

The Return of Standing Wolf
(Journal of Cherokee Studies, forthcoming issue)
Brett H. Riggs
Western Carolina University

Beloved Man Dr. Jeremiah Wolfe was the scion of great Eastern Band families—his outstanding character, cheerful demeanor, deep wisdom, and positive approach to life were shaped, in part, by those generations that preceded him. The Wolfe family name comes from Jerry’s great-great-great grandfather, Standing Wolf (ca. 1788-1864), one of the leaders who guided eastern Cherokees through the crisis of removal and helped build the foundations for the present-day Eastern Band. Much like Jerry, he was a celebrity in later life, made famous through a series of newspaper accounts detailed in this article. And, like Jerry, visitors to the eastern Cherokees sought out Standing Wolf, a man whose Christian faith and perseverance brought his family and others through the 1838 removal. One visitor, Elijah Keese, met Standing Wolf in 1859 and wrote “The expression of his countenance is benign, pleasant and cheerful. He is loved and respected by all who know him.” He could easily have been describing Jerry 150 years later.

In assembling this article, I regularly visualized Standing Wolf as Jerry Wolfe, a kind, generous person with deeply held convictions, amazing strength of character, and expansive wisdom that he used to benefit those around him. It is a testament to Standing Wolf that we saw him again in Jerry.

The American government’s dispossession and forced removal of the Cherokee Nation in 1838 is a tragic saga that has been widely examined in academic and popular literatures.¹ In most cases, these perspectives on the Trail of Tears treat the collective experience, largely assembled from governmental and military records and the papers of Cherokee leaders and limned with anecdotes of individuals and families swept up in the maelstrom of Indian removal. The stories of Cherokee families forced to the west often remain obscure; even more elusive are the narratives of those Cherokees who avoided, evaded, or escaped removal to remain in their homelands.² Other than the dramatic, but atypical, story of Tsali (Charley) and his family—the sole instance of violent resistance to deportation—the varied forms of Cherokee resistance to the federal government’s enforced removal have, until recently, received only passing notice.³ Yet in the mid-nineteenth century, the most famed eastern Cherokee was Wahyagadoga or The Standing Wolf, a leader who achieved national celebrity through newspaper accounts that recounted his 1838 escape from military custody and his return to present-day Jackson County, North Carolina.⁴ Those newspaper articles, “Anecdote of a Cherokee Indian” (*New York Evening Mirror* 1846) and “Wah-w-catogah or Standing Wolf” (*The Spirit of the Age* 1853), built around the eyewitness accounts of George W. Hayes, are remarkable in verifiable detail, yet equally striking in their carefully crafted omissions.⁵ Hayes portrayed the escape of Standing Wolf and his family as a spontaneous, isolated event of little consequence to the compulsory removal of Cherokee citizens, and he deemphasized his own role in the affair as reactionary and *ad hoc*. Contemporaneous records indicate otherwise.

This study examines Standing Wolf’s story, and Hayes’ portrayal of those events of 1838, through lenses of military, governmental, and civilian records to situate that episode in the broader story of the Cherokee removal. Those records, in aggregate, hint at Standing Wolf’s and

Hayes' active participation in a long-term strategic plan to fend off deportation and enable some Cherokee communities to remain within their mountain homelands. That plan, which originated with a network of "citizen Cherokees," families who had taken individual reserves under the treaty of 1819, and was executed with the help of a few trusted white allies, provided a basis for persistence of the communities that ultimately formed the present-day Eastern Band of Cherokee Indians.

A Brief Biography

Standing Wolf was a prominent figure among eastern Cherokees after removal, described in the 1840s as "one of the great men of his tribe."⁶ He was born around 1788 at Tuckaleechee (present-day Bryson City, NC); his parents were Ootlonoda (Wilnota) and Quadisi (Betsy).⁷ Standing Wolf first appears in the documentary record as head of a household of five in an 1820 census of Cherokee households that remained in the Tuckasegee River Valley after that area was ceded by the 1819 Treaty of Washington.⁸ His father, and uncles Yonaguska and Culsowee, had claimed 640-acre reserves around the towns of Kituwah and Tuckaleechee under terms of the treaties of 1817 and 1819 (see Figure 1).⁹ Those agreements provided "to each and every head of any Indian family residing on the east side of the Mississippi River, on the lands that are now, or may hereafter be, surrendered to the United States, who may wish to become citizens of the United States, the United States do agree to give a reservation of six hundred and forty acres of land, in a square, to include their improvements [emphasis added]."¹⁰ Contrary to the federal government's intent to create Cherokee severalty and private ownership, the reserves of Kituwah, Tuckaleechee, and other old traditional towns in southwestern North Carolina banded together to set aside larger contiguous blocks of land as a way to preserve land bases for their communities.¹¹ That citizenship provision, and the subversive strategy for preserving communal

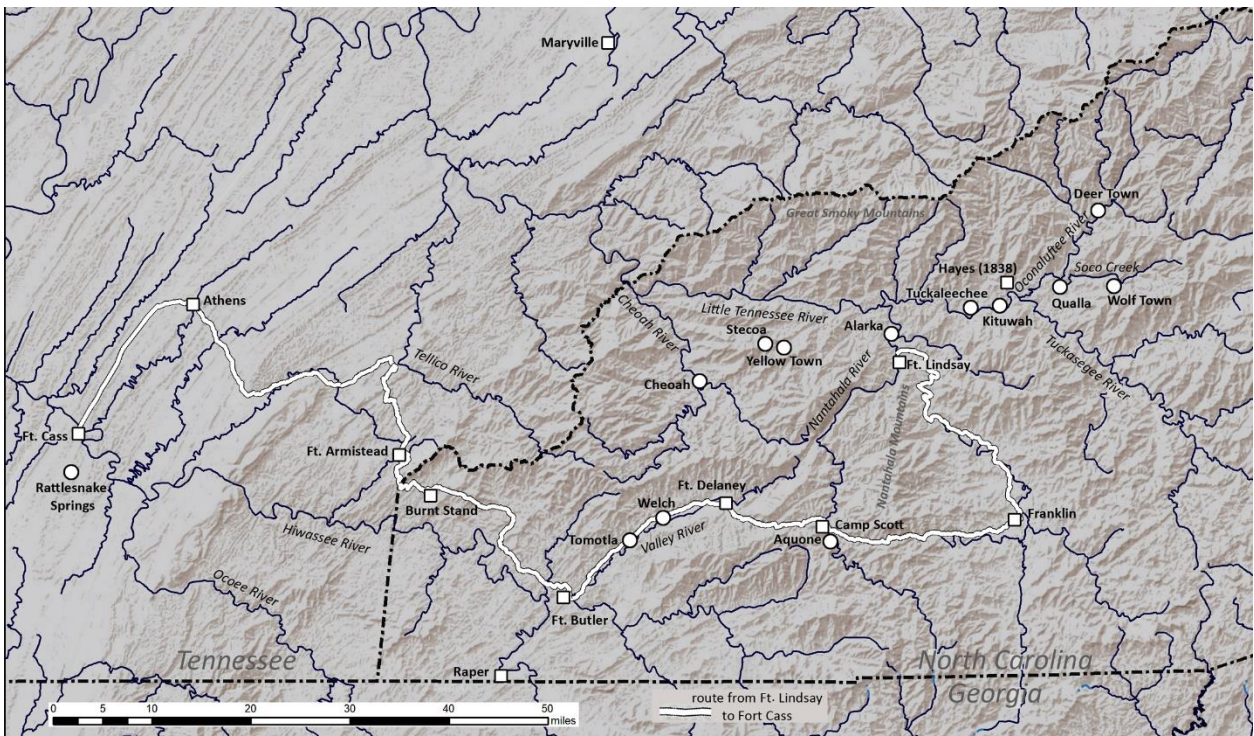


Figure 1. Map indicating the landscape of the Standing Wolf story.

lands under individual titles, would later prove key to continuance of Cherokee communities in southwestern North Carolina after the 1838 Removal.

Most of the 75 reserves allotted in North Carolina were quickly seized by whites and collapsed under conflicting state and federal titles, but many of the reservees and their families, including Wilnota and Standing Wolf, elected to remain near their old homes, outside the limits of the Cherokee Nation.¹² In 1829, Standing Wolf, with relatives and neighbors in then-Haywood County, signed a power of attorney document, declaring themselves “Indians who have separated themselves from the Cherokee Nation and are now citizens of the U.S.,” but who were “ignorant of the English language and the laws and customs of their adopted country,” and who required legal representation.¹³

Standing Wolf entered into another such agreement in 1831, but by 1835, he and his family had moved from the Qualla Town settlement to “Yellow Town between Stekoe & Eularky,” a location in the eponymous Wolf Creek Valley of present-day Graham County, NC, which was then within the borders of the Cherokee Nation.¹⁴ They comprised a household with six males over age eighteen, two males under eighteen, three females over sixteen and five females under sixteen.¹⁵ Among these were five readers of Cherokee and three weavers. Their family farmstead in Yellow Town consisted of three log cabins, one hothouse, a small outbuilding, and eight well-fenced acres under cultivation, all valued at \$109.00.¹⁶

Because they had moved back into the Cherokee Nation, Standing Wolf and his family were included in the forced removal of 1838. As detailed in the 1846 and 1853 newspaper accounts, they were arrested at their Yellow Town home in early June, then marched to the emigration depot at Fort Cass, Tennessee, to await their deportation. After a month in the emigration camps, the family escaped detention and most of them ultimately rejoined the Qualla Town enclave along Soco and Shoal creeks. W.H. Thomas’ 1840 census of eastern Cherokees indicated “Wah he youh ca tauga or Standing Wolf” at Qualla, and noted that “In 1835, lived in Stekoi had 16 in family—of whom two emigrated—Nancy & Lowen—and three of whom died during the emigration.”¹⁷ Thomas specifically noted that John Ecooih, Standing Wolf’s stepson, was part of the household in 1835.

