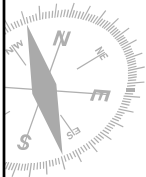


## Georgia's Quest for Statehood



- ▶ Nov. 1779, the Assembly selected Walton as governor.
- ▶ His term was marked by bitter disputes between his followers and those of Lachlan McIntosh.
- ▶ Walton himself returned to the Congress in early 1780 and served through September, 1781.
- ▶ Returning to GA. in 1783, he faced criticism over his previous actions against McIntosh, (requesting that Congress remove him as Brig. Gen.) the Assembly still chose him as Chief Justice of GA.

## The Signers of the Declaration of Independence

- ▶ **George Walton**
- ▶ Born: Virginia - late 1749 or early 1750  
Died: Augusta, Georgia - February 2, 1804
- ▶ Studied law in Savannah, Georgia in 1769, and developed a very successful practice.
- ▶ He was a leader opposing British policies toward the American colonies.
- ▶ July 1775, he was elected Secretary of the Provincial Assembly.
- ▶ Dec. 1775, was chosen President of the Council of Safety.
- ▶ Jan. 1776, the Assembly chose Walton as a delegate to the Continental Congress.

- ▶ As Chief Justice he defended himself against McIntosh's accusations and gained political support statewide.
- ▶ He was elected governor again in 1789, serving until a new government was begun under the new state constitution in November 1789.
- ▶ Under the new government Walton was appointed a Superior Court Judge.
- ▶ 1795 he was appointed to fill the unexpired US Senate seat of James Jackson.
- ▶ Walton became involved in a political feud with Jackson over the Yazoo land fraud case.

- ▶ Walton arrived in Philadelphia late June, taking his seat in the Congress on July 1, 1776.
- ▶ Walton was the youngest signer of the Declaration at 26 yrs. old.
- ▶ Walton continued to serve in the Continental Congress until October, 1777.
- ▶ He continued in political and military affairs once he returned to GA.
- ▶ His militia was involved in the attack on Florida in early 1778, and in defending Georgia's borders.
- ▶ When the British attacked Savannah in December of 1778, Walton was wounded and taken prisoner. He recovered and was exchanged in October, 1779.
- ▶ Upon his release he toured the Georgia back country encouraging citizens to keep up the fight.

- ▶ Jackson was the main opponent of the land sales, and because of Walton's rumored support of them - he was not returned to the Senate.
- ▶ Walton returned home to GA., where he again attempted farming on his Richmond County lands.
- ▶ He died in Augusta on February 2, 1804.
- ▶ In 1848 his remains were removed from their burial site and placed with a monument honoring Georgia's signers of the Declaration of Independence

▶ **Lyman Hall**

- ▶ Born: Wallingford, Connecticut - April 12, 1724  
Died: Burke County, Georgia - October 19, 1790
- ▶ Lyman Hall moved from Connecticut to Charleston, SC in 1756 or 1757, where he began a medical career.
- ▶ 1760 he established a plantation in GA., but continued to help the sick in the area.
- ▶ He returned to SC in 1762, but by 1774 was back in GA. and heavily involved in Revolutionary politics.

- ▶ When the British captured Savannah, both of Hall's homes were torched and he was accused of high treason.
- ▶ He fled to Charleston, which subsequently also came under British attack.
- ▶ Hall fled again, to Connecticut to stay with relatives.
- ▶ When the fighting ended he began reclaiming his lands in Georgia.
- ▶ Elected as delegate to the House of Assembly in 1783, that legislature then elected him governor.

- ▶ Because of this, he received an angry rebuke from Royal Governor James Wright.
- ▶ But caught the attention of Georgia's Provincial Assembly, which sent him as a delegate to the Continental Congress in 1776.
- ▶ Hall did not participate in the Congressional debates usually, but was a tireless committee worker
- ▶ Mainly in getting medicine and clothing for the Continental soldiers.

- ▶ The Governor at the time had little authority, but Hall worked diligently addressing the new state's many problems - such as defense, Indians, meager food supply, and chaotic finances.
- ▶ He suggested to the assembly that they set aside tracts of lands to establish educational academies in the future.
- ▶ This suggestion, continued by another transplanted man from Connecticut - Abraham Baldwin - was instrumental in the chartering of the University of Georgia.
- ▶ As one of his final acts as governor, Hall was able to announce the signing of the Treaty of Paris which officially ended the war.

- ▶ He was reelected to the Congress to serve through 1780, but returned home in Feb. 1777.
- ▶ He wanted to be on hand to help defend the state, and was also involved in the partisan political feuds within Georgia itself.
- ▶ Hall was a longtime friend of Button Gwinnett, one of his fellow delegates to the Congress.
- ▶ He supported Gwinnett in his famous feud with Lachlan McIntosh, which eventually led to the duel that cost Gwinnett his life. Hall was executor of Gwinnett's estate

- ▶ Hall followed his year as governor with another year in the assembly, then with a year as a judge, before retiring from the political scene.
- ▶ He stayed active on his plantation however, and in 1789 he and a group of other prominent Georgians formed a society to help promote more successful agriculture in the state.
- ▶ In 1790 Hall moved to a plantation along the Savannah River in Burke County, where he died within a few months.
- ▶ "Intelligent and spirited men, who make a powerful addition to our phalanx" is how John Adams remembered Hall and his fellow Georgia signers of the Declaration of Independence.

