Treaties of Sycamore Shoals, 1775, Holston, 1785-1786, New York,

¹¹⁶⁴ *Ibid.*

¹¹⁶⁵ Miro quoted in Buchanan, 107; Joseph J. Ellis. *American Creation: Triumphs and Tragedies at the Founding of the Republic* (New York: Vintage Books, 2007), 159.

¹¹⁶⁶ Kappler, II:27.

¹¹⁶⁷ Washington to Secretary of State, July 1, 1796, in Ellis, Joseph, 159.

¹¹⁶⁸ Kappler, II:27.

¹¹⁶⁹ Caughey, 51-52.

¹¹⁷⁰ Kappler, II:25-29.

¹¹⁷¹ Ellis, Joseph, 160.

¹¹⁷² “Memorial from the Civil and Military Officers of Mero District,” August 1, 1791, in *TP*, IV:72-73. Among the signers of this document were McNairy, Robertson, Mansker, Smith, and William Donelson; Blount to Robertson, September 21, 1791, in *TP*, IV:82; Blount to Robertson, March 31, 1792, in *TP*, IV:133-134; Blount to Knox, May 5, 1792, in *TP*, IV:148-149; Blount to Knox, May 16, 1792, in *TP*, IV:151; Blount to Knox, June 2, 1792, in *TP*, IV:154; Blount to McGillivray, May 17, 1792, in *ASPIA*, I:269-270; Blount to Knox, July 4, 1792, in *TP*, IV:159; Knox to Blount, August 15, 1792, in *TP*, IV:163.

1790, and Holston, continued in July 1792, to argue that the Cumberland settlement was on Creek, Cherokee, Chickasaw, and Choctaw hunting grounds, and claimed the “right to steal horses [in the Cumberland] and in case of opposition to kill.”¹¹⁷³ After renouncing the treaty, the Creeks spread their influence on the “young Cherokees” by encouraging them “to murder and rob” the Whites in Tennessee.¹¹⁷⁴ The Creeks sent warriors to the Chickamaugas, with supplies from Spain, to coordinate efforts to attack the Cumberland with the Creeks, who were twenty percent of the force, killing “helpless women and children.”¹¹⁷⁵ The Creeks launched the raids, accounting for more attacks on Tennessee than any other tribe during 1791 and 1792.¹¹⁷⁶ Because the threat of Indian raids was so prevalent among the Whites in Tennessee, one of the Creek tactics on this assault was to harass “the frontiers near the Upper Towns of the Cherokees” in an effort to “draw the White people on those towns and thereby engage them in the war contrary to their inclination.”¹¹⁷⁷ Throughout late 1792 the Creeks continued, with Spanish and Chickamauga assistance, to raid the Cumberland.¹¹⁷⁸

These attacks continued throughout the early 1790s, but the chief complaint of the Creeks was unknown to the leaders of Tennessee.¹¹⁷⁹ The Treaty of New York allowed the Creeks to punish any violators of the provisions within Creek lands that did not include middle Tennessee.¹¹⁸⁰ The secretary of the Southwest Territory, an old friend of Jackson, Daniel Smith, did not know of “any instance in which the Indians do or have a right to complain of” violations

¹¹⁷³ Knox to Washington, July 28, 1792, in *TP*, IV:160.

¹¹⁷⁴ Blount to Knox, August 31, 1792, in *TP*, IV:166.

¹¹⁷⁵ Blount to Knox, September 11, 1792, in *TP*, IV:167; Andrew Pickens to the Governor of South Carolina, September 13, 1792, in *TP*, IV:169-170; “An Abstract of Indian Affairs”, October, 1792, in *TP*, IV:179.

¹¹⁷⁶ “A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791,” in *ASPIA*, I: 329-332.

¹¹⁷⁷ “An Abstract of Indian Affairs”, October, 1792, in *TP*, IV:180.

¹¹⁷⁸ “An Abstract of Indian Affairs”, October, 1792, in *TP*, IV:185; Blount to Knox, October 10, 1792, in *TP*, IV:196.

¹¹⁷⁹ Secretary Smith to the Secretary of State, October 27, 1792, in *TP*, IV:198.

¹¹⁸⁰ Kappler, II:27.

of the treaty.¹¹⁸¹ Despite the lack of reason for complaint following the treaty, according to Smith, the Creeks continued “barbarous and unprovoked violations” of the agreement which had all been reported, without much response, to Secretary Knox.¹¹⁸² Smith blamed the attacks on the Creeks’ need to distinguish themselves by “feats of war” and the influence of Spain and Britain.¹¹⁸³ Governor Blount complained that the Creeks repeatedly violated the treaty by allowing members to attack the frontier and not informing the Americans of the plots.¹¹⁸⁴

Soon after McGillivray died in February 1793, the Creeks increased the attacks on the Americans as well as the greatest Indian allies of the Tennesseans, the Chickasaws.¹¹⁸⁵ They “hacked and mangled” the body of one Chickasaw, an act “intended as an insult to the [Chickasaw] Nation” because of the tribe’s American ties.¹¹⁸⁶ In the week following McGillivray’s death, the Creeks launched four attacks in the Mero District, killing several and stealing many horses.¹¹⁸⁷ Amidst the Creek assaults on American allies, the Chickasaws continued to resist the Creeks, and encouraged the Choctaws to join the fight against America’s enemy.¹¹⁸⁸ The Chickasaws somewhat contained the attacks of the “Upper Creeks” on the Cumberland.¹¹⁸⁹

Jackson was not a direct participant in every battle against the Creeks in the early 1790s. He knew from his experience with the frequent raids, however, plus his connections with those who were directly involved in defending the Cumberland settlers, that the Upper Creeks were the

¹¹⁸¹ Secretary Smith to the Secretary of State October 27, 1792, in *TP*, IV:198; AJ to Smith, February 13, 1789, in *PAJ*, I:16-17.

¹¹⁸² Secretary Smith to the Secretary of State, October 27, 1792, in *TP*, IV:198-199; Knox to Blount, August 15, 1792, in *TP*, IV:163-164.

¹¹⁸³ Secretary Smith to the Secretary of State, October 27, 1792, in *TP*, IV:199.

¹¹⁸⁴ Blount to Knox, November 8, 1792, in *TP*, IV:210; “A Return of Persons Killed, Wounded, and Taken Prisoners from the Mero District, since the first of January, 1791,” in *ASPIA*, I: 329-332.

¹¹⁸⁵ Blount to Knox, March 23, 1793, in *TP*, IV:247-248; Ellis, Joseph, 159.

¹¹⁸⁶ Blount to Knox, March 23, 1793, in *TP*, IV:248.

¹¹⁸⁷ Blount to Knox, March 23, 1793, in *TP*, IV:247-248; “A List of Murders Committed by the Indians,” March 28, 1793, in *ASPIA*, I:443.

¹¹⁸⁸ Blount and Andrew Pickens to Knox, August 1, 1793, in *TP*: IV:292-293.

¹¹⁸⁹ Memorandum from the Secretary of War and Andrew Pickens,” July 24, 1793, in *TP*, IV:284.

perpetrators.¹¹⁹⁰ While in Congress in 1797, seeking reimbursement for his neighbors' costs in repelling the Creeks as the federal government stood by, Jackson recounted to the House of Representatives the "frequent incursions of the hostile Cherokees and Upper Creeks [in 1793] . . . when their depredations and murders were more frequent upon the frontier."¹¹⁹¹ Jackson told the Congress of a massacre at Caveat's Station in which the Upper Creeks, with their Chickamauga allies, "put every man, woman, and child to death in the most cruel and inhuman manner."¹¹⁹² Jackson was not present in most of these attacks by the Upper Creeks. Nevertheless, as he travelled between Nashville, Natchez, and Jonesboro in his legal practice and commercial affairs, he understood that the Creeks, specifically the Upper Creeks, closest to Tennessee territory had, despite a treaty negotiated by Secretary Knox, violated their agreements with the Americans and committed atrocities upon his neighbors.¹¹⁹³ He also understood that the Chickasaws were the settlers' steadfast allies.¹¹⁹⁴

Jackson and the Ambivalent Threat: Cherokees and Chickamaugas

The Cherokees had long been occupants of Tennessee, yet by the 1780s and 1790s, their land claims, as well as their unity, began to deteriorate.¹¹⁹⁵ Jackson had experience with the Cherokees as enemies, for they were a staunch ally of the British during the War for Independence.¹¹⁹⁶ Although many contemporaries of Jackson and modern historians used the term "Cherokees," there was a clear distinction between the older Cherokees and a resistance

¹¹⁹⁰ "Memorial from the Civil and Military Officers of Mero District," August 1, 1791, in *TP*, IV:72-73.

¹¹⁹¹ "Report of House Select Committee on Claims," January 17, 1797, in *PAJ*, I:113.

¹¹⁹² *Ibid.*

¹¹⁹³ "Report of House Select Committee on Claims," January 17, 1797, in *PAJ*, I:113; Kappler, II:25-29.

¹¹⁹⁴ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd, sess., 1741.

¹¹⁹⁵ Robert J. Conley. *The Cherokee Nation: A History* (Albuquerque: University of New Mexico Press, 2005), 1-5; Pate, 48-53; See also Chapters One and Two of this dissertation.

¹¹⁹⁶ Pate, 54-138; See Chapters One and Two of this dissertation.

movement among the younger Cherokees known as the “Chickamaugas.”¹¹⁹⁷ The Chickamaugas, led by Dragging Canoe, revolted against the older Cherokees following the Treaty of Sycamore Shoals.¹¹⁹⁸ From 1777-1794 the Chickamaugas retained a separate identity by claiming to be the “Aniyuniwiya” or “the Real People,” meaning the true Cherokees.¹¹⁹⁹ They continued to resist following the subsequent Treaties of Hopewell and Holston, drawing many young Cherokees to their settlement in the Lower Towns and away from the older chiefs who had negotiated their land away to the Whites.¹²⁰⁰ Jackson recognized the difference. He referred to them as the “Chickamaugian (sic)” people at times, but more often he called them the Cherokees, specifically “the Hostile Cherokees.”¹²⁰¹

It was obvious that the Cherokees did not speak with a unified voice, which made dealing with them difficult. Therefore, when the older Cherokee chiefs sold land or negotiated land away through treaties, others in the tribe, particularly the younger Cherokees, did not necessarily accept the deal.¹²⁰² Robertson, Jackson’s mentor upon arriving in the Cumberland, understood the difficulties in negotiating with the Cherokees. He sought peace with the “red people” first, but would resort to war when necessary. Robertson informed the Indians that the newly settled Whites had suffered throughout 1785 and 1786 at the hands of Indians to the south.¹²⁰³ He thought the trouble had come from “some rogues” and hoped it would stop, but was “obliged to

¹¹⁹⁷ Pate, 48-53, 169-170; Remini, *Andrew Jackson and the Course of American Empire*, 51; Burstein, 14-16; Brands, 86-88; James, 73, 85; Remini, *Andrew Jackson*, 13-17. The leading scholar of the Chickamaugas, James P. Pate, says that because John Sevier and the people of the state of Franklin did not fully understand the distinction between Cherokees and Chickamaugas, their aggressive actions towards the Cherokees pushed many otherwise peaceful Cherokees into the Chickamauga towns. Pate, 169-170.

¹¹⁹⁸ John P. Brown. *Old Frontiers: The Story of the Cherokee Indians from Earliest Times to the Date of Their Removal to the West, 1838* (Kingsport, TN: Southern Publishers, Inc., 1938), 9-13. Pate, 50-53.

¹¹⁹⁹ Pate, iii, 80-81.

¹²⁰⁰ Pate, 80-82, 156-157, 200-202.

¹²⁰¹ “Report of House Select Committee on Claims,” January 17, 1797, in *PAJ*, I:113.

¹²⁰² Pate, 50-52; “Deposition of Samuel Wilson,” April 15, 1777 in Palmer, I:282-283.

¹²⁰³ Robertson to the Delawares, unspecified date 1787, *American Historical Magazine* 1 (January 1896): 77.

go against a Cherokee town that talked two tongues.”¹²⁰⁴ Certain Cherokees were for peace, but others had killed and scalped some Whites.¹²⁰⁵ Robertson, angry with the hostile Cherokees, said “if any good people suffered, may they blame themselves for it, as we could not tell the bad from the good. I never would keep company with any persons that would kill my friends.”¹²⁰⁶

Despite the Treaty of Hopewell forbidding crimes and retaliatory attacks, the Chickamaugas continued to violate its terms when Jackson arrived in 1788. They took more than one hundred horses from east Tennessee and forced many settlers to flee during the raids.¹²⁰⁷ In the spring of 1788, Cherokees and Chickamaugas attacked the family of John Kirk near Knoxville, and the Chickamaugas, using Spanish supplies, took control of the Tennessee River.¹²⁰⁸ John Sevier then violated the Hopewell Treaty in leading a retaliatory attack against the Cherokees and killing twenty.¹²⁰⁹ When the peaceful Cherokee leader Old Tassel came to make peace, the American’s led by Kirk, whose family had just been killed, took Cherokee prisoners and killed Old Tassel even though he was under the flag of truce.¹²¹⁰ After Old Tassel’s murder, many peaceful Upper Cherokees, led by Hanging Maw and John Watts, joined the Chickamaugas for revenge.¹²¹¹ This led to a series of attacks in which those travelling between east Tennessee and the Cumberland in 1788 and 1789, including Jackson in his law practice, did so at their own peril.¹²¹² Dragging Canoe recruited Shawnees and other northern Indians to join the fight.¹²¹³

¹²⁰⁴ *Ibid.*

¹²⁰⁵ *Ibid.*

¹²⁰⁶ *Ibid.*

¹²⁰⁷ Pate, 180-181.

¹²⁰⁸ Pate, 181-182.

¹²⁰⁹ Pate, 182-183.

¹²¹⁰ Pate, 182-183.

¹²¹¹ Pate, 183.

¹²¹² Pate, 186.

¹²¹³ Pate, 189-191.

The Chickamaugas used Indian trails, night marches, signal systems, flanking movements, reconnaissance parties, and spies to stop White encroachment on what they deemed as their land despite the Cherokee cessions.¹²¹⁴ John Donelson noted when entering middle Tennessee that the Chickamaugas appeared suddenly at the most inopportune moments for the settlers. When trying to recover a capsized boat, Donelson said “the Indians to our astonishment appeared immediately over us on the opposite cliffs and commenced firing down upon us.”¹²¹⁵ The Chickamaugas used mobile war parties to patrol mountain passes, portage points, roads, and rivers to cut off travel and trade between east Tennessee and the Cumberland.¹²¹⁶ When Jackson came to Tennessee, he had to wait for a sizeable group to travel, with escorts and guns, in double column across the hostile territory.¹²¹⁷ He made the 200-mile journey between Nashville and Jonesboro twenty-two times between 1788 and 1795 during his legal career.¹²¹⁸ The trip was so dangerous that the mail carrier between Knoxville and Nashville demanded fifty dollars per trip and travelers were accompanied by the militia.¹²¹⁹ Because of the dangers travelling on the Tennessee River and along the road connecting east and middle Tennessee, the negotiators at the Treaty of Holston in 1791 insisted that “it is stipulated and agreed, that the citizens and inhabitants of the United States, shall have a free and unmolested use of a road from Washington District to Mero District, and of the navigation of the Tennessee River.”¹²²⁰

Despite the Treaty of Holston, the Chickamauga attacks continued and reached a peak in the spring of 1792.¹²²¹ Dragging Canoe died on March 1, 1792 and John Watts replaced him as

¹²¹⁴ Pate, iii.

¹²¹⁵ Ramsey, 199.

¹²¹⁶ Pate, 153, 175-177, 195-196; “Memorial from the Civil and Military Officers of Mero District,” August 1, 1791, in *TP*, IV:72-73.

¹²¹⁷ Remini, *Andrew Jackson and the Course of American Empire*, 35-41.

¹²¹⁸ Remini, *Andrew Jackson and the Course of American Empire*, 45.

¹²¹⁹ Woodward, 114-115.

¹²²⁰ Kappler, II:30.

¹²²¹ Pate, 206-207.

leader of the Chickamaugas.¹²²² Watts seemed peaceful at first, but in the summer of 1792, using supplies from Spain and Britain, the Chickamaugas, Upper Creeks, and Shawnees launched a raid on stations north of Nashville.¹²²³ In May 1792 Governor Blount met with the Cherokee leaders at Coyatee and demanded that they restrain the young men who had been raiding the Whites and killing women and children. Cherokee Chief Breath denied knowledge of the murders and horse stealing, but blamed the Chickamaugas. Blount reminded the Cherokees of the Treaty of Holston and said that he had done his best to keep the Whites from violating the treaty.¹²²⁴ In the week Blount was meeting with the Cherokees, Indians scalped two boys, ages eight and ten.¹²²⁵

The leaders of Tennessee admitted that Whites had violated the treaty and tried to stop the perpetrators.¹²²⁶ Jackson played an active role in restraining the Whites and enforcing the Treaty of Holston.¹²²⁷ Blount told Robertson to “make examples of the first violators” of the Holston Treaty, and turned to Jackson, the attorney general.¹²²⁸ Noting the confidence he had in the young Jackson, Blount told Robertson that “it will be the duty of the attorney of the district Mr. Jackson to prosecute on information in all such cases [of White violations of the treaty] and I have no doubt but that he will readily do it.”¹²²⁹ Jackson, suspicious of the Cherokees for not fulfilling their treaty obligations and believing the less blameworthy Americans, nonetheless provided evidence that the American violators were punished. He told the American agent to the Cherokees, John McKee: have “not our citizens been prosecuted for marching into their

¹²²² Pate, 206-207.

¹²²³ Blount to Knox, August 31, 1792, in *ASPIA*, I:275-276; Knox to Blount, August 15, 1792, in *TP*, IV:163-164; Andrew Pickens to the Governor of South Carolina, September 13, 1792, in *TP*, IV:169-170; Pate, 205-209, 213-215.

¹²²⁴ Buchanan, 128-129.

¹²²⁵ Blount to Knox, May 16, 1792, in *TP*, IV:151.

¹²²⁶ Buchanan, 128-129.

¹²²⁷ Blount to Robertson, January 2, 1792, in *TP*, IV:108.

¹²²⁸ *Ibid.*

¹²²⁹ *ibid.*

[Cherokees] town and killing some of them, then why not when they commit murders on our citizens agreeable to the treaty demand the aggressors are not given up?"¹²³⁰ Although the Whites had prosecuted violators, the Cherokees and Chickamaugas remained defiant. The Americans increased the annual payment for the land as required by treaty from \$1,000 to \$1,500 to the Cherokees.¹²³¹ In 1794, they increased the sum to \$5,000 per year.¹²³²

Despite numerous requests from the White leaders for the Cherokees to stop the Chickamaugas, the latter claimed to be helpless to stop the attacks from the Lower Towns.¹²³³ The Chickamaugas, led by John Watts launched a war on the Cumberland between 1792 and 1794.¹²³⁴ The culmination of the war came with a raid on Buchanan's Station and the subsequent Nickajack expedition led by Robertson.¹²³⁵ Watts, the leader of the Chickamaugas following the death of Dragging Canoe, planned a raid on Buchanan's Station four miles south of Robertson's Station in late 1792.¹²³⁶ Blount learned of the plan and warned Robertson.¹²³⁷ Watts heard that Blount knew about the attack and then told Blount that he had sent the men home.¹²³⁸ The Chickamaugas then sent spies to Blount's residence, telling him that there would be no attack, for they had recruited peaceful Cherokees in the region while deploying more Chickamaugas, Creeks, and Shawnees to spy and cut off communication between east and middle Tennessee.¹²³⁹ Blount informed Robertson that there was no attack, but Robertson did not believe the Chickamauga spies and maintained the militia presence for two additional weeks.¹²⁴⁰ Feeling

¹²³⁰ AJ to McKee, May 16, 1794, in *PAJ*, I:49; *PAJ*, I:40fn.

¹²³¹ "Additional Article to the Treaty of Holston," February 17, 1792, in *TP*, IV:120.

¹²³² Woodward, 115.

¹²³³ Buchanan, 129.

¹²³⁴ Blount to Knox, March 20, 1792, in *ASPIA*, I:264; Pate, 203-255.

¹²³⁵ Buchanan, 131-143.

¹²³⁶ Buchanan, 131.

¹²³⁷ Pate, 216-217.

¹²³⁸ Pate, 216-217; Buchanan, 133

¹²³⁹ Pate, 218; Buchanan, 133.

¹²⁴⁰ Buchanan, 134.

secure after the next two weeks were absent of attack, Robertson dismissed the militia.¹²⁴¹ The following day, the Chickamaugas sent their warriors, along with Creeks and Shawnees led by half-bloods dressed as Whites, to attack Buchanan's Station.¹²⁴² Under the divided command of Watts and the Shawnee leader and Talotiskee, the Indians failed to coordinate their plan, became divided, and failed in the raid, as the White settlers repelled the assault.¹²⁴³

The federal government did not send help to the Cumberland, reminding the settlers to maintain a defensive policy only.¹²⁴⁴ Writing four months after the actions of Watts had led to the attack on Buchanan's Station, Jackson told the Cherokee Agent McKee that the efforts to make treaties with the Cherokees were futile because Hopewell and Holston had been failures.¹²⁴⁵ As a result of the raid on Buchanan's Station, Jackson considered the treaties null as the Cherokees had "made use of this finesse to lull the people to sleep that they might save their towns and open a more easy road to commit murder with impunity."¹²⁴⁶ Jackson pointed to "their late conduct" as evidence.¹²⁴⁷ Because of the recent murders there was a "great clamor amongst the people of the Mero District."¹²⁴⁸ Frustrated, Jackson asked McKee, "Why do we attempt to treat with a savage tribe that will neither adhere to treaties, nor the law of nations?"¹²⁴⁹

The following spring Jackson wrote another letter to McKee, detailing his thoughts on treaties with the Cherokees.¹²⁵⁰ Throughout 1793 the Chickamaugas continued to attack Tennessee, whereupon Jackson said that "their peace talks are only delusions."¹²⁵¹ Jackson had

¹²⁴¹ *Ibid.*

¹²⁴² Buchanan, 134-135.

¹²⁴³ Pate, 220-221.

¹²⁴⁴ Knox to Blount, November 26, 1792, in *TP*, IV:220-221.

¹²⁴⁵ AJ to McKee, January 30, 1793, in *PAJ*, I:40.

¹²⁴⁶ *Ibid.*

¹²⁴⁷ *ibid.*

¹²⁴⁸ *ibid.*

¹²⁴⁹ *Ibid.*

¹²⁵⁰ AJ to McKee, May 16, 1794, in *PAJ*, I:48-49.

¹²⁵¹ *Ibid.*

evidence showing that Chickamaugas and Cherokees attacked the Cumberland, despite agreeing to the Treaty of Holston.¹²⁵² He asked, “Does not experience teach us that treaties answer no other purpose than opening an easy door for the Indians to pass through and butcher our citizens”?¹²⁵³ He could not understand why Congress, after all the murders, maintained a “pacific disposition towards” the Indians.¹²⁵⁴ Congress should “act justly and punish the barbarians for murdering her citizens.”¹²⁵⁵ The refusal of the Cherokees to surrender Chickamaugas, Creeks, and Shawnees who were launching and plotting raids from Cherokee lands was “an infringement of the treaty and a cause of war.”¹²⁵⁶ Jackson warned McKee that “unless Congress lends us a more ample protection this country will have at length to break or seek protection from some other source than the present.”¹²⁵⁷

Because of the reluctance of Congress or the executive branch to provide assistance, the Tennesseans, despite warnings to remain defensive, took offensive action to stop the raids.¹²⁵⁸ On September 6, 1794, Robertson ordered Major James Ore to attack the Creeks and Chickamaugas in the Five Lower Towns, and then Robertson resigned his command.¹²⁵⁹ Jackson, under Ore’s command, helped plan the attack on the Chickamauga towns and performed admirably.¹²⁶⁰ The Tennesseans marched into the towns and found scalps from the Cumberland settlers as well as guns and ammunition supplied by Spain.¹²⁶¹ Ore and his troops, including Jackson, attacked and burned the Chickamauga towns Nickajack and Running Water,

¹²⁵² “A Return of Persons Killed, Wounded, and Taken Prisoners from the Miro District, since the first of January, 1791.” in *ASPIA*, I: 331; “Treaty of Holston,” in *TP*, IV:60-67.

¹²⁵³ AJ to McKee, May 16, 1794, in *PAJ*, I:48.

¹²⁵⁴ *Ibid.*

¹²⁵⁵ AJ to McKee, May 16, 1794, in *PAJ*, I:49.

¹²⁵⁶ *Ibid.*

¹²⁵⁷ *ibid.* Possibly Spain.

¹²⁵⁸ Blount to Knox, August 15, 1792, in *TP*, IV:162-164; Pate, 247-248.

¹²⁵⁹ Remini, *Andrew Jackson and His Indian Wars*, 34-35; Buchanan, 141-142.

¹²⁶⁰ Ramsey, 614-615.