In 1847, Standing Wolf was among eastern Cherokee leaders named as directors of the “Cherokee Company,” a corporation chartered in North Carolina that was ostensibly formed for the “cultivation and manufacture of Sugar and Silk,” but actually devised as a mechanism to allow eastern Cherokees to operate as a state-sanctioned corporate entity and hold title to lands.¹⁸ The 1848 Mullan Roll identified Standing Wolf, age 60, and his wife Wakee (Becky), age 55, at Wolftown on Soco Creek, along with daughters Kaloneeska, Sulstiah, Oolscossity, Sittanneh and their children.¹⁹ Most of Standing Wolf’s and Wakee’s other surviving children, including Enoli, Wilson, Sam Wolf, and John Ecooih lived nearby. Wakee died at Wolftown in 1855.²⁰ The next year, Standing Wolf secured a tract of land at Deer Town on Raven Fork from William H. Thomas, and some of the family moved there from Wolftown.²¹ A tourist-journalist who visited the eastern Cherokee communities in 1859 described Standing Wolf as “a venerable old Cherokee” who “has been a member of the Church for 23 years. The expression of his countenance is benign, pleasant and cheerful. He is loved and respected by all who know him. I observed that he still wears the moccasin, the hunting-shirt, and the belt with a big butcher knife in it.”²² When Standing Wolf died in 1864, he left a large and prominent family with numerous descendants

among the Eastern Band of Cherokee Indians, one of the best known of whom was the late Beloved Man, Dr. Jeremiah Wolf.²³

Two Accounts in Popular Media

The Standing Wolf first came to national public attention in 1846, when an anonymous “Washington correspondent,” almost certainly informed by William Holland Thomas, published “Anecdote of a Cherokee Indian” in the *New York Evening Mirror* (later reprinted in *The Boston Recorder*).²⁴ Thomas was then primary legal representative for the eastern Cherokees, and in 1846 he lobbied Congress to include the Cherokees remaining in the east in benefits defined in the 1846 treaty negotiated with the Cherokee Nation, while assuring that the treaty did not compel their removal, which President Polk advocated.²⁵ The “Anecdote” uses Thomas’ key talking points, and appears to have been part of Thomas’ public relations campaign to gain support for the causes of the Cherokees in the east.

The *Evening Mirror* story outlines the 1838 arrest and detention of Standing Wolf and his family in North Carolina, their march to the emigration depot in Tennessee, and their “release” and journey back to their homeland. The narrative emphasizes two points: Standing Wolf’s Christian faith, and his status as a citizen of North Carolina—with rightful immunity from deportation. The author notes that Standing Wolf was “a citizen of North Carolina, and consequently of the United States” under terms of the treaties of 1817 and 1819, and therefore his arrest and detention was a “mistake.” In this account, an officer released Standing Wolf and his family from the detention: “... there was no harm in it, he was a citizen.”

Much of the “Anecdote” focuses on the moment of Standing Wolf’s arrest, when he led his family in Christian prayer so moving that the soldiers were stricken with conviction and wept with the family. The author relates that Standing Wolf:

...prayed the Lord *Jesu*... to forgive the white people. They treated the Indians like brutes; but they did not know that they were doing... There was but one of the soldiers who understood Cherokee. This was Bob____, the Sergeant. Bob soon began to blubber, and his fellow soldiers blubbered from sympathy. Bob says that Lieut.----- cried himself.²⁶

In the “Anecdote,” Standing Wolf, a supposed “savage,” summoned the grace to forgive his oppressors, an act that undoubtedly touched the educated literary readers of the *Evening Mirror* as sublimely civilized. That central act provided the progressive and politically active readers of the *Evening Mirror* the background information to support their conviction that the forced Indian removals were blots on the national character and stains on Christian moral character for which America needed absolution. Standing Wolf, at the moment of arrest, like Jesus during crucifixion, interceded to ask forgiveness for “the white people... they did not know what they were doing.”²⁷ The “Anecdote of a Cherokee Indian” portrays Standing Wolf as a “good Indian,” worthy as a citizen and devout Christian to remain in North Carolina — exemplary, and fully representative of the eastern Cherokees. The article concludes with a question, and an implicit call to political action for readers: “Would it not be cruelty to remove him and his children from their mountain home? And yet a proposition to that effect is pending, or soon will be, before Congress!” The “Anecdote” used the episode with Standing Wolf to promote the merits and rights of the eastern Cherokees in North Carolina at a moment in which their legal status and rights were under threat in the negotiations of the 1846 treaty.

A more complete and detailed account of the journey of Standing Wolf and his family appeared in 1853 as “Wah-w-catogah, or, Standing Wolf,” in *The Spirit of the Age*, a widely distributed Raleigh, NC, literary newspaper. Lawyer A.T. Davidson helped former state legislator George Washington Hayes, the anonymous “Sergeant Bob” of the “Anecdote,” pen a first-person account based on Hayes’ vivid memory and journal notes.²⁸ Although the *Spirit* article was first published anonymously, reprints that rapidly followed credited and identified Hayes.

Hayes (1804-1864) spent much of his youth in the Oconaluftee River Valley (then-Haywood County) among Cherokee neighbors, where he learned the Cherokee language at an early age. In the *Spirit* article, Hayes stated that he and Standing Wolf were “acquainted from childhood. He had once lived a close neighbor to me,” and in an 1843 deposition, Hayes stated that he had known Standing Wolf since 1820.²⁹

Hayes enlisted in Captain Isaac Truitt’s company of North Carolina Mounted Volunteers as 2nd Sergeant and interpreter during the Cherokee removal, and posted at Fort Lindsay, the northernmost station in the Cherokee Nation.³⁰ That command carried out the arrests and detention of Cherokee families from the northernmost communities of Alarka, Stecoa, Yellow Town, and the lower Nantahala River Valley. The troops at Fort Lindsay were also charged with guarding against the escape of Cherokee families who sought to leave the ceded area and join kinspeople outside the Cherokee Nation at Qualla Town.³¹

Those arrests of Cherokee citizens began with a false start on June 4, 1838, then recommenced in earnest June 12, and were quickly accomplished. As Hayes details in his account, his proficiency in the Cherokee language, and familiarity with Cherokee individuals and families, mediated the arrests and detentions, and reduced potential for confusion and violence in the process. Hayes, with other North Carolina volunteers, mustered out of service in early July at Franklin, NC.³² After discharge, Hayes returned to his home in Haywood County (now Swain County), but, as the *Spirit* article indicates, traveled to the Cherokee Agency at Fort Cass (Charleston, TN) in August, where he again encountered Standing Wolf.

In 1839, Hayes moved to Tomotla in the newly established Cherokee County to start a plantation on the former Cherokee lands, and was soon elected representative to the North Carolina House of Commons. He served in that capacity from 1840 through 1852, and was re-elected in 1860. While in Raleigh, he sponsored a bill to award citizenship and a 337-acre reserve in present-day Graham County to Junaluska, the venerable Cherokee leader who was a hero of the Battle of Horseshoe Bend.³³ Hayes is best known for his role in sponsoring legislation to create Clay County from Cherokee County in 1861; the county seat of Hayesville is named in his honor. Hayes also voted for secession that year, and enlisted in Confederate forces as captain, Company A of the 2nd North Carolina Calvary regiment. After the lackluster performance of his poorly equipped company at the Battle of New Bern in 1862, Hayes resigned his commission and returned home to Cherokee County. He died suddenly in Franklin, North Carolina in October 1864, just a few months after his “old friend” Standing Wolf had passed.

Hayes’ own version of the story, “Wah-w-catogah, or, Standing Wolf,” in *The Spirit of the Age* is filled with flowery, highly romantic prose and embellishments of the popular “Cooperesque” frontier literature of the time—using terms such as “Father of waters,” “wigwam” and “spirit land” to ornament the narrative and attract the attention of readers of literary newspapers.³⁴ Nonetheless, the core of the story rings true with first-person witness details verifiable in parallel

contemporaneous documentary records, and, as illustrated by the following excerpt, presents a perspective unique in position and detail.

In 1837-38, the Indian country was filled with United States troops, preparatory to removing the Indians west of the "Father of waters," and being engaged to assist in this work, I [G.W. Hayes] kept a journal of some passing events; and although fourteen years have passed by, yet the events of those days are still fresh in my memory.