▶ **Button Gwinnett**

- ▶ Baptized: Gloucester, England - April 10, 1735  
Died: Savannah, Georgia - May 19, 1777
- ▶ Button Gwinnett came to Georgia in 1765. Having little success as either a merchant or a planter, but became intricately involved and quite adept at Revolutionary politics.
- ▶ His political battles were as much with the Whig factions within Georgia as they were with the British.
- ▶ Gwinnett represented the group trying to take power away from the "city" party, dominated by the Christ Church parish centered in Savannah.
- ▶ He is selected as leader of Georgia's Continental battalion in early 1776. But many of his political rivals opposed his selection.

- ▶ Gwinnett proposed invading Florida and taking St. Augustine - to guarantee protection of Georgia's southern boundary.
- ▶ But McIntosh and his followers believed the plan was politically, not militarily, motivated and refused to aid the effort.
- ▶ Gwinnett had George McIntosh arrested for treason, while Lachlan immediately came to his brother's defense.
- ▶ Meanwhile the expedition to Florida was begun, but soon halted.
- ▶ Gwinnett requested aid from McIntosh, but by now cooperation between the two was impossible.
- ▶ The Council called Gwinnett back to Savannah, where the tensions between the two factions and the two men continued to mount.

- ▶ To avoid excessive controversy, Gwinnett gave up this post, instead accepting election to the Continental Congress.
- ▶ He arrived in Philadelphia on May 20, 1776.
- ▶ He was heavily involved in committee work, but took no recorded part in the debate over independence.
- ▶ His support for the cause was clear though, as he voted to separate from England on July 2, voted for the Declaration itself on July 4, and signed the actual document on August 2.

- ▶ May 1777 a new assembly convened.
- ▶ Gwinnett was defeated in a bid for the governorship, but was cleared of any wrongdoing in the Florida expedition.
- ▶ An angry Lachlan McIntosh publicly declared that Gwinnett was "a scoundrel and lying rascal."
- ▶ The very next day Gwinnett challenged McIntosh to a duel.
- ▶ The two met outside Savannah on May 16, 1777.

- ▶ Gwinnett hoped to again be named leader of the Georgia forces, but that appointment went to Lachlan McIntosh, a longtime political rival.
- ▶ Gwinnett turned his attention to the legislature, where his faction won control.
- ▶ He and his followers set out to purge the military of all those ostensibly not devoted to the Revolutionary cause.
- ▶ But most of those purged were supporters of McIntosh. The legislature adjourned in February, 1777, leaving the government in the hands of the Council of Safety.
- ▶ The Council's President - Archibald Bulloch - died within a month and the Council selected Button Gwinnett to take his place. The only negative vote was cast by George McIntosh - Lachlan's brother.

- ▶ Both were wounded in the ensuing duel; McIntosh recovered, Gwinnett did not.
- ▶ He died three days later.
- ▶ His death so soon after the fact has made Button Gwinnett's signature a rare and valuable item.
- ▶ He subsequently became the most famous of Georgia's three signers of the Declaration of Independence.
- ▶ McIntosh was transferred to SC.
- ▶ Code Duello would start to fade out. The last "official" duel in GA. was in 1877.

## Political Development

- ▶ The GA. Constitution was lacking fundamental law.
- ▶ GA. was set up with the separation of Jud., Leg. & Exec. Branches.
- ▶ The Leg. Was the most powerful & was unicameral. The Lower House selected the Governor & Council.
- ▶ The Governor has no veto power.
- ▶ The Council limited the Governor's power a great deal, only in office for 1 year.

## Confederation Period

- ▶ The years of the Articles of Confederation, 1782 – 1790
- ▶ The Articles of Confederation were active in 1781, and stayed in use until the new Federal Government could be established.
- ▶ These will be the Reconstruction years for the Revolutionary War.
- ▶ GA. had a lot on its hand during this time.
- ▶ First & foremost, the Indians had to be pacified.

- ▶ The House of Assembly only allowed White, Male, Protestants, 21 yrs. old or older to vote.
- ▶ This was considered lenient.
- ▶ At the same time, the Anglican Church in GA. was abolished, officially.
- ▶ More Counties were created, & more were in the interior of the state.
- ▶ The State Const. allowed for public schools, and for them to be supported by public taxes.

- ▶ This will be no easy task, Indian problems will continue until the forcible removal of all Indians from GA.
- ▶ To start things off in the Government, GA. adopted the English Common Law system, (the juridical principles and general rules regulating the possession, use and inheritance of property and the conduct of individuals, the origin of which is not definitely known, which have been observed since a remote period of antiquity, and which are based upon immemorial usages and the decisions of the law courts as distinct from the *lex scripta*; the latter consisting of imperial or kingly edicts or express acts of legislation.)

- ▶ Feb. 1777, the Georgia Constitution is activated.
- ▶ The delegates, Walton, Hall, & Gwinnett were sent to the Const. Congress.
- ▶ The "New Georgia Government" would not start until 1782. GA. elected a new Assembly & the British started to leave.