¹²⁶¹ Remini, *Andrew Jackson and His Indian Wars*, 35.

and effectively ended the Chickamauga War in 1794.¹²⁶² The Chickamaugas rejoined the Cherokees following the war and agreed to another peace treaty with the Americans declaring the Treaty of Holston “in full force and binding” and requiring that the Cherokees return the stolen horses or forfeit fifty dollars from their annual sum of five thousand dollars for every stolen horse.¹²⁶³ After numerous raids and battles, along with three treaties in nine years, the Cherokees and Americans were back where they started. By late 1794, however, the Cherokees joined the Americans in resisting Creek aggression.¹²⁶⁴

The Chickasaws

Although the Chickamaugas, Creeks, Cherokees, and Shawnees had fought the Americans through the 1780s and early 1790s, the Chickasaws remained a loyal ally. As the American Revolution ended the Chickasaws sought peace with the United States.¹²⁶⁵ Chief Piomingo blamed the English for putting the “bloody tomahawk” into the hands of the Chickasaws to use against the Americans.¹²⁶⁶ The tribe preserved “a good understanding with America” and honored the Treaty of Hopewell.¹²⁶⁷ When Jackson arrived in Tennessee, the Chickasaws were on friendly terms with Tennesseans and coordinated with the Whites against their longtime enemy, the Creeks.¹²⁶⁸

Numerous times the Chickasaws made the Americans aware of other Indians’ planned raids. The Chickasaws reported talk of an alliance between the “nations to the north and west” of

¹²⁶² Robertson to Ore, September 6, 1794, in *ASPIA*, I:632-633; Buchanan, 142-143; Pate, 247-249.

¹²⁶³ Kappler, II:33-34; Pate, 249-251.

¹²⁶⁴ Blount to Knox, November 28, 1794, in *TP*, IV:373.

¹²⁶⁵ O’Donnell, 131-133.

¹²⁶⁶ Satz, *Tennessee’s Indian Peoples*, 50.

¹²⁶⁷ Francis Baily. *Journal of a Tour in Unsettled Parts of America in 1796 and 1797* (London: Baily Brothers, 1856), 271; Kappler, II:14-16.

¹²⁶⁸ Satz, *Tennessee’s Indian Peoples*, 50-51; Baily, 272.

the Chickasaws.¹²⁶⁹ According to the Chickasaws, every nation except for themselves and the Choctaws had agreed to this grand alliance “to lift the tomahawk and go against the White people.”¹²⁷⁰ The leaders of this alliance had threatened the Chickasaws because they “lay in the way between them and the Creeks,” and “should be obliged to make a path through to their brother, the Creeks.”¹²⁷¹ The Chickasaws told the hostile alliance that they “had taken the Americans by the hand and would all die before they would draw it loose.”¹²⁷² The Chickasaws were concerned, however, because they were low on supplies as the “traders had got no goods this spring.” If they did not receive help “they must die in their towns like old women, which they would do before they joined [the hostile Indians.]”¹²⁷³ The Chickasaws specifically notified Cumberland leaders when the Creeks and Chickamaugas planned attacks.¹²⁷⁴ Chief Piomingo alerted the Americans of the Chickamauga-Creek plot among the French traders in Coldwater and sent two guides to help Robertson in the fight.¹²⁷⁵ In 1792, the Chickasaws warned Robertson that the Creeks “intended to destroy” the Cumberland settlements in the upcoming winter.¹²⁷⁶ Blount had “not the least doubt” that the Chickasaws would help resist the hostile Creeks when the Creeks were the last remaining Indian enemy along the southern frontier.¹²⁷⁷

The Chickasaws did enlist support for the Tennesseans as they fought against the Creeks during 1794-1795 and deterred Creek raids on the White settlers.¹²⁷⁸ In January 1795, the Chickasaws brought five Creek scalps to Nashville to present to the Chickasaw agent

¹²⁶⁹ William Davenport, in the Chickasaw Nation, to Governor George Mathews of Georgia, May 27, 1787, in *SNA*.

¹²⁷⁰ *Ibid.*

¹²⁷¹ *Ibid.*

¹²⁷² *Ibid.*

¹²⁷³ *Ibid.*

¹²⁷⁴ “Memorial from the Civil and Military Officers of Mero District,” August 1, 1791, in *TP*, IV:73.

¹²⁷⁵ Robertson to Cruzat, unspecified date 1787, *American Historical Magazine* 1 (January 1896): 79; Pickett, 378-381.

¹²⁷⁶ Robertson to Blount, October 12, 1792 in *TP*, IV:198.

¹²⁷⁷ Blount to Knox, November 28, 1794, in *TP*, IV:373.

¹²⁷⁸ Cotterill, *Southern Indians*, 100-121.

Robertson.¹²⁷⁹ At the core of the Chickasaw-Creek dispute was land, but the Americans benefitted from the war against their common enemy, the Creeks.¹²⁸⁰ The Chickasaws requested through Robertson that Washington send troops and ammunition to aid them in the fight.¹²⁸¹ The federal government, however, did not provide troops to help the Chickasaws despite promises to do so in the Treaty of Hopewell.¹²⁸² However, the Chickasaws may have interpreted the idea of “protection” from the Treaty of Hopewell. New Secretary of War Timothy Pickering, continuing Knox’s defensive policy, emphatically denied that the treaty obligated the United States to offer military support to the Chickasaws in their fight against the Creeks.¹²⁸³ Pickering went on to instruct the Chickasaws, as he did Blount, that the United States did not authorize offensive actions against the Creeks.¹²⁸⁴ Not only did the secretary denounce any idea of supporting the Chickasaws militarily, he blamed the Chickasaws for inciting trouble, despite the fact that Creeks had been raiding Americans for the past decade.¹²⁸⁵ Jackson understood the plight of the Chickasaws being left to fend for themselves despite commitments from the federal government to provide protection. He also understood how the Chickasaws perceived that if the Americans would not protect them, Spain would.¹²⁸⁶

Piomingo and the Chickasaws often felt rejected by the federal government. Jackson’s response was for the Chickasaws to notify the states of wrongdoing and use the court system to find justice.¹²⁸⁷ They willingly assisted General Anthony Wayne in his defeat of the northern tribes at the Battle of Fallen Timbers, but after the fight, while in Cincinnati, a White mob

¹²⁷⁹ Cotterill, *Southern Indians*, 116, 120.

¹²⁸⁰ Atkinson, 131.

¹²⁸¹ The Chickasaw Chiefs to General Robertson, February 13, 1795 in *ASPIA*, I:442-443.

¹²⁸² Atkinson, 134; Kappler, II:14-16..

¹²⁸³ Pickering to Blount, March 23, 1795, in *TP*, IV: 387.

¹²⁸⁴ *Ibid.*

¹²⁸⁵ Pickering to Blount, March 23, 1795, in *TP*, IV: 388-389.

¹²⁸⁶ Atkinson, 134; AJ to McKee, May 16, 1794, in *PAJ*, I:49.

¹²⁸⁷ Remini, *Andrew Jackson and His Indian Wars*, 45.

attacked the Chickasaws.¹²⁸⁸ Sevier told Jackson that the Chickasaws went to Philadelphia to present claims and grievances, but complained of poor treatment while there.¹²⁸⁹ Jackson agreed that the Chickasaws had reason to be distrustful following their visit to Philadelphia because they noticed that the Creeks received more favor than the Chickasaws.¹²⁹⁰ The Chickasaws beheld that “those that had always been inimical to the United States [Watts and the Chickamaugas, were] better treated or in other words, more attention paid to them than was to their chiefs.”¹²⁹¹ It was not a wise policy to favor the enemies of the United States more than America’s strongest southern Indian ally.¹²⁹²

Sevier also informed Jackson that a captain of the Hawkins County militia and another White man murdered two Chickasaws.¹²⁹³ Sevier was willing to arrest them, but the Chickasaws had not lodged a complaint and Sevier sought Jackson’s legal advice.¹²⁹⁴ Jackson, a supporter of the Chickasaws, told Sevier that he was “sorry to learn...of the depredations committed on the Indians by our citizens,” but he was “happy to learn [Sevier’s] good intentions of having them brought to trial for the offense committed.”¹²⁹⁵ Jackson suggested that the governor use his executive powers and the Tennessee court system to punish Whites who harmed the Indians.¹²⁹⁶

Although Piomingo failed to receive troops and fair treatment from Washington, he could rely on Jackson and the Cumberland settlers in the 1790s. In 1792 Blount negotiated a treaty of peace and friendship with Piomingo and other Chickasaw leaders, claiming that the Americans,

¹²⁸⁸ Satz, *Tennessee’s Indian Peoples*, 51.

¹²⁸⁹ Sevier to AJ, January 29, 1797, in *PAJ*, I:120.

¹²⁹⁰ AJ to Sevier, February 24, 1797, in *PAJ*, I:126.

¹²⁹¹ AJ to Sevier, February 24, 1797, in *PAJ*, I:126-127.

¹²⁹² *Ibid.*

¹²⁹³ Sevier to AJ, January 29, 1797, in *PAJ*, I:120.

¹²⁹⁴ *Ibid.*

¹²⁹⁵ AJ to Sevier, February 24, 1797, in *PAJ*, I:126-127.

¹²⁹⁶ *Ibid.*

unlike Spain, had no intention of taking their land.¹²⁹⁷ In 1795 Kasper Mansker, with whom Jackson boarded after he left the Donelson home, and David Smith led forty-five men south from the Cumberland to help Chickasaw chief George Colbert fight off Creek attacks.¹²⁹⁸ Blount told Knox, as Jackson well knew from his days in the War for Independence, that the policy of using the Chickasaws to occupy the Creeks served the interests of the Americans.¹²⁹⁹

One of Jackson's chief actions in the United States House of Representatives was a defense of the Chickasaws and a request of the federal government to reimburse them for expenses they incurred during the Chickasaw-Creek War of 1794-1795 fighting alongside Mansker and the other Tennesseans.¹³⁰⁰ Jackson presented the claims to Congress on behalf of Chief George Colbert.¹³⁰¹ The Chickasaws had applied "according to the treaty," for aid as they attacked the hostile Creeks.¹³⁰² Robertson told them he was not authorized to fund them without Washington's approval.¹³⁰³ They then applied to the secretary of war, who referred them to Congress for reimbursement.¹³⁰⁴ Jackson had little confidence the money would be granted because of the inaction of Congress to defend claims of the southern Indian and the reluctance of the federal government to support the Chickasaw action against the Creeks; nevertheless, he still submitted the request in the name of Colbert.¹³⁰⁵ Jackson's petition for Colbert shows the respect he had for America's ally, the Chickasaws.¹³⁰⁶ He particularly admired the pro-American Chief

¹²⁹⁷ Satz, *Tennessee's Indian Peoples*, 51. This obviously changed by the 1800s.

¹²⁹⁸ AJ to Robert Hays, January 8, 1797 in *PAJ*, I:111-112

¹²⁹⁹ Blount to Pickens and Knox, August 1, 1793, in *TP*, IV:291-292.

¹³⁰⁰ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd, sess., 1741.

¹³⁰¹ *Ibid.*

¹³⁰² *Ibid.*

¹³⁰³ *ibid.*

¹³⁰⁴ *ibid.*

¹³⁰⁵ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd, sess., 1741. ; AJ to Robert Hays, January 8, 1797, in *PAJ*, I:111-112.

¹³⁰⁶ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd, sess. 1741.

Piomingo, so much so that he named his horse “Piomingo” in honor of the leader.¹³⁰⁷ As Jackson had shown based on his childhood and Revolutionary War experiences, he respected America’s Indian allies. Those who killed Americans or supported enemies of the United States, however, faced his anger, as he also showed while a young U.S. Congressman from the new state of Tennessee.¹³⁰⁸ Jackson was right. The Chickasaws’ claim was not honored in 1796; even so, they continued to lean on Jackson’s good faith.¹³⁰⁹

Congressman Jackson’s tone was clearly aggressive regarding an invasion by John Sevier into “Cherokee country” to punish Creeks and Chickamaugas.¹³¹⁰ Jackson, petitioning Congress to secure payment to a member of the expedition and hoping to set a precedent and gain payment for all, defined the mood of Tennessee at the time of the attack in 1793.¹³¹¹ Despite Knox’s repeated proclamations to carry out only a defensive policy against the Creeks and Chickamaugas, Jackson explained to the American Congress in Tennessee that because for years, “war was waged upon the State, the knife and tomahawk were held over the heads of women and children, that peaceable citizens were murdered, it was time to make resistance.”¹³¹² Jackson made members of the federal government aware of the dire situation he had endured in Tennessee that led to Sevier’s movement. Jackson’s resolution attempted to justify a violation of the Treaties of Hopewell and Holston as the attack had been “retaliatory” against Indians who had raided Tennessee.¹³¹³ Jackson, however, said Sevier’s actions were “just and necessary.”¹³¹⁴

¹³⁰⁷ AJ to Robert Hays, February 18, 1800, in *PAJ*, I:227.

¹³⁰⁸ AJ speech in Congress, December 39, 1796, in *Annals of Congress*, 4th Cong., 2nd sess., 1738.

¹³⁰⁹ The claim was not approved until 1818 when Jackson, negotiating a treaty with the Chickasaws, honored the claim. “Treaty with the Chickasaws,” Art. III, October 19, 1818, in *ASPIA*, II:164-165.

¹³¹⁰ AJ Speech in Congress, December 39, 1796, in *Annals of Congress*, 4th Cong., 2nd sess., 1738.

¹³¹¹ AJ Speech in Congress, December 39, 1796, in *Annals of Congress*, 4th Cong., 2nd sess., 1738.; *PAJ*, I:107.

¹³¹² *Ibid.*

¹³¹³ *PAJ*, I:107; Kappler, II:8-9; *TP*, IV:60-67.

¹³¹⁴ “Speech before the United States House of Representatives,” in *PAJ*, I:106

The Cherokee Nation, after all, had allowed the Chickamaugas, Creeks, and Shawnees to continue assaulting Tennesseans from Cherokee lands in violation of the same treaties.¹³¹⁵

Jackson's speeches in the United States House of Representatives in December 1796 showed that he was not "an inveterate hater of the Indians" as Susan Alexander had stated.¹³¹⁶ On December 29, 1796 he condemned the Creeks, Chickamaugas, and Shawnees for attacking "women and children" in in the Cumberland region throughout the early 1790s.¹³¹⁷ The following day in front of Congress, however, he petitioned for reimbursement for Colbert and America's strongest southern Indian ally, the Chickasaws, for actions they took fighting the Creeks, a mutual enemy of the Chickasaws and the United States.¹³¹⁸ The ambivalent experience based on Jackson's past shaped Jackson the Indian fighter.

¹³¹⁵ *PAJ*, I:107; Kappler, II:8-9; *TP*, IV:60-67.

¹³¹⁶ Graham, 76.

¹³¹⁷ "Speech before the United States House of Representatives," in *PAJ*, I:106-107.

¹³¹⁸ "The Chickasaw Claims," December 30, 1796, in *Annals of Congress*, 4th Cong., 2nd, sess. 1741.

CHAPTER SIX: ANDREW JACKSON AND THE INDIANS FROM THE CREEK WAR THROUGH THE BATTLE OF NEW ORLEANS

Between 1796 and 1815, Andrew Jackson developed from a leading politician, lawyer, and businessman in Tennessee to a national hero. In 1797 he left the U.S. House of Representatives after his election to the U.S. Senate.¹³¹⁹ Not enjoying his time in Congress, he desired to retire from public service, and did so after only one session in the Senate.¹³²⁰ He returned to Tennessee where he was a major player in the Blount-Sevier political rivalry. Jackson sided with Blount.¹³²¹ Politics played a role in the election for major general of the Tennessee militia in 1796. Sevier cast his weight behind Thomas Conway and defeated Jackson for the coveted position.¹³²² Jackson, however, found a new position in 1798, winning election as judge of the Superior Court of Tennessee, a title he held until 1804.¹³²³ Throughout this time Jackson maintained several business interests, including owning a plantation, three stores, cotton gin, a distillery, and a racetrack.¹³²⁴ He had contact with the Indians in Tennessee who were customers in his store.¹³²⁵ Land speculation continued to be profitable for Jackson as well, and he helped found Memphis and Florence.¹³²⁶ His path to fame, however, came when he was elected major general of the Tennessee militia in 1802 with the help of the Blount faction and Governor

¹³¹⁹ “Certificate of Election to the United States Senate,” October 19, 1997, in *PAJ*, I:150, 153fn.

¹³²⁰ AJ to Rachel Jackson, May 9, 1796, in *PAJ*, I:91-92; Remini, *Andrew Jackson and the Course of American Empire*, 112.

¹³²¹ Remini, *Andrew Jackson and the Course of American Empire*, 102.

¹³²² Remini, *Andrew Jackson and the Course of American Empire*, 101.

¹³²³ *LPAJ*, 101-318.

¹³²⁴ Remini, *Andrew Jackson and the Course of American Empire*, 131-135.

¹³²⁵ Remini, *Andrew Jackson and the Course of American Empire*, 131.

¹³²⁶ Remini, *Andrew Jackson and the Course of American Empire*, 135.

Archibald Roane.¹³²⁷ In his military capacity, he defeated both the Creeks during the Creek War of 1813-1814 and the British at the Battle of New Orleans.

Jackson cultivated unique relationships among the Indians throughout the period of the War of 1812. All four of the major tribes from the American south--the Cherokees, Chickasaws, Choctaws, and Creeks--had been rivals or enemies of Jackson's at some point in his life, but in the Creek War and War of 1812 he worked with and among all four tribes to defeat his two enemies: Britain and the Redstick faction of the Creek Nation. As he learned from his early experience with the Catawbas during the War for Independence and the Chickasaws during the Indian raids on Tennessee during the 1790s, Indian allies were valuable. The wars of from 1812 to 1815 gave him an opportunity to apply his military skill and Indian alliances to secure victory for the Americans and peace on the frontier.

The Indian-American relationship of the 1810s was complicated. Tecumseh, a Shawnee prophet, incited northern and southern Indians to rebel against American expansion and incited a war against the Whites.¹³²⁸ Within the four tribes of the south, there were pro-British and pro-American elements.¹³²⁹ Many of the pro-British factions supported the prophet's call for war. Jackson had the task of cultivating the pro-American Indians while defeating or diffusing the British-Indian alliances. Therefore, to understand Jackson's role in the Indian Wars and the War of 1812, it is important to recognize the threat Tecumseh presented and the wavering Indian alliances at a time when America came close to being defeated by the British.

¹³²⁷ "Election Returns of Mero District for Major General of the Tennessee Militia," February 5, 1802, in *PAJ*, I:277.

¹³²⁸ Remini, *Andrew Jackson and the Course of American Empire*, 188.

¹³²⁹ Blount to AJ, June 12, 1812, in *PAJ*, II:303-305.

Jackson versus Britain, Tecumseh, and the Creeks

Although several countries and many tribes were involved in the War of 1812 and the Creek War, Jackson blamed Britain for the trouble.¹³³⁰ Jackson's hatred of Britain was well-known and had been building since the Revolution.¹³³¹ The War of 1812, to Jackson, was directly connected with the Redstick War of 1813-1814. This was a Creek civil war that developed into the Creek War between Americans, along with their Indian allies, and the hostile Creeks known as the Redsticks.¹³³² Jackson knew of simultaneous Indian and European attacks. As a child in the Waxhaw community of South Carolina, his family arrived just after the Cherokee War of 1759-1761 during the French and Indian War.¹³³³ During the American Revolution, Jackson served in the American army as a teenager and endured the Cherokee War of 1776 and subsequent attacks by the Cherokees, Chickamaugas, and Creeks in the Carolina backcountry as Tories and British soldiers invaded the Waxhaws and the Carolinas.¹³³⁴ Yet during these two conflicts, Jackson knew that the local tribe, the Catawbias, had allied with the Whites against the Cherokees.¹³³⁵ After arriving in Tennessee and facing hostile Creeks and Chickamaugas, Jackson learned that the Chickasaws were allies of the Americans.¹³³⁶ During the War of 1812, his chief concern was Britain. However, he understood that the British, and to a lesser extent the Spanish, would exploit Creek anger at Americans and divisions within Creek

¹³³⁰ For several examples of Jackson blaming Britain, see "Jackson's Talk to the Creeks," September 4, 1815, in CAJ, II:216-217; AJ to Monroe, November 20, 1814, in CAJ, II:101-103; AJ to Willie Blount, June 5, 1812, in PAJ, II:301-302; AJ to Willie Blount, June 12, 1812, in PAJ, II:303-305; AJ to Secretary Armstrong, June 13, 1814, in CAJ, II:6-8; AJ to Monroe, October 14, 1814, in CAJ, II:72-74; AJ to Monroe, October 26, 1814, in CAJ, II:82-83. Among the countries participating in the War of 1812 and the simultaneous Indian Wars were the United States, Britain, Spain, and Canada.

¹³³¹ Remini, Robert V. *Andrew Jackson and the Course of American Empire*, 15.

¹³³² For more on the Redstick War of 1813-1814, see Gregory A. Waselkov. *A Conquering Spirit: Fort Mims and the Redstick War of 1813-1814* (Tuscaloosa: The University of Alabama Press, 2006). I have maintained Professor Waselkov's spelling of "Redstick" rather than "Red Stick."

¹³³³ See Chapter One of this dissertation.

¹³³⁴ See Chapter Two of this dissertation.

¹³³⁵ See Chapters One and Two of this dissertation.

¹³³⁶ See Chapter Five of this dissertation.

society to foment Creek uprisings along the southern frontier. To combat the Europeans and their Indian allies, Jackson used the Choctaws, Chickasaws, Cherokees, and friendly Creeks to defeat the Redsticks and Britain while deterring Spanish interference.

Although Jackson saw connections between the Creek War and the War of 1812, that conflict erupted with Britain over separate issues. As early as 1809, Americans believed war with Britain was likely, and that an invasion would occur somewhere along the central Gulf Coast into Creek country.¹³³⁷ Among the causes for war with Britain were disputes over expansion into Canada and the Floridas, Indian troubles along the frontier, and maritime matters: impressment of American sailors, searches, paper blockades, and freedom of the seas and commerce.¹³³⁸ America was also trying to gain respect abroad by protecting the new republic against external and internal threats in the “Second War for Independence.”¹³³⁹ Jackson played a role in the first War for Independence as the colonists defeated the British and their allies, the Cherokees, along the frontier.¹³⁴⁰ By 1812, although the European threat was the same, the Indian resistance to American expansion came from different tribes, particularly the Creeks in the southern theater of the war.¹³⁴¹

The British were not alone in their call for Indian resistance. Tecumseh called for a united Indian movement against the Americans.¹³⁴² He came to visit the southern tribes in 1811 and met his greatest success with the Creeks and Seminoles.¹³⁴³ Rejecting the American Indian policy of

¹³³⁷ Southerland and Brown, 33.

¹³³⁸ Jones, 77, 83.

¹³³⁹ Jones, 77.

¹³⁴⁰ See Chapter Two of this dissertation.

¹³⁴¹ Jones, 86.

¹³⁴² Frank Lawrence Owsley, Jr. *Struggle for the Gulf Borderlands: The Creek War and the Battle of New Orleans, 1812-1815* (Tuscaloosa: The University of Alabama Press, 1981), 10-19; H.S. Halbert and T.H. Ball. *The Creek War of 1813 and 1814* (Tuscaloosa: The University of Alabama Press, 1995), 40-55; Waselkov, 77-80.

¹³⁴³ Owsley, 11.

assimilation, the Shawnee prophet urged resistance to the White man's ways.¹³⁴⁴ He called on the Creeks to end the "slavery" brought by those with the "pale face."¹³⁴⁵ Tecumseh angrily told the Creeks to "let the White race perish! They seize your land; they corrupt your women; they trample on the bones of your dead!"¹³⁴⁶ His solution was to send them "back whence they came, upon a trail of blood . . . back into the great water whose accursed waves brought them to our shores! Burn their dwellings--destroy their stock--slay their wives and children that the very breed may perish."¹³⁴⁷ The prophet wanted "War now! War always! War on the living! War on the dead! Dig their very corpses from their graves. The Redman's land must give no shelter to a White man's bones."¹³⁴⁸

Tecumseh's oratory was persuasive to many Creeks and Seminoles, but miraculous signs convinced more to follow. His name means "shooting star," and when he arrived in Creek territory in September 1811 a great comet appeared, but faded as he left the region in November.¹³⁴⁹ Before he departed, he told the Creeks that when he arrived home, he would climb a mountain, scream, slap his hands together, and stomp the earth, calling forth his power and making "the whole earth tremble."¹³⁵⁰ His prophecy came true in the New Madrid earthquakes between December 1811 and March 1812. Three months of tremors and aftershocks convinced many Upper Creeks to follow Tecumseh.¹³⁵¹ One of the earthquakes, at New Madrid, Missouri, was the equivalent of 8.8 on the Richter scale, the strongest tremor known to North

¹³⁴⁴ Owsley, 11-13; for an example of assimilation policies, see "Treaty with the Creeks, 1790" art. XII in Kappler, II:28. The treaty is also known as the Treaty of New York.

¹³⁴⁵ Tecumseh quoted in Owsley, 12.

¹³⁴⁶ *Ibid.*

¹³⁴⁷ Tecumseh quoted in Owsley, 12-13.

¹³⁴⁸ Tecumseh quoted in Owsley, 13.

¹³⁴⁹ Waselkov, 79.

¹³⁵⁰ Waselkov, 80.

¹³⁵¹ Waselkov, 80; Paul H. Bergeron, Stephen V. Ash, and Jeanette Keith. *Tennesseans and Their History* (Knoxville: The University of Tennessee Press, 1999), 82-83.