The order of the commanding General reached our post in the night of the 3rd of June, 1838, directing the officers to arrest all the Indians not ready or willing to go west.³⁵ Preparations for carrying this order into effect occupied the night of the 3rd, and our company was divided into three squads. One officer and some few men were left at the fort to take charge of the ammunition, provision, etc., while the other two divisions went out to arrest an innocent and unoffending people. I was Interpreter for one of the parties. After we had succeeded in arousing several families from their peaceful and quiet slumbers, and arresting them, placing a guard over all that were taken.... we came to the house of an aged Patriarch with whom I had been acquainted from childhood. He had once lived a close neighbor to me—this was Wah-w-catoch-- from his habits prior to his removal to this part of the nation, I feared we would have trouble with him. Sometime before his removal to where we now find him, he had fallen in with a Methodist itinerant missionary and had been converted to the religion of the Bible. This however was unknown to us.

His family consisted of three grown sons, three or four daughters and a step son. On the arrival of the troops at his house, he and his family were told what we had come for: that the General of the Army required that he should leave all and at once go to the Fort. On hearing our message, it seemed that he almost sank beneath the weight of feeling that possessed him. He gazed in silence, looking on his wife and children; and after some moments had passed. .. "See," said he, "my children are almost naked, and in that loom is a web of cloth. I now beg that my wife and these little ones remain here a few days, until that web be wove out so that we may be able to clothe them. I and my sons will be your prisoners and go with you, but leave my wife and these little ones a few days, until you are nearly ready to leave with us for the far west, and I will come and take them to your Fort myself."

I said: "Wah-w-Catooch, our commands are positive and without exceptions, yet I have heretofore found you an honest man: if I grant this request, I am responsible, and have no other security than my knowledge of you for strict honesty. I will however take that responsibility."

This seemed to some extent to relieve him, and leave being granted him prepare some wood for his family, he asked permission to pray with his dear ones before the separation. ... I of course unhesitatingly granted his request, and the old man took from the shelf a hymn book of the Methodist church, translated and printed in the Cherokee language; he seemed in that moment to forget all the circumstances that surrounded him, though well calculated to dismay the stoutest heart, and to make the strongest voice tremble; still, under all this he sang the Anthems and praises of his Redeemer without a single change of voice, but with the composure, calmness and patience that a persecuted Christian feels, when he knows that he is an heir to God, and a joint heir with Jesus Christ, who died that he might live.

While this was going on, the soldiers crowded around the door of the hut, and at the closing verse he fell on his knees, his wife and all the family following his example, he then lifted his hands toward Heaven, and pleaded the cause of those of his oppressors, and asked God to forgive them all their sins and prepare each one by grace divine for admission into that "house not made with hands eternal in the heavens."

My feelings on this occasion can never be described; such I never had before, and the impressions then made on my mind never will be removed.

Although I was the only one present who understood the Cherokee language, yet all seemed to read the feelings of that old man's heart: and when I began to chide myself for my weakness, I

looked around upon my fellow soldiers, and tears were streaming from every eye. This day and this scene was the theme of conversation for weeks after it occurred.³⁶

The old man and his four sons, in accordance with his promise, went on to the Fort, submitting to all the privations to which they were incident under the circumstances....

The day now being fixed for the departure of all that we had taken, to the far West, Wah-U-Catocah was directed to bring into camp his wife and smaller children. He went alone, promising to bring them all in. ... Their stay here was but for a few days, when they, with hundreds of others, took up the line march for headquarters, which was at Calhoun, Tenn. To this place all the Cherokees from Georgia, Alabama, North Carolina and Tennessee, that were removed, were brought. ... Old Standing Wolf. We parted with him, when he left for headquarters, about the 20th of June, 1838, little thinking we should ever see him again ...

But so it was we met him again in August the same year. The transportation of the Indians would not be effected until in October or November, in consequence of the low water. Having some unsettled business to attend to, I went to headquarters in August. The settlement of my business was delayed, and I concluded one Sabbath to go out amongst the Cherokees who were encamped some three miles from town, at a large limestone spring called the "Rattle Snake Spring," where I met my old friend, Wah-w-Catocah. He just saw me, and making his way through the crowd, he seized me by the hand before I saw him. A copious flood of tears began to flow, and he asked me to remain where I was until he brought his wife to me... it seemed but a moment had passed before he returned with his wife by his side... After some time spent in weeping, she began to relate to me the sad events that she had to encounter since she left their old home. "Two moons," said she, "have passed since we left our old wigwam, and two of our dear little ones have gone to the spirit land; the balance of our family are sick. We never can go to the west; we must all die. Is there no chance for us to get back to our old home? ... Can you help us?" ... I had no help in store for them; I saw obstacles on every side, if they attempted to escape. But this was their only chance, so I advised them to save of the provisions they drew, all that they could, and when they had a sufficiency to carry them to their old homes, to take the last look at the camp fires by night, as they did their old home, and return to it and then to use for their support any or all of the crop they had left behind, as it was then my own. It had been sold by commissioners appointed by the government to take charge of all the property left by these forced to emigrate, and I became the owner, under one of these sales. ... I gave him this advice. Whether it was right or wrong, and we parted. I had but little hope of ever seeing him again.

In a few days I returned to my home, then in Haywood County. I often spake of the old Wolf and his family, and some two or three weeks had gone by and I began to think less often of the great distress of Standing Wolf and his family, when one day my attention was attracted by a company of Indians moving on in the direction of my house... At length I recognized old Wah-w-Catocah in the lead with seventeen of his relatives following him. I went out and met them, welcomed them to my house, gave them the best I had to eat. We then consulted what they should do. I advised them to go among his own people, as many of them were living a short distance off, that the government could not remove, as they had become land owners and were subject to the laws of the State. He took my advice and went to his Father, who was then living.

Wah-w-catocah still lives; although he is well stricken in years, he is in the enjoyment of good health. He is a good citizen, his hope is yet firm and steadfast.... He and all his family belong to the M. E. Church, South: two of his sons continually occupy the sacred desk ... men of strong mind and truly eloquent: and aided by Grace Divine, have done and are doing much good for the cause of religion among the Cherokees in this State. And now the father, mother, sons and daughters are happy and contented, and are causing many to seek the religion which has given them so much comfort in the days passed by, and which enables them to look to the future with so much hope. ... As for myself, if I did wrong, I hope I may yet repent; but I never have yet felt any remorse of conscience for it. Some may blame and denounce me-- be it so. Murphy,
N.C. Jan 17, 1853.

The Untold Story

Hayes (and his ghost writer, A.T. Davidson) wove a deft account of the events of 1838—one that fit the popular romantic genres of the day, and while largely factual, it is shaped by omissions great and small. *The Spirit* article's dialogue, recalled or imagined, is colored to elicit righteous sympathies for Standing Wolf, and importantly, for Hayes. The concluding statement, "if I did wrong, I hope I may yet repent; but I never have yet felt any remorse of conscience for it. Some may blame and denounce me-- be it so," suggests that the article may have been political apologia, Hayes' justification for aiding and abetting Cherokee resistance to removal. His role in the Cherokee removal was widely, if not precisely known, and Hayes may have suffered accusations of collusion in his unsuccessful 1852 run for the NC House of Commons. Hayes could not completely disavow his part in the removal drama; instead, he and Davidson sought to create humanitarian and emotional justification for those actions by romanticizing the plight of Standing Wolf and his family, emphasizing their natural nobility in the face of overwhelming adversity, and focusing on their exceptional merits as Christians. Hayes cast his responses to the family's situation as impromptu, spontaneous, humanitarian, and motivated by Christian conscience— all tacit defenses against premeditation. In fact, the simplified story in *The Spirit of the Age* obscured the complexities of Hayes' actions and motivations during the removal.

Although Hayes stated that he had known Standing Wolf "from childhood" and that they had once been "close neighbors," he did not elaborate on his deep ties to his "old friend, Wah-w-Catocah" and his relatives in the Oconaluftee and Tuckasegee river valleys, nor did he mention his close association with William Holland Thomas, the legal and political agent for those folks. Hayes was only nine months older than Thomas, and both spent their childhoods with the Cherokee people of Soco Creek, Oconoluftee, Kituwah and Tuckaleechee. Thomas, by his own account, had learned to speak Cherokee from Standing Wolf's stepson, John Ecooih.³⁷ Hayes' relationships with his Cherokee neighbors appear both familiar and problematic; the headman Yonaguska (Thomas' adoptive father) sued Hayes for extortion of his kinswoman Ca-hu-car [Cayukah] in 1828.³⁸ Yet by 1834, Hayes was a justice of the peace in Haywood County and used that role to assist Thomas' efforts on behalf of the "citizen" Cherokees who resided outside the Cherokee Nation.³⁹ In 1836, Hayes witnessed and affirmed appointment of William Holland Thomas as the power of attorney for Qualla Town Cherokees, and certified that he had "a sufficient knowledge of the Cherokee language to enable me to know that the within power of attorney was correctly [translated] to the Indians whose names are thereunto subscribed, January the 30th, A.D, 1836."⁴⁰ Hayes also affirmed a previous 1831 conveyance of power of attorney to Thomas that included Standing Wolf, indicating that Hayes was fully aware of Standing Wolf's status as a "citizen Cherokee." He testified in 1837 that the Cherokees residing in Haywood and Macon counties were "citizens of the state under the Treaty of 1819," and that he had "attended most of their councils held since the late treaty was concluded, at several have acted as interpreter."⁴¹