- ▶ 1785 – the GA. Legislature forms Committees to deal with the problems in the state.
- ▶ STATES RIGHTS WILL BE THE MAIN ISSUE.
- ▶ States would pass treaties, issue passports, and approve or deny citizenship.
- ▶ No true court system. Each county had its own Supreme Court.
- ▶ Chief Justice Walton will unify the county courts.
- ▶ 1785 – the 1<sup>st</sup> vestiges of a County Seat will be established in the Road Commissioners.

- ▶ The Religious Establishing Act of 1785 – the GA. Assembly stated that the Heads of each Family in each county that consisted of 30 families or more, would elect a Preacher that would fill the Pulpit every Sunday.
- ▶ They were paid by the State Government. They hoped this would civilize & strengthen each community.
- ▶ The Baptist Association protested the Act, but did not act upon it.
- ▶ The Protestant & Episcopal Churches took over after the Anglican Church left.

### The GA. State Constitution of 1777

- ▶ Georgia's 1<sup>st</sup> attempt at a constitutional government was in April 1776.
- ▶ The Provincial Congress was called by the Georgia Trustees in response to a series of mass meetings held throughout the colony.
- ▶ This document provided a framework for the transition from colony to state.
- ▶ Soon after GA. moved toward independence by accepting the Declaration of Independence, its first constitutional convention was organized.

- ▶ Salzberger Lutheran priests tended to be Pro-English, even after the war, causing many Salzbergers to convert to Methodism.
- ▶ The Baptist began to grow rapidly because they were independent, less ceremony & popular.
- ▶ The Methodist also increased in popularity, but not as large as the Baptist, YET.
- ▶ The Presbyterians did not grow as quickly.
- ▶ The Jews consolidated their congregations & moved to the up country.
- ▶ The Roman Catholics settled along the coast.

- ▶ Completed in February 1777 and executed without having been submitted to voters for ratification, this constitution remained in effect for twelve years.
- ▶ It vested most governmental authority in a state legislative body, incorporated the separation of powers doctrine, and included a number of basic rights, such as the free exercise of religion, freedom of the press, and trial by jury.

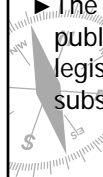
### Georgia Constitution

- ▶ GA. has had ten (10) different state constitutions.
- ▶ The state const. changed as the state grew & changed.
- ▶ Three (3) different methods to revise the const. Seven (7) const. were revised by constitutional conventions, two (2) by constitutional commissions, and one (1) by the office of legislative counsel of the GA. General Assembly.

### The GA. State Constitution of 1789

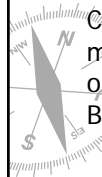
- ▶ Jan. 2, 1788, GA. became the 4<sup>th</sup> state to ratify the United States Constitution.
- ▶ Nov. 1788, GA. began a revision of its state constitution, to ensure it conformed with the US Const.
- ▶ This was the shortest of Georgia's constitutions & it was basically modeled after the U.S. Constitution.
- ▶ It provided for a bicameral legislature, an Executive Branch, & a Judicial Branch.

- ▶ The Legislature, or General Assembly, was elected and had the power to select a governor.
- ▶ The Judicial Branch received little attention.
- ▶ Civil liberties protection was included in the Const., instead of a bill of rights.
- ▶ The shortness of this Const., coupled with public outrage over the involvement of state legislators in the Yazoo Land Fraud, made subsequent revision inevitable.



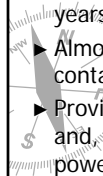
## State Government

- ▶ The Political Parties had not become well established at the time the Const. was written.
- ▶ Federalists – supported Alexander Hamilton, loose interpretation of the Const., Strong Central Government, backed manufacturing & banking, wanted a tax on import goods, & favored support of Britain.



## The GA. State Constitution of 1798

- ▶ Seven (7) of Georgia's constitutions—those of 1777, 1789, 1861, 1865, 1868, 1877, and 1945—were directly associated with war-related periods.
- ▶ The Constitution of 1798 was one (1) of only three (3) documents framed completely under peaceful conditions. It was in effect for sixty-three (63) years.
- ▶ Almost twice as long as the previous version, it contained detailed proscriptive measures.
- ▶ Provisions of the former constitution were clarified, and, in light of the Yazoo land fraud, legislative power was more carefully defined.



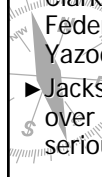
- ▶ Republicans – also called the Jeffersonians, because they supported Thomas Jefferson, backed Agriculture, believed in State's Rights, a weak central government (only enough to protect the people), strict interpretation of the Const. Opposed expanding the Army & Navy, favored supporting the French, "Democracy is Anarchy with a Policeman in the Corner".



- ▶ Although the legislature continued to be the dominant branch of government, the language used clearly struck a more realistic balance of power among the branches of state government.
- ▶ The Governor would now be popularly elected, and a state supreme court was authorized, but not established until 1846.
- ▶ Georgia had relied on the work of local courts with no formal system of review.
- ▶ Slavery continued under the 1789 Constitution, the importation of slaves was prohibited after 1798.



- ▶ James Jackson of GA., led the Jeffersonian Republicans in GA. He actually turned down the office of Governor because he felt he was too young (30 yrs. old) & too inexperienced.
- ▶ He opposed the Yazoo Land Co. & publicly spoke out against those that supported it.
- ▶ This will put him at odds with Elijah John Clark (Clarke), the leader of the GA. Federalists. Clark had lots of money in the Yazoo land fraud.
- ▶ Jackson & Clark would fight several duels over the Yazoo Land Fraud, without any serious outcome.