America.¹³⁵² The Indians along the Tallapoosa River north of Montgomery, Alabama felt the shock.¹³⁵³ It resulted in the creation or expansion of Reelfoot Lake in northwestern Tennessee.¹³⁵⁴ The death toll was relatively low because of the sparse population of the region.¹³⁵⁵ The quake was so strong that it was rumored to have caused the Mississippi River to flow backward for a while.¹³⁵⁶

Tecumseh's call for war in the Creek land preceded a series of attacks in the South, leading Jackson to condemn the "wicked" prophet.¹³⁵⁷ Many Tennesseans began to see the connection between Tecumseh, Britain, and the Creeks.¹³⁵⁸ In the spring and summer of 1812, as the United States prepared for war with Britain, Creeks murdered several Whites.¹³⁵⁹ Some Creeks attacked the family of Martha Crawley, taking her prisoner after murdering two of her infant children, a Mr. Hays, and three other children.¹³⁶⁰ The Creeks then carried the woman into Chickasaw territory where Chief George Colbert allowed the killers to pass through unmolested.¹³⁶¹ Jackson reminded Chief Colbert that the Americans were an ally of the tribe. Jackson told the wavering Chickasaws, "Friend and Brother! . . . What have the Chickasaws to fear from the Creeks when the White people are their friends? Do you not remember when the whole Creek Nation came to destroy your towns that a few hundred Chickasaws aided by a few Whites chased them back to their nation, killing the best of their warriors, and covering the rest

¹³⁵² Bergeron, Ash, and Keith, 82-83.

¹³⁵³ Groom, Winston. *Patriotic Fire: Andrew Jackson and Jean Laffite at the Battle of New Orleans* (New York: Alfred A. Knopf, 2006), 16.

¹³⁵⁴ Bergeron, Ash, and Keith, 82-83.

¹³⁵⁵ *Ibid.*

¹³⁵⁶ Groom, 16.

¹³⁵⁷ "Jackson's Talk to the Creeks," September 4, 1815, in *CAJ*, II:216-217; AJ to Governor Willie Blount, June 17, 1812, in *CAJ* I:227-229; AJ to George W. Campbell, October 15, 1812, in *CAJ* I:236-238; *CAJ*, I:320fn.

¹³⁵⁸ "Jackson's Talk to the Creeks," September 4, 1815, in *CAJ*, II:216-217; Jon Latimer. *1812: War with America* (Cambridge: The Belknap Press of Harvard University Press, 2007), 30-31, 47-48, 55.

¹³⁵⁹ Cotterill, *Southern Indians*, 176-177; George C. Daughan. *1812: The Navy's War* (New York: Basic Books, 2011), 38-39.

¹³⁶⁰ "Deposition of Mrs. Martha C. Crawley," August 11, 1812, in *CAJ*, I:225-226.

¹³⁶¹ *Ibid.*

with shame? Brother we will do so again if the Creeks dare to touch you for your friendship to us.”¹³⁶² The Creeks were the enemy.

Relations among the Creeks were complicated. There were as many pro-American Lower Creeks seeking peace as there were of the Upper Creeks who rejected assimilation and followed Tecumseh.¹³⁶³ The Lower Creeks lived in eastern Alabama and western Georgia around the Chattahoochee River, focusing on farming and following the assimilation policies encouraged by Benjamin Hawkins, agent to the Creeks.¹³⁶⁴ The Upper Creeks, however, were located in central and southern Alabama along the Coosa and Tallapoosa Rivers.¹³⁶⁵ They rejected White society and clung to traditional Creek culture.¹³⁶⁶ After the Creek attacks of the spring and summer of 1812, Creek leaders, at the urging of Hawkins, executed those responsible.¹³⁶⁷ By August of 1812, they had sentenced six Creeks to death for the murder of Whites and whipped seven for theft.¹³⁶⁸ Yet hostile Creeks killed seven of the nine executioners of their fellow warriors and, following Tecumseh’s instructions, burned villages friendly to Hawkins and slaughtered hogs, cattle, horses, sheep, and goats because of their ties to White civilization¹³⁶⁹ While the Upper Creeks were more aggressive in their rejection of assimilation and the Americans, the Lower Creeks were more diplomatic. The Lower Creeks complained to Hawkins that Whites intruded by building fishing traps, hunting with dogs, cutting cedar and other timber, driving stock onto

¹³⁶² AJ to George Colbert, June 5, 1812, in *PAJ*, II:302-303.

¹³⁶³ “Letter from Benjamin Hawkins,” May 11, 1812, in *ASPIA*, I:809; Remini, *Andrew Jackson and the Course of American Empire*, 187-189.

¹³⁶⁴ Remini, *Andrew Jackson and the Course of American Empire*, 187.

¹³⁶⁵ *Ibid.*

¹³⁶⁶ *Ibid.*

¹³⁶⁷ *PAJ*, II:303fn; Cotterill, *Southern Indians*, 177-178.

¹³⁶⁸ Cotterill, *Southern Indians*, 177.

¹³⁶⁹ Hawkins to Secretary of War Armstrong, June 22, 27, 28, 1813, in *ASPIA*, I:847; Owsley, 11-13; Kappler, II:28; Cotterill, *Southern Indians*, 177-178; Waselkov, 78.

their range, and cultivating fields on Creek land.¹³⁷⁰ Yet the Lower Creeks wished to remain at peace.¹³⁷¹

These divisions in Creek society led to a civil war within the tribe in 1813-1814. One of the causes was the punishment of the Creeks who had murdered Whites. Executions and whippings punishing Creeks who attacked Whites became the basis for retaliatory attacks among Lower and Upper Creeks.¹³⁷² There was also intense disagreement over how to balance assimilation with tradition.¹³⁷³

For example, the Creeks were angry about the intrusion of the federal road and the White traffic it brought into their territory.¹³⁷⁴ Between October 1811 and March 1812, 233 vehicles and 3,726 people had passed through the agency of Hawkins on the Flint River heading west into Creek territory on the federal road.¹³⁷⁵ The Creeks had protested this road since its inception in 1805.¹³⁷⁶ The increased traffic and intrusion sparked Redstick resistance.¹³⁷⁷ Tensions were also high in early 1813 as Chickasaws mistakenly told Creek Little Warrior that a war had begun between the Americans and the Creeks. In response to this information, the Creeks under Little Warrior, who had been north to visit Tecumseh, murdered seven White families along the Ohio River.¹³⁷⁸ The Creeks were the perpetrators, although Chickasaws had been falsely accused at the

¹³⁷⁰ "Letter from Benjamin Hawkins," May 11, 1812, in *ASPIA*, I:809.

¹³⁷¹ *Ibid.*

¹³⁷² Cotterill, *Southern Indians*, 177.

¹³⁷³ Remini, *Andrew Jackson and the Course of American Empire*, 187

¹³⁷⁴ Southerland and Brown, 38-39; Reginald Horsman. *Expansion and American Indian Policy, 1783-1812* (Norman: University of Oklahoma Press, 1967), 160-164.

¹³⁷⁵ Southerland and Brown, 39.

¹³⁷⁶ Waselkov, 29.

¹³⁷⁷ Southerland and Brown, 39. The Redsticks were the hostile faction of Creeks who fought the Americans during the Creek War.

¹³⁷⁸ Cotterill, *Southern Indians*, 177-178; Hawkins to Armstrong, March 25, 1813 and March 29, 1813, in *ASPIA*, I:839-840.

beginning of the investigation.¹³⁷⁹ Hawkins ordered Little Warrior's men executed, but the hostile Creeks resisted and died fighting those trying to capture them.¹³⁸⁰

Because of the anger over White encroachment onto Creek land, the federal road, divisions among the Creeks, and the impending crisis between Americans and Britain, the hostile Creeks looked to the British and the Spanish in Florida for assistance.¹³⁸¹ Tecumseh promised the Redsticks he could deliver Spanish supplies.¹³⁸² It was on the way to retrieve some of these supplies when the Redstick War, and ultimately the American war against the Creeks began. In July 1813 the Redsticks sent a force of about 350 men, led by Peter McQueen and High Head Jim, to Pensacola to get weapons from the Spanish.¹³⁸³ On the way to Spanish Florida, McQueen's group plundered the house of a metis from Tensaw named James Cornells who opposed Tecumseh, Josiah Francis, and the other anti-American prophets.¹³⁸⁴ The Redsticks were angry with Cornells and other metis in the Tensaw district over their pro-American, assimilation, and anti-war tendencies.¹³⁸⁵ McQueen's Redsticks severely beat a Black slave and White man, and carried off Cornells's wife, who was an interpreter for the Americans, to be sold as a slave at Pensacola.¹³⁸⁶ The Redsticks then burned the village of Hatchechubba.¹³⁸⁷ Residents of the Tombigbee and Tensaw districts felt helpless as McQueen and the Redsticks received supplies from the Spanish and, according to spies, from the British in Pensacola as well.¹³⁸⁸

Spanish Governor Mateo Gonzalez Manrique gave McQueen 1,000 pounds of gunpowder, lead

¹³⁷⁹ Cotterill, *Southern Indians*, 177-178.

¹³⁸⁰ *Ibid.*

¹³⁸¹ Remini, *Andrew Jackson and the Course of American Empire*, 188.

¹³⁸² Owsley, 19.

¹³⁸³ Cotterill, *Southern Indians*, 179.

¹³⁸⁴ Cotterill, *Southern Indians*, 178-180; Waselkov, 233, 339fn. I have used Waselkov's term "metis," rather than "mixed-blood" to describe Cornells who was of mixed English and Creek heritage. Waselkov, 14.

¹³⁸⁵ See Waselkov, 16-55 for more on the tension between metis and traditional Creeks. Pickett, 521.

¹³⁸⁶ Cotterill, *Southern Indians*, 180; Pickett, 521. The hostile Indians had also beaten up an American mail carrier near Burnt Corn Creek in June, 1813. Pickett, 518.

¹³⁸⁷ Pickett, 521.

¹³⁸⁸ Pickett, 521.

balls, small shot, twenty barrels of flour, twenty-five barrels of corn, fifty blankets, scissors, knives, razors, ribbons, steers, and other supplies.¹³⁸⁹ The Tensaw residents, led by Cornells and his metis forces, then prepared to attack McQueen and the Redsticks as they returned from Pensacola.¹³⁹⁰

On July 27, 1813, as the Redsticks left Pensacola with Spanish supplies, Colonel James Caller, with 150 White militia and thirty Tensaw metis, launched a surprise attack to capture the “contraband” at the Battle of Burnt Corn Creek.¹³⁹¹ McQueen counterattacked the undisciplined Whites and metis, sending them fleeing after a three-hour battle.¹³⁹² Two Americans died in the fight and fifteen were wounded.¹³⁹³ It is difficult to ascertain the total number of Indian losses, with the estimates ranging from ten casualties to at least twenty deaths.¹³⁹⁴ Settlers in the Mobile, Tombigbee, and Tensaw districts sought shelter in forts, including Ft. Mims, fearing a retaliatory attack by the Redsticks.¹³⁹⁵

The Battle of Burnt Corn Creek was the first battle of the Creek War.¹³⁹⁶ The battle, however, occurred thirteen months after the War of 1812 began with Britain and years after the Creek and Shawnee prophets called for a united Indian uprising against the Americans. The battle had the elements that made this period of American history and Jackson’s story legendary. There were hostile Creeks encouraged by prophets with seemingly supernatural power, a European war, friendly Indians, British and Spanish intrusion into American-Indian relations, metis in conflict resulting from struggles over their survival, attacks on slaves and women, and local militia and volunteers filling the gap left by a weak national government. And there was a

¹³⁸⁹ Waselkov, 99-100.

¹³⁹⁰ Cotterill, *Southern Indians*, 180; Pickett, 521-522.

¹³⁹¹ Waselkov, 100; Pickett, 522-526.

¹³⁹² Waselkov, 100.

¹³⁹³ Waselkov, 100; Pickett, 525.

¹³⁹⁴ Waselkov, 100, 304fn; Pickett, 525.

¹³⁹⁵ Waselkov, 102.

¹³⁹⁶ Pickett, 525; *PAJ*, II:428.

general from Tennessee, Jackson, who viewed all of these issues in light of the British invasion and America's Second War for Independence.

General Jackson: From Natchez to Ft. Mims and the Creek War

The Creek attacks during 1812 and Tecumseh's pro-war movement were symptoms of the larger British problem. When William Henry Harrison led the Indiana and Kentucky militia against Tecumseh in late 1811, Jackson volunteered his services.¹³⁹⁷ Then Jackson told Governor Willie Blount that he could have 4,000 men ready to take Quebec within ten days.¹³⁹⁸ The governor informed the secretary of war of Jackson's offer, but the general never received a response.¹³⁹⁹ When Congress authorized the enlistment of 50,000 volunteers in February 1812, four months before the war with Britain begun, Jackson declared to his troops that "the hour of national vengeance is now at hand. The eternal enemies of American prosperity are again to be taught to respect your rights, after having been compelled to feel, once more, the power of your arms."¹⁴⁰⁰ He implored his fellow "citizens" to consider why they were going to fight. He asked, "Are we the titled slaves of George the Third? The military conscripts of Napoleon the great? Or the frozen peasants of the Russian czar? No."¹⁴⁰¹ He said, "we are the free born sons of America: the citizens of the only republic now existing in the world; and the only people on earth who possess rights, liberties, and property which they dare call their own."¹⁴⁰² Now was the time to fight.

¹³⁹⁷ Remini, *Andrew Jackson and the Course of American Empire*, 168.

¹³⁹⁸ Remini, *Andrew Jackson and the Course of American Empire*, 168; Blount was the half-brother of territorial governor William Blount and served as governor of Tennessee from 1809 to 1815. *LPAJ*, 359.

¹³⁹⁹ *Ibid.*

¹⁴⁰⁰ Jackson, quoted in Remini, *Andrew Jackson and the Course of American Empire*, 168.

¹⁴⁰¹ Jackson, quoted in Remini, *Andrew Jackson and the Course of American Empire*, 169.

¹⁴⁰² *Ibid.*

But Jackson had to wait. President Madison refused to call on him for months after war began in June 1812.¹⁴⁰³ Finally, in October the administration asked Governor Blount of Tennessee to provide 1,500 volunteers to support General James Wilkinson in defense of New Orleans.¹⁴⁰⁴ Although Jackson suffered a “sting” to his feelings at the “condescension” of having to serve under General Wilkinson, he agreed to go to New Orleans.¹⁴⁰⁵ On January 7, 1813, Jackson and his men set out for Natchez and then New Orleans.¹⁴⁰⁶ Jackson lost three men in a voyage that lasted over a month and a thousand miles.¹⁴⁰⁷ When he arrived in Natchez, he learned that General Wilkinson did not want him to proceed to New Orleans.¹⁴⁰⁸ He waited several weeks in Natchez, short on medicine, food, and supplies, and then received a message from Secretary of War John Armstrong, telling Jackson he was “dismissed from public service” and should return to Nashville.¹⁴⁰⁹ The general, angry and humiliated, marched the troops back home to Tennessee.¹⁴¹⁰ He missed his opportunity to fight the British. But he had another chance to fight in the summer of 1813.

Following the Battle of Burnt Corn Creek in southern Alabama, many Whites and metis found shelter in the fort of Samuel Mims, abandoning many of the Tensaw settlements as the Redsticks sought revenge.¹⁴¹¹ By July of 1813, the governors of Tennessee and Georgia had authorized action against the hostile Creeks.¹⁴¹² As the White armies prepared, the settlers in

¹⁴⁰³ Remini, *Andrew Jackson and the Course of American Empire*, 169-171.

¹⁴⁰⁴ Remini, *Andrew Jackson and the Course of American Empire*, 170.

¹⁴⁰⁵ AJ to Blount, November 11, 1812, in *CAJ*, I:238-239.

¹⁴⁰⁶ Remini, *Andrew Jackson and the Course of American Empire*, 172-173.

¹⁴⁰⁷ Remini, *Andrew Jackson and the Course of American Empire*, 174.

¹⁴⁰⁸ *Ibid.*

¹⁴⁰⁹ Armstrong to AJ, February 5, 1813, in *CAJ*, I: 275-276; Remini, *Andrew Jackson and the Course of American Empire*, 175

¹⁴¹⁰ Remini, *Andrew Jackson and the Course of American Empire*, 175-177; John Spencer Bassett. *The Life of Andrew Jackson* (New York: The MacMillan Company, 1928), 84-86.

¹⁴¹¹ Waselkov, 110-112; Hawkins to Armstrong, September 26, 1813, in *ASPIA*, I:854.

¹⁴¹² Cotterill, *Southern Indians*, 181.

southern Alabama were in forts awaiting an attack.¹⁴¹³ These forts became “filthy” and full of diseases such as dysentery, typhus, and scarlet fever as the residents, under siege by the Indians, lacked proper sanitation.¹⁴¹⁴ Hostile Creek leader William Weatherford prepared 750 Redsticks to attack the Tensaw forts while Josiah Francis commanded an additional 200 hostile Creeks to punish the neighboring settlements.¹⁴¹⁵ Mississippi Territory volunteers and Tensaw militiamen guarded Fort Mims.¹⁴¹⁶

On August 30, 1813, the Redsticks launched the surprise attack on Fort Mims.¹⁴¹⁷ The inhabitants of the fort “were butchered in the quickest manner, and blood and brains bespattered the whole earth. The children were seized by the legs, and killed by batting their heads against the [stockade]. The women were scalped, and those who were pregnant were opened, while they were alive, and the embryo infants [ripped out] of the womb.”¹⁴¹⁸ Although Weatherford led the attack, he tried to stop the brutality, but to no avail.¹⁴¹⁹ The Redsticks murdered between 250 and 300 men, women, and children at Fort Mims, including Whites, African slaves, and at least twenty-six metis.¹⁴²⁰

The assault on Fort Mims gave Jackson the opportunity to fight during the War of 1812, although he first attacked Creeks rather than British soldiers. Upon learning of the massacre, Jackson called together his “Brave Tennesseans.”¹⁴²¹ Even though the slaughter had occurred in the Mississippi Territory, frontier Americans from Georgia to Natchez feared that Fort Mims was

¹⁴¹³ Waselkov, 110, 112, 121, 123.

¹⁴¹⁴ Waselkov, 121, 313fn.

¹⁴¹⁵ Waselkov, 112.

¹⁴¹⁶ Waselkov, 116.

¹⁴¹⁷ Waselkov, 123-128. *PAJ*, I:428; “Communication of the Chiefs at Coweta to Hawkins,” September 16, 1813, in *ASPIA*, I:853.

¹⁴¹⁸ Remini, *Andrew Jackson and the Course of American Empire*, 190.

¹⁴¹⁹ *Ibid.*

¹⁴²⁰ Waselkov, 2, 191, 193, 227. Latimer says that 100 hostile Indians died, while nearly 250 Whites died, in addition to perhaps as many as 150 blacks and friendly Indians. Latimer, 220.

¹⁴²¹ AJ to the Tennessee Volunteers, September 24, 1813, in *PAJ*, II:428-429.

the beginning of a larger Indian uprising during the British invasion of the War of 1812.¹⁴²² On July 13, before the battle at Burnt Corn Creek and the assault on Fort Mims, Jackson warned Blount that “there can be no doubt that the Creeks and Lower Choctaws are excited to hostilities by the influence of the British [and] there is no doubt but we will have to fight the combined powers of both.”¹⁴²³ After Fort Mims, he exclaimed, “the frontier is threatened with invasion by the savage foe... They advance towards your frontier with their scalping knives unsheathed, to butcher your wives, your children, and your helpless babes.”¹⁴²⁴ Although the clash was the result of a local conflict among the Redsticks and the metis, Jackson understandably inserted the British war, Tecumseh’s proclamations, and the hostilities of the Upper Creeks into the Fort Mims Massacre to explain it as an all-out Indian War upon the frontier.

The Redsticks, adding to the Whites’ suspicion that the August 30 attack was not an isolated event, continued the brutality in the days following Fort Mims. They raided abandoned settlements between the Alabama and Tombigbee Rivers, burning houses, killing livestock, and taking property.¹⁴²⁵ On September 1, Redsticks killed twelve White women and children near Bassett’s Creek and scalped another woman, allowing her to flee with her infant.¹⁴²⁶ The hostile Creeks also attacked Lower Creeks during the fall.¹⁴²⁷ While awaiting the impending invasion by Jackson, the Redsticks appealed to the Spanish for more supplies and waged a guerrilla war on White farmers in south Alabama, killing more women and children.¹⁴²⁸

¹⁴²² *PAJ*, I:428.

¹⁴²³ AJ to Blount, July 13, 1813, in *ASPIA*, I:850.

¹⁴²⁴ AJ to the Tennessee Volunteers, September 24, 1813, in *PAJ*, II:428-429.

¹⁴²⁵ Waselkov, 140-141.

¹⁴²⁶ *Ibid.*

¹⁴²⁷ Waselkov, 145.

¹⁴²⁸ Waselkov, 146-147, 160-161.

Jackson, meanwhile, gathered his forces and marched south despite having been recently shot in the arm in a barroom fight with the Benton brothers and suffering from dysentery.¹⁴²⁹ Brigadier Generals John Floyd from Georgia, John Coffee from Tennessee, and Ferdinand Claiborne from Mississippi joined Jackson in the invasion of Creek territory.¹⁴³⁰ Sam Houston and Davy Crockett were among Jackson's force of 2,500.¹⁴³¹ By the end of October, Jackson established Fort Deposit on the southernmost tip of the Tennessee River.¹⁴³² He then moved farther south to the Coosa River and built Fort Strother as a base.¹⁴³³ Soon after entry into Alabama, on November 3, 1813, Coffee attacked Tallushatchee, less than fifteen miles from Fort Strother, where he killed 200 and captured eighty-four women and children.¹⁴³⁴ He encircled the poorly armed Creeks, many of them fighting with only bows and arrows.¹⁴³⁵ Coffee and the Americans easily won the battle, suffering only five deaths.¹⁴³⁶ To Jackson, the victory at Tallushatchee was retaliation "for the destruction at Fort Mims."¹⁴³⁷ Despite the military success, Jackson's army was short of supplies and had to wait on Generals James White and John Cocke to arrive from east Tennessee with troops and provisions.¹⁴³⁸

A week later, some friendly Creeks informed Jackson that the Redsticks had laid siege on Talladega, which was one of the allied Creek villages.¹⁴³⁹ Over 1,000 Redsticks surrounded 154 friendly Creeks and were starving them.¹⁴⁴⁰ On November 9, Jackson sent 2,000 soldiers to

¹⁴²⁹ Remini, *Andrew Jackson and the Course of American Empire*, 192, 223. Thomas Hart Benton and his brother Jesse. Thomas Benton was a lieutenant colonel during the War of 1812 and later Senator from Missouri. Remini, *Andrew Jackson and the Course of American Empire*, 449fn; Brands, 379.

¹⁴³⁰ Latimer, 220-221.

¹⁴³¹ Latimer, 220.

¹⁴³² Owsley, 64.

¹⁴³³ *Ibid.*

¹⁴³⁴ Latimer, 220; AJ to Blount, November 4, 1813, in *CAJ*, I:341.

¹⁴³⁵ Owsley, 65.

¹⁴³⁶ Owsley, 65; AJ to Blount, November 4, 1813, in *CAJ*, I:341.

¹⁴³⁷ AJ to Blount, November 4, 1813, in *CAJ*, I:341.

¹⁴³⁸ Owsley, 64-65.

¹⁴³⁹ Latimer, 220.

¹⁴⁴⁰ Owsley, 66; Remini, *Andrew Jackson and the Course of American Empire*, 195-197.

Talladega and defeated the hostile Creeks.¹⁴⁴¹ Most of the Redsticks escaped, but Jackson's army killed 300 Creeks while losing fourteen dead and eighty-one wounded.¹⁴⁴² In the two battles of Tallushatchee and Talladega, Jackson and Coffee had inflicted over 1,000 casualties, including 750 killed, on a force of no more than 4,000 Creeks, on the Redsticks, while suffering nineteen deaths.¹⁴⁴³ Despite another victory, supplies and morale were low for the Americans under Jackson's command and many troops complained.¹⁴⁴⁴ Because of the low provisions, Jackson retreated to Fort Strother.¹⁴⁴⁵ To add to the trouble, by the end of 1813, Floyd and the Georgians withdrew from the battlefield against the Creeks. Cocke, for what may have been political reasons, did not join Jackson, turning instead against the Hillabee towns, while Claiborne and the Mississippians moved south to the Battle of the Holy Ground, in modern Lowndes County, Alabama, to defeat the Creeks, leaving Jackson with little support.¹⁴⁴⁶ By the end of 1813 Jackson struggled from the lack of resources and troops, having only 130 men under his command because many were deserting because of lack of provisions.¹⁴⁴⁷

On January 22 and 24, 1814, Jackson fought "inconclusive" battles at Emuckfau (Tallapoosa County, Alabama) and Enotochopco Creek because he lacked adequate numbers to combat the enemy, while Floyd and the Georgians battled Creeks on the Tallapoosa River.¹⁴⁴⁸ Jackson then returned to Fort Strother to receive reinforcements from the 39th U.S. Infantry,

¹⁴⁴¹ *Ibid.*

¹⁴⁴² Latimer, 220-221; Owsley, 66.

¹⁴⁴³ Owsley, 64-66; Latimer, 221.

¹⁴⁴⁴ Latimer, 221.