In the spring of 1836, Thomas, as agent representing the Qualla Town Cherokees, took petitions to Washington while ratification of the New Echota treaty was pending, and sought to exempt his clients from removal, but include them in the monetary benefits that accrued from the treaty. By currying favor with the Cherokee Committee, Treaty Party members who were

appointed and “fully empowered and authorized to transact all business on the part of the Indians which may arise in carrying into effect the provisions of this treaty and settling the same with the United States,” Thomas secured official exemptions and pro rata benefits for “a portion of the Cherokee citizens of and residing in the State of North Carolina” including “the Cherokees belonging to, or which shall belong to, the following towns and settlements: Qualla, Alarka, Aquona, Stekoih, Cheoih, and their respective settlements, expected to remain east.”⁴² The committee required a list certain of the participants in the exemptions, which Thomas collected and submitted in 1837. That submitted list, “amounting to Three hundred and thirty,” included Standing Wolf as head of a household of nine among those who were “averse to removal to the Cherokee Country west of the Mississippi [&] desire to continue [as] citizens of and subject to the Laws of the State of North Carolina.”⁴³ In May 1838, just prior to the commencement of military removal operations, the committee confirmed and certified that roster, and allowed those individuals, including Standing Wolf, “citizenship by the said committee in accordance with what they conceived to be the provisions of the 12th Art. of the treaty of 1835 and their names are enrolled in the Register of the said committee agreeable to this list bearing date 22nd June 1837.”⁴⁴ That late certification would not protect Standing Wolf and his family from arrest; although Hayes was certainly aware of the family’s inclusion on Thomas’ petition, his squad arrived at Standing Wolf’s home with “commands ... positive and without exceptions” and Hayes’ actions were closely monitored by his superiors. The dispensation that Hayes secured for Wakee and her daughters to remain at home might have considered their ambiguous status, as did Standing Wolf’s open parole from Fort Lindsay to revisit his home and support his family.

The two-month hiatus in Hayes’ account after Standing Wolf’s departure from Fort Lindsay was grueling for Standing Wolf’s family. When the Cherokee prisoners and their military escort departed Fort Lindsay, they ferried across the Little Tennessee River to gain the Tennessee River Turnpike, the only available wagon road to the emigration depot at Fort Cass and the Cherokee Agency. Rather than turn westward toward Tennessee on the turnpike, they walked 25 miles southeast to Franklin, North Carolina, where they resupplied at Camp Dudley, the North Carolina militia’s depot. Then they followed the new State Road across the Nantahala Mountains to Camp Scott, the post at Aquone, where they united with the prisoners from the upper Nantahala communities. Those captives would have included the families of Nantahala John, John Ecooih’s father, and Choyukah, Standing Wolf’s sister. That reunion was particularly significant; under traditional Cherokee practice brothers and sisters held close relationships, and brothers were prescribed roles as protectors of their sisters; Choyukah was now under Standing Wolf’s aegis.

The combined groups from Fort Lindsay and Camp Scott traveled southwest along the state road, arriving at Fort Delaney (present-day Andrews, NC) on June 29, then on to John Welch’s house, in present-day Marble, NC. Welch, a wealthy Cherokee planter and former reservee exempted from removal by the U.S. Superintendent of Cherokee Emigration, Gen. Nathaniel Smith, had encouraged and fostered resistance to the military operations from the outset.⁴⁵ At Welch’s home, they encountered Preston Starrett, a Cherokee countryman (intermarried white), who was Smith’s appointed Assistant Agent for Cherokee Emigration. Rather than enrolling them all for emigration to the west, Starrett spent the next two days issuing permits of exemption based on a War Department ruling that allowed such exemptions for “200 old and infirm Cherokees” and their caretakers.⁴⁶ Smith and Starrett, longtime business associates, had worked together on the 1835 War Department census of Cherokees in North Carolina and were familiar

with all the actors in southwestern North Carolina. Starrett later maintained a close working relationship with William Holland Thomas.⁴⁷

Starrett's exemption plan, which Smith had promoted to the War Department, complemented Thomas' scheme to exempt Qualla Town, but was aimed at Cherokees who lived within the Cherokee Nation. Starrett's spate of permit writing at Welch's seemed to present a last best-chance option for Standing Wolf and his family to sidestep the removal, but it's not documented whether they sought those permits. When the prisoners later arrived at Fort Butler on July 3, Brig. Gen. Abraham Eustis, commander of military forces in the eastern division of the Cherokee Nation, rescinded and confiscated the issued permits, voided Starrett's authority and alerted Winfield Scott that a scheme was afoot.⁴⁸ Eustis then immediately dispatched the prisoners to Fort Cass under the supervision of Capt. Jacob Peake and his East Tennessee Mounted Volunteers.⁴⁹ They traveled northwest on the Unicoy Turnpike, past the Burnt Stand, a "house of entertainment" owned by G.W. Hayes' uncle, Emanuel Shuler (who also grew up near Standing Wolf, and who spoke the Cherokee language), to Fort Armistead in Coker Creek, Tennessee, where they took a much-needed rest July 6-8, 1838.⁵⁰ From Armistead, they continued westward through Tellico Plains and Athens, Tennessee, before arriving at Fort Cass on July 12. After being mustered and enrolled by Captain John Page, then Acting Superintendent of Emigration, the prisoners dispersed to camps within the Fort Cass Emigration Depot. They arrived immediately after Principal Chief John Ross and the Cherokee national leadership concluded an agreement with Maj. Gen. Winfield Scott, commander of the Army's removal operations, to delay the emigration until the onset of cooler weather and abatement of a strangling drought. That agreement, which pledged the captive Cherokees to compliance with the Army's operations, also consigned the prisoners to await their fall emigration in hastily assembled encampments under military supervision.

At Fort Cass, Standing Wolf's family bypassed the already overcrowded Aquohee District camps along South Mouse Creek, and went south to the camps along Rattlesnake Branch near the Rattlesnake Springs. Dr. J.N. Hetzel reported in July that those camps included "about Seven Hundred Cherokees... About Two Hundred and Fifty of these have been located on low and marshy grounds on the Branch East of the Spring... The remainder are encamped on the Hill, west of Camp Worth."⁵¹ Hetzel noted that dysentery and measles were rampant in the camp when Standing Wolf's family arrived. By the end of August, those diseases had abated, but Hetzel reported that the Rattlesnake Springs camps suffered three fatalities—perhaps including the children that Wakee mentioned to Hayes. Conditions in all the camps were oppressive; unusually high summer temperatures and drought exacerbated the burdens of disease and exposure that the prisoners endured.

Standing Wolf went back to the Cherokee Agency to attempt to collect payment for the valuation of his improved properties, and in mid-August, he filed claims for adjustments to that valuation, and witnessed claims for his Stecoa neighbors preparatory to the projected emigration in early September.⁵² About the time that Standing Wolf was settling his business, John Welch, his son Ned, Junaluska, Wachacha and Gideon Morris arrived at the Agency from Valley River in North Carolina to collect their payments and file other claims with the sitting board of commissioners.⁵³ Like Standing Wolf (who was Wachacha's first cousin), they were either former reservees or children of reservees, and had all received specific official exemptions from removal issued months earlier by Superintendent Smith.⁵⁴ However, Maj. Gen. Winfield Scott, on the

advice of Principal Chief John Ross, ordered the arrest of the group for their ongoing interference in removal operations and their succor of Cherokee fugitives in North Carolina.⁵⁵ Reports that hundreds of Cherokee fugitives had eluded Eustis' forces and still hid in the North Carolina mountains had come to Scott's attention, and continued resistance to removal potentially threatened the agreement between Scott and the Cherokee leadership. Scott quickly dispatched troops to southwestern North Carolina to bring in the families of the new prisoners and any other Cherokees they could find.⁵⁶ Wachacha's brother-in-law, Gideon Morris, a white American citizen who could not be detained under Scott's authority, raced back to Valley River to warn about the returning troops.⁵⁷

The arrests of those Cherokee resistance leaders and the return of federal troops to southwestern North Carolina signaled a new phase of the military removal operations that focused on fugitives, and which lasted until the conclusion of the infamous Tsali incident in late November. Scott clearly signaled that the permits and exemptions issued by Smith, Starrett, and even by the Cherokee Committee were contingent and subject to revocation under his authority. Nor were assertions of citizenship under terms of the treaties of 1817/1819 inviolable exemptions. When Wachacha's lawyers contested his detention and impending deportation in McMinn County court in September, they argued that he was a U.S. citizen; Scott successfully countered that Wachacha was "confessedly a Cherokee and alien by birth" and that the "reservations of lands do not make citizens, but merely give permissions to apply to the proper court to acquire that character."⁵⁸ Scott also repeatedly asked the War Department for clarification and direction about the "citizen Cherokees" of the Qualla community, and proposed including them in the forced removal.⁵⁹ These developments seemed to foreclose all of the options for Standing Wolf and his family and consign them to an emigration that portended disaster.