- ▶ Once Thomas Jefferson won the Pres. Election of 1800, GA. will see a dramatic change in government.
- ▶ Jefferson's supporters in GA., would benefit from his election.
- ▶ Jackson's political position was enhanced greatly. He was Governor in 1798, served on the Constitutional Convention that same year, & became US Senator in 1801.
- ▶ He would set the standard for state politicians for the 1<sup>st</sup> part of the 19<sup>th</sup> century.

- ▶ The invention of Eli Whitney's cotton gin on a Savannah River plantation in 1793, allowed GA. farmers to have a staple crop that could be grown over much of the state.
- ▶ By the 1780's, politicians in GA. were trying to acquire and sell off the western lands owned by the Creek Indians. On this land, cotton plantations had become established across most of the state by the 1830's.
- ▶ This cause the slave population of GA. to increase greatly during the 1<sup>st</sup> few decades of the 19<sup>th</sup> century.
- ▶ Almost 30,000 slaves lived in GA. in 1790.
- ▶ 1793 the GA. Assembly passed a law banning the importation of slaves.

### Antebellum Georgia

- ▶ Roughly beginning in the 1790's & continuing until 1860.
- ▶ James Jackson's impact on GA. was great, & his legacy lived on with his followers.
- ▶ Most notable of these were William H. Crawford & George M. Troup.
- ▶ Their main opposition would be the son of James' old nemesis Elijah, his son John E. Clark.
- ▶ The 2 main topics of the Antebellum Period for GA. would be the "Indian Problem" & Slavery.

- ▶ In 1800, the GA. slave population doubled, to just under 60,000.
- ▶ By 1810, the slave population had grown over 105,000.
- ▶ With a steady increase in the population even after the importation ban on slaves.
- ▶ By 1860, just before the War Between the States, GA.'s slave population was over 400,000.
- ▶ Almost ½ of the states population were slaves.

### Slavery in GA.

GA. delegates to the Continental Congress forced Thomas Jefferson to tone down his critique of slavery in his initial draft of the Declaration of Independence in 1776.

- ▶ At the Constitutional Convention of 1787, GA. joined with S.C.'s to ensure clauses protecting slavery were placed into the new federal charter.
- ▶ This issue would continue to be a growing threat to the agrarian South.

- ▶ Part of Pres. Jefferson's plan was to slowly end slavery in America.
- ▶ Not a very popular idea, considering every state had slaves.
- ▶ The growing Abolitionist movement was starting to put pressure on the American state & Federal government to end slavery.
- ▶ The American Colonization Society, a growing abolitionist group, promoted the relocation of the slaves back to Africa.
- ▶ The African country of Liberia (Liberty) was established & the capital was Monrovia (after Pres. James Monroe)

- ▶ Most Abolitionists were not content with Pres. Jefferson's slave policy.
- ▶ Many wanted an immediate end to slavery. Not realizing the affects it would have on the American economy.
- ▶ As the population moved inward, away from the coast, so did the slaves.
- ▶ By 1860, 10 times the amount of slaves lived in the "Black Belt" region of the state.
- ▶ The "Black Belt" or the lower Piedmont counties were called this after the distinctively dark and fertile soil of the region.
- ▶ These were the locations of the largest, most productive cotton plantations in GA.

- ▶ Propping up the institution of slavery was a judicial system that denied African Americans the legal rights enjoyed by white Americans.
- ▶ Since the colonial era, children born of slave mothers were deemed chattel slaves, doomed to "follow the condition of the mother" irrespective of the father's status.
- ▶ Georgia law supported slavery in that the state restricted the right of slaveholders to free individual slaves, a measure that was strengthened over the antebellum era.
- ▶ Other statutes made the circulation of abolitionist material a capital offense and outlawed slave literacy and unsupervised assembly.
- ▶ Although the law technically prohibited whites from abusing or killing slaves, it was extremely rare for whites to be prosecuted and convicted for these crimes.
- ▶ The legal prohibition against slave testimony about whites denied slaves the ability to provide evidence of their victimization. On the other hand, Georgia courts recognized slave confessions and, depending on the circumstances of the case, slave testimony against other slaves.

- ▶ Slaveholders controlled not only the best land and the vast majority of personal property in the state but also the state political system.
- ▶ In 1850 and 1860 more than two-thirds of all state legislators were slaveholders. More striking, almost a third of the state legislators were planters. Hence, even without the cooperation of nonslaveholding white male voters, Georgia slaveholders could dictate the state's political path.

- ▶ The relative scarcity of legal cases concerning slave defendants suggests that most slaveholders meted out discipline without involving the courts.
- ▶ Slaveholders resorted to an array of physical and psychological punishments in response to slave misconduct, including the use of whips, wooden rods, boots, fists, and dogs.
- ▶ The threat of selling a slave away from loved ones and family members was perhaps the most powerful weapon available to slaveholders.
- ▶ In general, punishment was designed to maximize the slaveholders' ability to gain profit from slave labor. Evidence also suggests that slaveholders were willing to employ violence and threats in order to coerce slaves into sexual relationships.