¹⁴⁴⁵ Latimer, 221.

¹⁴⁴⁶ Latimer, 221; Owsley, 66-67. Cocke and Jackson had a political rivalry in Tennessee. Owsley, 67. Claiborne was successful in the Battle of the Holy Ground.

¹⁴⁴⁷ Remini, *Andrew Jackson and the Course of American Empire*, 206; Remini says 130, but other reports say 930. AJ to Pinckney, January 29, 1814, in *CAJ*, I:448.

¹⁴⁴⁸ Latimer, 221. Remini, *Andrew Jackson and the Course of American Empire*, 207-208. Emuckfau was near Horseshoe Bend, a 100-acre peninsula formed by the looping Tallapoosa River.

which provided 600 regulars and bolstered his forces to 4,000 after a considerable rest.¹⁴⁴⁹ The mutiny, however, continued. Jackson, though, in one of his toughest moments of command, ordered the execution of a young man who refused an order.¹⁴⁵⁰ Jackson was the first officer to have a soldier court-martialed and shot since the American Revolution.¹⁴⁵¹ This strict discipline convinced the other discouraged American soldiers to join Jackson's Cherokee and Creek allies to form a force of 4,000 by mid-March 1814.¹⁴⁵²

The climactic battle of the Creek War came at Tohopeka, otherwise known as Horseshoe Bend, on March 27, 1814.¹⁴⁵³ Jackson, his American soldiers, plus Cherokee and Creek allies, attacked Redsticks at what he called "one of the most military sites I ever saw."¹⁴⁵⁴ Horseshoe Bend was "strongly fortified with logs across the neck of a bend."¹⁴⁵⁵ Jackson tried to "level" the fortification with his cannon, "but in vain," as the "balls passed through the works without shaking the wall, but carrying destruction to the enemy behind it."¹⁴⁵⁶ Coffee and the Cherokees surrounded the bend and cut off the escape of the Redsticks.¹⁴⁵⁷ Jackson explained that "the carnage was dreadful" at Horseshoe Bend.¹⁴⁵⁸ He sent a group with an interpreter under flag of peace to negotiate an end to the fighting, but the Redsticks killed one from the group.¹⁴⁵⁹ Jackson's forces killed "at least eight hundred and fifty" as he counted 557 dead on the battlefield and estimated that 300 more Redsticks died in the river trying to escape.¹⁴⁶⁰ He took

¹⁴⁴⁹ Latimer, 221.

¹⁴⁵⁰ *Ibid.*

¹⁴⁵¹ *Ibid.*

¹⁴⁵² Remini, *Andrew Jackson and the Course of American Empire*, 213.

¹⁴⁵³ Latimer, 221; Remini, *Andrew Jackson and the Course of American Empire*, 215; AJ to Rachel Jackson, April 1, 1814, in *CAJ*, I:493.

¹⁴⁵⁴ AJ to Rachel Jackson, April 1, 1814, in *CAJ*, I:493.

¹⁴⁵⁵ *Ibid.*

¹⁴⁵⁶ *Ibid.*

¹⁴⁵⁷ *Ibid.*

¹⁴⁵⁸ *Ibid.*

¹⁴⁵⁹ Remini, *Andrew Jackson and the Course of American Empire*, 215.

¹⁴⁶⁰ AJ to Rachel Jackson, April 1, 1814, in *CAJ*, I:493; "Battle of Tehopiska, or the Horse Shoe," Report of Jackson to Governor Blount, March 31, 1814, in *CAJ*, I:491-492.

roughly 350 prisoners, mostly women and children, with three warriors.¹⁴⁶¹ Among the Redstick casualties, Jackson reported, were “their famous prophet Monahoe--shot in the mouth by a grape shot; as if Heaven designed to chastise his impostures by an appropriate punishment,” and two other prophets.¹⁴⁶² Jackson lamented that “two or three women and children were killed by accident.”¹⁴⁶³ Forty-nine Americans, eighteen Cherokees, and five Creek allies also perished in the battle.¹⁴⁶⁴

With this battle, the Americans and their Indian allies defeated the Redsticks. In July 1813, these hostile Creeks had 3,000 warriors, but after Horseshoe Bend, in April 1814, 1,600 of those had been killed or wounded.¹⁴⁶⁵ 8,000 Redsticks were displaced as all sixty Upper Creek towns were destroyed.¹⁴⁶⁶ Still, they did not surrender, as thousands of Redsticks hid in the swamps, continuing to raid White settlements, and hundreds fled into Spanish Florida, joining the Seminoles and continuing to resist for decades.¹⁴⁶⁷ Jackson looked for Weatherford, the leader of the Creeks at Fort Mims.¹⁴⁶⁸ Chief Red Eagle surrendered, telling Jackson, “my warriors are no more . . . their bones are bleaching on the plains of [Tallushatchee], Talladega, Emuckfau . . . nothing is left for me but to weep over the misfortunes of my country.”¹⁴⁶⁹ Jackson admired his bravery and informed his former enemy, “If you really wish for peace, stay

¹⁴⁶¹ *Ibid.*

¹⁴⁶² “Battle of Tehopiska, or the Horse Shoe,” Report of Jackson to Governor Blount, March 31, 1814, in *CAJ*, I:491-492.

¹⁴⁶³ *Ibid.*

¹⁴⁶⁴ “Battle of Tehopiska, or the Horse Shoe,” Report of Jackson to Governor Blount, March 31, 1814, in *CAJ*, I:491-492; Waselkov, 170-171.

¹⁴⁶⁵ Waselkov, 171.

¹⁴⁶⁶ Waselkov, 171, 173.

¹⁴⁶⁷ Waselkov, 171.

¹⁴⁶⁸ Weatherford was also known as Red Eagle.

¹⁴⁶⁹ Anne, Royall. *Letters from Alabama* (Washington: N.P., 1830), 18.

where you are, and I will protect you.”¹⁴⁷⁰ Weatherford regretted the destruction at Fort Mims and helped Jackson track down the remaining hostile Creeks.¹⁴⁷¹

Jackson made peace with Weatherford and was kind to the defeated warrior. He allowed Red Eagle to go in peace following the treaty negotiations.¹⁴⁷² Weatherford retired to a farm in Monroe County, Alabama and visited Jackson at the Hermitage occasionally.¹⁴⁷³ After he cooperated with the Americans to negotiate an end to the war, the Creek leader went to Nashville, possibly staying for a year before returning to Alabama.¹⁴⁷⁴

Jackson’s relationship with Red Eagle following the Creek War indicated a gentler aspect of the general’s relationship with Indians. After the American victory at Tallushatchee, he found a ten-month old boy lying on the field in the arms of his deceased mother. Jackson instructed Creek women to care for the boy. They refused, saying, “all his relations are dead, kill him too.”¹⁴⁷⁵ Jackson refused, sending the boy, Lyncoya, to Rachel in Nashville and adopted him, saying, “he may have been given to me for some valuable purpose--in fact when I reflect that he as to his relations [orphaned in war] is so much like myself I feel an unusual sympathy for him.”¹⁴⁷⁶ Following the war, Creek chiefs came to visit the boy.¹⁴⁷⁷ Lyncoya lived with Jackson until he died of tuberculosis at the age of seventeen.¹⁴⁷⁸ On the battlefield at Horseshoe Bend, Jackson met a wounded eighteen-year-old Redstick. Jackson ordered a surgeon to dress the wound in the young man’s leg. The Indian feared that Jackson would kill him. After assuring the

¹⁴⁷⁰ *Ibid.*

¹⁴⁷¹ Waselkov, 173-175.

¹⁴⁷² Remini, *Andrew Jackson and the Course of American Empire*, 219.

¹⁴⁷³ *Ibid.*

¹⁴⁷⁴ Waselkov, 174.

¹⁴⁷⁵ Remini, *Andrew Jackson and the Course of American Empire*, 193-194; Parton, 439.

¹⁴⁷⁶ Remini, *Andrew Jackson and the Course of American Empire*, 193-194

¹⁴⁷⁷ Remini, *Andrew Jackson and the Course of American Empire*, 194.

¹⁴⁷⁸ Remini, *Andrew Jackson and the Course of American Empire*, 450fn.

young man he would help him heal, Jackson sent him to Nashville where he grew up, married, and established a business in town.¹⁴⁷⁹

Jackson took compassion on some, but punished the Creek Nation at the Treaty of Fort Jackson ending the Creek War. Originally, he wanted to strip the Creeks of all their land to keep them away from the Spanish to the south.¹⁴⁸⁰ Jackson, in the treaty, referenced violations of the Treaty of New York (1790) and distinguished between the “hostile” and friendly Creeks, noting that one-third of the Creek Nation remained friendly to the Americans during the Creek War.¹⁴⁸¹ Jackson, speaking to what he perceived as the root cause of the Creek War, forbade the Creeks from having contact with the British, with whom the United States was still at war, or the Spanish.¹⁴⁸² Addressing another major cause of the war, Jackson demanded the capture or surrender of all “prophets and instigators of the war, whether foreigners or natives.”¹⁴⁸³ Most devastating to the Creeks, however, was the land cession. They surrendered over twenty-two million acres of land, comprising two-thirds of their land, thereby removing them from parts of southern and western Alabama and southern Georgia.¹⁴⁸⁴ The Treaty of Fort Jackson took land away from both Redsticks and friendly Creeks as it was the greatest seizure of Indian land to that point in American history.¹⁴⁸⁵ Jackson took land from the Creeks, but he did so with the assistance of other tribes.

¹⁴⁷⁹ Remini, *Andrew Jackson and the Course of American Empire*, 216.

¹⁴⁸⁰ Remini, *Andrew Jackson and the Course of American Empire*, 220; AJ to Thomas Pinckney, May 18, 1814, in *CAJ*, II:1-3.

¹⁴⁸¹ “Treaty of Fort Jackson,” August 9, 1814, in *ASPIA* I:826.

¹⁴⁸² “Treaty of Fort Jackson,” August 9, 1814, in *ASPIA* I:827.

¹⁴⁸³ “Treaty of Fort Jackson,” August 9, 1814, in *ASPIA* I:827.

¹⁴⁸⁴ AJ to Blount, August 9, 1814, in *CAJ*, II:24; Jones, 86.

¹⁴⁸⁵ Waselkov, 204; Article IX of the Treaty of Ghent required that all land belonging to the Indians before 1812 be returned. This would have included the land from the Treaty of Fort Jackson. Jackson refused to surrender the land and neither the Americans nor the British enforced the provision. Remini, *Andrew Jackson and the Course of American Empire*, 302-307.

Jackson and the Indians during the Creek War

Jackson and the Americans did not defeat the Redsticks alone. Members from each of the four major southern tribes: Cherokees, Chickasaws, Creeks, and Choctaws, contributed to American victory. The Choctaws, however, under their Chief Pushmataha, provided the greatest assistance for the duration of the wars against the Creeks and British. The four tribes aided Tennessee's forces in the Creek War, while friendly Creeks also joined Georgia's troops, and the Choctaws aided forces from the Mississippi Territory as they moved east.¹⁴⁸⁶ By the end of 1813, Jackson commanded only 130 American men and his food supply was dwindling.¹⁴⁸⁷ Yet hundreds of Cherokees and Creeks remained with him during the Creek War.¹⁴⁸⁸

Jackson recognized the need for Indian allies in the ongoing wars against Indians and their European supporters as he had his whole life. In June 1812, just as the War of 1812 began, but before the Creek War, he told Governor Blount that Tennessee needed to recruit Cherokees to combat the hostile Creeks, adding that the Cherokees had informed him of the Creek preparation for war and "will join us if we show an immediate spirit of revenge" in taking retribution for the Creek assaults on Tennesseans during the spring.¹⁴⁸⁹ The governor, however, was reluctant to use the Cherokees as he had "no confidence in the assurances of any Indians whatever."¹⁴⁹⁰ Blount was aware of a significant pro-British faction among all four tribes.¹⁴⁹¹ The pessimistic Blount told Jackson that he "should not be surprised to learn" that the Cherokees were coordinating with Tecumseh and the Creeks.¹⁴⁹² Blount went so far as to join in the false accusations against Cherokees, claiming they were responsible for the murders of White women

¹⁴⁸⁶ Pinckney to AJ, January 9, 1814, in *CAJ*, I:438-440.

¹⁴⁸⁷ Remini, *Andrew Jackson and the Course of American Empire*, 206

¹⁴⁸⁸ AJ to Pinckney, January 29, 1814, in *CAJ*, I:448-449.

¹⁴⁸⁹ AJ to Blount, June 4, 1812, in *PAJ*, II:300-301.

¹⁴⁹⁰ Blount to AJ, June 12, 1812, in *PAJ*, II:303-305.

¹⁴⁹¹ *Ibid.*

¹⁴⁹² *Ibid.*

and children in 1812.¹⁴⁹³ Jackson admitted that the Whites should be cautious in dealing with the Cherokees, but insisted on using them and other tribes against the hostile Creeks as “those that are not for us must be against us.”¹⁴⁹⁴

Initially Jackson used the Cherokees as spies and they warned him of Creek battle preparations.¹⁴⁹⁵ Half-Cherokees John Walker and John Lowry aided Jackson’s spy forces during the Creek War.¹⁴⁹⁶ Lowry, who operated a ferry across the Tennessee River, raised 400 Cherokee warriors for Jackson and provided “invaluable intelligence information” during the war.¹⁴⁹⁷ Soon after the assault on Fort Mims, Jackson sent Captain John Strother into the Cherokee territory to enlist the Indians to find out whether the Upper Creeks were fortifying or abandoning their towns.¹⁴⁹⁸ Cherokee Chief Pathkiller also proved a valuable spy for Jackson.¹⁴⁹⁹ The general informed Pathkiller that he would punish Weatherford and the Redsticks if they harmed Indians who were friendly to the Whites.¹⁵⁰⁰

The Cherokees sent between 600 and 700 warriors with Jackson to fight the Creeks at the beginning of the war.¹⁵⁰¹ They organized into nineteen companies, thirteen of which were commanded by “half-bloods.”¹⁵⁰² Cherokees fought with distinction at Horseshoe Bend, Talladega, Emuckfau, and Enotachopco.¹⁵⁰³ Vindicating his insistence on the use of Cherokee forces, Jackson reported to Governor Blount that seventeen Cherokees fought under the

¹⁴⁹³ *Ibid.*

¹⁴⁹⁴ AJ to Blount, June 17, 1812, in *CAJ*, I:227-229.

¹⁴⁹⁵ AJ to Blount, June 4, 1812, in *PAJ*, II:300-301.

¹⁴⁹⁶ *PAJ*, II:305fn.

¹⁴⁹⁷ *Ibid.*

¹⁴⁹⁸ AJ to Coffee, September 27, 1813, in *CAJ*, I:324.

¹⁴⁹⁹ Brands, 197; Owsley, 64.

¹⁵⁰⁰ AJ to Pathkiller, October 23, 1813 and November 2, 1813, in Remini, *Empire*, 193.

¹⁵⁰¹ Cotterill, *Southern Indians*, 186; Woodward, 131.

¹⁵⁰² Cotterill, *Southern Indians*, 186. Among the Cherokees who fought with distinction in the Creek War were John Lowry, John Ross, George Gist (Sequoyah), John Drew, Whitepath, Arch Campbell, Going Snake, Chief Junuluska, George Fields, Cheucunsenee, John Walker, and Charles Hicks. Woodward, 131-132, 135-136.

¹⁵⁰³ Woodward, 131.

command of a Colonel Brown at Tallushatchee and “acted with great bravery in the action.”¹⁵⁰⁴ After the American victory at Talladega, General Coffee led a combined American-Cherokee force against the Hillabee towns. Here the Cherokees fought “extremely well” under Colonel Gideon Morgan.¹⁵⁰⁵ The Cherokees captured or killed most of the hostile Creeks at the Hillabee towns, so that the victory was “in reality a defeat of the Creeks by the Cherokees.”¹⁵⁰⁶

The Cherokees’ greatest contribution in the Creek War came at the Battle of Horseshoe Bend. About 500 Cherokees joined Jackson’s forces in this climactic battle.¹⁵⁰⁷ They beat war drums, providing him a diversion, cut off a retreat by the Redsticks, crossed the river in canoes, and set fire to buildings on shore, all in preparation for attacking Redsticks at the rear of the fortification.¹⁵⁰⁸ Chief Junuluska led the Cherokee warriors in swimming the Tallapoosa River and taking the Redsticks’ canoes, depriving the hostile Creeks of a getaway.¹⁵⁰⁹ The Cherokees then moved into battle and fought alongside Jackson.¹⁵¹⁰ Eighteen Cherokees died and thirty-six were wounded in defeating the Redsticks at Horseshoe Bend.¹⁵¹¹

The majority of the Chickasaws remained allies of the Americans under the leadership of the Colberts.¹⁵¹² Tecumseh, on his recruiting tour of the south in 1811, visited the Chickasaw villages.¹⁵¹³ The Shawnee prophet gave a speech at Chuckalissa and Old Town, but Chief George Colbert and other Chickasaw leaders told Tecumseh that the tribe was at peace with the

¹⁵⁰⁴ AJ to Blount, November 4, 1813, in *CAJ*, I:341.

¹⁵⁰⁵ Owsley, 66-67.

¹⁵⁰⁶ Owsley, 67.

¹⁵⁰⁷ Coffee to AJ, April 1, 1814, in *PAJ*, III:55.

¹⁵⁰⁸ Remini, Robert V. *The Battle of New Orleans* (New York: Penguin Books, 1999), 13; AJ to Pinckney, March 28, 1814, in *CAJ*, I:488-489.

¹⁵⁰⁹ Woodward, 132.

¹⁵¹⁰ *Ibid.*

¹⁵¹¹ “Battle of Tehopiska, or the Horse Shoe,” Report of Jackson to Governor Blount, March 31, 1814, in *CAJ*, I:492.

¹⁵¹² Wigton King to AJ, September 26, 1814, in *PAJ*, III:148-149; AJ to Blount, June 4, 1812, in *PAJ*, II:300-301; Blount to AJ, June 5, 1812, in *PAJ*, II:303-304; AJ to Armstrong, June 13, 1814, in *CAJ*, II:6-8.

¹⁵¹³ Atkinson, 201

Americans and he left the towns.¹⁵¹⁴ Colbert then informed Governor Blount of Tennessee that “the White people have a suspicion on us . . . having concern with the Prophet’s business, but there is nothing of it.”¹⁵¹⁵ The Chickasaws rejected the hostile prophet’s call for war and the Colberts led the resistance to the anti-American movement.¹⁵¹⁶ The Chickasaws contributed to the American cause, as Colbert provided his ferry, and the Chickasaws fed and encouraged the American soldiers as Jackson and Coffee made their initial trip toward New Orleans through Chickasaw territory in 1813.¹⁵¹⁷

The Chickasaws were initially afraid of Creek retaliation, but Jackson and Chickasaw agent James Robertson, Jackson’s mentor in his early days in Tennessee, convinced the tribe to join the Americans.¹⁵¹⁸ As with the Cherokees, some Americans were reluctant to enlist Chickasaw support after the massacre at Fort Mims, but Jackson and Robertson insisted on using the ally.¹⁵¹⁹ When after some Americans rejected Chickasaw military support, the tribe’s desire to help wavered, but Robertson persisted in his recruitment.¹⁵²⁰ Following Fort Mims, Jackson told Coffee to take a position in northwestern Alabama, where the Colberts lived, on his way to attack the Creeks.¹⁵²¹ He informed Coffee to use the Chickasaws as spies as he employed them “with some confidential man of your detachment to obtain the true situation of the Creeks and

¹⁵¹⁴ Atkinson, 304fn.

¹⁵¹⁵ Colbert to Blount quoted in Atkinson, 201.

¹⁵¹⁶ Finger, 246; Groom, 16.

¹⁵¹⁷ William C. Davis. *A Way through the Wilderness: The Natchez Trace and the Civilization of the Southern Frontier* (New York: Harper Collins Publishers, 1995), 311-312.

¹⁵¹⁸ AJ to George Colbert, June 5, 1812, in *PAJ*, II:303-304; Atkinson, 201-202.

¹⁵¹⁹ *CAJ*, I:428fn.

¹⁵²⁰ *Ibid.*

¹⁵²¹ AJ to Coffee, September 27, 1813, in *CAJ*, I:323-324; I:323fn. George, Levi, and William Colbert, Chickasaw leaders and American allies, lived in what is now Colbert County in northwestern Alabama.

their movements.”¹⁵²² Jackson said that Coffee’s presence among the Chickasaws would give the tribe confidence and “they will more freely give you any information they possess.”¹⁵²³

Robertson was responsible for influencing the Chickasaw decision to go to war. He reported that “the Chickasaws are in a high state for war. They have declared war against the Creeks...and are ready to give their aid.”¹⁵²⁴ In January 1814, George and James Colbert apologized to Jackson for their wavering support of the Americans in the initial stages of the war.¹⁵²⁵ The Colberts blamed the War Department for dissuading them from supporting Jackson at first.¹⁵²⁶ They then pledged that “if any of the Creeks attempt to pass through this nation we will kill the men and take the women and children prisoners. You may calculate on us doing our part, if we can have an opportunity.”¹⁵²⁷ They joined the Choctaws with war clubs ready.¹⁵²⁸

In late 1813 George Colbert resigned as principal chief of the Chickasaws as he and his brother, William, focused on fighting the Creeks.¹⁵²⁹ William Colbert joined Colonel Gilbert Russell’s forces in Alabama and killed two Creek warriors in November 1813.¹⁵³⁰ In early spring 1814, the Colbert family raised a force of 230 Chickasaws to join Russell at Fort Claiborne.¹⁵³¹ Under Russell, the Chickasaws and Choctaws moved up the Alabama River, burned abandoned Redstick towns, and destroyed Redstick supplies, forcing the hostile Creeks to eat their horses to survive.¹⁵³² Led by Colonel John McKee, the Chickasaws and Choctaws moved to the Black

¹⁵²² AJ to Coffee, September 27, 1813, in *CAJ*, I:323-324.

¹⁵²³ *Ibid.*

¹⁵²⁴ Robertson quoted in Atkinson, 201.

¹⁵²⁵ Atkinson, 201.

¹⁵²⁶ Atkinson, 201.

¹⁵²⁷ The Colberts quoted in Atkinson, 201.

¹⁵²⁸ *Ibid.*

¹⁵²⁹ Atkinson, 201.

¹⁵³⁰ *Ibid.*

¹⁵³¹ Atkinson, 201-202. Among the Chickasaw warriors were George Colbert, Levi Colbert, William Colbert, James Colbert, William Colbert, Jr., William McGillivray, William Glover, James Brown, Samuel Seeley, James Seeley, Thomas Thompson, Benjamin Duke, Tishomingo, Caryoucuttaha, and Chickwartubby.

¹⁵³² Waselkov, 170; Owsley, 49-50.

Warrior settlements.¹⁵³³ Jackson declared that with Chickasaw support, he would “pledge [himself], with the smiles of Heaven, we [will] crush the Creeks . . . the next moon.”¹⁵³⁴ Jackson coordinated a plan for all four tribes (Chickasaws, Cherokees, Choctaws, and friendly Creeks) to join him in defeating the Redsticks.¹⁵³⁵ Late in the war, William and George Colbert led the Chickasaws in attacking Creeks in south Alabama, where they captured eighty-five Redstick prisoners of war.¹⁵³⁶ In the winter of 1814-1815, Major Uriah Blue led 300 Chickasaw warriors to intercept escaping Redsticks.¹⁵³⁷ The combined American-Chickasaw forces killed thirty Redsticks, including their leader “the old Alabama king,” and took seventy prisoners.¹⁵³⁸

Robertson meanwhile provided defense of the Chickasaw territory and, with the help of Chickasaw warriors, protected communications between General Jackson and Natchez.¹⁵³⁹ Jackson’s old mentor commanded fifty-four Chickasaw and U.S. troops protecting Colbert’s Ferry, the U.S. Mail, and the Natchez Trace.¹⁵⁴⁰ He raised a force of twelve “of the most active and enterprising” Chickasaws to serve as spies, ranging sixty miles to the southeast of Chickasaw territory. Robertson also directed the construction of two blockhouses at the Chickasaw agency to protect against Creek assaults as he “expected to be daily attacked” by the hostile Creeks.¹⁵⁴¹

Jackson also recruited other Creeks to defeat the Redsticks. He told the friendly Creeks to “hold out obstinately” if attacked by the Redsticks and he would come to their relief.¹⁵⁴² He

¹⁵³³ Pinckney to AJ, February 26, 1814, in *CAJ*, I:470-471; Owsley, 49.

¹⁵³⁴ AJ to Pinckney, February 17, 1814, in *CAJ*, I:464-466.

¹⁵³⁵ AJ to Pinckney, February 5, 1814, in *CAJ*, I:456-458.

¹⁵³⁶ Atkinson, 202.

¹⁵³⁷ Waselkov, 326fn.

¹⁵³⁸ *Ibid.*

¹⁵³⁹ Atkinson, 202.