William Holland Thomas, who had represented Standing Wolf in the petition to exempt the people of Qualla Town, had been at Fort Cass setting up a temporary store when Standing Wolf and his family arrived, but left Fort Cass in early August and could not intervene for his friends and adopted relations.⁶⁰ Instead, Thomas' associate, Hayes, now a private citizen, suddenly appeared on the scene as if on cue—ostensibly to attend to "unsettled business" at headquarters. Belying Hayes' assertion that his encounter with Standing Wolf and Wakee was entirely coincidental, Hayes struck a beeline for the Rattlesnake Springs camps, while passing through the South Mouse Creek camps with thousands of North Carolina Cherokees. At Rattlesnake Springs, Hayes found camps scattered for miles, rendering a chance encounter improbable, yet he quickly located Standing Wolf and Wakee, and learned of their travail and loss.

Hayes' response to their dilemma was scarcely *ad hoc*. As recounted in the 1846 *New York Evening Mirror* (which was obviously informed by both Thomas and Hayes), "One of the officers gave him [Standing Wolf] permission to return—there was no harm in it, he was a citizen," implying that the Standing Wolf family left the camps openly and with military permission. This was certainly Thomas' *post facto* construction—Hayes was the former officer indicated. Fifty years after the removal, Thomas informed James Mooney in 1889 that "the ag[en]t who carried mail carried news to Standing Wolf th[at] he [was a] citizen & so he ran off & returned."⁶¹ Elijah Keese, who recounted the escape in 1859, asserted that Standing Wolf initially resisted Hayes' plan as dishonorable:

Hays [sic] then and there set about devising ways and means for the escape of Standing Wolf and family. As the Indians were collected together in vast numbers, and not very strictly guarded, this was easy of accomplishment. After all the preliminaries had been arranged, Hays told the good old man, that he would have to slip off in the night. This part of the arrangement was objected to, because he thought it altogether wrong and dishonorable. Meanwhile, several of his children died from exposure and for want of proper food; this circumstance, conjoined with the persuasions of his friends, at last overcame his conscientious scruples and he availed himself of the chance to return to "the blue hills he loved so well."⁶²

Hayes' planning for the release or escape and return of Standing Wolf's family is indicated by his statement that the family could

... use for their support any or all of the crop they had left behind, as it was then my own. It had been sold by commissioners appointed by the government to take charge of all the property left by these forced to emigrate, and I became the owner, under one of these sales.⁶³

Hayes' targeted purchase of Standing Wolf's growing corn crop at Yellow Town is verified by the commissioners' records of those auctions held at Fort Lindsay, fifteen miles from Hayes' home. Hayes bought only Standing Wolf's corn, despite the many fields and patches for sale that were closer to Hayes' home.⁶⁴

The departure of Standing Wolf's family from Rattlesnake Springs in late August 1838 did not go unnoticed or unaddressed. Maj. Gen. Winfield Scott wrote the Secretary of War on September 4, 1838 that:

...To this impatience, in great part, is to be attributed the recent escape, back to their old settlements, of eight or ten families of N. Carolina Indians. They had settled their claims with the Board of Commissioners, and entrusted their money with designing white men to purchase land at the sales now going on, being assured that, after the withdrawal of the troops from this quarter of the union, they (the Indians) would be allowed to cultivate such lands in quietness. The design of the white men was, to purchase the lands for themselves, with the Indian money, and to work the latter as so many slaves for the benefit of the former.⁶⁵

Winfield Scott had already fielded troops to seek fugitives in North Carolina in mid-August, and dispatched another party to find Standing Wolf and the other escapees:

Lieut. [H.L.] Scott's mounted detachment ... brought down between 70 and 80 Indians who had been left in the mountains of N. Carolina by Brig. Genl. Eustis. The detachment was very faithfully served by the Indian runners sent out by the delegation (Mr. Ross and his associates). Another similar detachment, with runners and pack-horses will set out tomorrow, under Lieut. Larned, to collect other families left as above, and, if possible, the recent fugitives from this place.⁶⁶

When they broke away from the camps, Standing Wolf and his cohort undertook a perilous 120-mile journey across the mountains on foot, their flight challenged by companies of mounted troops that scoured southwestern North Carolina. While en route, the Fort Cass escapees received aid, food, and shelter from both Cherokee and white families; Larned reported that

...some of those to whom permission to remain in the country had been given by Gen. Smith are aiding and concealing the runaways by every means in their power & those particularly who recently escaped from Calhoun are now concealed and sheltered by some families named Raper

living upon Nautlee creek; through whose agency one of them got away from Lieut. Johnson and his party after he had taken charge of her.⁶⁷

Almost miraculously, Standing Wolf's family "encountered neither accident nor molestation of any kind," during their journey.⁶⁸ Rather than going straight to their kin in Qualla, which was monitored by federal troops, Standing Wolf directed his family to the relative safety of G.W. Hayes' home on Newton Mill (now Cooper's) Creek, seven miles to the west. Eighteen individuals arrived at Hayes', even though the family had lost three members and left two behind to emigrate.⁶⁹

After the group rejoined their relatives at Qualla, their sanctuary remained tenuous. Larned was increasingly frustrated in his search for fugitives and took his troops to Qualla Town in late September to look for the escapees among "Thomas' Indians." He wrote Scott that he had:

... moved my whole command to the settlement on the Oconelufi River occupied by those Indians who have obtained citizenship under the state of North Carolina, among whom I was informed many of the runaways had taken refuge, thinking they would there be safe from pursuit or apprehension. Mr. W.H. Thomas, the agent for this settlement, accompanied me, and immediately upon my arrival I caused the whole to be assembled, and ascertained that their number corresponded with the list furnished by Mr. Thomas of those to whom citizenship had been granted, viz three hundred and thirty three...⁷⁰

That list, the roster approved by the Cherokee Committee, included Standing Wolf and nine of his family members among the 333; others who had taken refuge at Qualla but were not on Thomas' list presumably remained concealed during the inspection. Larned then demanded that Qualla Town provide guides and assist his mission:

... they were then told by my interpreter and by Mr. Thomas that they must bring in all the runaway Indians they could find; it was with great difficulty that they were convinced of the necessity for so doing and I was obliged to hold several talks with them before they would consent; when they became satisfied however that they could in no other way be sure of remaining undisturbed themselves they yielded.⁷¹

Larned searched the North Carolina mountains for the escapees and other fugitives for another three weeks, then returned to Fort Cass on October 20, 1838; his October 25 report to Winfield Scott argued for abandoning the chase and closing the operations in the mountains. Lagging that withdrawal was Lt. A.J. Smith's detachment, then near Pickens, SC. When they arrived at Oconaluftee, they found orders to return to Fort Cass with their prisoners.⁷² Smith dispatched most of his force with the prisoners in hand but tarried with three soldiers to apprehend another reported group of fugitives near the mouth of the Tuckasegee River. There they captured Charley's (Tsali) family of twelve and headed down the Tennessee River Turnpike toward Fort Cass. On the evening of November 1, Charley's group made a desperate bid to escape, and killed two soldiers and wounded a third in the attempt, the only violent resistance that Cherokees had offered during their months-long removal ordeal.⁷³ According to Washington, Charley's grandson, Charley immediately sought out Standing Wolf, "a great man... below where they had the trouble," to inform him of the attack, and, presumably, to seek his counsel:

...They killed two and then the other one [escaped]; then he [Charley] just turned around and led the horses and went as fast as he can and he went to another place, where Standing Wolfe was. He told Standing Wolfe what happened.⁷⁴

Charley undoubtedly knew Standing Wolf; their residences lay just a few miles apart. Washington's account suggests that Standing Wolf had already returned to Yellow Town, five miles from the scene of the attack—perhaps to retrieve his corn crop—and that Charley expected to find him there.

Smith, whose horse had bolted during the attack, traveled to Fort Cass the next day to report the incident, accompanied by W.H. Thomas, who sought to ward off possible consequences for the community at Qualla. In meeting with Maj. Gen. Scott, Thomas offered his services and those of the Oconaluftee people in apprehending "Charley's band." Thomas returned ahead of the 280-man expedition commanded by Col. Wm. S. Foster, raised a group of scouts from Oconaluftee, and sent runners to find and recruit Oochella, the headman of Nantahala Town, who led a group of fugitives that had eluded Larned for months. Oochella, "a man who had made himself somewhat notorious by threats of resistance," ultimately agreed to assist in the search for his former townspeople in return for amnesty for his suffering group.⁷⁵

Despite (or, perhaps, because of) their numbers, Foster's troops made little progress in tracking down Tsali's band in the rugged Smoky Mountains. Instead, it was Oochella's men, along with Oconaluftee Cherokees including Standing Wolf's cousin Wachacha (escaped or released from Fort Cass), his nephew Ahquottakah, and his stepson John Ecooih, who eventually recaptured, and ultimately executed Charley, Nantayalee Jake, Big George, and Lowena for the soldiers' killings.⁷⁶ On November 24, 1838, Foster extended amnesty to Oochella's band of fugitives, and wrote back to Scott to declare the "final termination of the affair."⁷⁷ The return of Foster's troops to Fort Cass at the end of November marked the end of military pursuit of Cherokees in North Carolina, closing the operations that the escape of Standing Wolf's family and others from Fort Cass had catalyzed.