- ▶ On such occasions slaveholders shook hands with yeomen and tenant farmers as if they were equals. Non-slaveholding whites, for their part, frequently relied upon nearby slaveholders to gin their cotton and to assist them in bringing their crop to market.
- ▶ These political and economic interactions were further reinforced by the common racial bond among white Georgia men.
- ▶ Sharing the prejudice that slaveholders harbored against African Americans, non-slaveholding whites believed that the abolition of slavery would destroy their own economic prospects and bring catastrophe to the state as a whole.

- ▶ Over the antebellum era whites continued to employ violence against the slave population, but increasingly they justified their mastery in moral terms.
- ▶ As early as 1790, Georgia congressman James Jackson claimed that slavery benefited both whites and African Americans.
- ▶ The expanding presence of evangelical Christian churches in the early nineteenth century provided Georgia slaveholders with religious justifications for human bondage.
- ▶ White efforts to Christianize the slave quarters enabled masters to frame their power in moral terms. They viewed the Christian slave mission as evidence of their own good intentions.
- ▶ The religious instruction offered by whites, moreover, reinforced slaveholders' authority by reminding slaves of scriptural admonishments that slaves should "give single-minded obedience" to their "earthly masters with fear and trembling, as if to Christ."

- ▶ This melding of religion and slavery did not protect slaves from exploitation and cruelty at the hands of their owners, but it magnified the role played by slavery in the identity of the planter elite.
- ▶ In 1785, just before the genesis of the cotton plantation system, a Georgia merchant had claimed that slavery was "to the Trade of the Country, as the Soul [is] to the Body."
- ▶ 75 years later Georgia politician Alexander H. Stephens noted that slavery had become a moral as well as an economic foundation for white plantation culture.
- ▶ The "corner-stone" of the South, Stephens claimed in 1861, just after the Lower South had seceded, consisted of the "great physical, philosophical, and moral truth," which is "that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition."

- ▶ Throughout the antebellum era some 30,000 Georgia slaves resided in the Lowcountry, where they enjoyed a relatively high degree of autonomy from white supervision.
- ▶ Most white planters avoided the unhealthy Lowcountry plantation environment, leaving large slave populations under the supervision of a small group of white overseers.
- ▶ Slaves were assigned daily tasks and were permitted to leave the fields when their tasks had been completed.
- ▶ Lowcountry slaves enjoyed a far greater degree of control over their time than was the case across the rest of the state, where slaves worked in gangs under direct white supervision.
- ▶ The white cultural presence in the Lowcountry was sufficiently small for slaves to retain significant traces of African linguistic and spiritual traditions.
- ▶ The resulting "Geechee" slave culture of the Georgia coast was the counterpart of the better-known "Gullah" slave culture of the South Carolina Lowcountry.

- ▶ Depending on their place of residence and the personality of their masters, slaves in Georgia experienced tremendous variety in the conditions of their daily lives.
- ▶ Although the typical (median) Georgia slaveholder owned six slaves in 1860, the typical slave resided on a plantation with twenty to twenty-nine other slaves.
- ▶ Almost half of Georgia's slave population lived on estates with more than thirty slaves. Most Georgia slaves therefore had access to a slave community that partially offset the harshness of bondage.
- ▶ Slave testimony revealed the huge importance of family relationships in the slave quarters.
- ▶ Many slaves were able to live in family units, spending together their limited time away from the masters' fields.

- ▶ The urban environment of Savannah also created considerable opportunities for slaves to live away from their owners' watchful eyes.
- ▶ Slave entrepreneurs assembled in markets and sold their wares to black and white customers, an economy that enabled some slaves to amass their own wealth.
- ▶ A number of slave artisans in Savannah were "hired out" by their masters, meaning that they worked and sometimes lived away from their masters. Savannah's taverns and brothels also served as meeting places in which African Americans socialized without owners' supervision.

- ▶ Frequently Georgia slave families cultivated their own gardens and raised livestock, and slave men sometimes supplemented their families' diets by hunting and fishing.
- ▶ Christianity also served as a pillar of slave life in Georgia in the antebellum era. Unlike their masters, slaves drew from Christianity the message of black equality and empowerment.
- ▶ In the early nineteenth century African American preachers played a significant role in spreading the Gospel in the quarters.

- ▶ This cultural autonomy, however, was never complete or secure. The rice plantations were literally killing fields. On one Savannah River rice plantation, mortality annually averaged 10 percent of the slave population between 1833 and 1861.
- ▶ During cholera epidemics on some Lowcountry plantations, more than half the slave population died in a matter of months. Infant mortality in the Lowcountry slave quarters also greatly exceeded the rates experienced by white Americans during this era.
- ▶ In addition to the threat of disease, slaveholders frequently shattered family and community ties by selling away slaves. More than 2 million southern slaves were sold in the domestic slave trade of the antebellum era.

- ▶ Away from the Lowcountry, health patterns were much less grim, but slaves tended to experience greater degrees of white supervision.
- ▶ Three-quarters of Georgia's slave population resided on cotton plantations in the Black Belt.
- ▶ These slaves typically experienced some degree of slave community but also were surrounded by far greater numbers of whites.
- ▶ Some one-fifth of the state's slave population was owned by slaveholders with fewer than ten slaves.
- ▶ These slaves doubtless faced greater obstacles in forming relationships outside their owners' purview.
- ▶ Whatever their location, slaves in Georgia resisted their masters with strategies that included overt violence against whites, flight, the destruction of white property, and deliberately inefficient work practices.
- ▶ Slaves in Georgia experienced hideous cruelties, but white slaveholders never succeeded in extinguishing the slaves' human capacity to covet freedom.