¹⁵⁴⁰ *Ibid.*

¹⁵⁴¹ *Ibid.*

¹⁵⁴² AJ to Chief Chennabee of the Creeks, January 19, 1813, quoted in Remini, *Andrew Jackson and the Course of American Empire*, 193.

assured them “if one hair of your head is hurt, or of your family, or of any who are friendly to the Whites, I will sacrifice a hundred lives to pay for it. Be of good heart, and tell your men they have nothing to fear.”¹⁵⁴³ The Creek War began as a civil war between Redsticks and Creeks who were pro-American, specifically Lower Creeks.¹⁵⁴⁴ Early in the war the Creeks aided General Floyd of Georgia and Benjamin Hawkins.¹⁵⁴⁵ When Floyd invaded Alabama from Georgia, Hawkins recruited between 300 and 400 Creeks to fight the Redsticks.¹⁵⁴⁶ At the end of 1814, Hawkins had 100 Creek warriors at his agency, 600 at Coweta, and 200 at Fort Decatur.¹⁵⁴⁷ By February 1815, 1,405 Creeks enlisted with the Americans under the command of Hawkins.¹⁵⁴⁸ Floyd led an attack on the hostile Creeks at Atasi in which the Lower Creeks killed 200 Redsticks, who Floyd said were “murderers of the garrison at Mimms,” in retribution.¹⁵⁴⁹ When Jackson retreated from Emuckfau and Enitachopco because of Redstick strength, Floyd, along with 1,100 Georgia militia and 600 Creeks went to defeat the enemy.¹⁵⁵⁰ Creek fierceness in battle startled their American allies. They Blackened their faces “to exhibit to their enemies as ugly an appearance as possible,” and after defeating the enemy, the Creeks “exercised great barbarity upon the bodies of their enemy slain...ripped them open, cut their heads to pieces, took out the heart of one, which was borne along in savage triumph by the perpetrators, and...cut off the private parts of others. What bestial conduct.”¹⁵⁵¹

¹⁵⁴³ *Ibid.*

¹⁵⁴⁴ Waselkov, 145.

¹⁵⁴⁵ Waselkov, 164.

¹⁵⁴⁶ *Ibid.*

¹⁵⁴⁷ Waselkov, 323fn.

¹⁵⁴⁸ *Ibid.*

¹⁵⁴⁹ Waselkov, 164.

¹⁵⁵⁰ Waselkov, 168-169

¹⁵⁵¹ Waselkov, 170.

Although Jackson, in a moment of anger, claimed he would “exterminate” the Redsticks, he frequently aligned himself with the “friendly” Creeks throughout the war.¹⁵⁵² He did “commit great slaughter” on the hostile Creeks, but he did so with allied Creeks charging in the center of his formation.¹⁵⁵³ He coordinated numerous attacks on the Redsticks using the Creek allies in conjunction with American and Cherokee forces.¹⁵⁵⁴ Samuel Manac, of the friendly Creeks, was “of great service” to Jackson as he and his group spoke “good English” and could negotiate with the hostile Creeks.¹⁵⁵⁵

Perhaps the best use of Creek forces came at Horseshoe Bend and its aftermath. Friendly Creeks, along with Cherokees, beat war drums and screamed, providing a diversion as the Americans attacked. Then the Indians cut off the Redstick retreat.¹⁵⁵⁶ One hundred Creeks joined Jackson at Horseshoe Bend.¹⁵⁵⁷ At the American victory of Horseshoe Bend, five friendly Creeks were killed and eleven were wounded.¹⁵⁵⁸ In the follow-up attacks hunting down the Redsticks, Jackson had 600 Creek allies.¹⁵⁵⁹ Allied Creek Samuel Manac served as a guide for Major Uriah Blue as he sought the Redsticks who dispersed following Horseshoe Bend.¹⁵⁶⁰ Jackson relied heavily on Creeks throughout the summer of 1814.¹⁵⁶¹ He knew that the Creek alliance was fragile, however, as he had to keep them supplied with gifts.¹⁵⁶² Following the punitive expeditions against the Redsticks, Jackson thanked his Creek and Cherokee allies as they had given “proof that [they] cannot be led astray by the depredations of bad men and lying prophets,

¹⁵⁵² AJ to Blount, December 29, 1813, in *CAJ*, I:416-420.

¹⁵⁵³ AJ to Pinckney, February 17, 1814, in *CAJ*, I:464-466.

¹⁵⁵⁴ AJ to Pinckney, February 5, 1814, in *CAJ*, I:456-458; Pinckney to AJ, January 9, 1814, in *CAJ*, I: 438-440.

¹⁵⁵⁵ “General Orders,” November 16, 1814, in *CAJ*, II:100-101.

¹⁵⁵⁶ Remini, *The Battle of New Orleans*, 13.

¹⁵⁵⁷ Coffee to AJ, April 1, 1814, in *PAJ*, III:55.

¹⁵⁵⁸ “Battle of Tehopiska, or the Horse Shoe,” Report of Jackson to Governor Blount, March 31, 1814, in *CAJ*, I:492.

¹⁵⁵⁹ AJ to McKee, August 23, 1814, in *PAJ*, III:1181-119.

¹⁵⁶⁰ David S. Heidler and Jeanne T. Heidler. *Old Hickory’s War: Andrew Jackson and the Quest for Empire* (Mechanicsburg, PA: Stackpole Books, 1993), 48.

¹⁵⁶¹ Heidler and Heidler, 29.

¹⁵⁶² AJ to Blount, January 2, 1814, in *PAJ*, III:5; Monroe to AJ, September 27, 1814, in *PAJ*, III:150.

sent among you by the agents of all our enemies the British.”¹⁵⁶³ Jackson thanked the friendly Indians for their service and made sure they received pay and provisions.¹⁵⁶⁴ He “directed the agents of the different Indian tribes to enroll every warrior in the nation and put them under pay.”¹⁵⁶⁵ Overall, 3,000 Creeks died in the Creek War, taking fifteen percent of the total Creek population.¹⁵⁶⁶

Jackson’s strongest Indian allies throughout the War of 1812, however, were the Choctaws. Chief Pushmataha led that tribe in resisting war against the Americans. After the Colberts and Chickasaws rejected Tecumseh, he travelled to Choctaw territory.¹⁵⁶⁷ Pushmataha, a warrior whose name literally means “messenger of death; one whose rifle, tomahawk, or bow, is alike fatal in war or hunting,” told the Shawnee prophet that he was “a hireling, that his predictions were false, and that he must immediately leave Choctaw country.”¹⁵⁶⁸ He also told Tecumseh that “while temporary success might be obtained at one point, disasters that would more than counterbalance them would be expected in other quarters.”¹⁵⁶⁹ When the Creeks, influenced by Tecumseh, called for war, Pushmataha rejected them as well, symbolically burning the war clubs and proclaiming neutrality at first.¹⁵⁷⁰ The Creeks visited Pushmataha in present-day Choctaw County, Alabama, urging him to join the war against the Whites, but the Choctaw chiefs “firmly resolved that they would not cooperate” with the hostile Creeks in the war.¹⁵⁷¹ Creek leaders Weatherford and Ochillie Haujo visited Pushmataha at his residence in Causeyville, trying to persuade him to join the Redstick fight against the Americans, but again he

¹⁵⁶³ AJ to the Cherokee and Creek Indians, August 5, 1814, in *CAJ*, II:103-104.

¹⁵⁶⁴ AJ to Armstrong, August 5, 1814, in *CAJ*, II:30; Monroe to AJ, September 5, 1814, in *CAJ*, II:43.

¹⁵⁶⁵ AJ to Armstrong, August 5, 1814, in *CAJ*, II:30.

¹⁵⁶⁶ Remini, *The Battle of New Orleans*, 13.

¹⁵⁶⁷ O’Brien, 90; Waselkov, 77.

¹⁵⁶⁸ O’Brien, xv, 90.

¹⁵⁶⁹ O’Brien, 100.

¹⁵⁷⁰ Waselkov, 144.

¹⁵⁷¹ Halbert and Ball, 120-121.

resisted.¹⁵⁷² The Creeks were hereditary enemies of the Choctaws.¹⁵⁷³ When Pushmataha, was a boy, he like Jackson was orphaned. Creeks raided his Choctaw village and killed his mother and father.¹⁵⁷⁴

Despite the animosity between Choctaws and Creeks, Jackson knew there were pro-British elements within the Choctaws that could influence the tribe against the Americans. After Tecumseh's visit to the territory, forty-five Choctaws believed the prophet and joined the Creeks in war.¹⁵⁷⁵ Jackson told Blount that he must punish the Creeks to deter the "bad men" of the Choctaws.¹⁵⁷⁶ Despite the pro-British contingency in the Choctaw nation, both Blount and Jackson had more faith in the Choctaws than the other tribes.¹⁵⁷⁷ There were elements of the Choctaws that wavered between the Americans and the Creeks with their British allies during the war.¹⁵⁷⁸ Because several dozen Choctaws joined the Creeks, Colonel McKee sent ammunition to the Choctaws for an expedition against the Redsticks and a "considerable number of rebellious Choctaws."¹⁵⁷⁹ For this reason, the Americans consistently sent supplies and men into Choctaw territory to maintain support and embolden the Indian allies.¹⁵⁸⁰

The turning point came at the Fort Mims massacre. When Pushmataha learned of the Redstick atrocities at the fort, he, along with 5,000 Choctaws, declared war on the Creeks.¹⁵⁸¹ Soon after the slaughter, Jackson sent McKee to Choctaw territory to procure information from

¹⁵⁷² Cotterill, *Southern Indians*, 182. Causeyville is ten miles southeast of Meridian, Mississippi.

¹⁵⁷³ O'Brien, 100.

¹⁵⁷⁴ *Ibid.*

¹⁵⁷⁵ O'Brien, 90.

¹⁵⁷⁶ AJ to Blount, June 4, 1812, in *PAJ*, II:300-301.

¹⁵⁷⁷ Blount to AJ, June 12, 1812, in *PAJ*, II:303-305.

¹⁵⁷⁸ AJ to Blount, December 29, 1813 in *CAJ*, I:419; AJ to Coffee, December 29, 1813, in *CAJ*, I:421; AJ to Armstrong, June 13, 1814, *CAJ*, II:6-8; Cotterill, *Southern Indians*, 182.

¹⁵⁷⁹ George Smith to AJ, November 22, 1813, in *CAJ*, I:358-359.

¹⁵⁸⁰ Monroe to AJ, October 10, 1814, in *CAJ*, II:71; AJ to Coffee, September 27, 1813, in *CAJ*, I:324.

¹⁵⁸¹ Cotterill, *Southern Indians*, 183-184; O'Brien, xv.

runners on the plans of the Creeks.¹⁵⁸² Once the Choctaws entered the war against the Creeks, Jackson insisted that the Creeks would be unable to escape to the west bank of the Mississippi River.¹⁵⁸³ Jackson used the Choctaws to invade from Mississippi and join the other tribes in conquering the Redsticks.¹⁵⁸⁴ The Choctaws gave Jackson strength in numbers, providing confidence that he would secure victory.¹⁵⁸⁵ General Claiborne of the Mississippi Territory led 500 volunteers along with Pushmataha and fifty-one Choctaw warriors across the Alabama River to set up Fort Claiborne as a provisions depot for Jackson, who was coming down the valley of the Coosa and Alabama Rivers in November 1813 to meet Claiborne.¹⁵⁸⁶ Colonel McKee brought Choctaws and Chickasaws to the Black Warrior settlements to defeat the Creeks.¹⁵⁸⁷ 600 Choctaws joined McKee's assault on the Creeks at the Black Warrior River, but the villages were deserted.¹⁵⁸⁸ In early December 1813, Choctaw Chief Mushulatubbee raided Creek villages in Alabama and took many scalps, leading to a retaliatory attack by the Redsticks on the Choctaws on Christmas Day, 1813.¹⁵⁸⁹

Choctaw leader, Pushmataha, however, was the most famous and well-liked warrior of the Americans.¹⁵⁹⁰ The American army commissioned him as a lieutenant colonel as he joined Claiborne's forces and supplied 135 of the general's 1,000 troops.¹⁵⁹¹ Jackson later conferred the appointment of brigadier general on the Choctaw chief, who took a brigade of Choctaws and fought alongside the Americans.¹⁵⁹² Pushmataha performed well in battle as he joined Jackson

¹⁵⁸² AJ to Coffee, September 27, 1813, in *CAJ*, I:324.

¹⁵⁸³ AJ to Pinckney, December 10, 1813, in *CAJ*, I:380-381.

¹⁵⁸⁴ AJ to Pinckney, January 9, 1814, in *CAJ*, I:438-440; AJ to Pinckney, February 5, 1814, in *CAJ*, I:456-458.

¹⁵⁸⁵ AJ to Pinckney, January 9, 1814, in *CAJ*, I:438-440; AJ to Pinckney, February 17, 1814, in *CAJ*, I:464-466.

¹⁵⁸⁶ Waselkov, 162-163.

¹⁵⁸⁷ AJ to Pinckney, February 17, 1814, in *CAJ*, I:464-466; Pinckney to AJ, February 26, 1814, in *CAJ*, I:470-471.

¹⁵⁸⁸ Cotterill, *Southern Indians*, 183.

¹⁵⁸⁹ Cotterill, *Southern Indians*, 184fn.

¹⁵⁹⁰ Halbert and Ball, 214-217.

¹⁵⁹¹ Halbert and Ball, 214-217; Cotterill, *Southern Indians*, 185-186.

¹⁵⁹² O'Brien, 74, 98.

with large numbers of Choctaws and fought with distinction at Holy Ground and Talladega.¹⁵⁹³

At the Battle of Holy Ground, the Choctaw leader destroyed religious service sheds and holy relics of the Creeks.¹⁵⁹⁴ He took many Creek scalps home to Choctaw territory.¹⁵⁹⁵

After the Cherokees and friendly Creeks helped Jackson defeat the Redsticks at Horseshoe Bend, the Choctaw and American forces chased the enemy Indians who had scattered across southern Alabama and into Florida. Some of them accompanied Jackson, while others followed Major Uriah Blue.¹⁵⁹⁶ By October 1814, 700 Choctaws were with Jackson.¹⁵⁹⁷ Those fighters “killed seven of the hostile Creeks, which has so animated them with a thirst for military fame as to bring to our standard the whole warriors of the nation.”¹⁵⁹⁸ By the end of the Creek War, Jackson was sure the Choctaws in the field were loyal to the Americans.

Jackson and the Indians from Pensacola to New Orleans

After the Treaty of Fort Jackson, many Creeks, including Peter McQueen and Josiah Francis, dispersed across south Alabama and into Florida.¹⁵⁹⁹ Jackson, however, believed a greater threat came from Florida. The British brought the frigate *Orpheus* to Spanish-controlled Pensacola, with “25,000 stand of arms with 300 barrels of ammunition, for the avowed purpose of enabling the vanquished Creeks to renew a sanguinary war with the United States.”¹⁶⁰⁰ A

British Colonel Nicholls landed at Pensacola, where he established a headquarters, and enlisted

¹⁵⁹³ O’Brien, 98.

¹⁵⁹⁴ Cotterill, *Southern Indians*, 185-186.

¹⁵⁹⁵ O’Brien, 100.

¹⁵⁹⁶ AJ to Butler, September 4, 1814, in *CAJ*, II:41; General Orders, November 16, 1814, in *CAJ*, II:100-101.

¹⁵⁹⁷ AJ to Monroe, October 26, 1814, in *CAJ*, II:82-83.

¹⁵⁹⁸ *Ibid.*

¹⁵⁹⁹ AJ to Rachel Jackson, July 16, 1814, in *CAJ*, II:89-90.

¹⁶⁰⁰ AJ to Governor Mateo Gonzalez Manrique, July 12, 1814, in *CAJ*, II:14. Americans referred to Manrique as “the governor of West Florida.”

and publicly drilled Indians, who wore British uniforms, in the streets of the Spanish town.¹⁶⁰¹ There was a direct connection between the British war and the Creek War and Jackson was sure the Spanish were involved in both. Spain could not hold out as a neutral if the governor “extended to the Creek Nation at war with the U.S . . . the friendly open arms” of its government.¹⁶⁰² The Spanish were harboring a “murderous, barbarous, rebellious banditti who had not only imbued their hands in the innocent blood of our defenseless women and children, but raised the exterminating hatchet against their own nation [the friendly Creeks].”¹⁶⁰³ The Redsticks, though, according to Jackson, “had been excited to those horrid deeds of butchery by our open enemy Great Britain, and supplied with the means of carrying it on by the subjects of His Catholic Majesty.”¹⁶⁰⁴ By the spring of 1814, the British had reported that 2,800 Creeks, 2,800 Choctaws, and 1,000 other Indians were in the swamps around Pensacola willing to assist Britain.¹⁶⁰⁵

In September 1814, the British landed with marines and 130 Indians at Mobile Bay.¹⁶⁰⁶ Creek Peter McQueen led 500 Creeks and 250 Seminoles alongside the British.¹⁶⁰⁷ Jackson had to repel the invasion. On September 15 the combined British and allied Indian force attacked Fort Bowyer at Mobile.¹⁶⁰⁸ President Monroe authorized Jackson to use Choctaws, Chickasaws, Cherokees, and friendly Creeks against the British and their Indian allies.¹⁶⁰⁹ By mid-October, Jackson had 600 Choctaws and Chickasaws ready to invade Pensacola.¹⁶¹⁰ On October 31, there

¹⁶⁰¹ Latour, 21.

¹⁶⁰² AJ to Manrique, August 24, 1814, in *CAJ*, II:28.

¹⁶⁰³ *Ibid.*

¹⁶⁰⁴ *ibid.*

¹⁶⁰⁵ Remini, *Andrew Jackson and the Course of American Empire*, 300-301.

¹⁶⁰⁶ Remini, *Andrew Jackson and the Course of American Empire*, 238; Brands, 240.

¹⁶⁰⁷ Thomas H. Benton to AJ, September 11, 1814, in *CAJ*, II:132-133.

¹⁶⁰⁸ Latour, 42.

¹⁶⁰⁹ Monroe to J., September 27, 1814, in *CAJ*, II:60-63.

¹⁶¹⁰ AJ to Monroe, October 14, 1814, in *CAJ*, II:72-74.

were 750 Choctaws, including Pushmataha, among Jackson's forces.¹⁶¹¹ The Indians comprised roughly one-quarter of Jackson's army at Pensacola.¹⁶¹² At least two Choctaws suffered wounds in the battle.¹⁶¹³ Together, Jackson and the Choctaws took Fort Barrancas at Pensacola, forcing the British and their Indian allies to flee.¹⁶¹⁴ After taking Spanish territory, Jackson "determined not to occupy them," but rather restore the fort as he found it, and withdraw his troops, "for the protection of the frontier."¹⁶¹⁵ Jackson commended the Choctaws for their performance, saying that "the orderly conduct of our troops after storming the town and religiously respecting the rights of the citizens, and their private property, has elicited from the Spaniards a declaration, that our Choctaws are more civilized than the British."¹⁶¹⁶ He believed that the conquest of Pensacola broke up "the hot bed of the Indian wars and convinced the Spaniards that we will permit no equivocations in a nation professing neutrality."¹⁶¹⁷

After he returned the fort to the Spanish governor, Jackson ordered Major Blue to take the Choctaws, along with Cherokees, friendly Creeks, Tennessee soldiers, and the 39th U.S. Infantry out and "find any hostile Creek Indians as may be lurking."¹⁶¹⁸ The warriors were to destroy or make prisoners of all the men, preserve the women and children, burn Redstick villages, confiscate all cattle and corn, and "scourge any Seminoles" they see.¹⁶¹⁹ Hoping to deter the Seminoles from any future attacks, Jackson suggested to Blue and the Indian allies that "it would be desirable if your supplies would justify it, that you could reach the Seminole towns,

¹⁶¹¹ AJ to Monroe, October 31, 1814, in *CAJ*, II:82-83; O'Brien, 98.

¹⁶¹² AJ to Monroe, October 31, 1814, in *CAJ*, II:82-83; O'Brien, 98.; Remini, *The Battle of New Orleans*, 20.

¹⁶¹³ AJ to Monroe, November 14, 1814, in *CAJ*, II:96-99.

¹⁶¹⁴ *Ibid.*

¹⁶¹⁵ *Ibid.*

¹⁶¹⁶ *Ibid.*

¹⁶¹⁷ *Ibid.*

¹⁶¹⁸ General Orders, November 16, 1814, in *CAJ*, II:100-101.

¹⁶¹⁹ *Ibid.*

and destroy them, but this is left to your judgment to act agreeable to the supplies.”¹⁶²⁰ Colonel Hawkins led friendly Creeks to pursue fugitive Creeks and attack the Seminole towns.¹⁶²¹ Major Blue’s raids of the hostile Creeks following the battle at Pensacola, assisted by Pushmataha and fifty-three Choctaw warriors, effectively ended the Creek War.¹⁶²² Jackson was confident “from the conduct of the Choctaws in the late expedition . . . [that he had] every reason to hope that their attachment to us is insured.”¹⁶²³

While Jackson had assurances from the Choctaws, and victory over the British, Spanish, and hostile Indians in Florida, the British threat remained to New Orleans. The strategic purpose of ordering Major Blue and the Indians to raid Florida was to keep the British, Spanish, and Indians in check in the east as Jackson prepared to defend New Orleans.¹⁶²⁴ 2,500 Choctaws, Chickasaws, friendly Creeks, and Georgia and Tennessee militia focused on the British, Creeks, and Seminoles in Florida as Jackson moved west.¹⁶²⁵

On November 22, Jackson left for New Orleans and arrived there on December 2 and immediately prepared for the British invasion.¹⁶²⁶ On December 16, awaiting Tennessee and Kentucky reinforcements, he called out the Louisiana militia and placed the city under martial law.¹⁶²⁷ Six days later General Coffee arrived with the Tennessee troops.¹⁶²⁸ By January 1815, Jackson had an army of 3,500 regulars, militia, frontiersmen, Choctaws, slaves, and French pirates to fight against 8,000 British soldiers.¹⁶²⁹ Jackson had eighteen Choctaws at first, led by

¹⁶²⁰ *Ibid.*

¹⁶²¹ AJ to Monroe, November 20, 1814, in *CAJ*, II:101-103.

¹⁶²² Buchanan, 310.

¹⁶²³ AJ to Monroe, November 20, 1814, in *CAJ*, II:101-103.

¹⁶²⁴ *CAJ*, II:100fn.

¹⁶²⁵ Heidler and Heidler, 49.

¹⁶²⁶ Latimer, 375-376.

¹⁶²⁷ Latimer, 377.

¹⁶²⁸ *Ibid.*

¹⁶²⁹ Latimer, 381; Jones, 89-90.

Pierre Jugeant, the son of a French creole trader and a Choctaw.¹⁶³⁰ On December 26, Jugeant's Choctaw forces numbered thirty, and rose to sixty-two by the Battle of New Orleans on January 8.¹⁶³¹ The British, however, had 200 Choctaws and Chickasaws, as well as several hundred Cherokees, who joined General Edward Pakenham's forces because "they came over to the side which they believed to be the strongest, perfectly satisfied that there was no force in Louisiana capable of offering to us any serious resistance."¹⁶³²

Secretary of War James Monroe authorized Jackson to employ loyal Indians at Pensacola and New Orleans and ensured their assistance by providing supplies.¹⁶³³ Jackson's greatest Indian ally at the Battle of New Orleans was Choctaw Captain Pierre Jugeant. Jackson authorized Jugeant to levy and form into companies all the Choctaws he could collect in preparation for the action against Britain.¹⁶³⁴ One of the Choctaws' duties was to serve as scouts in the swamp.¹⁶³⁵ A week before the battle, they repelled British Colonel Robert Rennie's attempt to flank Jackson's left by going through the swamp.¹⁶³⁶ Jugeant's Choctaws also joined Major Pierre La Coste's battalion of free Blacks guarding Chef Menteur Road, which Jackson believed was the most likely entrance for the invading British army.¹⁶³⁷ Some of them were armed with knives and tomahawks.¹⁶³⁸ On the morning of the engagement, however, Jugeant's forces joined General Coffee's troops and dispersed Britain's West Indies forces comprised of

¹⁶³⁰ Remini, *The Battle of New Orleans*, 72, 74, 103-104; Latour, 70, 79.

¹⁶³¹ Latour, 86; Groom, 103.

¹⁶³² Remini, *The Battle of New Orleans*, 97; Groom, 119.

¹⁶³³ Latour, 183, 203, 209; Monroe to AJ, September 27, 1814, in *CAJ*, II:60-63; Monroe to AJ, October 10, 1814, in *CAJ*, II:71

¹⁶³⁴ Latour, 54.

¹⁶³⁵ Remini, *Andrew Jackson and the Course of American Empire*, 274.

¹⁶³⁶ Groom, 172.

¹⁶³⁷ Owsley, 128; Remini, *Andrew Jackson*, 89.

¹⁶³⁸ Groom, 131, 137.

