

In May 1830 President Jackson obtained what he had wanted since he first fought the Chickamaugas: The Indian Removal Act became the law of the land. The Choctaw Nation signed a removal treaty in September 1830, amid an atmosphere of bribery and doubt; the Creeks agreed to removal in March of 1832; the Seminoles in May; and, the Chickasaw in October. Only the Cherokee resisted and refused to removal under the questionable law. The Cherokee Nation was systematically torn apart by various devices of the U.S. government and in 1835 a treaty was signed at New Echota in December. Only a small rebellious segment of the Cherokee population was at the meeting -- about 100 people signed the agreement which ceded Cherokee lands east of the Mississippi to the U. S. for the sum of five million dollars. This granted the sum of fifty-one cents per acre to the Cherokee.

The Cherokee Nation was granted the right to occupation of the western lands, those already occupied by the "western Cherokees, with the addition of some contiguous lands; it was agreed that the lands would never be subjected to any future actions that would serve to confiscate them into a new state, or territory. The Treaty also dealt with removal procedures. (These promises were never kept). The Treaties of 1828 and 1833 with the western Cherokees were nullified. This not only meant removal, but a three-party split was in effect created, dividing the Nation: The Western Cherokee; the Treaty Party, who had signed the New Echota Treaty; and the main body of the Nation which was led by John Ross.

The target date for complete removal was May 1838. Priority as to manner of move, and financing, was allowed to Treaty Party adherents; various groups were moved by water and land routes; each succeeding group fared worse than their predecessors. In late 1837 the penultimate group, of about 365 persons, was moved overland, taking approximately two and one-half months to make the trip. In this group some 15 deaths occurred, mostly children. This left roughly 15000 of the Ross group to be moved. They were "captured", put in pens awaiting movement, and formed indiscriminately into 15 groups of 1000 each. Three additional groups had been moved forcibly in June 1838.

The final evacuation move, of thirteen groups of 1000 each were moved overland. This final movement was called "The Trail of Tears". The weather was bad, most had to walk, many died on the trail, including Quatie Ross, the Chief's wife. Ross estimated that 424 persons had died out of the 13000, Grant Foreman, historian and author concluded that of 18000 Cherokees that had been relocated after the 1835 Treaty was signed, that about 4,000 had died, either in the stockades of the east, or on the trail.