- ▶ Floyd's army, bolstered by a friendly Indian contingent, fell upon the Native Americans at the Creek town of Autosse on November 29, 1813.
- ▶ In a desperately fought action, Floyd's men forced the Creeks to retreat after a bayonet charge.
- ▶ This allowed Floyd to destroy Autosse and a second town nearby.
- ▶ Lacking proper supplies, Floyd returned to Fort Mitchell. A long-range effect of the defeat at Autosse was that many of the Creek survivors made their way to the Horseshoe Bend area, where General Andrew Jackson would decisively defeat the Creek Nation the following year.

### Georgia's Indian Problem

- ▶ The Creek Indian War of 1813-1814
- ▶ Early in the war British officials began arming many allied Native American tribes along the frontier.
- ▶ On August 30, 1813, a strong force of Creeks attacked and destroyed Fort Mims, an American post on the Alabama River, north of Mobile.
- ▶ Georgia figured prominently in the campaign to eliminate the threat posed by the warring Creek tribes. General John Floyd was given command of troops operating from Georgia.

- ▶ Floyd suffered from chronic supply problems but decided to take the field once again in January 1814.
- ▶ Floyd's Georgians and their Native American allies began construction of Fort Hull, some forty miles west of Fort Mitchell.
- ▶ Floyd continued advancing farther into Creek territory. Thirteen hundred Creek warriors mounted a surprise attack against the encamped army on the banks of Calabee Creek on January 27, 1814.
- ▶ The assault was blunted by the Georgians' use of artillery and superior fire. Nevertheless, the attack succeeded in dispiriting the Georgians, and Floyd retired to Fort Hull.
- ▶ Soon afterward, Floyd was forced by his army's enlistment expirations to return to Fort Mitchell, leaving a small garrison at Fort Hull.

- ▶ Floyd, who later became a U.S. congressman, was ordered to establish several forts and to destroy all the Creek villages and their crops in his line of march.
- ▶ These actions were intended to culminate in the establishment of a continuous supply line of fortified posts from which the American forces could operate freely against the Creeks without fear of loss of war material.
- ▶ In September 1813 Floyd mustered a 2,000-man to 3,000-man army and gathered supplies for his campaign at Fort Hawkins, in present-day Macon.
- ▶ He deemed his force ready to undertake the operation by November.
- ▶ Floyd established Fort Mitchell, just across the Chattahoochee River, and marched steadily toward the Creek-held territory deeper in present-day Alabama.

- ▶ The new commander at Fort Hull, Colonel Homer Milton, was reinforced and spent the next several months continuing to harry the Creeks.
- ▶ He established the fortified posts of Fort Bainbridge and Fort Decatur in the disputed areas.
- ▶ Floyd's and Milton's activities ensured supplies that aided in Jackson's successful battle at Horseshoe Bend, which in turn culminated in the defeat of the hostile Creeks on March 27, 1814.

## Seminole Indian Wars

- ▶ The three Seminole Wars that commanded the attention and manpower of the U.S. Army and Navy during the antebellum period intensified the violence and chaos that had been characteristic of the Georgia-Florida frontier since the early colonial period.
- ▶ The engagements that took place between American troops and the Seminoles in Georgia, particularly during the First (1817-18) and Second (1835-42) Seminole Wars, were pivotal moments that crystallized some of the major issues underlying the battles.
- ▶ British, Spanish, and French colonists had been, at best, uneasy allies with Native American nations in the Southeast since initial contact in the sixteenth century. Conflicts over trade agreements and land cessions resulted in small-scale skirmishes that ultimately exploded into declared warfare.

## First Seminole War 1818

- ▶ In November 1817 a detachment of soldiers stationed at Fort Scott in southern Georgia traveled to the Seminole village of Fowl Town, fifteen miles away and just north of the Florida (Spanish) border. The soldiers demanded that the Seminole chief Neamathla surrender warriors whom American military officials believed responsible for the murder of several Georgia families. Neamathla refused. In response the soldiers drove the Seminoles into the surrounding swamplands (killing about twenty men) and then plundered and burned Fowl Town. Both Seminoles and Georgians living along the frontier immediately arose, and the First Seminole War began.

- ▶ The antebellum period Seminoles were a confederacy of multiple clans that had splintered from various southwestern tribes (Lower Creek, Oconee, Yuchi, Alabama, Choctaw, and Shawnee) and drifted into southern Georgia and northern Florida in the early 1700s.
- ▶ These disparate bands, without much in common but geography, began to hunt, fish, farm, and herd livestock in the area.
- ▶ By 1750 clans had built towns along the Suwannee River, linked to other Native American and maroon (runaway slave) villages through infrastructure (roads, shared outbuildings) and intermarriage. After 1767 Upper Creeks began to move into the area, increasing the Native borderland population to more than 2,000 by 1790. It was at this point that Spanish and British American colonists commenced identifying all of these clans as "Seminoles."

