CHAPTER 17

Andrew Jackson and the Trail of Tears

In the fall of 1829, a Mississippi military man and mail contractor named Major David Haley traveled across Mississippi and Arkansas to the seat of the Choctaw and Chickasaw Indian nations. He met with tribal leaders and councils, sending an unmistakable message to hundreds of Native Americans gathered to hear his ostensibly friendly words. He was bearing an offer—from the president of the United States, Andrew Jackson.

The offer was stark: If they left their vast swaths of ancestral land behind and moved west of the Mississippi River, they'd be given some compensation for their land and receive land in the new Arkansas Territory. If they *didn't* leave, well, then they'd lose their sovereignty and be subject to the laws of each of the states in which they resided as well as of the United States. Haley's implicit threat was that if they remained, he'd do nothing to ensure their safety.

His message, communicated directly to Choctaw chief David Folsom, was designed to be delivered to the tribal council. The message, Haley explained to Folsom, had been given to Haley personally in a letter by President Jackson, and this message must now be read aloud to the assembled audience. "Say to them as friends and brothers to listen [to] the voice of their father, & friend," Jackson's letter read. His reference to himself as the "father" of the Native Americans was common presidential rhetoric, a custom begun by Thomas Jefferson. The letter continued:

Where they now are, they and my white children are too near each other to live in harmony & peace. Their game is destroyed and many of their people will not work & till the earth. Beyond the great river Mississippi, where a part of their nation has gone, their father has provided a country large enough for them all, and he ad[vises] them to go to it. There, their white . . . will not trouble them, they will have no claim to [the] land, and they & their children can live upon it as long as grass grows or water runs, in peace and plenty. It shall be theirs forever. For the improvements which they have made in the country where they now live, and for the stock which they can not take with them, their father will stipulate, in a treaty to be held with them, to pay them a fair price.

Say to my red Choctaw children, and my Chickasaw children to listen. My white children of Mississippi have extended their laws over their country; and if they remain where they now are . . . must be subject to those laws. If they will remove across the Mississippi, they will be free from those laws, and subject only to their own, and the care of their father the President. Where they now are, say to them, their father the President cannot prevent the operation of the laws of Mississippi. They are within the limits of that state, and I pray you to explain to them, that so far from the United States having a right to question the authority of any State to regulate its affairs within its own limits, they will be obliged to sustain the exercise of this right. Say to the chiefs & warriors that I am their friend, that I wish to act as their friend, but they must, by removing from the limits of the States of Mississippi and Alabama, and by being settled on the lands I offer them, put it in my power to be such.

That the chiefs and warriors may fully understand this talk, you will please go among them and explain it; and tell them it is from my own mouth you have . . . it and that I never speak with a forked tongue.

Whenever they make up their minds to exchange their lands . . . for land west of the river Mississippi, that I will direct a treaty to be

> held with them, [and assure them, that every] thing just & liberal shall be extended to them in that treaty. Their improvements will be paid for, stock if left will be paid for, and all who wish to remain as citizens shall have reservations laid out to cover their improvements; and the justice due [from a] father to his red children will be awarded to them. Again I beg you, tell them to listen. The plan proposed is the only one by which they can be perpetuated as a nation . . . the only one by which they can expect to preserve their own laws, & be benefitted by the care and humane attention of the United States. I am very respectfully your friend, & the friend of my Choctaw and Chickasaw brethren.
>
> Andrew Jackson

In no other policy area is Jackson's legacy clearer and more controversial than in his relations with Native American tribes. In the 1820s, as he cemented his stature as a national figure and potential president, the issues were at full boil. He'd taken the position that the Native Americans were simply residents of a jurisdiction like everyone else, without preexisting rights of ownership of the land. This translated well into Old Hickory's brand of populism, which placed power and sovereignty in the hands of the local people of a state or territory, and if the people of these states wanted these particular neighbors *out*, then so be it. In the election of 1828, Jackson rode to victory in good measure on this platform.

The political situation in which Folsom delivered Jackson's letter to the Choctaw and Chickasaw Indians was tense. Mississippi had joined the Union in 1817, and Alabama had followed in 1819; both were now increasingly filled with settlers as the nation expanded, and conflicts with the Native American tribes of the Southeast had been brewing for years. Older states such as Georgia were in the same situation. These states didn't recognize the boundaries of the autonomous Indian nations—the so-called Five Civilized Tribes, the Choctaw, Chickasaw, Cherokee, Creek, and Seminole nations. The

Native Americans had rejected previous attempts to remove them, though they'd given up large swaths of land in previous treaties.

But Jackson had some reason to hope that the Choctaw would listen to him since they'd fought alongside him in the War of 1812. Indeed, Folsom himself had served under Jackson and the famous Choctaw chief Pushmataha. Folsom had been born to a Native American mother and a white father and embraced Christianity, allowing missionaries to open schools for Choctaw children in the 1820s.