Blacks using rifles, scattering the enemy in less than ten minutes and sending them to the rear of the conflict.¹⁶³⁹

The Choctaws most influential role was their nightly raids on the British leading up to the battle. The sixty-two Choctaws joined Tennessee militia in terrorizing the British as they tried to sleep.¹⁶⁴⁰ George Robert Gleig, a British officer serving under Pakenham, complained that “the entire night [was] spent in watching, or at best in broken and disturbed slumbers...trying both the health and the spirits of the army.”¹⁶⁴¹ The Choctaws’ actions in taking scalps of sentry were an “ungenerous return to barbarity” and a “detestable system of warfare,” according to Gleig.¹⁶⁴² Pakenham tried retaliatory raids on the Choctaws, but British troops were discouraged as Jugeant’s forces “could maneuver on logs like alligators.”¹⁶⁴³ The terror of the tomahawks which led to sleep deprivation affected Britain at the Battle of New Orleans.¹⁶⁴⁴

On December 24, 1814 American commissioners led by John Quincy Adams and Henry Clay agreed to the Treaty of Ghent with Britain, ending the War of 1812 in a military stalemate. Yet Jackson, unaware of the negotiations, continued to prepare for the British invasion at New Orleans.¹⁶⁴⁵ On the same day, he set up his defenses behind Rodriguez Canal, a ditch that was ten feet wide and four feet deep and ran three-quarters of a mile from the eastern edge of the Mississippi River to a cypress swamp.¹⁶⁴⁶ Jackson’s men spent several days expanding the ditch and building a rampart that averaged five feet in height and was twenty feet thick in some places,

¹⁶³⁹ Remini, *The Battle of New Orleans*, 124-125, 148.

¹⁶⁴⁰ Groom, 152-153.

¹⁶⁴¹ George Robert Gleig, *A Narrative of the Campaigns of the British Army in Washington and New Orleans* (London: John Murray, Albemarle Street, 1821), 305-306.

¹⁶⁴² Gleig, 306-307; Buchanan, 352.

¹⁶⁴³ Groom, 162.

¹⁶⁴⁴ Groom, 131, 137, Buchanan, 352; Gleig, 305-306.

¹⁶⁴⁵ Jones, 93-94; Remini, *Andrew Jackson*, 101; Brands, 246-248, 268-269.

¹⁶⁴⁶ Remini, *Andrew Jackson*, 101.

while only a few feet in its thinner points.¹⁶⁴⁷ On January 8, 1815, Jackson's forces routed the British. The Americans suffered seventy-one casualties: thirteen killed, thirty-nine wounded, and nineteen missing.¹⁶⁴⁸ The British, however, admitted to 2,037 casualties: 291 killed, 1,262 wounded, and 484 captured or missing.¹⁶⁴⁹

Jackson secured this victory in America's "Second War for Independence" by using a mixture of troops that included sixty-two Choctaws to defeat a British army with Indian allies. Although some historians contend that the Indians, particularly the Choctaws and Chickasaws, were not a major factor in the war of 1812, Jackson, again, depended on the Indians in battle.¹⁶⁵⁰ His old friend Pushmataha accompanied the general to New Orleans and witnessed Choctaws under Jugeant securing American victory though he did not fight on January 8.¹⁶⁵¹ Pushmataha rejected Tecumseh, fought the Redsticks alongside the Americans, killed Choctaw traitors after the Creek War, and celebrated Jackson's victory over Britain.¹⁶⁵² He was discharged from the U.S. Army three weeks after the Battle of New Orleans on January 27, 1815.¹⁶⁵³ In 1824, Jackson, congressmen, and Marines witnessed the Choctaw chief's funeral as he was buried with honors of war.¹⁶⁵⁴ Jackson left New Orleans and returned to Nashville after the war. Choctaws and Chickasaws supplied and cared for Jackson's army on their way home along the Natchez Trace.¹⁶⁵⁵

¹⁶⁴⁷ Remini, *Andrew Jackson*, 101, 108-109.

¹⁶⁴⁸ Remini, *Andrew Jackson*, 120.

¹⁶⁴⁹ *Ibid.*

¹⁶⁵⁰ Remini, *Andrew Jackson and the Course of American Empire*, 449fn.

¹⁶⁵¹ O'Brien, 98.

¹⁶⁵² O'Brien, 90, 98.

¹⁶⁵³ O'Brien, 100.

¹⁶⁵⁴ O'Brien, 99.

¹⁶⁵⁵ Davis, 318.

Jackson made sure the Choctaws and other Indians received compensation for their services.¹⁶⁵⁶ Some questioned his authority to provide for the Indians and the Black troops. He responded, “It is enough for you to receive my order for the payment of the troops with the necessary muster rolls without inquiring whether the troops are White, Black, or tea. You are not to know whether I have received authority from the War Department to employ any particular description of men, and will, upon receipt of this, make payment of the Choctaws upon the muster rolls of Major Blue.”¹⁶⁵⁷ Jackson, through Choctaw Agent John McKee, ensured that his most vital Indian ally at the end of the War of 1812, the Choctaws, were supplied and paid.¹⁶⁵⁸ Jackson also compensated Black soldiers the same as Whites, giving them equal standing, a \$124 enlistment bonus, and 160 acres of land after service.¹⁶⁵⁹ After the war, Cherokees also petitioned for payment for their service in the Creek War and received \$25,600 for their contribution to the Americans.¹⁶⁶⁰ The Indians, again, proved a valuable ally for Jackson in his campaign against the British. The general, throughout the war, believed that Britain, not the Indians, was the root of the conflict.

In September 1815, months after the Creek War and the War of 1812 had ended, Jackson spoke to the assembled Creeks. Although he consistently referred to them as “friends and brothers,” his tone was one of an admonishing father.¹⁶⁶¹ Repeatedly in the speech Jackson reminded the Creeks that the cause of the conflict was Great Britain and Spain.¹⁶⁶² Throughout the war he blamed the fighting on the British instigators rather than the Creeks and Seminoles,

¹⁶⁵⁶ AJ to Monroe, October 26, 1814, in *CAJ*, II:82-83.

¹⁶⁵⁷ *CAJ*, II:vi.

¹⁶⁵⁸ AJ to Armstrong, August 5, 1814, in *CAJ*, II:30; Monroe to AJ, October 10, 1814, in *CAJ* II:71.

¹⁶⁵⁹ Groom, 103.

¹⁶⁶⁰ Woodward, 135-136.

¹⁶⁶¹ “Jackson’s Talk to the Creeks,” September 4, 1815, in *CAJ*, II:216-217.

¹⁶⁶² *Ibid.*

and he said the only way to achieve “peace with the Indians” was to defeat the British.¹⁶⁶³ Britain and Spain inspired men such as Tecumseh, who called the Indians to war.¹⁶⁶⁴ Jackson asked the Creeks to “remember when your nation listened to the advice of bad men, and became crazy by the prophecies of your wicked prophets raised by the machinations of Great Britain and Spain.”¹⁶⁶⁵ Jackson took credit for the peace as he “put those wicked prophets to death and to flight.”¹⁶⁶⁶ The fault was with the European aggressors and “a few wicked and bad men” of the Creeks.¹⁶⁶⁷

According to Jackson, the British and Spanish offered no shelter to the Creeks.¹⁶⁶⁸ “Listen,” he said, “I told you that the army of Spain and Britain could not protect those fugitives from the arm of our vengeance.”¹⁶⁶⁹ “Listen,” he said again, “I told you I would follow those bad men into the town of Pensacola, and destroy them, and their allies the British, and all those that attempted to protect them.”¹⁶⁷⁰ He added, “Did I not tell you the truth, did I not enter Pensacola, and at my approach” did not the British leaders flee “like cowards . . . and leave the Indians to perish or save themselves by flight?”¹⁶⁷¹ Many of the Creeks and Seminoles were captured or perished. Meanwhile, as the Americans led the Creek prisoners away “in view of the British,” the European instigators were “afraid to put foot on land to save the Indians from destruction, knowing they . . . would be destroyed.”¹⁶⁷² British Colonel Nicholls had returned in September 1815 to incite the Creeks to rebellion over the Americans’ treaty with the tribe, but Jackson

¹⁶⁶³ AJ to Monroe, November 20, 1814, in *CAJ*, II:101-103; AJ to Willie Blount, June 5, 1812, in *PAJ*, II:301-302; AJ to Willie Blount, June 12, 1812, in *PAJ*, II:303-305; AJ to Secretary Armstrong, June 13, 1814, in *CAJ*, II:6-8; AJ to Monroe, October 14, 1814, in *CAJ*, II:72-74; AJ to Monroe, October 26, 1814, in *CAJ*, II:82-83.

¹⁶⁶⁴ “Jackson’s Talk to the Creeks,” September 4, 1815, in *CAJ*, II:216-217.

¹⁶⁶⁵ *Ibid.*

¹⁶⁶⁶ *Ibid.*

¹⁶⁶⁷ *Ibid.*

¹⁶⁶⁸ *Ibid.*

¹⁶⁶⁹ *Ibid.*

¹⁶⁷⁰ *Ibid.*

¹⁶⁷¹ *Ibid.* Colonel Nicholls and Captain Woodbine.

¹⁶⁷² *Ibid.*

asked the Creeks, “is there any of your nation so crazy as to listen to their wicked talks again?”¹⁶⁷³

Jackson vowed that he, along with President James Madison, would “protect his friends and punish his enemies.”¹⁶⁷⁴ He pointed out to the Creeks that he had already “destroyed [their] enemies . . . and by the capitulation and Treaty at Fort Jackson [given] peace to [their] nation.”¹⁶⁷⁵ Following hostilities, Jackson claimed he had preserved the Creeks. He asked, “did I not feed you . . . and save you and your nation from starving?”¹⁶⁷⁶ He also reminded the tribe that he had sent presents into the nation and clothed “your naked women and children”¹⁶⁷⁷ Once the Creeks had expelled the British from among them, Jackson explained that “your father the president” will always be open “to your just complaints.”¹⁶⁷⁸ Closing the speech, the general addressed the Creek concern over their prisoners of war. Jackson said that the captive Creeks were in the hands of the Choctaws, Cherokees, and Chickasaws, and that those tribes would return the Creeks “as soon as your nation is able to feed them” and provide a written request for the prisoners “forwarded by the chiefs of your nation.”¹⁶⁷⁹ At the end, Jackson relied on his allies--the Choctaws, Cherokees, and Chickasaws--to hold the enemy captives until the Creeks had strength to provide for them.

¹⁶⁷³ *Ibid.*

¹⁶⁷⁴ *Ibid.*

¹⁶⁷⁵ *Ibid.*

¹⁶⁷⁶ *Ibid.*

¹⁶⁷⁷ *Ibid.*

¹⁶⁷⁸ *Ibid.*

¹⁶⁷⁹ *Ibid.*

EPILOGUE

Andrew Jackson's victory at the Battle of New Orleans made him a national hero and propelled him into discussions as a possible presidential candidate.¹⁶⁸⁰ There was a long path, however, between his military success during the War of 1812 and his election as commander-in-chief in 1828. Following the victory over the British, he returned to his family in Nashville. He took up public life again, however, as an Indian commissioner, a military leader in a campaign against the Seminoles, leader of an invasion of Spanish-controlled Florida, became the first territorial governor of Florida, a U.S. Senator, loser of a presidential election despite winning the popular vote, one of the founders of the Democratic Party, and winner of the presidency on his second attempt. His two terms in the executive office were full of controversy and tension among branches of government, between federal and state power, and with the Indian tribes. One of Jackson's most notorious accomplishments occurred in his first term with his signing of Congress's Indian Removal Act in 1830.¹⁶⁸¹

Another controversial aspect of Jackson's presidency was his confrontation with U.S. Supreme Court Chief Justice John Marshall. The Cherokee cases *Cherokee Nation v. Georgia* and *Worcester v. Georgia* show a clash between the policies of the executive and judicial branches, but Jackson did not abuse power in these instances.¹⁶⁸² Jackson acted within the law,

¹⁶⁸⁰ Remini, *Andrew Jackson and the Course of American Freedom, 1822-1832*, 39, 73, 149. As early as 1815 Jackson was rumored to be a presidential candidate. Remini, *Andrew Jackson and the Course of American Empire*, 320.

¹⁶⁸¹ Remini, *Andrew Jackson and the Course of American Freedom*, xiv.

¹⁶⁸² Melvin I. Urofsky and Paul Finkelman. *Documents of American Constitutional History, Volume I: From the Founding to 1896* (New York: Oxford University Press, 2008), 281.

but there was also a political aspect to his states' rights policy regarding the Indians. Because of the "racist realities of the time," he was "almost certainly correct in contending that for the Cherokees to remain in Georgia risked their extinction."¹⁶⁸³ If Jackson had ordered the Georgia militia to come to the aid of Cherokees in Georgia, Whites would most likely have refused to risk their lives to defend the Indians.¹⁶⁸⁴ The order would have also required the militia to "shoot White Georgians who threatened the Indians," which was something they would not do.¹⁶⁸⁵ Jackson defended states' rights, acted correctly according to the Constitution, and dealt with a White population that was not willing to defend the rights of Indians.¹⁶⁸⁶

Jackson as Indian Agent

In 1816, Jackson, General Daniel Meriweather of Georgia and Jesse Franklin of North Carolina became Indian commissioners to the Cherokees, Chickasaws, and Choctaws.¹⁶⁸⁷ Jackson's Tennessee friends--John Coffee, John Rhea, and John McKee--also became commissioners to the Choctaws.¹⁶⁸⁸ Including the treaty with the Creeks after the war in 1814, Jackson was present for six treaties between the end of the Creek War and his first presidential campaign.¹⁶⁸⁹ These treaties negotiated three-quarters of Alabama and Florida, one-third of Tennessee (mostly in the west), one-fifth of Mississippi and Georgia, and small portions of North Carolina and Kentucky from the Indians.¹⁶⁹⁰ The removal of Southeastern Indians through the exchange of land in these treaties eased the way for Indian removal during Jackson's presidency.

¹⁶⁸³ Duthu, 9; Brands, 492-493.

¹⁶⁸⁴ *Ibid.*

¹⁶⁸⁵ *Ibid.*

¹⁶⁸⁶ Duthu, 9, 10; Urofsky and Finkelman, 281.

¹⁶⁸⁷ Remini, *Andrew Jackson and the Course of American Empire*, 325-326.

¹⁶⁸⁸ Remini, *Andrew Jackson and the Course of American Empire*, 330.

¹⁶⁸⁹ Rogin. 165. Rogin, in his psychoanalytical biography, is one of Jackson's harshest critics.

¹⁶⁹⁰ *Ibid.*

As commissioner and president, he negotiated treaties despite his doubt that they were necessary in view of his concept of eminent domain and federal supremacy over the Indians.

Jackson based his claims on the Fifth Amendment to the U.S. Constitution, in which the federal government has the power of eminent domain, emphasizing that “the wisdom of the government has wisely provided that the property of a citizen can be taken for public use, on just compensation being made.”¹⁶⁹¹ During his time as Indian commissioner, he contended that Congress had the right to “occupy and possess” any part of Indian land “whenever the safety, interest, or defense of the country” called for it.¹⁶⁹² Indians, he said, were subject to the sovereignty of the United States and not independent nations.¹⁶⁹³ It was “absurd,” claimed Jackson, for a sovereign to negotiate by treaty with subjects.¹⁶⁹⁴ Besides, Jackson said, the Indians would claim “everything and anything” as their hunting land.¹⁶⁹⁵ Jackson was ahead of his time as Congress eventually abandoned the treaty process with Indians.¹⁶⁹⁶ During his time as a federal agent, however, he continued to use treaties as the English and Americans had long done.¹⁶⁹⁷

President Monroe authorized Jackson to “extinguish the Indian titles” in Cherokee land and he did so in several treaties.¹⁶⁹⁸ The Cherokees ceded over one million acres of land at the Treaty of Turkey Town in 1816 which was ratified by the entire nation.¹⁶⁹⁹ In July 1817, the Cherokees exchanged over two million acres in Tennessee, Alabama, and Georgia for land, “acre

¹⁶⁹¹ Urofsky and Finkelman, 108; Jackson to Monroe, March 4, 1817, in *PAJ*, IV:95; Banner, 202-203.

¹⁶⁹² Jackson to Monroe, March 4, 1817, in *PAJ*, IV:95.

¹⁶⁹³ Remini, *Andrew Jackson and the Course of American Empire*, 326.

¹⁶⁹⁴ Jackson to Monroe, March 4, 1817, in *PAJ*, IV:95.

¹⁶⁹⁵ Jackson to Coffee, February 13, 1816, in *CAJ*, II:232.

¹⁶⁹⁶ Banner, 203.

¹⁶⁹⁷ Banner, 202-203.

¹⁶⁹⁸ Graham to Jackson, January 13, 1817 in *ASPIA*, II:140.

¹⁶⁹⁹ Jackson, Meriweather, and Franklin to Crawford, September 20, 1816, in *ASPIA*, II:104-105; Woodward, 135; Cotterill, *Southern Indians*, 200; Remini, *Andrew Jackson and the Course of American Empire*, 329.

for acre,” west of the Mississippi River.¹⁷⁰⁰ For those Cherokees who wished to remain east, Jackson allotted 640 acres in fee simple per head of household, provided that they obeyed state law.¹⁷⁰¹ Here, consistent with his stance as president, Jackson viewed those Indians who stayed east and abided by state law as assimilating, while those who voluntarily moved east could maintain their tribal identity and culture.¹⁷⁰²

Jackson also negotiated treaties with the Chickasaws. In 1816, the Chickasaws surrendered land in east Mississippi, north and west Alabama, and south Tennessee for payments over ten years.¹⁷⁰³ This treaty also prevented the agents from issuing licenses to non-Indian peddlers on Chickasaw land.¹⁷⁰⁴ Jackson, as was common practice among Indian agents in American history, used “presents” to convince tribal leaders, including the Colberts of the Chickasaws, to cede land.¹⁷⁰⁵ However, he said he did not like bribing the Indians. He told John C. Calhoun that Congress should negotiate with the Indians “humanely and liberally, but put an end to treating with them and obtaining the country by corrupting their chiefs which is the only way by which a treaty can be obtained.”¹⁷⁰⁶ In 1818, Jackson concluded the Treaty of Old Town with the Chickasaws.¹⁷⁰⁷ In exchange for the western third of Tennessee and a small portion of Kentucky, the Chickasaws received \$20,000 per year for fifteen years.¹⁷⁰⁸ In addition to receiving land, part of Jackson’s purpose was to separate the northern and southern tribes to

¹⁷⁰⁰ Kappler, II:140-144; *ASPIA*, 129-130; Remini, *Andrew Jackson and the Course of American Empire*, 335.

¹⁷⁰¹ Kappler, II:143; *ASPIA*, II:130.

¹⁷⁰² Remini, *Andrew Jackson and the Course of American Empire*, 335-336.

¹⁷⁰³ Kappler, II:135-137.

¹⁷⁰⁴ Atkinson, 209.

¹⁷⁰⁵ Atkinson, 207-208; Remini, *Andrew Jackson and the Course of American Empire*, 326-327; Samuel Cole Williams. *Beginnings of West Tennessee: In the Land of the Chickasaws, 1541-1841* (Johnson City, TN: The Watauga Press, 1930), 296.

¹⁷⁰⁶ Jackson to Calhoun, August 25, 1820, quoted in Remini, *Andrew Jackson*, 133.

¹⁷⁰⁷ Kappler, II:174-177.

¹⁷⁰⁸ *Ibid.*

prevent inter-tribal cooperation against the United States as Tecumseh had done in his southern tour preceding the War of 1812.¹⁷⁰⁹

Jackson's interests in securing Indian land were personal, strategic, and humanitarian. In his position as Indian commissioner, he appointed friends and relatives to patronage positions as Indian agents, traders, treaty commissaries, surveyors, and land agents.¹⁷¹⁰ One of his best friends and a fellow Indian fighter, John Coffee, became wealthy through land speculation in the newly acquired territory.¹⁷¹¹ Based on his experience from the American Revolution through the War of 1812, Jackson also viewed the Indians as a threat in case of war with Europeans and contended that the land could be exchanged, rather than taken, for national defense purposes.¹⁷¹² Jackson's relationship with the Indians was not simply "force and fraud" as one historian put it.¹⁷¹³ In the years after the Creek War, hundreds of Indians were Jackson's personal friends and visited him at the Hermitage.¹⁷¹⁴ He and his wife Rachel adopted an Indian orphan, Lyncoya, who Jackson treated as his own son, and they took in other Indian boys.¹⁷¹⁵ He openly sanctioned interracial marriages between Whites and Indians.¹⁷¹⁶ He negotiated the first treaty to offer citizenship to Indians and believed citizenship was inevitable for the Indians who assimilated.¹⁷¹⁷ The federal government frequently called on him to remove White intruders from Indian land.¹⁷¹⁸

¹⁷⁰⁹ Remini, *Andrew Jackson and the Course of American Empire*, 337.

¹⁷¹⁰ Rogin, 165.

¹⁷¹¹ Remini, *Andrew Jackson and the Course of American Empire*, 331.

¹⁷¹² Jackson to Monroe, March 4, 1817, in *PAJ*, IV:95.

¹⁷¹³ Rogin, 13.

¹⁷¹⁴ Ronald Satz, *American Indian Policy in the Jacksonian Era* (Lincoln: University of Nebraska Press, 1975), 9.

¹⁷¹⁵ Brands, 490-491.

¹⁷¹⁶ Satz, *American Indian Policy in the Jacksonian Era*, 9.

¹⁷¹⁷ Remini, *Andrew Jackson and the Course of American Empire*, 336-337.

¹⁷¹⁸ Satz, *American Indian Policy in the Jacksonian Era*, 10.

For the Indian, Jackson believed, removal through exchange of territory was the only way to preserve tribal identity and heritage.¹⁷¹⁹

Although Jackson was among the leaders who represented the “racist realities of the time,” he made efforts to accommodate his Indian allies.¹⁷²⁰ He endeavored to balance the legal and political realities of the time. Throughout his career he sought the dual goals of defeating enemies and preserving tribes and their autonomy. This is a consistent pattern from his youth among the Catawbas, who he fought alongside as allies, to his days as militia general through his presidency. Although the end result of American Indian policy was at times tragic, Jackson did not condone the annihilation of the Indians outside of the battlefield.

During his time as Indian commissioner, though, Jackson was still the Indian fighter as when war broke out with the Seminoles in 1818.¹⁷²¹ Here, as in the Creek War, Britain and Spain were aiding hostile Indians.¹⁷²² The British were harboring runaway slaves in Spanish Florida and Jackson ordered Edmund Pendleton Gaines to attack.¹⁷²³ Also, the Seminoles in Florida provided safety to the Redsticks, who fled Jackson following the Creek War.¹⁷²⁴ Gaines reported to Jackson that Seminoles, aided by British trader Alexander Arbuthnot, attacked “a defenseless family and massacred a woman and her two children--the woman and eldest child scalped, and the house robbed and set on fire” along the Georgia-Florida border.¹⁷²⁵ Jackson believed the British were inciting the Indians to attack as Arbuthnot told the Redsticks that the Treaty of Fort

¹⁷¹⁹ Jackson to Pathkiller et al., January 18, 1821, in *PAJ*, V:7-9; Satz, *American Indian Policy in the Jacksonian Era*, 10-12.

¹⁷²⁰ Duthu, 9; Brands, 492-493.

¹⁷²¹ Daniel Walker Howe. *What Hath God Wrought: The Transformation of America, 1815-1848* (Oxford: Oxford university Press, 2007), 98-107.

¹⁷²² AJ to Gaines, April 8, 1816, in *CAJ*, II:238-239; Gaines to AJ, May 14, 1816, in *PAJ*, IV:31.

¹⁷²³ Remini, *Andrew Jackson*, 137.

¹⁷²⁴ Cotterill, *Southern Indians*, 232.

¹⁷²⁵ Gaines to AJ, April 2, 1817, in *PAJ*, IV:107; Remini, *Andrew Jackson*, 137.

Jackson was invalid and Captain George Woodbine, who had aided hostile Indians during the War of 1812, promised British assistance to the Redsticks, Seminoles, and runaway slaves.¹⁷²⁶

Gaines invaded Florida and burned the Seminole town of Fowltown, where he found evidence of an alliance between Seminole leader Neamathla and Britain.¹⁷²⁷ The Seminoles retaliated by attacking a group of Whites in a boat commanded by Lieutenant Richard Scott on the Apalachicola River, killing thirty-four soldiers, and executing or taking captive seven women, and killing four children by bashing their heads against a boat.¹⁷²⁸ Spain was required, by treaty asserted Jackson to Monroe and Secretary of War Calhoun, to prevent the Indians in Florida from invading the United States.¹⁷²⁹ Calhoun told Jackson to “terminate” the conflict with the Seminoles in Florida.¹⁷³⁰

Jackson claimed he had approval from Monroe to invade Spanish Florida. According to Jackson, Representative John Rhea from Tennessee wrote him a letter in which the Congressman said that the president authorized the general to invade East Florida and settle the Indian problem.¹⁷³¹ There is confusion as to whether Monroe authorized the invasion of Florida as Jackson claimed he burned the letter and no copy exists.¹⁷³² Jackson marched forty-six days and 450 miles to the border of Spanish territory where he assembled 3,000 regulars and volunteers plus 2,000 friendly Creeks under “mixed blood” General William McIntosh.¹⁷³³ In the First Seminole War, as Jackson had done his whole life, he used Indian allies to fight hostile Indians and Europeans. The Creeks captured a Seminole village of Red Ground with fifty-three warriors

¹⁷²⁶ Gaines to AJ, July 10, 1817, in *CAJ*, II:305-307; Gaines to AJ, November 21, 1817, in *CAJ*, II:333-334.

¹⁷²⁷ Remini, *Andrew Jackson*, 138.

¹⁷²⁸ Remini, *Andrew Jackson*, 139;

¹⁷²⁹ *Ibid.*

¹⁷³⁰ Calhoun to AJ, December 26, 1817, in *CAJ*, II:342.

¹⁷³¹ Jones, 105.