- ▶ These battles, which lasted for a little less than a year, were characterized by hit-and-run attacks by the Seminoles on frontier plantations and towns and American retaliations. After General Andrew Jackson took control of American troops in January 1818, his efforts weakened Seminole offenses by dividing their numbers between Georgia and Florida. In April of that year, Jackson and his troops marched against the Seminole villages along the Suwannee River, ultimately chasing the Seminoles into the Okefenokee Swamp. Jackson then left Georgia and marched—mostly unopposed—through East Florida, destroying Seminole towns, Spanish forts, and British plantations. The First Seminole War was the result of conflicts over land and trade between Seminoles and Georgia colonists. The most important outcome of the war was the acquisition of Florida from Spain in 1819.

- ▶ There is some dispute about the origin of the term *Seminole*. Some scholars have argued that the term originates from *cimarrones*, a Spanish word meaning "rebel" or "outlaw." *Cimarrones* was used among the Spanish to identify both fugitive slaves—"maroon" emerges linguistically from this root as well—and Native Americans along the border. There is also evidence that antebellum Americans understood Seminole to refer to "wild people," "pioneers," "adventurers," and "wanderers" in Georgia and Florida.) An 1890 census estimated that there were about 5,000 Seminoles living along the Georgia-Florida border at the start of the First Seminole War.

## Second Seminole War 1834

- ▶ The years between the cessation of the First Seminole War and the commencement of the Second Seminole War were not peaceful along the Georgia-Florida frontier. American attempts to relocate Seminole men and women were met with resistance, and warriors began buying ammunition in large quantities in October 1834. In December 1835 small-scale skirmishes again exploded into war when a group of Seminoles and maroons initiated a two-pronged attack against U.S. troops in north central Florida, killing more than 100 soldiers.

► Throughout the course of the war, Seminoles confused their enemies by backtracking from Florida battle sites up into southern Georgia. They traveled back and forth across the border and established refuge sites in the Okefenokee Swamp, prompting Ware County militia commander Thomas Hilliard to complain to his superiors in August 1836 that the Seminoles "go concealed as much as possible, and are committing depredations continually, robbing our corn fields and killing our stock." By November 1838 the situation demanded American military action, and Georgia governor George Gilmer announced that he had raised a regiment to operate under the command of General Charles Rinaldo Floyd. Floyd's regiment, he asserted, would destroy or drive from the state "the savage enemy."

► After Floyd's Okefenokee Campaign, the action of the Second Seminole War moved southward into peninsular Florida. But the swamp area remained unstable until a frustrated President John Tyler declared a cease-fire on May 10, 1842. Eight years later a survey team, funded by the state of Georgia and led by surveyor Mansfield Torrance, entered the Okefenokee and completed Floyd's mission by mapping and marking the morass.

► The Georgia battles during the Second Seminole War revealed that the southern parts of the state were critical spaces in the antebellum period. They were places in which the battles over land and trade were waged, and where ideas about "civilization" and "nationhood" were contested

### Okefenokee Campaign, Winter of 1838-1839

► Floyd was the son of Congressman John Floyd, a military general, and he had accompanied his father during several engagements in the course of his military training. His Okefenokee incursion of 1838-39 ultimately was deemed a success, not because he had defeated the Seminoles within its borders but because, by virtue of entering the swamp, Floyd claimed its expanse for the state of Georgia.

### Cherokee Indian Removal

► In 1838-39 U.S. troops, prompted by the state of Georgia, expelled the Cherokee Indians from their ancestral homeland in the Southeast and removed them to the Indian Territory in what is now Oklahoma. The removal of the Cherokees was a product of the demand for arable land during the rampant growth of cotton agriculture in the Southeast, the discovery of gold on Cherokee land, and the racial prejudice that many white southerners harbored toward American Indians.

► When Floyd arrived at the southwestern edge of the Okefenokee in early November 1838, he found five companies waiting for him, a total of 300 noncommissioned officers and privates. One week later the troops entered the swamp, and over the next several days Floyd's companies found an island that had previously housed 150 Seminoles. The soldiers called it Floyd's Island. During the Okefenokee Campaign, which lasted three months, Floyd and his men encountered very few Seminoles and managed to cross the Okefenokee several times and record their impressions. In his own estimation Floyd's adventures in the swamp would be "of great utility—they will enable us hereafter to exclude the Indians from the Okefenokee, [and] open to the citizens of Georgia new sources of wealth in the rich lands of the swamp

► By the nineteenth century the Cherokees had lived in the interior Southeast, including north Georgia, for hundreds of years. Settlers of European ancestry began moving into Cherokee territory in the early eighteenth century; from that point forward, the colonial governments in the area began demanding that the Cherokees cede their territory. By the end of the Revolutionary War (1775-83), the Cherokees had surrendered more than half of their original territory to state and federal governments.

► In the late 1780s U.S. officials began to urge the Cherokees to abandon hunting and their traditional ways of life and to instead learn how to live, worship, and farm like Christian American yeomen. Many Cherokees embraced this "civilization program." The Cherokees established a court system, formally abandoned the law of blood revenge, and adopted a republican government. A Cherokee man named Sequoyah created the Cherokee syllabary, which enabled the Cherokees to read, write, record their laws, and publish newspapers in their own language.