Conclusion

Through time, the dramatic story of the Tsali affair has eclipsed that of Standing Wolf as the primary narrative of Cherokee resistance, yet both remain equally powerful and informative of eastern Cherokees' struggles to remain in their homeland. While the stories of Charley and Standing Wolf initially appear to stand in sharp contrast, a closer examination reveals them to be related episodes linked in a continuum of response to the systematic dispossession, arrest, and deportation of Cherokee people. Charley and Standing Wolf knew each other; both knew the clandestine plans to evade deportation; both had received the directive that Oochella revealed, that "they had been instructed under no circumstances to take the life of one of the whites, but to avoid injuring them in any respect."⁷⁸ The pursuit set in motion to recapture Standing Wolf and his extended family and other Fort Cass escapees eventually snared Tsali and his extended family; their reaction to the prospect of immediate, forcible deportation devolved into a conclusive drama that John Ross termed "this melancholy affair."

In evolving retellings, Anglo-American writers co-opted the stories of Standing Wolf and Tsali to serve the national myth, extending American ideals of virtue even to the embattled Cherokees. These authors projected Christ-like attributes onto both Standing Wolf and Tsali; Standing Wolf begged forgiveness for his oppressors, while Charley's death was gradually transformed into a

heroic sacrifice to save all eastern Cherokees.⁷⁹ Both constructs served Americans' "noble savage" trope, romantic conveniences, like the reconstructions of Osceola and Tecumseh, that could be indulged after any real threats to American policy were neutralized.

Neither Hayes, the "Washington correspondent," nor other derivative writers chose to detail the immediate aftermath of Standing Wolf's escape and return to Oconaluftee, nor did they frame that episode in context of the messy final stages of removal in North Carolina. Instead, each used partial, truncated tellings to achieve their particular political or literary goals. In Hayes' case, he likely sought to distance himself from the chain of consequences that followed Standing Wolf's escape and took pains to avoid intimation of broader planning or conspiracy. Hayes's telling in *The Spirit* was a seemingly full and completed narrative that functioned as a shield against deeper examinations. Yet less accessible and highly fragmented evidence suggests that Hayes, Standing Wolf, Yonaguska, Thomas, Shuler, Oochella, Wachacha, Welch, Junaluska, Morris and even Tsali, along with hundreds of others, were all networked in the plan with "designing white men" that the commissioners reported to Winfield Scott, and which Scott did his utmost to thwart. The prearrangements that Scott described, whereby Cherokees "entrusted their money with designing white men to purchase land at the sales now going on, being assured that, after the withdrawal of the troops from this quarter of the union, they (the Indians) would be allowed to cultivate such lands in quietness," played out repeatedly in southwestern North Carolina.⁸⁰

Most of the Cherokee leaders involved in that network were former reservees who had attempted in 1819 maintain their traditional towns by ostensibly becoming citizens and holding land in severalty for their communities. Their efforts in 1838 built upon that original plan. The "designing white men" who participated in that network were mostly Cherokee speakers, like Hayes, Shuler, Thomas, Starrett, Morris and Elizabeth Welch (not all were men), who had long histories of connection with Cherokee families and communities, and who could operate in official spaces on behalf of their Cherokee clients, friends, and relations.⁸¹ In the aftermath of removal, they concealed their involvement in the Cherokee resistance to avoid sanction, but openly assisted Cherokee families to maintain their homes and farms—and ultimately, their communities—under state systems that denied Cherokee citizenship and land rights. The eastern Cherokees who avoided removal to become "Indians who have separated themselves from the Cherokee Nation and are now citizens of the U.S.," found and used the interstices of American law, national, state, and local, to preserve and promote their traditional communities within their homelands. The ultimate success of that separate course, one which Standing Wolf and his kindred struggled to enact, is evident in the endurance and florescence of the present-day Eastern Band of Cherokee Indians.

¹ e.g., Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians*. Norman: University of Oklahoma Press (1932) and Claudio Saunt, *Unworthy Republic: The Dispossession of Native Americans and the Road to Indian Territory*, W.W. Norton & Company, New York (2020).

² Lance K. Greene, *A Struggle for Cherokee Community: Excavating Identity in Post-Removal North Carolina* (2009). <https://doi.org/10.17615/xym4-ny95>; Lance K. Greene, *Their Determination to Remain: A Cherokee Community's Resistance to the Trail of Tears in North Carolina*, University of Alabama Press, Tuscaloosa (2022); Jane Dinwoodie, "Evading Indian Removal in the American South," *Journal of American History*, Volume 108, no. 1 (June 2021): 17–41.

-
- ³ John R. Finger; "The Saga of Tsali: Legend Versus Reality," *The North Carolina Historical Review*, Vol. 56, no. 1 (January 1979): 1-18. Also, William M. Jurgelski, "New Light on the Tsali affair," in *Light on the Path: The Anthropology and History of the Southeastern Indians*, ed., Thomas Pluckhahn and Robbie Ethridge (Athens: University of Georgia Press, 2006), 133-164.
- ⁴ *Wahyagadoga* (i.e., Wolf, he's standing) is contemporary phonetic orthography for the Cherokee name. Hayes, Thomas, Welch and Jarrett, and other nineteenth century each rendered idiosyncratic approximations of the Cherokee pronunciation.
- ⁵ Washington correspondent [sic], "Anecdote of a Cherokee Indian," *The Boston Recorder*, June 11, 1846, iss. 24, vol. XXXI:96 (reprinted from the *New York Evening Mirror*). America's Historical Newspapers: <https://infoweb-newsbank-com.proxy195.nclive.org> ;, "Wah-w-catacah, or, Standing Wolf," *The Spirit of the Age* (Raleigh, NC) February 9, 1853:2. *Chronicling America: Historic American Newspapers*. Lib. of Congress. <<https://chroniclingamerica.loc.gov/lccn/sn84026561/1853-02-09/ed-1/seq-2/>>
- ⁶ "Anecdote of a Cherokee Indian," 1846.
- ⁷ Testimony of Sallie Wolfe, January 22, 1907. Application 16024, Eastern Cherokee Applications of the U.S. Court of Claims, 1906-1909. Microcopy 1104, Record Group 123, U.S. National Archives and Records Administration, Washington, DC.
- ⁸ "A True and Acrat Numeration of the Indins that is living on the purches [sic] (1820)." Haywood County Records, North Carolina Office of Archives and History. "Standing Wolf" or "Way ehutta" who filed a claim for a reserve "on the Waters of Ca tug a joy Creek" [Cartoogechaye, Macon County, NC] appears to have been a different individual.
- ⁹ Sallie Wolfe, 1907; "Register of Persons who wish to take Reservations under the Treaty of July 8, 1817," Record Group 75, Entry 217, Box 1, U.S. National Archives and Records Administration, Washington, DC.
- ¹⁰ Charles Royce, "The Cherokee Nation of Indians: a Narrative of their Official Relations with the Colonial and Federal Governments," in *Fifth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution* (Washington, DC.: U.S. G.P.O., 1883-84): 121-378.
- ¹¹ Brett Riggs and M. Scott Shumate, "Archaeological Testing at Kituhwa: 2001 Investigations at 31Sw1, 31Sw2, 31Sw287, 31Sw316, 31Sw317, 31Sw318, and 31Sw320." Report submitted to the Eastern Band of Cherokee Indians, Office of Cultural Resources, Cherokee North Carolina (2003).
- ¹² For more on the Cherokee reserve system in North Carolina, see William Martin Jurgelski "A New Plow in Old Ground: Cherokees, Whites, and Land in Western North Carolina, 1819-1829" (PhD diss., University of Georgia, 2004). Also see John R. Finger, 1984. *The Eastern Band of Cherokees, 1819-1900*. (Knoxville: University of Tennessee Press, 1984).
- ¹³ Power of Attorney conveyance to John L. Dillard by Cherokee Indians who separated themselves from the Indian Nation, June 26, 1829, Haywood County Record of Deeds, Volume B, #548.
- ¹⁴ William Welch and Nimrod Jarrett, "Property Valuations of Cherokees living in North Carolina" (1836-1837), Records of the First Board of Cherokee Commissioners, 1835-39, Record Group 75, Entry 224, U.S. National Archives and Records Administration, Washington, DC.
- ¹⁵ "War Department Census Roll, 1835, of Cherokee Indians East of the Mississippi." Microcopy T496, Record Group 75, U.S. National Archives and Records Administration.
- ¹⁶ Welch and Jarrett (1836-1837).
- ¹⁷ William Holland Thomas, "Supplementary Report of the Cherokee Indians remaining in NC, 1835-1840," William Holland Thomas papers, 1814-1900s and Undated (L-3927), David M. Rubenstein Rare Book Manuscript Library, Duke University, Durham, NC.
- ¹⁸ "A Proclamation by his Excellency, William A. Graham, Governor of North Carolina," *The Raleigh Register*, July 2, 1847:4.
- ¹⁹ John C. Mullay, "Mullay Roll, 1848," Eastern Cherokee Census Rolls, 1835-1884, M1778, Record Group 75, U.S. National Archives and Records Administration, Washington, DC. (2005).
- ²⁰ Sallie Wolfe, 1907.
- ²¹ Conveyance of land from W.H Thomas to Standing Wolf or Wah hey uah catauga, Feb. 12, 1856. Record of Deeds, 1853-1855. Haywood County Records, North Carolina Department of Archives and History
- ²² Elijah Keese, "Extracts," *The Edgefield Advertiser* June 8, 1859:1. *Chronicling America: Historic American Newspapers*. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn84026897/1859-06-08/ed-1/seq-1/>.

