DATE: December 7, 1981

DONOR: Original Accession

FILE ENTRY: Georgia, state of

TITLE: GEORGIA LAND GRANTS OF CREEK AND CHEROKEE INDIAN LANDS PAPERS, 1821-1845

SPECIAL NOTES: [Originally processed as Type C material, January 31, 1978. Converted to Type B material, December 7, 1981.]

DESCRIPTION:

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ARRANGEMENT:

LAND GRANTS 1820-1856 (34 leaves)

Approved By: Kenneth Perry
Typed By: Janet Mc Collum
The Georgia Land Grants to Creek and Cherokee Indian Lands Papers are presumed to have been a gift to the West Texas Historical and Scientific Society, but the donor and date of donation are unknown. The papers were transferred from the Society to Sul Ross State University in 1968.

In 1802 representatives of the state of Georgia agreed to give the United States her western territory (west of the Chattahoochee River and north of Uchee Creek to the Tennessee line), land from which the United States later made Alabama and Mississippi. In return, Georgia received $1,250,000 and a part of a South Carolina cession to the U.S. Part of this 1802 agreement was the stipulation that the United States would remove the Indians from Georgia and give their lands to the state. The U.S. Government began buying Indian land, but the transferal of the lands moved slowly. With the purchase and transferal to Georgia of the first of the Creek lands, a strip west of the Oconee River, Georgia began a new policy for the distribution of Indian land, the lottery, in 1803. Every citizen had one chance in the lottery, with heads of household having two chances.

As land was made available, it was divided into lots of 202 1/2 acres each, except in the gold regions, where lots averaged 40 acres each. The smaller, irregular lots left over were later sold to citizens. As the Indian lands were gradually turned over to the state of Georgia, each parcel was immediately surveyed and given in a lottery. The following number of new counties were made from Indian lands: 1800-1809, 14 counties; 1810-1819, 9 counties; 1820-1829, 29 counties, 1830-1839, 17 counties.

The ceding of Indian lands to Georgia was a long and difficult process, involving, finally, thirty million acres, with the Indians, on one hand, determined to keep their lands and the Georgian citizens, on the other hand, determined to acquire new territory. As land acquisition and lotteries went on, each tribe was given varying amounts of money at various intervals for ceded land and was promised western lands in exchange. The Cherokees did their best to resist the movement, declaring in 1827 that they were a separate nation with a constitution similar to the U.S. Constitution and that they would cede no more land. In 1828 Georgia declared the Cherokee nation non-existent and nullified their treaty rights. The Cherokees appealed to President Andrew Jackson but got no support, so they asked that the state of Georgia to be restrained by the U.S. Supreme Court. In 1830, in the case of the Cherokee Nation vs. Georgia, Supreme Court Justice John Marshall held that the Cherokees had no right to bring suit because they were neither a foreign nation nor citizens but rather wards of the state. The Court supported the Cherokees but felt unable to act in the case. Without the support of the Supreme Court, the Cherokees had to bow to the usurpation of their lands by the state of Georgia, and by 1838 both the Creeks and Cherokees had been resettled in Indian Territory, now Oklahoma.
The seventeen land grants in this collection cover the years 1821-1856 and are signed by the governor in office at the time of each grant. Each grant contains a plat description, a map of the land in question, and an attached 1797 seal of the state of Georgia. The collection is arranged chronologically, in one document box, with the names of each grantee and the governor who signed the grant (in parenthesis) and the date listed on the inventory and folders.

By: Beverly G. case
Archivist

December 14, 1983
Revised March 25, 1987
Revised January 31, 1991
The following books were used in the compilation of the summary for the Georgia Land Grants to Creek and Cherokee Indian Lands Papers.


GEORGIA LAND GRANTS OF CREEK AND CHEROKEE INDIAN LANDS

Box 1 of 1

LAND GRANTS 1821-1856 (34 leaves)

1  Henry Higgins (Gov. John Clark) 1821
2  Thomas Jones (Gov. George V. Troup) 1826
3  Charlotte Gantt (Gov. George R. Gilmer) 1830
4  Orphans of Benjamin Scarborough (Gov. George R. Gilmer) 1830
5  James Langford Sr. (Gov. George R. Gilmer) 1830
6  George Wyche (Gov. Wilson Lumpkin) 1831
7  John H. Baugh (Gov. William Schley) 1836
8  Bailey Cudy (Gov. William Schley) 1836
9  John Williams (Gov. William Schley) 1837
10 Orphans of Henry Collins (Gov. William Schley) 1837
11 James S. Calhoun (Gov. George R. Gilmer) 1839
12 Greene Wilder (Gov. Charles J. McDonald) 1840
13 John F. Spicer (Gov. Charles J. McDonald) 1842
14 William B. Parker (Gov. Charles J. McDonald) 1842
15 Milton C. Ball (Gov. George W. Crawford) 1847
16 John S. Porter (Gov. George W. Towns) 1848
17 Seymour R. Bonner (Gov. Herschel V. Johnson) 1856
THE LIBRARY OF CONGRESS
DESCRIPTIVE CATALOGING DIVISION - MANUSCRIPT SECTION
DATA SHEET FOR THE NATIONAL UNION CATALOG OF MANUSCRIPT COLLECTIONS

Name of Repository: Archives of the Big Bend
Reported by: Beverly G. Case, Archivist
Date: November 29, 1983

1. Name of collection and inclusive dates of material:

GEORGIA LAND GRANTS TO CREEK AND CHEROKEE INDIAN LANDS, 1821-1856

2. Principal name around which the collection is formed; i.e., person (full name, birth and death dates), family, business, society, governmental agency, or some other corporate body:

State of Georgia, United States of America

Give relationship to the collection; , writer, , address, collector, other (specify), Originator

3. Occupation or type of activity of the principal, person, family, or corporate body; significant events and dates in the career or activity; and place of residence or location of activity

N/A--principal body is a state of the United States

4. Number of linear shelf feet (if 1 foot or more) __________ or number of items _34_ (known X or estimated ).

5. If the collection contains copies of manuscripts, describe the form(s) of reproduction (handwritten or typewritten transcripts, positive or negative photocopies, positive or negative microfilm with no. of reels) and give the number (or fraction of total) of each kind. Give location of originals, and dates and circumstances under which the copies were made:

6. Nature of acquisition (gift, permanent deposit, etc.), date(s) and source(s) of acquisition and former owner(s):

Gift to the West Texas Historical and Scientific Society, donor and date unknown. The Georgia Land Grants Papers were transferred by the Society to Sul Ross State University in 1968.

7. Research access restricted X unrestricted. State nature of restriction and when it will be terminated:

- OVER -
Georgia Land Grants to Creek and Cherokee Indian Lands Papers, 1821-1856, unpublished inventory, Archives of the Big Bend, Sul Ross State University, Alpine, Texas.

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