- ▶ Despite these efforts, white people in Georgia and other southern states that abutted the Cherokee Nation refused to accept the Cherokee people as social equals and urged their political representatives to seize the Cherokees' land.
- ▶ The purchase of the Louisiana Territory from France in 1803 gave U.S. president Thomas Jefferson an opportunity to implement an idea he had contemplated for many years—the relocation of the eastern tribes beyond the Mississippi River. There, Jefferson suggested, Native Americans could acculturate at their own pace, retain their autonomy, and live free from the trespasses of American settlers.
- ▶ Although most Cherokees rejected Jefferson's entreaties, small groups moved west to the Arkansas River area in 1810 and 1817-19.

- ▶ The Cherokee government, especially its principal chief, John Ross, took steps to protect its national territory. Ross joined Charles Hicks and Major Ridge in the "Cherokee Triumvirate" and received recognition for his efforts in negotiating the Treaty of 1819. He then continued his work by making legal moves for the Cherokees as president of the constitutional convention. In 1825 New Echota, the Cherokee capital, was established near present-day Calhoun, Georgia. The Cherokee National Council advised the United States that it would refuse future cession requests and enacted a law prohibiting the sale of national land upon penalty of death. In 1827 the Cherokees adopted a written constitution, an act that further antagonized removal proponents in Georgia.

- ▶ After the War of 1812, prominent southerners like General Andrew Jackson called for the United States to end what he called the "absurdity" of negotiating with the Indian tribes as sovereign nations.
- ▶ From that point forward, Georgia politicians, including George Troup, George Gilmer, and Wilson Lumpkin, increasingly raised the pressure on the federal government to fulfill the Compact of 1802, in which the federal government had agreed to extinguish the Indian land title and remove the Cherokees

- ▶ Between 1827 and 1831 the Georgia legislature extended the state's jurisdiction over Cherokee territory, passed laws purporting to abolish the Cherokees' laws and government, and set in motion a process to seize the Cherokees' lands, divide it into parcels, and offer the parcels in a lottery to white Georgians.
- ▶ In 1828 Andrew Jackson was elected president of the United States, and he immediately declared the removal of eastern tribes a national objective. In 1830 Congress passed the Indian Removal Act, which authorized the president to negotiate removal treaties.

## Cherokee Resistance

- ▶ The Cherokee government maintained that they constituted a sovereign nation independent of the American state and federal governments. As evidence, Cherokee leaders pointed to the Treaty of Hopewell (1785), which established borders between the United States and the Cherokee Nation, offered the Cherokees the right to send a "deputy" to Congress, and made American settlers in Cherokee territory subject to Cherokee law.

- ▶ With Congress and the president pursuing a removal policy, the Cherokee Nation, led by John Ross, asked the U.S. Supreme Court to intervene on its behalf and protect it from Georgia's trespasses.
- ▶ In *Cherokee Nation v. Georgia* (1831), John Marshall, chief justice of the court, wrote that the Cherokees were a "domestic dependent nation" under the protection and tutelage of the United States. The court, however, did not redress the Cherokees' grievances.
- ▶ A year later, in *Worcester v. Georgia*, the Supreme Court declared that Georgia had violated the Cherokee Nation's sovereign status and wrongfully intruded into its special treaty relationship with the United States. President Jackson, however, refused to enforce the decision and continued to pressure the Cherokees to leave the Southeast.

## The Trail of Tears

- ▶ The Cherokee Nation subsequently divided between those who wanted to continue to resist the removal pressure and a "Treaty Party" that wanted to surrender and depart for the West.
- ▶ In 1835 the latter group, led by Major Ridge, John Ridge, and Elias Boudinot, signed a removal treaty at the Cherokee capital of New Echota without the authority of Principal Chief Ross or the Cherokee government.
- ▶ The Treaty of New Echota required the Cherokee Nation to exchange its national lands for a parcel in the "Indian Territory" set aside by Congress, in what is now Oklahoma, in 1834 and to relocate there within two years.
- ▶ The federal government promised to remit \$5 million to the Cherokee Nation, compensate individuals for their buildings and fixtures, and pay for the costs of relocation and acclimation.
- ▶ The United States also promised to honor the title of the Cherokee Nation's new land, respect its political autonomy, and protect its tribe from future trespasses.
- ▶ Even though it was completed without the sanction of the Cherokee national government, the U.S. Senate ratified the treaty by a margin of one vote.

▶ After Major Ridge signed away Cherokee land, Ross made the effort to prove that the majority of the tribe were not spoken for by gathering 16,000 Cherokee signatures against the treaty. The Cherokee government protested the legality of the treaty until 1838, when U.S. president Martin Van Buren ordered the U.S. Army into the Cherokee Nation. The army rounded up as many Cherokees as they could into temporary stockades and subsequently marched the captives, led by John Ross, to the Indian Territory. Scholars estimate that 4,000-5,000 Cherokees, including Ross's wife, Quatie, died on this "trail where they cried," commonly known as the Trail of Tears. Once in the Indian Territory, a group of men who had opposed removal attacked and killed the two Ridges and Boudinot for violating the law that prohibited the sale of Cherokee lands. The Cherokees revived their national institutions in the Indian Territory and continued as an independent, self-sufficient nation.