-
- ²³ "Census of Eastern Cherokees Made by Powell in 1867," Eastern Cherokee Census Rolls, 1835–1884, M1778, Record Group 75, U.S. National Archives and Records Administration, Washington, DC. (2005).
- ²⁴ "Anecdote of a Cherokee Indian," 1846.
- ²⁵ James K. Polk, Special Message to the *Senate and House of Representatives*, April 13, 1846. In: *A Compilation of the Messages and Papers of the Presidents*. Compiled by J.D. Richardson, Bureau of National Literature, New York, N.Y. (1897), Vol. 5: 2279.
- ²⁶ "Anecdote of a Cherokee Indian," 1846.
- ²⁷ *Holy Bible* (Revised Standard Version): Luke 24:34. "And Jesus said, "Father, forgive them; for they know not what they do."
- ²⁸ Theodore F Davidson, "Reminiscences and traditions of Western North Carolina: paper read before the Pen and Plate Club of Asheville, NC, at its November, 1928, meeting and reprinted from the Asheville Citizen." Asheville Service Print Co. Asheville, NC, 1928. Davidson here reprinted *The Spirit of the Age* article, and specifically attributed authorship to G.W. Hayes and his father, A.T. Davidson.
- ²⁹ George W. Hayes, deposition in claim of Standing Wolf to pay for a preemption, June 14, 1843. Standing Wolf preemption claim (#226), Records of the Fourth Board of Cherokee Commissioners, Entry 250, Record Group 75, U.S. National Archives and Records Administration, Washington, DC.
- ³⁰ *Index to Compiled Service Records of Volunteer Soldiers Who Served During the Cherokee Disturbances and Removal in Organizations from the State of North Carolina*. M256, U.S. National Archives and Records Administration.
- ³¹ Lt. Colonel John Gray Bynum to Maj. J.H. Stimson, June 5, 1838. John Gray Bynum Letterbook, April-June 1838, in William Preston Bynum Papers, 1778-1916, Southern Historical Collection, University of North Carolina, Chapel Hill, NC. Bynum noted that "Genl Eustis informed me that the Indians were emigrating by the vicinity of Fort Lindsay to a small portion of the tribe settled in Haywood. I was informed today by the expressmen from Fort Lindsay that they had met a family with their bedding and on their way to Haywood for that reason directed Capt. Truitt to prevent such emigration if possible."
- ³² Lt. Col. John Gray Bynum to Brig. Gen. Abraham Eustis, June 24, 1838. John Gray Bynum Letterbook, April-June 1838, in William Preston Bynum Papers, 1778-1916, Southern Historical Collection, University of North Carolina, Chapel Hill, NC.
- ³³ An Act in favor of the Cherokee Chief, Junaluskee, January 2, 1847. Laws of the State of North Carolina, Passed by the General Assembly at the Session of 1846-1847. Thomas J. LeMay, printers, Raleigh, 1847, CHAPTER LIX: 128. Hayes apparently purchased Junaluska's reserve in 1850, an action that contributed to clouded title that persisted until the 1890s. see *Smythe v. Henry*, Feb. 11, 1890, United States Circuit Court for the Western District of North Carolina, 41 F. 705 (1890) (<https://cite.case.law/f/41/705/>) accessed 02/08/2022.
- ³⁴ e.g., *Dressing in Feathers: The Construction of the Indian in American Popular Culture*, edited by S. Elizabeth Bird, Westview Press, Boulder, CO (1996).
- ³⁵ As Hayes reported, the military roundup in North Carolina was at first scheduled to begin June 4, 1838, but was that order was rescinded the previous day and rescheduled for June 12. The new order did not reach the outlying posts until the operations started, but the work was halted within a day. Col. Bynum ordered that the prisoners already taken at Fort Lindsay be retained. John Gray Bynum, Order No. 3, June 5, 1838. John Gray Bynum letterbook, William Preston Bynum Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.
- ³⁶ Elijah Keese (1859) noted that: "The inmates of the house wept like "whipped children," to use the word of my informant. Hays was stricken down in the floor under conviction, as it is supposed. My information is that Hays tells this himself. But when I interrogated Standing Wolf particularly as to the effect his prayer seemed to produce, he -touched upon the matter very delicately and with Christian-like humility. He simply replied through our interpreter, that "they had a good time.'" *The Edgefield Advertiser*, June 8, 1859 (Vol. XXIV, no. ww): 1
- ³⁷ James Mooney, interviews with William Holland Thomas, 1887. MS 2495- Miscellaneous Mooney Material, National Anthropological Archives, Smithsonian Institution.
- ³⁸ *Yonaguskee vs George Hayes in Court of Equity*, Oct 1828, Haywood County Ejectments and Civil Actions concerning Indians 1828-29, Haywood County Records, North Carolina Department of Archives and History, Raleigh, NC.
- ³⁹ George W. Hayes, "Warrant for Hyantuga," Haywood County, North Carolina, November 12, 1834, in William Holland Thomas Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, NC.

-
- ⁴⁰ George W. Hayes, certification of Power of attorney to W.H. Thomas, February 16, 1836. Report from the Secretary of War, January 12, 1838, *U.S. Senate Document 120*, 25th Congress, 2nd Session. United States Congressional Serial Set, Government Printing Office, Washington, DC.
- ⁴¹ George W. Hayes, deposition in support of William H. Thomas, August 30, 1837, 1 January 1839; Articles of agreement made concluded and agreed upon 1st January 1838 between Geo. W. Hayes and William H. Thomas, January 1, 1839. Haywood County Records, North Carolina Department of Archives and History.
- ⁴² Petition on behalf of Cherokee citizens of and residing in the State of North Carolina, May 26, 1836, William H. Thomas, Major Ridge, James Foster, William Rogers, Johnson Rogers, Elias Boudinot, George Welch, Long Shell, John Fields, James Fields, S. Watie, Jos. A. Foreman, John Smith, James Rogers, John Gunter, Andrew Ross, and James Starr. Report from the Secretary of War, January 12, 1838, *U.S. Senate Document 120*, 25th Congress, 2nd Session. United States Congressional Serial Set, Government Printing Office, Washington, DC.
- ⁴³ Certification of Cherokees allowed citizenship by the Cherokee Committee, May 15, 1838. William Holland Thomas Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, NC.
- ⁴⁴ Ibid.
- ⁴⁵ Col. John Gray Bynum to Brig. Gen. Abraham Eustis, June 13, 1838. William Preston Bynum Papers, Southern Historical Collection, University of North Carolina, Chapel Hill. Col. John Gray Bynum wrote his commander, Gen. Abraham Eustis, that he "collected yesterday about 80 Indians. They had all received orders from Welch on Valley River to leave home & take to the mountains." The same day, Captain George Porter reported: "I have, with my company, taken post here convenient to two points (one of which is Welch's, the other Colvard's) where the Indians are fed and harboured and where the trails from the mountains, on both sides of the river, concentrate....Welch's family and Nancy Colvard...should be apprehended and sent in... Welch's people I understand have liberty from Genl. Eustis. These two families are doing a great deal of mischief." Captain George Porter to Major Reynold M. Kirby, June 18, 1838, *Correspondence of the Eastern Division Pertaining to Cherokee Removal, April-December 1838*. Record Group 393, Microfilm M1475, U.S. National Archives and Records Administration, Washington, DC.
- ⁴⁶ Brig. Gen. Abraham Eustis to Maj. Gen. Winfield Scott, July 3, 1838. *Correspondence of the Eastern Division pertaining to Cherokee removal, April-December 1838*. M1475, RG 393, National Archives and Records Service, Washington, DC. Eustis noted that "Mr. Preston Starritt, who signs himself Agent for Emigration has ... granted permission to some hundreds of Indians to remain in the country. ...He has been for several days at Welch's on Valley River distributing permissions with a liberal hand to Indians coming from Fort Lindsay and Camp Scott under charge of the Volunteers..."
- ⁴⁷ Starrett had accompanied Nathaniel Smith to Qualla and worked with Thomas to include the Cherokees there in the 1835 War Department census of the Cherokee Nation. After removal, Starrett and Thomas maintained correspondence concerning the status of Cherokee claims, e.g., W.H. Thomas to Mr. Preston Starritt, December 29, 1839, William Holland Thomas and James Robert Thomas Collection, Special Collections Library, University of Tennessee. Retrieved from the Digital Public Library of America, https://dlg.usg.edu/record/dlg_zlna_wt138. (Accessed November 8, 2021.)
- ⁴⁸ Brig. Gen. Abraham Eustis to Maj. Gen. Winfield Scott, July 3, 1838.
- ⁴⁹ Ibid.
- ⁵⁰ Capt. Jacob Peake, "Requisition for forage for twenty-two Indian horses", July 6. 1838. QM. Abner Hetzel Settled Accounts, Records of the Accounting Offices of the Department of the Treasury, Entry 712, file 3933, RG 217. U.S. National Archives and Records Administration, Washington, DC.
- ⁵¹ Dr. J.N. Hetzel, Report of the sick and wounded of the Cherokees encamped at Rattlesnake Springs, near Camp Worth, for the months of June and July 1838. *Correspondence of the Eastern Division pertaining to Cherokee removal, April-December 1838*. M1475, RG 393, National Archives and Records Service, Washington, DC.
- ⁵² Cherokee Nation East - Claims made before emigration, 1838. John Ross Papers, Penelope Johnson Allen Cherokee Collection, 1775-1878, Tennessee State Library and Archives, Nashville, TN.
- ⁵³ John Welch, "The memorial of John Welch, a citizen of Cherokee County, North Carolina." (n.d. [1843]). John Welch spoliation claim (#458), Records of the Fourth Board of Cherokee Commissioners, Entry 250, Record Group 75, U.S. National Archives and Records Administration, Washington, DC. See also depositions of Joseph A. Powell, Stephen Hempstead, Preston Starrett, and Johnson K. Rogers in the same case.
- ⁵⁴ Ibid