¹⁷³² *Ibid.*

¹⁷³³ Remini, *Andrew Jackson*, 145-146; Brands, 327; Jones, 105.

and 180 women and children.¹⁷³⁴ Jackson invaded Florida on March 10, 1818 and burned the hostile village of Mikasukian, where he found the scalps of fifty Whites and evidence of Redstick cooperation with the Seminoles.¹⁷³⁵ Then he captured the Spanish fort of St. Marks where the wife of an Indian chief told him the Indians received their supplies.¹⁷³⁶

Jackson then went after the hostile Indians and their British allies. Captain Isaac McKeever lured two old Redstick enemies of Jackson, Josiah Francis, who was commissioned as a brigadier general in the British army, and Himollemico, who led the raid on Lieutenant Scott and the Whites, by flying a British flag on a ship.¹⁷³⁷ When the Redsticks came onto the ship, the Americans captured them and hanged them.¹⁷³⁸ The Seminoles were next. Jackson, aided by Colonel Noble Kennard and friendly Creeks on his left flank and McIntosh and his Creeks on the right, invaded the Seminole towns led by Chief Billy Bowlegs along the Suwannee River and present-day Gainesville.¹⁷³⁹ Jackson, his Creek allies, and Tennessee volunteers killed thirty-seven Seminoles, captured 103 women, including a White woman taken captive in the Apalachicola raid, and seized horses and cattle.¹⁷⁴⁰

Still, the British problem remained. Former British Royal Marines and traders lived among the Seminoles.¹⁷⁴¹ Chief among them were Arbuthnot and Robert Ambrister.¹⁷⁴² After Jackson captured the Bowlegs towns, Ambrister, Peter Cook, and several other British arrived and were taken captive by the Americans.¹⁷⁴³ James Gadsden found Arbuthnot on a boat with

¹⁷³⁴ Brands, 328.

¹⁷³⁵ AJ to Calhoun, April 8, 1818, in *CAJ*, II:358-359.

¹⁷³⁶ Remini, *Andrew Jackson*, 150-151.

¹⁷³⁷ Remini, *Andrew Jackson*, 151-152.

¹⁷³⁸ *Ibid.*

¹⁷³⁹ Remini, *Andrew Jackson*, 152-155.

¹⁷⁴⁰ Remini, *Andrew Jackson*, 153.

¹⁷⁴¹ Remini, *Andrew Jackson*, 148.

¹⁷⁴² *Ibid.*

¹⁷⁴³ Remini, *Andrew Jackson*, 155.

British documents inciting Indians and former slaves to war with America.¹⁷⁴⁴ A court of twelve officers with General Gaines presiding found both Arbuthnot and Ambrister guilty of “exciting and stirring up” the Indians to war with the United States, supplying the Indians with arms, and aiding the war against the U.S.¹⁷⁴⁵ The court sentenced Arbuthnot to death by hanging and originally ordered Ambrister to be shot, but reversed the sentence to fifty lashes and hard labor.¹⁷⁴⁶ Jackson, however, in a controversial decision, had Ambrister’s sentence restored to execution.¹⁷⁴⁷ Jackson, having sent the Seminoles into the swamps, shown American dominance over Spain, and made an example of British instigators, declared the Seminole War to be over on June 2, 1818.¹⁷⁴⁸

Again, Jackson blamed the Europeans for inciting the Seminole War. Rather than pursuing a vindictive policy toward the Seminoles, after he defeated them in battle and chased them into the swamps, punished the European instigators, and declared the war over.¹⁷⁴⁹ His mission was to achieve national security. To Jackson, there was a correlation between Indian raids and European occupation and influence in Florida. Perhaps his biggest achievement in the period between the Battle of New Orleans and his presidency was his victory in Florida and the subsequent American acquisition as the Spanish left and the British declined in influence among the southern tribes.

Jackson’s success in Florida forced Spain to recognize its weakness over that territory as the Spanish American empire was declining. On February 22, 1819, Spain agreed to the Adams-Onis Treaty, or Transcontinental Treaty, by which Spain ceded Florida to the United States and

¹⁷⁴⁴ Remini, *Andrew Jackson*, 155-156.

¹⁷⁴⁵ Remini, *Andrew Jackson*, 156-157.

¹⁷⁴⁶ *Ibid.*

¹⁷⁴⁷ Remini, *Andrew Jackson*, 160.

¹⁷⁴⁸ Remini, *Andrew Jackson*, 156, 162-163.

¹⁷⁴⁹ *Ibid.*

acknowledged the boundaries of the Louisiana Purchase along the Sabine, Red, and Arkansas Rivers, and north to the 42nd parallel, where it extended to the Pacific Ocean.¹⁷⁵⁰ The combination of Secretary of State John Quincy Adams's diplomacy, Jackson's aggressive, though controversial, military invasion, and Spain's desire to "divest itself of troublesome Florida," led to acquisition of a vast new territory.¹⁷⁵¹

Perhaps as vindication for his role in securing the territory, Monroe appointed Jackson as the first territorial governor of Florida in 1821, a post he had initially declined in 1819.¹⁷⁵² This was Jackson's first executive position. He was reluctant to go because he had spent the past several years fighting Indian wars and negotiating Indian treaties and would be away from his wife Rachel who was now ill.¹⁷⁵³ Rachel did not want to go because Pensacola looked like an "ancient" town and it was so sinful she deemed it "Babylon."¹⁷⁵⁴ Many "land speculators, swindlers, gamblers, and soldiers of fortune" had made the lawless frontier in Florida their home.¹⁷⁵⁵ Colonel James Grant Forbes reported that "sickness and general distress seem to pervade most classes of the miserable population" in Florida.¹⁷⁵⁶ The government was in a state of "dismemberment and neglect" as there was no judge, sheriff, or constable to enforce law and order.¹⁷⁵⁷ Still, Jackson accepted the job, stating that the appointment indicates that the president "fully approved my course on the Seminole campaign."¹⁷⁵⁸

¹⁷⁵⁰ Howe, Daniel Walker, 108-11; see also Jones, 101-112.

¹⁷⁵¹ James W. Cortada. *Two Nations over Time: Spain and the United States, 1776-1977* (Westport, CT: Greenwood Press, 1978), 29-32. For an examination of Florida's declining status in the Spanish Empire, see David J. Weber. *The Spanish Frontier in North America* (New Haven: Yale University Press, 1992), 297-300.

¹⁷⁵² "Commission of Andrew Jackson as Governor," March 10, 1821, in *TP*, XXII:9-11.

¹⁷⁵³ AJ to Coffee, March 1, 1821 in *PAJ*, V:14-15; AJ to Andrew Jackson Donelson, March 31, 1821, in *PAJ*, V:24-25.

¹⁷⁵⁴ Rachel Jackson to Eliza Kingsley, July 23, 1821, in *PAJ*, V:79-82.

¹⁷⁵⁵ Herbert J. Doherty. *Richard Keith Call: Southern Unionist* (Gainesville: University of Florida Press, 1961), 19.

¹⁷⁵⁶ Forbes to Adams, August 18, 1821, in *TP*, XXII:171.

¹⁷⁵⁷ AJ to Adams, July 30, 1821, in *TP*, XXII:137-154.

¹⁷⁵⁸ AJ to Coffee, March 1, 1821 in *PAJ*, V:14-15

Jackson did little as governor regarding Indians in Florida. Rather, he deferred to Monroe on those matters while making recommendations.¹⁷⁵⁹ Jackson suggested that the Seminoles be removed from the coast and given “every justice to which they are entitled.”¹⁷⁶⁰ Jackson met with Seminole leaders to discuss the best site for a reservation and they concluded that the location would be along the Apalachicola River.¹⁷⁶¹ The paternalistic governor concluded that concentrating the Seminoles would be in the best interests of American national defense and it would protect the Seminoles from raiding Creeks and speculating Whites.¹⁷⁶² Jackson only served eleven weeks as governor and left Florida without taking any major action regarding the Indians, leaving that work to his successor and returning to Tennessee.¹⁷⁶³

Jackson left Florida desiring to retire to his home in Nashville, yet he was called to public life again.¹⁷⁶⁴ In 1823 Jacksonians in the Tennessee legislature elected him to the U.S Senate for the second time.¹⁷⁶⁵ He went reluctantly, saying it was contrary to his wishes, feelings, and interests, because he did not enjoy the legislative process and he wanted to remain in Tennessee.¹⁷⁶⁶ He did not enjoy his time in the Senate, often complaining to Rachel that “there is nothing to be done here but visiting and carding each other.”¹⁷⁶⁷ He maintained silence on many major matters, perhaps avoiding controversy because of the upcoming presidential run.¹⁷⁶⁸ He supported the Monroe Doctrine stating that “the president takes a proper ground as it respects South America. If the Holy Alliance will maintain their neutrality as it regards South America,

¹⁷⁵⁹ AJ to Adams, April 2, 1821, in *PAJ*, V:25-26.

¹⁷⁶⁰ AJ to Calhoun, September 17, 1821, in *TP*, XXII:205-208.

¹⁷⁶¹ James W. Covington. *The Seminoles of Florida* (Gainesville: University Press of Florida, 1993), 53.

¹⁷⁶² AJ to Worthington, October 1, 1821, in *TP*, XXII:225-226

¹⁷⁶³ AJ to Worthington, September 18, 1821, in *TP*, XXII:209-210.

¹⁷⁶⁴ AJ to Monroe, November 14, 1821, in *TP*, XXII:276-277; *TP*, XXII:316fn; *PAJ*, V:xiv.

¹⁷⁶⁵ Brands, 376-377.

¹⁷⁶⁶ AJ to Calhoun, October 4, 1823, in *PAJ*, V:301.

¹⁷⁶⁷ AJ to Rachel Jackson, December 7, 1823, in *CAJ*, III:216.

¹⁷⁶⁸ Brands, 377-379.

we will also. If they aid Spain, we will interpose on behalf of the colonies.”¹⁷⁶⁹ He increased his role as a national figure in remarking, “I am told the opinion of these whose minds were prepared to see me with a tomahawk in one hand and a scalping knife in the other has greatly changed.”¹⁷⁷⁰ Still, he wanted to return home to work on his cotton and corn farm.¹⁷⁷¹ He wrote a friend near the end of his short term in the Senate that “I am worn out with the fatigue of legislating. Nature never intended me for any such pursuit I am sure. Day after day talking and arguing about things that might be decided in a few hours requires a Job-like patience to bear; it does not suit me.”¹⁷⁷² He was a man of action. Jackson requested a leave of absence, which was granted, and he returned to Tennessee.¹⁷⁷³

His retirement from public life, however, was short as he became a candidate for president in the election of 1824.¹⁷⁷⁴ He refused to actively campaign for the office, but he answered letters from supporters.¹⁷⁷⁵ Jackson won the popular vote with 152,901 (42.5 percent), Adams received 114,203 (31.5 percent), Jackson’s rival Henry Clay had 47,217 (13 percent), and William Crawford gained 46,979 (13 percent).¹⁷⁷⁶ But he failed to secure victory in the Electoral College. Although he had ninety-nine electoral votes, he needed over fifty percent to win the election.¹⁷⁷⁷ The Twelfth Amendment to the U.S. Constitution stipulated that the top three in the electoral vote--Jackson, Adams, and Crawford--now faced a vote in the House of Representatives, where Clay was Speaker.¹⁷⁷⁸ Crawford was no longer a serious contender

¹⁷⁶⁹ AJ to Overton, December 5, 1823, in *PAJ*, V:321.

¹⁷⁷⁰ AJ to George Martin, January 2, 1824, in *CAJ*, III:222.

¹⁷⁷¹ Brands, 382.

¹⁷⁷² AJ to Henry Baldwin, May 20, 1824, in *PAJ*, V:411-412.

¹⁷⁷³ Brands, 382.

¹⁷⁷⁴ *PAJ*, V:433-434.

¹⁷⁷⁵ Brands, 382.

¹⁷⁷⁶ Howe, Daniel Walker, 208.

¹⁷⁷⁷ Adams had 84, Crawford 41, and Clay 37. Brands, 385; Urofsky and Finkelman, 103.

¹⁷⁷⁸ Brands, 386; Urofsky and Finkelman, 109-110.

because of his ill health following a stroke and his few votes.¹⁷⁷⁹ Clay refused to support the “military chieftain” Jackson and threw his support behind Adams.¹⁷⁸⁰ Adams won the election and subsequently nominated Clay for secretary of state.¹⁷⁸¹ Jacksonian newspapers denounced the Adams-Clay deal as a “corrupt bargain.”¹⁷⁸² Jackson calmly accepted the election results at first, but later exclaimed about Clay, “The Judas of the West has closed the contract and will receive the thirty pieces of silver. His end will be the same.”¹⁷⁸³ Jackson immediately began preparation for the 1828 election as he and Martin Van Buren joined others in founding the Democratic Party.¹⁷⁸⁴

In 1828 Jackson ran as the pro-democratic, “Hero of New Orleans,” vowing to fight the corruption of Adams and Clay.¹⁷⁸⁵ In one of the dirtiest campaigns in history, Adams’s supporters in a Kentucky newspaper attacked Rachel Jackson as a “dirty, Black wench” because of the difficult circumstances regarding her divorce of Lewis Robards and subsequent marriage to Jackson.¹⁷⁸⁶ In a greater turnout than the 1824 contest, Jackson won by a vote of 647,000 to Adams’s 508,000.¹⁷⁸⁷ The Electoral College count was more decisive for the Democrats as Jackson won 178 to 83.¹⁷⁸⁸ Jackson won the presidency, but suffered greater losses in 1828 as his Indian son Lyncoya died on June 1 and Rachel passed away just after the difficult election as a

¹⁷⁷⁹ Howe, Daniel Walker, 206, 208.

¹⁷⁸⁰ Brands, 387.

¹⁷⁸¹ Howe, Daniel Walker, 211. The position of secretary of state was a stepping stone to the presidency in the early republic. Jefferson, Madison, Monroe, and now Adams were all secretaries of state.

¹⁷⁸² *PAJ*, VI:24.

¹⁷⁸³ AJ to William Lewis, February 14, 1825, in *CAJ*, III:276; for more on the election of 1824, see Remini, *Andrew Jackson and the Course of American Freedom*, 17-18, 21, 25-26, 36, 74-95, and Howe, Daniel Walker, 203-211, 239-241.

¹⁷⁸⁴ Howe, Daniel Walker, 279; Remini, *Andrew Jackson and the Course of American Freedom*, 100-115;

¹⁷⁸⁵ Brands, 399-400.

¹⁷⁸⁶ Brands, 401; for more on the election of 1828, see Remini, *Andrew Jackson and the Course of American Freedom*, 116-155 and Howe, Daniel Walker, 275-284.

¹⁷⁸⁷ Brands, 402.

¹⁷⁸⁸ Brands, 402; Howe, Daniel Walker, 280.

result of a heart attack on December 22.¹⁷⁸⁹ The election was a victory for Southerners and pro-democracy advocates, but brought about the Democratic policy of Indian removal which Jackson signed into law in his first term.¹⁷⁹⁰

Jackson and Indian Removal

On May 28, 1830, Jackson signed the Indian Removal Act, which allowed the exchange of Indian lands east of the Mississippi River for the removal of the Indians to land in the west.¹⁷⁹¹ Jackson has received much of the blame for the tragedy of Indian removal because, although he was not the first to advocate removal, he was the president who actively promoted it and signed it into law.¹⁷⁹² Jackson famously laid out the case for removal in his First Inaugural Address on December 8, 1829.¹⁷⁹³

Jackson's argument for removal consisted of six main parts: attempts at assimilation, state sovereignty, preserving the Indian race, maintaining tribal identity, voluntary removal, and state law guiding those who did not relocate.¹⁷⁹⁴ The president contended that many efforts at assimilation had failed.¹⁷⁹⁵ In Alabama and Georgia, however, particularly among the Cherokees, a portion of the southern tribes had "mingled much with the Whites and made some progress in the arts of civilized life."¹⁷⁹⁶ Although Jackson acknowledged that "progress" had taken place, he

¹⁷⁸⁹ *PAJ*, VI:xliv, xlvi; AJ to Preston, December 18, 1828, in *PAJ*, VI:546.

¹⁷⁹⁰ *PAJ*, VIII:xxviii.

¹⁷⁹¹ *PAJ*, VIII:xxviii; Banner, 217.

¹⁷⁹² Banner, 191-197, discusses earlier removal policies.

¹⁷⁹³ James D. Richardson. *A Compilation of the Messages and Papers of the President* (Washington: Government Printing Office, 1896), II:442-462.

¹⁷⁹⁴ Richardson, II:456-459.

¹⁷⁹⁵ Richardson, II:457.

¹⁷⁹⁶ Richardson, II:457; *PAJ*, VII:160fn.

argued that state sovereignty prevented the Indians from maintaining their homelands in the southern states.¹⁷⁹⁷

Soon after Jackson's election, the legislatures of Georgia, Alabama, and Mississippi passed laws exerting state sovereignty over Creek, Choctaw, Chickasaw, and Cherokee territory within their bounds.¹⁷⁹⁸ Jackson contended that these states had the right to pass such legislation, basing his argument on Article IV, section 3 of the U.S. Constitution, which states that "no new state shall be formed or erected within the jurisdiction of any other state" without the consent of its legislature.¹⁷⁹⁹ He said that this law not only prevented Indians in Georgia from operating under their own jurisdiction, but the same law applied in Alabama, which "was admitted into the Union on the same footing with the original states."¹⁸⁰⁰ Jackson contended that he was powerless to stop these states from asserting their authority over tribal lands. He "informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States, and advised them to emigrate beyond the Mississippi or submit to the laws of those States."¹⁸⁰¹

Jackson told Congress that removal was a way to preserve the Indian tribes.¹⁸⁰² He lamented that "our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river and from mountain to mountain, until some of these have become extinct and others have left but remnants to preserve for a while their once terrible names."¹⁸⁰³ The Whites were to blame because they had destroyed

¹⁷⁹⁷ Richardson, II:457.

¹⁷⁹⁸ *PAJ*, VII:71. Georgia passed its law in December 1828. Alabama did so on January 29, 1829 and Mississippi on February 4, 1829. *PAJ*, VII: 71, 81fn, 107fn.

¹⁷⁹⁹ Richardson, II:457; Urofsky and Finkelman, 105.

¹⁸⁰⁰ Richardson, II:457.

¹⁸⁰¹ Richardson, II:458.

¹⁸⁰² *Ibid.*

¹⁸⁰³ *Ibid.*

“the resources of the savage” and doomed “him to weakness and decay.”¹⁸⁰⁴ The president pointed out as evidence that the “fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them if they remain within the limits of the States does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity.”¹⁸⁰⁵ Jackson knew firsthand of dwindling Indian populations as the Catawbas of his childhood neighborhood in South Carolina had once been a great nation, but had been reduced so that by the 1830s there were only eighty-eight Catawbas in South Carolina “wandering through the country, forming kind of camps, without any homes, houses, or fixed residence, and destitute of any species of property save dogs and a few worthless horses.”¹⁸⁰⁶

To guarantee the southern states the Indian land they claimed and to prevent such a “calamity” of Indian decline, Jackson suggested to Congress “the propriety of setting apart an ample district west of the Mississippi, and without the limits of any State or Territory now formed.”¹⁸⁰⁷ This became the basis of Congress’s Indian Removal Act. Within the states, Jackson contended he had no power to protect the Indians, but in the territories of the west, Congress would have jurisdiction and could guard the Indians against White aggression.¹⁸⁰⁸ In the new territory, the Indians could maintain tribal identity, void of assimilation or interference by Whites.¹⁸⁰⁹ In their new home, Jackson claimed, “they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes.”¹⁸¹⁰

¹⁸⁰⁴ *Ibid.*

¹⁸⁰⁵ *Ibid.*

¹⁸⁰⁶ Brown, 64.

¹⁸⁰⁷ *Ibid.*

¹⁸⁰⁸ Richardson, II:457-458; Urofsky and Finkelman, 105.

¹⁸⁰⁹ Richardson, II:458.

¹⁸¹⁰ *Ibid.*

The removal, according to Jackson's plan, would not be forced upon the Indians.¹⁸¹¹ The president suggested to Congress that "this emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land."¹⁸¹² Jackson warned the Indians, however, that if they chose to stay they could not maintain their tribal sovereignty in the southern states. Not mincing words, he stated that "they should be distinctly informed that if they remain within the limits of the States they must be subject to their laws. In return for their obedience as individuals they will without doubt be protected in the enjoyment of those possessions which they have improved by their industry."¹⁸¹³ He informed the Choctaws and Chickasaws that all who wish to remain as citizens shall have reservations laid out for them."¹⁸¹⁴ For those who chose to remain in the states, they would benefit as Jackson contended that the laws of the states "are not oppressive, for they are those to which your White brothers conform and are happy. Under them you will not be permitted to seek private revenge--but in all cases where wrongs may be done you through them, to remand redress."¹⁸¹⁵ The Indians would only pay taxes as the Whites and "the courts will be open for the redress of wrongs, and bad men, will be made answerable for whatever crimes...may be committed."¹⁸¹⁶ Although Jackson allowed this exception to removal, as he had since he was an Indian commissioner, he believed the Indians who remained would become assimilated and lose their tribal identity.¹⁸¹⁷ Jackson stated that "submitting to the laws of the States, and receiving,

¹⁸¹¹ Richardson, II:458-459.

¹⁸¹² *Ibid.*

¹⁸¹³ Richardson, II:459.

¹⁸¹⁴ AJ to Haley, October 15, 1829, in *PAJ*, VII:494-495.

¹⁸¹⁵ AJ to the Chickasaw Indians, August 23, 1830, in *PAJ*, VIII:496.

¹⁸¹⁶ *Ibid.*

¹⁸¹⁷ Richardson, II:459; Kappler, II:143; "Treaty with the Cherokees," in *ASPIA*, II:130; Remini, *Andrew Jackson and the Course of American Empire*, 335-336.

like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population.”¹⁸¹⁸

Jackson’s first annual message was consistent with his previous thoughts on Indian removal. It was a policy Jackson contended, that the federal government had “steadily pursued for nearly thirty years.”¹⁸¹⁹ As early as 1821, when some Cherokees tried to obtain a reservation in northeastern Alabama to exchange for land in Arkansas, Jackson told the Cherokee Chief Pathkiller it was in the best interests of his tribe’s “posterity” to move west.¹⁸²⁰ During Adams’s presidency, Jackson advised special commissioner to the Chickasaws John Dabney Terrell, that he should remind the Mississippi Indians of how Georgia had decimated the land and population of the Creeks and Cherokees in that state.¹⁸²¹ Removal would prevent the same from happening to the Chickasaws.¹⁸²² Jackson emphasized that removal must be an “exchange” of land, negotiated by both sides.¹⁸²³ He informed Congress before his presidency of the urgency of the Indian situation.¹⁸²⁴ He also insisted that “the present situation of those [Indians] east of the Mississippi requires the immediate attention of Congress. I am sure they cannot be long fostered and preserved where they now are--they can only be perpetuated as tribes, or nations, by concentrating them west of the Mississippi upon lands secured to them forever by the United States.”¹⁸²⁵ Only Congress, not the states, can offer the “humanity, and liberal protecting care” to

¹⁸¹⁸ Richardson, II:459.

¹⁸¹⁹ Richardson, II: 519.

¹⁸²⁰ AJ to Pathkiller, et al. January 18, 1821, in *PAJ*, V:7-9.

¹⁸²¹ AJ to Terrell, July 29, 1826, in *PAJ*, VI:192.

¹⁸²² *Ibid.*

¹⁸²³ Richardson, II: 458; AJ to Coffee, October 5, 1826, in *PAJ*, VI:226.

¹⁸²⁴ AJ to Lumpkin, February 15, 1828, in *PAJ*, VI:417-418. Wilson Lumpkin was a U.S. representative from Georgia on the House Committee on Indian Affairs.

¹⁸²⁵ *Ibid.*

shield them “from the encroachment of the Whites, without violation to state rights” so that the Indians “can prosper, and be perpetuated as a nation.”¹⁸²⁶

Jackson implored the Indians to move, contending that he understood them and looked out for their best interests. He stated his history with the Indians to members of the Chickasaw Nation as he urged removal. Citing his days as a boy during the Revolution, he said, “Your father has the frost of many winters on his head. From early youth he has lived near to his red children. He has slept with them--hunted with them.”¹⁸²⁷ Referring to his time during Tennessee and during the Revolutionary, Creek, and Seminole Wars, he said, “he has . . . fought with them, towards them, he has always entertained feelings of strong regard; and will not fail to be their friend.”¹⁸²⁸ The president insisted he wanted none of the land reserved to the Indians west of the Mississippi for the Whites as they would have enough in the east.¹⁸²⁹ For those who had been his friends, Jackson had proved an ally in his childhood and during war. Now at removal, he asked for their trust again.

On May 28, 1830, Jackson approved a law providing for Indian Removal that passed by a bare majority over the opposition of northern Congressmen.¹⁸³⁰ Northerners, unlike Jackson, had not suffered through the numerous Indian wars and level of struggle over federal-state sovereignty regarding Indian Territory.¹⁸³¹ The Indian population was small by comparison in the north. In 1825, there were 129,000 Indians in the United States.¹⁸³² 54,000 of those lived in Tennessee, Georgia, Alabama, and Mississippi.¹⁸³³ Most of the rest lived in the western

¹⁸²⁶ *Ibid.*

¹⁸²⁷ AJ to the Chickasaw Indians, August 26, 1830, in *PAJ*, VIII:507

¹⁸²⁸ *Ibid.*

¹⁸²⁹ AJ to the Chickasaw Indians, August 26, 1830, in *PAJ*, VIII:507-508.