But Folsom was adamantly opposed to the removal of the tribe from their home in what was now Mississippi. Furthermore, he'd already heard from a friendly missionary that the land the Choctaw had been promised in the Arkansas Territory was already being claimed by white settlers.

A tribal council was convened to consider Jackson's words. The older leaders had grown weary of confrontation and were prepared to accept a fair solution. Folsom, who led the younger contingent, rose up in fury at the council meeting, arguing that they should all stay and fight. This was their land.

Folsom rejected this "offer" from Jackson. "The red people are of the opinion that in a few years the Americans will also wish to possess the land west of the Mississippi," he said. "Should we remove, we should again soon be removed by white men. We have no wish to sell our country. . . . Here is our home, our dwelling places, our fields, and our schools, and all of our friends; and under us are the dust and the bones of our forefathers."

But it was not an offer. It was a command. Jackson was undeterred. His State of the Union address just days later argued that the only solution to this problem was to move the Indian nations west of the Mississippi. He'd set his administration's Indian policy, which was based on the instructions given to his agent David Haley just days earlier.

The following spring, he pushed through Congress and then signed the Indian Removal Act, authorizing the forcible extraction of the Native American tribes of the Southeast to federal territory

west of the Mississippi, in the area of present-day Oklahoma. Over the following years, the tribes trekked west, sometimes at gunpoint, in what came to be known as the Trail of Tears.

As for Jackson's original letter to the Choctaw and Chickasaw tribes, it was apparently lost to history.

Every summer Karen and I decamp with our daughter to our family cottage in Bar Harbor, Maine, where we spend as much time as possible enjoying the cooler temperatures by the sea. One year, we had another reason beside the heat wave to get there fast. Waiting for us was an oversize, forty-pound box that had arrived via FedEx the day before. The sender was a descendant of a prominent Civil War commander. He'd been riffling through his family inheritance in his attic and looking through some historical "stuff" in a box he'd had for years: some documents, a piece of a flag. About a week before we left Philadelphia, my father had taken the man's first call. He explained that he possessed some items that had been in his family for generations. His direct ancestor was Thomas Ewing, who'd served as secretary of the treasury under William Henry Harrison and then as the nation's first secretary of the interior under Zachary Taylor. Three of Ewing's sons became Union generals in the Civil War, one earning status as one of William Tecumseh Sherman's most trusted commanders. Sherman, the irascible Northern general who brought the pain of the war to the South with his March to the Sea in Georgia in the waning days of 1864, was also the senior Ewing's son-in-law, having married his daughter in 1850. The Ewings, then, were a prominent family in the nineteenth century.

"I've shown this to an auction company," the Ewing descendant told my father, explaining that the company hadn't seemed hugely interested, but had estimated $5,000 for one letter in bad condition, in pieces, apparently signed by Andrew Jackson. That price is consistent with a minor Jackson letter that says nothing of great interest. My father asked for some scans, and from the image sent it

wasn't clear what the Jackson letter was. But the other pieces looked interesting enough and included a piece of the battle flag that flew at Union headquarters when Vicksburg was taken, so we thought the money would work when we took everything into consideration. We made an offer into five figures, far more than the auction company was offering, pending final determination of authenticity. So the man sent everything cross-country from his Arizona home to our Maine cottage.

It's a long day's drive from Philadelphia to Bar Harbor, and my mind was on our pending vacation—my kayak was waiting under the house. While we were en route, my father called. He was already up in Maine, and he'd opened the Ewing box with his usual zeal to see what he'd find. You never know what's at the bottom of a box, and each shipment promises something unexpected. He was moderately excited about the flag; a drawing of the general's headquarters; a map of the Vicksburg campaign; and a letter written by Hugh Ewing to his wife announcing the South's surrender at Vicksburg in July 1863, one of the turning points of the war.