-
- ⁵⁵ Maj. Gen. Winfield Scott to Sec. of War J.R. Poinsett, September 7, 1838. Cherokee Emigration (1838), *Letters Received by the Office of Indian Affairs, 1824-81*
- ⁵⁶ Maj. Gen. Winfield Scott to Sec. of War J.R. Poinsett, August 31, 1838 *Correspondence of the Eastern Division pertaining to Cherokee removal, April-December 1838*. M1475, RG 393, National Archives and Records Service, Washington, DC.
- ⁵⁷ Lt. H.L. Scott reported to Maj. Gen. Winfield Scott on August 22, 1838 that "...this morning I found that the families of Welch, of Morris, and of Watcheecher had fled at daylight yesterday morning. The two former families have gone to South Carolina and the latter to Lufty in Haywood County, NC. This flight I understand was caused by information communicated by Morris, who I understand immediately after the arrest of Welsh left Calhoun at 12 o'clock in one day and reached this place by 3 o'clock the next morning. On learning these facts and that they were beyond the reach of pursuit, I caused Mrs. Welch to send an express after her family telling her that I would wait at this place four days for the arrival of the family and that if it did not reach here in that time I should proceed to Calhoun with herself and slaves..."
- ⁵⁸ Maj. Gen. Winfield Scott to Hon. Charles F. Keith, Sept 7, 1838. *Letters Received by the Office of Indian Affairs, 1824-1880*, M234, RG 75, U.S. National Archives and Records Administration, Washington, DC.
- ⁵⁹ Maj. Gen. Winfield Scott to Sec. of War J.R. Poinsett, September 11, 1838. Cherokee Emigration (1838), *Letters Received by the Office of Indian Affairs, 1824-81*. M234, Record Group 75, U.S. National Archives and Records Administration, Washington, DC.
- ⁶⁰ William H. Thomas, Letterbook and Accounts, 1837-1845 (L:3919). William Holland Thomas Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, NC. By his own account, as related to ethnologist James Mooney (ca. 1889), Thomas was connected to Standing Wolf and his household. Standing Wolf's uncle, Yonaguska, "adopted" the fatherless Thomas as a youth, when he lived on Nantahala John's farm at the confluence of Soco Creek and the Oconaluftee River. While there, Thomas likely knew Nantahala John's wife, Wakee (later married Standing Wolf), and her son, John Ecooih. Nantahala John's son (likely Ecooih) taught Thomas to speak Cherokee, and learned English from Thomas. James Mooney, *Miscellaneous Mooney Notebooks* (ca. 1889), Acc. 2497, National Anthropological Archives, Smithsonian Institution, Suitland, MD.
- ⁶¹ William H. Thomas interview, *Miscellaneous Mooney Notebooks* (ca. 1889).
- ⁶² Keese, 1859
- ⁶³ Hayes, 1853.
- ⁶⁴ Returns of properties left by the Indians in Macon County, North Carolina and sold by the agents. Records of the First Board of Cherokee Commissioners, Record Group 75, Entry 227, U.S. National Archives and Records Administration, Washington, DC.
- ⁶⁵ Maj. Gen. Winfield Scott to Sec. of War J.R. Poinsett, September 11, 1838. Cherokee Emigration (1838), *Letters Received by the Office of Indian Affairs, 1824-81*. M
- ⁶⁶ *Ibid.*
- ⁶⁷ Lt. C.H. Larned to Maj. Gen. Winfield Scott, September 16, 1838. *Correspondence of the Eastern Division Pertaining to Cherokee Removal, April-December 1838*, M1475, RG 393, National Archives and Records Administration, Washington, DC.
- ⁶⁸ Keese, 1859
- ⁶⁹ Hayes 1853; William Holland Thomas, "Supplementary Report of the Cherokee Indians remaining in NC, 1835-1840."
- ⁷⁰ Lt. C.H. Larned to Maj. Gen. Winfield Scott, October 25, 1838. *Letters Received by the Office of Indian Affairs, 1824-1880*, M234, RG 75, U.S. National Archives and Records Administration, Washington, DC.
- ⁷¹ *Ibid.*
- ⁷² Finger, 1979.
- ⁷³ Jurgelski, 2006.
- ⁷⁴ Interview with Mollie Sequoyah, relating an eyewitness account by Washington. Paul Kutsche, "The Tsali Legend: Culture Heroes and Historiography," *Ethnohistory*, Vol. 10, No. 4 (Autumn, 1963), pp. 329-357.
- ⁷⁵ Col. William Foster to Maj. Gen. Winfield Scott, December 3, 1838. Oochella later noted that he believed that "just the guilty should be punished and besides they had been instructed under no circumstances to take the life of one of the whites..." Oochella's statement was an accidental admission that the fugitives' resistance was coordinated and directed. Oochella, Memorial for pay for a preemption (n.d. [1843]), File 251, Records of the Fourth Board of

Cherokee Commissioners, Entry 250, Record Group 75, U.S. National Archives and Records Administration, Washington, DC.

⁷⁶ William Holland Thomas, "List of Cherokees who serv'd in capturing Charley and others, (no date)" William Holland Thomas Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University, Durham, NC. Lowen, aka Lowna, may have been Charley's son-in-law, and was clearly a different individual from the Lowen who was part of Standing Wolf's household, and who went west with Nancy.

⁷⁷ Colonel William Foster to Maj. Gen. Winfield Scott, December 3, 1838. Records of the Adjutant General's Office, 1780's-1917, Letters Received, Main Series, 1822-1860, RG 94, U.S. National Archive sand Records Administration, Washington, DC. Foster noted "All the objects of your instructions have been fully complied with; (the emigrating of the Outlying Indians alone excepted) and these General are very few in number; and they consist principally of Euchella's band; this band and their chief, from the first have behaved nobly; himself, his brother, and Wau-chu-cha-[sic] and six others are the only men of this band; in all about Forty Strong. I have given them in writing my permission in consequence of their friendship, indefatigable, & untiring industry, in the late pursuit, apprehension, & punishment, of the murderers, to remain in this country, so long as they conduct themselves as peaceble [sic] citizens of North Carolina, subject to the final decision of the Government. I march tomorrow for Fort Cass... To remain here longer I consider as wholly unnecessary; I hear nothing of fugitives, or outlying Indians— (except Euchella's band). I do not believe there are sixty souls, in the whole Country; perhaps fifteen or twenty grown men, poor, needy, naked, and destitute, entirely harmless, and wholly [sic] inoffensive, and even useful, to this sparcely settled Country..."

⁷⁸ Oochella, Memorial for pay for a preemption (n.d. [1843]).

⁷⁹ For discussions of the progressive mythologizing of Tsali, see Finger (1979), Jurgelski (2006), and Kutsche (1963).

⁸⁰ See Greene, 2022. William Holland Thomas' 1840 census of Cherokees residing in the East after removal documents indicates 1087 souls in North Carolina, as compared to the 1835 War Department census, which indicated 3,623 Cherokee individuals in southwestern North Carolina. William Holland Thomas, "Census of the North Carolina Cherokees, 1840." William Holland Thomas papers, David M. Rubenstein Rare Book and Manuscript Library, Duke University, Durham, North Carolina; William Holland Thomas, "Supplementary report of Cherokee Indians remaining in North Carolina, 1835–1840." Manuscript copy in the William Holland Thomas papers, David M. Rubenstein Rare Book and Manuscript Library, Duke University, Durham, North Carolina, 1840.

⁸¹ See Greene, 2022 and Jurgelski, 2004.