¹⁸³⁰ Cotterill, *Southern Indians*, 238-239.

¹⁸³¹ Cotterill, *Southern Indians*, 239.

¹⁸³² Banner, 195.

¹⁸³³ *Ibid.*

territories.¹⁸³⁴ Of all the other states, only New York had a significant number of Indians with 5,000.¹⁸³⁵ No other state in the union had more than 1,000.¹⁸³⁶ In the south in 1825, there were 9,000 Cherokees, 21,000 Choctaws, and 20,000 Chickasaws.¹⁸³⁷

There was not much new in the Indian Removal Act. Presidents had negotiated exchanges of land, the Senate had approved treaties, and the president was free to pursue a policy of Indian removal.¹⁸³⁸ The primary reason for the legislation and the most significant part of the law was the last section authorizing \$500,000 for the specific purposes of removal.¹⁸³⁹ The process of transporting tens of thousands of people and setting up new territory required more funds than the Office of Indian Affairs had in its ordinary budget.¹⁸⁴⁰ The actual cost far exceeded the half million dollars Congress authorized. It actually cost tens of millions of dollars.¹⁸⁴¹

The president already had authority to trade land west of the Mississippi River for Indian land in the east as presidents had done for some time.¹⁸⁴² Less than a year following the Louisiana Purchase, Congress authorized President Thomas Jefferson to obtain land from eastern Indians for the new land in the west.¹⁸⁴³ The Senate passed a similar resolution in 1817.¹⁸⁴⁴ In 1809 more than 1,000 Cherokees exchanged land in the east for territory in Arkansas.¹⁸⁴⁵ By 1820, 3,000 Cherokees, over fifteen percent of the tribe, had moved to the west.¹⁸⁴⁶ That same

¹⁸³⁴ *Ibid.*

¹⁸³⁵ *Ibid.*

¹⁸³⁶ *Ibid.*

¹⁸³⁷ Banner, 198-199.

¹⁸³⁸ Banner, 217.

¹⁸³⁹ *Ibid.*

¹⁸⁴⁰ *Ibid.*

¹⁸⁴¹ Robert V. Remini. *Andrew Jackson and His Indian Wars* (New York: Penguin Books, 2001), 238.

¹⁸⁴² Banner, 192, 217.

¹⁸⁴³ Banner, 193-194.

¹⁸⁴⁴ *Ibid.*

¹⁸⁴⁵ Banner, 194.

¹⁸⁴⁶ *Ibid.*

year Shawnees, Delawares, and Kickapoos moved to Missouri.¹⁸⁴⁷ Between 1817 and 1821, the federal government exchanged land ten times with eastern Indians for western lands.¹⁸⁴⁸ Thousands of Indians moved west by the early 1820s: Oneidas left New York for land in Wisconsin; Kickapoos exchanged land in Indiana and Illinois for more land in Missouri; Choctaws traded parts of Mississippi for Arkansas; Creeks ceded land in Georgia twice in five years for Oklahoma.¹⁸⁴⁹ Jackson's message and policy of Indian Removal was consistent with American history.

Jackson, despite his opposition to the treaty process as a young man, continued the legal practice of treaty-making with the Indians following the Removal Act.¹⁸⁵⁰ The Senate had approved Indian treaties in the past and continued to do so well after 1830.¹⁸⁵¹ Despite contending that Congress should use the power of eminent domain, Jackson continued to abide by legal precedent and negotiated treaties with the Indians as authorized in the Removal Act rather than by force.¹⁸⁵² The Creeks signed an agreement to remove on March 24, 1832.¹⁸⁵³ The Seminoles accepted removal the following May.¹⁸⁵⁴ The Choctaws succumbed to pressures from Mississippi with the Treaty of Dancing Rabbit Creek in September 1830.¹⁸⁵⁵ The Chickasaws also agreed to removal in a series of treaties.¹⁸⁵⁶ In eight years, Jackson oversaw seventy treaties,

¹⁸⁴⁷ *Ibid.*

¹⁸⁴⁸ *Ibid.*

¹⁸⁴⁹ Banner, 194-196.

¹⁸⁵⁰ AJ to McKee, January 30, 1793, in *PAJ*, I:40-41; AJ to McKee, May 16, 1794, in *PAJ*, I:48-49; AJ to Monroe, March 4, 1817, in *PAJ*, IV:93-98.

¹⁸⁵¹ Banner, 217.

¹⁸⁵² AJ to Monroe, March 4, 1817, in *PAJ*, IV:95; Banner, 203-204, 206, 217.

¹⁸⁵³ Kappler, II:341-343.

¹⁸⁵⁴ Kappler, II:344-345.

¹⁸⁵⁵ Cotterill, *Southern Indians*, 239; Howe, Daniel Walker, 353; Kappler, II:310-319.

¹⁸⁵⁶ Kappler, II:356-364, 1035-1040.

adding 100 million acres in the east in exchange for 32 million acres west of the Mississippi and 68 million dollars.¹⁸⁵⁷

Each of these treaties contained an exchange of land to the east with new land to the west for the tribes. Although the tribes reluctantly accepted their fates, the treaty structure was a “formal exchange of promises.”¹⁸⁵⁸ As Indian legal scholar N. Bruce Duthu points out, the treaties gave some autonomy to the Indians as the signers “effectively redistributed political power over certain territories and shifted control over particular natural resources, but otherwise agreed that their respective communities would coexist as distinct cultures with different views and ways of living.”¹⁸⁵⁹ Prior to the tragic process of removal, this is what Jackson envisioned, as the tribes could maintain their autonomy in a distinct territory, protected by Congress from an encroaching White population that had dwarfed the small Indian groups remaining in the east.¹⁸⁶⁰ The treaties, despite Jackson’s earlier disapproval of them, “recognized the tribes’ legal status as first sovereigns, possessing inherent powers of self-government.”¹⁸⁶¹ The tragedy of Indian removal occurred in the poorly planned removal process that culminated in the Trail of Tears in 1838. Jackson’s haste in removal, plus government ineptitude, resulted in thousands of casualties.¹⁸⁶² As Jackson proposed and negotiated, however, the tribes retained autonomy through land exchanges.

¹⁸⁵⁷ Remini, *Andrew Jackson and His Indian Wars*, 238.

¹⁸⁵⁸ Duthu, xxiii.

¹⁸⁵⁹ *Ibid.*

¹⁸⁶⁰ Richardson, II:456-459.

¹⁸⁶¹ Duthu, xxiv.

¹⁸⁶² Remini, *Andrew Jackson and His Indian Wars*, 238.

The Cherokee Cases, Indians Who Remained, and the Trail of Tears

The Cherokees, who were Jackson's enemy during his youth, his ally during the Creek War, and had assimilated perhaps more than any other tribe, offered the most resistance to removal.¹⁸⁶³ Frustrated with Georgia's policies, the Cherokees sought relief through the courts.¹⁸⁶⁴ The Supreme Court heard two cases: *Cherokee Nation v. Georgia* (1831) and *Worcester v. Georgia* (1832), soon after the Removal Act.¹⁸⁶⁵ In *Cherokee Nation v. Georgia*, former Attorney general William Wirt argued on behalf of the tribe that it could sue the state of Georgia because the Indians were a "foreign state" under Article III of the U.S. Constitution.¹⁸⁶⁶ The Cherokees sought to have Georgia statutes extending state sovereignty over tribal land unconstitutional and contrary to treaty provisions.¹⁸⁶⁷ The Cherokees lost as Chief Justice John Marshall ruled that Indians are not a "foreign state" under Article III and therefore lacked jurisdiction to bring a suit directly to the Supreme Court.¹⁸⁶⁸ As a result, the court could not rule on the Georgia statutes.¹⁸⁶⁹ The tribes, however, were not states either, as they were, in Marshall's words, a "domestic dependent nation."¹⁸⁷⁰ Jackson had said all along that the Georgia statutes were the law and although Marshall may not have agreed with the state, the president was powerless to help the Cherokees.¹⁸⁷¹

The Cherokees had more success in the Worcester case.¹⁸⁷² In late 1830, the Georgia legislature passed a law prohibiting Whites from living on Cherokee lands.¹⁸⁷³ The act was an

¹⁸⁶³ Cotterill, *Southern Indians*, 239; Theda Perdue and Michael D. Green. *The Cherokee Nation and the Trail of Tears* (New York: The Penguin Group, 2007), 25-41.

¹⁸⁶⁴ Howe, Daniel Walker, 355.

¹⁸⁶⁵ Banner, 220.

¹⁸⁶⁶ Banner, 219, Urofsky and Finkelman, 104-105.

¹⁸⁶⁷ Banner, 219.

¹⁸⁶⁸ Banner, 220.

¹⁸⁶⁹ *Ibid.*

¹⁸⁷⁰ Banner, 220; Duthu, xv.

¹⁸⁷¹ *PAJ*, VII:71.

¹⁸⁷² Banner, 221; Urofsky and Finkelman, 281-286.

exertion of state sovereignty over tribal land. The state convicted Samuel Worcester, a White missionary, of violating the law and sentenced him to prison.¹⁸⁷⁴ Wirt contended that the U.S. Supreme Court had jurisdiction over the matter and Marshall agreed to hear the case.¹⁸⁷⁵ The court reversed Worcester's conviction.¹⁸⁷⁶ The chief justice opined that "the Cherokee Nation, then, is a distinct community occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties, and with the acts of Congress."¹⁸⁷⁷ The myth of Jackson's resistance to judicial supremacy states that in response to Marshall's ruling in the Worcester case, he said that "John Marshall has made his decision, now let him enforce it."¹⁸⁷⁸ Legal scholars Melvin Urofsky and Paul Finkelman contend that "despite years of repetition in textbooks, there is no evidence" that Jackson said this.¹⁸⁷⁹ Jackson may have held this opinion towards Marshall and the court, but in this case, despite what the supposed quote asserts, there was nothing for Jackson to enforce.¹⁸⁸⁰ The court's opinion voided Worcester's conviction, but the court could not order the federal government to do anything that was not part of the case.¹⁸⁸¹ Marshall knew that the Supreme Court could neither "control the legislature of Georgia" nor "restrain the exercise of its physical force" because that would claim "too much of the exercise of the political power to be within the proper province of the judicial department."¹⁸⁸² Georgia released Worcester from prison in 1833 as he

¹⁸⁷³ Banner, 220.

¹⁸⁷⁴ *Ibid.*

¹⁸⁷⁵ *Ibid.*

¹⁸⁷⁶ *Ibid.*

¹⁸⁷⁷ Urofsky and Finkelman, 285.

¹⁸⁷⁸ Urofsky and Finkelman, 281.

¹⁸⁷⁹ *Ibid.*

¹⁸⁸⁰ Banner, 221-222; Urofsky and Finkelman, 281.

¹⁸⁸¹ Banner, 221-222.

¹⁸⁸² Marshall quoted in Banner, 222.

agreed to leave the state and never return.¹⁸⁸³ Marshall protected Indian sovereignty, which Jackson recognized as he continued to negotiate treaties with them after the Worcester decision.¹⁸⁸⁴ There was no court order to Jackson nor could there have been.¹⁸⁸⁵

The Cherokee cases and Indian Removal were two of many dilemmas Jackson faced in 1832. Among them were the political opposition of Henry Clay and the emerging Whig Party, the tariff, the Nullification Crisis in South Carolina, debates over federal funding for internal improvements, the possible re-charter of the Second Bank of the United States, and the upcoming presidential election in which Clay was using all these issues for political reasons.¹⁸⁸⁶ Jackson was willing to use the militia to quell the Nullification Crisis in South Carolina, but not in the Cherokee controversy in Georgia.¹⁸⁸⁷ The South Carolina problem resulted from the state's resistance to a federal tariff passed by a democratically elected Congress.¹⁸⁸⁸ Jackson, as commander-in-chief, could legitimately use the militia to enforce Constitutional provisions. In Georgia, however, he refused to use military force for several reasons. First, he was not part of the Worcester case and there was no action for him to take.¹⁸⁸⁹ Second, Georgia was resisting court orders, not Congressional legislation, and many states' rights proponents, including Jackson, questioned the extent of judicial power over the states.¹⁸⁹⁰ Third, Georgia, after a few months' delay, eventually abided by Marshall's instruction and released Worcester.¹⁸⁹¹ Besides, in Jackson's words, even if he had the power to call the militia, "one regiment . . . could not be

¹⁸⁸³ Urofsky and Finkelman, 281. Worcester left Georgia with the Cherokees to Oklahoma in 1835 where he remained until his death in 1859.

¹⁸⁸⁴ Banner, 224; Kapler, II:439-449.

¹⁸⁸⁵ Banner, 221-222.

¹⁸⁸⁶ Richard E. Ellis. *The Union at Risk: Jacksonian Democracy, States' Rights, and the Nullification Crisis* (Oxford: Oxford University Press, 1987), 28, 32, 112-115.

¹⁸⁸⁷ Ellis, Richard E., 112-114.

¹⁸⁸⁸ Ellis, Richard E., 115.

¹⁸⁸⁹ Banner, 221-222.

¹⁸⁹⁰ Ellis, Richard E., 115.

¹⁸⁹¹ Ellis, Richard E., 118.

got to march to save [the Cherokees] from destruction.”¹⁸⁹² As an Indian legal scholar and Jackson biographer explained, “To enforce Marshall’s decision would have required raising and sending federal troops to Georgia, stationing them there indefinitely, and ordering them to shoot White Georgians who threatened the Indians.”¹⁸⁹³ Jackson recognized that Americans would not tolerate such a policy.¹⁸⁹⁴ Americans in the Jacksonian Era may have tolerated the president’s use of force to save the union, but White citizens in the militia would not risk death to protect the Cherokees in Georgia.¹⁸⁹⁵

Jackson faced another problem with northern Indians in the Black Hawk War during the spring and summer of 1832.¹⁸⁹⁶ Chief Black Hawk led between one and two thousand Indians of the Sac and Fox tribes across the Mississippi River, returning to their homeland in Illinois where Whites disputed the Indians’ claim to land.¹⁸⁹⁷ Black Hawk, like Tecumseh, fought alongside the British during the War of 1812 and called for inter-tribal resistance against White encroachment.¹⁸⁹⁸ Secretary of War Lewis Cass summoned federal troops to join the Illinois militia to defeat the Indians.¹⁸⁹⁹ In this war, as had been Jackson’s experience, the Americans used Indian allies against the invading Sacs and Foxes.¹⁹⁰⁰ Menominees, Dakotas, Potawatomis, and Ho Chunks (Winnebagos) all assisted the American military in victory over Black Hawk.¹⁹⁰¹ Unfortunately, however, these friendly tribes also experienced removal following the war.¹⁹⁰² Yet many Indians in these tribes remained east despite removal acts placing the tribes west of the

¹⁸⁹² AJ to Coffee, April 7, 1832, in *CAJ*, IV:430.

¹⁸⁹³ Duthu, 10; Brands, 492-493.

¹⁸⁹⁴ *Ibid.*

¹⁸⁹⁵ *Ibid.*

¹⁸⁹⁶ Howe, Daniel Walker, 419.

¹⁸⁹⁷ *Ibid.*

¹⁸⁹⁸ *Ibid.*

¹⁸⁹⁹ *Ibid.* among the soldiers in the Black Hawk War were Abraham Lincoln, whose father had been killed by Indians in Kentucky, Zachary Taylor, Winfield Scott, and Jefferson Davis

¹⁹⁰⁰ Hall, 8-11, 140-213.

¹⁹⁰¹ *Ibid.*

¹⁹⁰² Hall, 212, 215-216, 232-233.

Mississippi.¹⁹⁰³ The Ho Chunks ceded land to the United States, but the federal government allowed some to remain in their homeland and built a school for their children.¹⁹⁰⁴ Many of the tribes returned to their homeland around Lake Winnebago, where they dwindled to less than 400, but revived when many who had gone west returned to their homeland.¹⁹⁰⁵ The Potawatomis retained land in Indiana.¹⁹⁰⁶ Although Jackson and Congress were responsible for the exchange of land and removal of many, there was some, particularly Indian allies, in this case, which remained.

The Poarch Band of Creek Indians is one such example of Indian allies who maintained their identity in the east.¹⁹⁰⁷ Following the Creek War of 1813-1814, each Creek chief and warrior who aided Jackson received mile-square reservations.¹⁹⁰⁸ This land was to remain with the descendants of the warriors, but revert to the federal government of those families moved.¹⁹⁰⁹ Many of these families remained on their homeland through the relocation of the Creeks in 1836, with some assisting the Americans as interpreters during the removal process.¹⁹¹⁰ Later, some “mixed-blood” Creeks, including descendants of Jackson’s former enemy turned friend, William Weatherford, intermarried with Whites, obtained land titles, assimilated, and became prominent citizens in Alabama.¹⁹¹¹ The 1832 treaty with the Creeks, designed to remove the tribe west of the Mississippi, did not “compel any Creek to emigrate, but they shall be free to go or stay as

¹⁹⁰³ Hall, 212, 215-216, 229-233, 261-262.

¹⁹⁰⁴ Hall, 212.

¹⁹⁰⁵ Hall, 233, 261.

¹⁹⁰⁶ Hall, 215-216, 262.

¹⁹⁰⁷ J. Anthony Paredes, “Back from Disappearance: The Alabama Creek Indian Community,” in William C. Sturtevant, ed. *A Creek Source Book* (New York: Garland Publishing Inc., 1987), 125-141.

¹⁹⁰⁸ Daniel Littlefield and James Parins, eds. *Encyclopedia of American Indian Removal* (Santa Barbara, CA: Greenwood, 2011), 174.

¹⁹⁰⁹ Kappler, II:108.

¹⁹¹⁰ Paredes. 120.

¹⁹¹¹ Paredes, 120-121.

they please.”¹⁹¹² Following Creek removal, in 1836 and 1837 additional Creeks selected reservations in Alabama, compensating for lands illegally sold by the United States.¹⁹¹³ Much of this land is in Baldwin and Escambia Counties.¹⁹¹⁴ There are still several hundred descendants of Jackson’s Creek allies living in Alabama.¹⁹¹⁵

Cherokees remained in the east as well. Jackson had negotiated treaties with the Cherokees in 1817 and Calhoun negotiated another settlement in 1819 that allowed them to remain in the east. Fifty-one families in the western part of North Carolina obtained land and some became citizens as a result of the treaties.¹⁹¹⁶ The Treaty of New Echota in 1835, which many Cherokees rejected, allowed these citizens to remain in North Carolina despite removal agreements.¹⁹¹⁷ These Cherokees became known as the Quallatown Indians who occupy present-day Jackson, Swain, Cherokee, and Macon Counties in western North Carolina.¹⁹¹⁸ When Jackson left office in 1837 they were still citizens according to the federal government, though North Carolina resisted allowing them full citizenship rights.¹⁹¹⁹ Roughly 700 Quallatown Indians remained despite President Van Buren’s forced removal of the Cherokees on the Trail of Tears.¹⁹²⁰ A total of 1,400 Cherokees remained east after removal, including the Quallatown Indians, 400 along the Hiwassee, Valley, and Cheoah Rivers in North Carolina, and 300 in Tennessee, Georgia, and Alabama.¹⁹²¹ Among those Cherokees who stayed in their homeland was Junaluska, who led Jackson’s Cherokee allies in the Creek War.¹⁹²² He was buried in

¹⁹¹² Kappler, II:343.

¹⁹¹³ Littlefield and Parins, 174; Sturtevant, 128.

¹⁹¹⁴ *Ibid.*

¹⁹¹⁵ Sturtevant, 128.

¹⁹¹⁶ Anderson, 96-97; Kappler, II:140-144, 177-181.

¹⁹¹⁷ Anderson, 98; Kappler, II:444-445.

¹⁹¹⁸ Anderson, 98-100.

¹⁹¹⁹ Anderson, 101.

¹⁹²⁰ Anderson, 105.

¹⁹²¹ Anderson, 106-107.

¹⁹²² Anderson, 106-107.

Cherokee County, North Carolina.¹⁹²³ The Poarch Creeks and Quallatown Indians, though a small fraction of the overall Indian population who faced Jackson's removal policy, are indicators of Jackson's experience. Though many Indians suffered removal under the president or fought him in battle, Jackson always had Indian allies.

Jackson believed in the "dying race" thesis, which maintained that the only way to preserve the Indians was to remove them.¹⁹²⁴ Although he legitimately had humanitarian concerns, the actual removal process was a "humanitarian disaster."¹⁹²⁵ Jackson, however, when advocating removal and signing the Indian Removal Act, did not know the future would bring such corruption, fraud, theft, violence, and inept and dishonest federal officials who implemented the transport of the Indians to the west and broken promises on failed reservations in the succeeding generations.¹⁹²⁶ When Jackson found out that agents of the Creeks were delivering the tribe's payments to White creditors to pay Creek debts, he demanded an investigation into the impropriety of taking the Indians' money without their consent.¹⁹²⁷ In the end, Jackson was "shocked and angry" at the disaster of his administration's implementation of Indian removal.¹⁹²⁸ By the end of his presidency 9,000 Indians remained in the east (mostly in New York and the old northwest), while 45,690 had emigrated across the Mississippi.¹⁹²⁹ He was responsible for the relocation of over half of the 81,282 Indians who left their homelands of the east between 1789 and the Trail of Tears under Van Buren in 1838.¹⁹³⁰

The greatest tragedy of Indian removal came in 1838 with the forced relocation of the Cherokees in the Trail of Tears. It is important to note that Jackson had been out of office for two

¹⁹²³ *Ibid.*

¹⁹²⁴ Duthu, 9.

¹⁹²⁵ Banner, 225.

¹⁹²⁶ Banner, 225, 228-256; Remini, *Andrew Jackson and His Indian Wars*, 228, 238, 249-251.

¹⁹²⁷ Remini, *Andrew Jackson and His Indian Wars*, 230.

¹⁹²⁸ Remini, *Andrew Jackson and His Indian Wars*, 250-251.

¹⁹²⁹ Remini, *The Life of Andrew Jackson* (New York: Perennial, 2001), 218.

¹⁹³⁰ Remini, *Life of Jackson*, 382fn.

years when this horrific event occurred. Under his administration, in December 1835, the Cherokees, questionably represented by dissident members, agreed to remove within two years, after Jackson was out of office.¹⁹³¹ Consistent with his earlier policy, Jackson allowed some members of the tribe, who wished to stay in the east, to become “citizens,” provided they obeyed state law.¹⁹³² Not forgetting his allies, Jackson’s treaty stipulated that Cherokee warriors who served “in the late war with Great Britain and the southern tribes of Indians, and who were wounded in such service shall be entitled” to pensions allowed by Congress.¹⁹³³ When time came for the Cherokees to fulfill their obligation and move, Jackson was in Tennessee, retired from public life, and Cherokee Chief John Ross was leading resistance to the removal.¹⁹³⁴ While Ross was in Washington pleading with officials from the Van Buren administration, the federal army rounded up at least 12,000 Cherokees for transport to Oklahoma.¹⁹³⁵ On the way west, an estimated 4,000 Indians died in the forced march during the fall and winter of 1838-1839 in what became known as the “Trail of Tears.”¹⁹³⁶ Jackson’s Indian Removal Act was an authorized “exchange” of land through legally sanctioned treaties.¹⁹³⁷ The federal government’s implementation of removal and the subsequent reservation system was a disaster.¹⁹³⁸

Jackson’s experience with the Indians, from the Catawbas during his youth in South Carolina, to the Chickasaws in Tennessee and his Indian allies during the Creek War and the War of 1812, shows a dual encounter that is often marginalized in the historiography. By the end of his presidency, the federal grant of autonomy and self-determination, however, abused and

¹⁹³¹ Kappler, II:446-447.

¹⁹³² Kappler, II:444-445.

¹⁹³³ Kappler, II:445

¹⁹³⁴ Banner, 223.

¹⁹³⁵ Banner, 224; Howe, Daniel Walker, 416. Estimates are as high as 18,000.

¹⁹³⁶ Banner, 224-225; Howe, Daniel Walker, 416. Ted Widmer. *Martin Van Buren* (New York: Henry Holt and Company, 2005), 118. Estimates of the Cherokee deaths range from 1,800 to 8,000.

¹⁹³⁷ Duthu, xv, xxiii-xiv; AJ to Terrell, July 29, 1826, in *PAJ*, VI:192; AJ to the Chickasaw Indians, August 23, 1830, in *PAJ*, VIII:507; Richardson, II:458.

¹⁹³⁸ Banner, 225, 228-256.

often cruel, nonetheless enabled survival of Indian autonomy and cultural identity. This irony is consistent with the practical realities of Jackson's life and leadership--a missing element in the existing historiography of Jackson and the Indians.

Jackson's relationship with the Indians, particularly his allies, shows a paradox of federal Indian law. He built alliances and conquered enemies among the Indians. He implemented their removal from their homeland, yet offered citizenship and allowed some to stay. Though the result of the removal process was tragic, in the end, those tribes maintained autonomy and tribal identity. Jackson, through the exchange of land, used the treaty structure to accomplish the political goals of removal. Consistent with his life experience, though, he used the law to preserve his allies and offered a way to maintain cultural identity for those who removed.

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