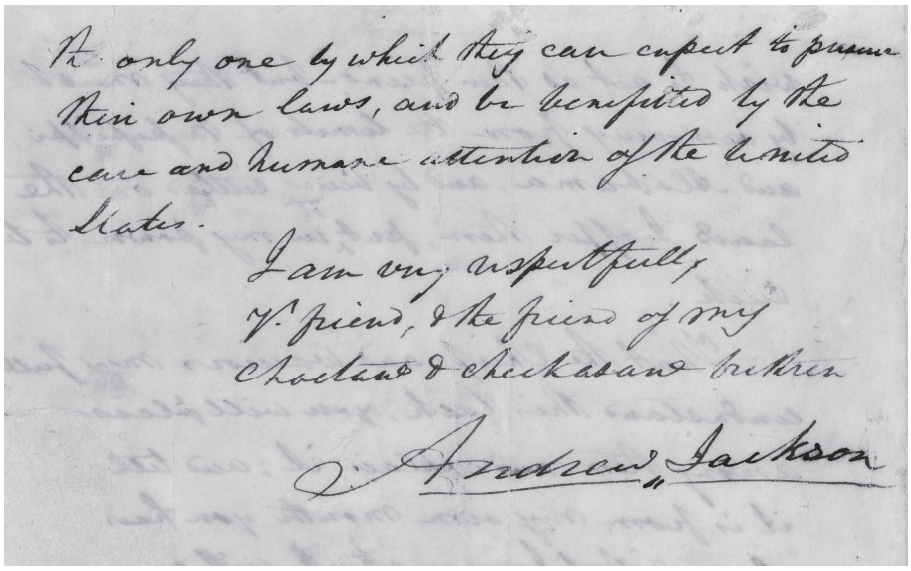
In the bottom of the box, my father had found nine shreds of paper scattered, the largest the size of a grossly misshapen index card. One featured the bold signature and accompanying trademark flourish of Andrew Jackson, so this was presumably the letter the auction house had valued at $5,000. What was all this, and what did it mean? Presumably no one outside the Ewing family had seen any of this material since the Civil War. No one outside that family knew it even existed.

"There are just a bunch of pieces of paper," my father explained. "I can't even tell if they all fit together. We'll look at it when you get here. But I can say from the bits and pieces that this seems promising."

When we arrived at the house the box was waiting. I found the fragments of the mystery letter still in Ziploc-style bags. They were not together—the family hadn't realized that they were part of the same document.

I took them to our study, a salon constructed at the front of our late nineteenth-century home. In this very room, more than a century ago, President Grover Cleveland had chaired a cabinet meeting, and notables of the era had sat for drinks, men such as J. P. Morgan, John Jacob Astor, James Roosevelt (FDR's dad), George Dorr, Oliver Wendell Holmes, and Burton Harrison, who'd been Jefferson Davis's personal aide in the Civil War. Back then, our home wasn't a residence, but a private club—the Mount Desert Reading Room—a hub of intellectual thought in the golden age of Bar Harbor. The heavy maroon drapes keep it on the darker side. My parents had replicated the furniture to be historically appropriate of the late-Victorian era. The wood floor alternates between dark walnut and light oak and is one of the more original aspects of the house. The whole room feels a little like a Gilded Age men's club.

I placed the nine pieces of paper from 1829 spread out in front of me like a puzzle. We were going to have to assemble this puzzle before we could begin to understand what we had. This was a challenge, but when I had them set out in front of me in one place, I noticed that the pieces had the same pen and ink markings, the same strength and tone against the paper. The pieces were all the same darker brown, not faded differently piece by piece. They belonged together. The signature was Jackson's: bold and distinctive, large and confident, often larger than any other writing on the page, which fits his character and historical legacy. I called in my father and we immediately sat down at the table and began putting together the pieces of the puzzle. The signature went at the bottom, the date, October 15, 1829, at the top. Okay, that was a start. For the rest, we weren't totally at sea because the script oriented us east-west, and some edges were straight. This one seemed to go here, this one there . . . it took about forty-five minutes to position the pieces and understand where the holes in the paper were. We seemed to have about three-quarters of the document in front of us, the whole about the size of a legal pad. It was indeed a letter signed by Andrew Jackson, and written in the hand of his nephew/secretary.



The first fragment of the Andrew Jackson letter we found in the box.

Old Hickory, as he was called, was a political giant for over a generation, either loved or hated by his contemporaries—a divergent assessment that continues today.

A populist military figure, he took power eight years after the death of Napoléon and engendered in his soldiers and many others the same anti-elite veneration that made him both hero and villain, tyrant and man of the people. He wielded his power and influence like a cudgel and, like Napoléon before, knew that the idea of a man, what he represents, can inspire devotion in others. The two of them are decidedly different people, but give truth to the adage that if you fail to see through the great people of the world to the ideas they represent, you won't understand them.

Many collectors today have a Jackson shelf (President Trump among them, in a way: he moved Old Hickory's portrait into the Oval Office in 2017). Anything signed by the man counts, but the details can move the price a full decimal place or even more, with letters of great content selling for more than $100,000. Jackson's material

is most valuable, generally speaking, when it displays his command of the executive branch, shows him as the hero of the Battle of New Orleans during the War of 1812, or relates to Native American affairs. People want to see strength in Jackson. If he wrote a letter apologizing for something, that would not motivate a serious buyer. However, that same letter placing blame on the other party, defying him to challenge him again, that would be a nice letter to have. As an aside, I feel the opposite about a letter from Washington, where I would prefer his typically diffident or philosophical style to a blustering arrogance.

As this new puzzle came together, piece by piece, it began to dawn on us that this was no ordinary letter. Damaged as it was, it felt different and evoked an emotional quality that comes with being in the presence of real history. The experience was heightened by the time-consuming reassembly.

Certain passages rang out loud and clear: Jackson was asking Native American tribes to voluntarily leave their lands in the Southeastern states and resettle west of the Mississippi: "Where they now are, they and my white children are too near each other to live in harmony & peace." This sounded like a promise of war. This is when I first learned the story of David Haley and David Folsom and the convening of the 1829 tribal council. The history came rushing toward us. This was clearly the very letter of instruction given to Haley by President Jackson, carried to the Choctaw nation, and now in tatters at the bottom of a box that hadn't been opened in a generation. The content of this letter has been known since Jackson's day from his retained draft, but any historian or collector who has studied these events and the Jacksonian era would have assumed that the final version was lost. Here it was now, though, worn but still speaking to us today of the many hands it had passed through and the many people who'd heard its message almost two hundred years ago.

So what do you do when a document arrives in pieces? This isn't humpty-dumpty. You put it back together.

I called Frank Mowery, the head of conservation at the great Folger Shakespeare Library and our conservator for many years.

Many documents arrive separated at the folds. This is common. Letters or documents are folded, and from that moment it weakens the rag paper or wood pulp that keeps the piece together. Those can easily be put back together, often with no visible sign to an untrained eye. But this was an extreme case. The letter had obviously been errantly tossed in the box, some pieces had gone missing, and it had been left to its own devices. That the letter had survived at all was remarkable—so much gets destroyed and lost to history. Conservators do remarkable work, piecing everything together, placing the pieces on a foundation with paper that seamlessly replicates the original, removing damaging acid, stabilizing materials—whatever is possible to save as much as possible.

But in this dire case? "Frank," I said, "this one is something special, but it's a mess. Real problems." I described in detail what we'd found and then pieced together, and Frank described a relatively new technique that might just work, leaf-casting, which uses a special paper slurry to fill in gaps. When I sent Frank an image of the pieces, he remained optimistic, so I placed each piece in a separate Mylar sleeve, boxed them securely, and sent them on their way.

Frank floated the pieces of the letter in an aqueous solution and allowed the paper substitute to fill in the gaps. This resulted in a piece that is held together by these interstitial connections and resembles the letter as it was written, with the elements missing appearing as blank in the final.

I waited for Frank's return package with great anticipation, and when the box arrived two weeks later, I approached it carefully, because the contents were fragile. The leaf-casting was a success.

This document is a relic of a complicated and unsettling time in American history, an artifact of white dominion over Native tribes. The westward expansion of the nation in the early nineteenth century caused great pain and dislocation for the Native American tribes, and this letter embodied all of that pain. We felt awestruck.

History is not always pretty, or heartwarming—it doesn't necessarily come with a happy ending. But there is real value in preserving it, in listening to the truths that these documents have to tell us. The Jackson letter to the Choctaw and Chickasaw tribes in 1829 illuminates a moment when two civilizations came into conflict, and the Native Americans were subjugated.

I've never before owned a document of direct communication between leaders of two rival civilizations, not nations but civilizations. I expect this will be my last. I say that because the letters of leaders and monarchs we carry, such as one of the king of England writing his counterpart in France, don't reveal a clash of civilizations, but contentions within civilizations. Yet the result of the Haley-Folsom encounter, as often happens, wasn't great for one of those civilizations. Clashes of civilizations usually end in the absorption or defeat of one. The hunt had yielded us this extraordinary moment in that encounter, and in a small way recovering Jackson's letter had allowed us to participate in and feel the power of that struggle.

Understanding this letter was part of my journey to better understand my own hunt. This was a sheet of paper, yes, but it was symbolic of so much more, not just for one person but for a group of people—one whose residence on this continent even predates my family's early arrival in the 1600s. Their subjugation and replacement differs radically from *my* family's experience, which has been characterized primarily by acceptance and assimilation.

I'm sensitive to the pain of this moment for many. We carried a remarkable Ulysses S. Grant–authored letter written forty years after this one in which he comments on the end of Native American civilization. The lifestyle of the Native, he writes, is nearly dead. This Jackson letter was the point of a spear that prodded that lifestyle out of existence. We heard from many proud representatives of Native American tribes, saying nice things about our discovery. It was their own historical find, their chance to draw attention to their story—to participate in the telling of the American story.

The only person who wasn't pleased was the editor of the Papers

of Andrew Jackson, who felt the letter put Jackson in an unnecessarily bad light.

History may repeat itself, but historical acts don't. This was unique, and its importance undeniable. For this reason, the condition of the document, which wasn't great, did not detract from the piece or the price we gave it. Rather, it became part of the journey of the document, from Jackson's pen, to Native tribes of the South, lost for generations and in tatters, to our door, reassembled, to a public, national exhibit.

The piece was sold to a private collector for $100,000 and spent a year on display at the National Constitution Center in Philadelphia.