Between a Nation and a Country:
the Creek Nation, the United States, and the Life of James Moore

by

Matthew Robinson

A thesis submitted to the Graduate Faculty of
Auburn University
in partial fulfillment of the
requirements for the Degree of
Master of Arts

Auburn, Alabama
May 5, 2019

Keywords: Creek Indians, Indian Removal, Indian countrymen,
Alabama History

Approved by

Kathryn H. Braund, Chair, Hollifield Professor of Southern History
Keith S. Hebert, Assistant Professor of History
Kelly M. Kennington, Associate Professor of History

Abstract

This thesis examines the life of James Moore, an Indian countryman who lived nearly fifty years in the Creek Nation. A study of Moore's life offers insight into the massive changes that the Creek Nation endured in the first three decades of the nineteenth century during the pre-removal era. Moore participated in the Creek War of 1813-1814 and experienced the challenges of living in the Creek Nation after the creation of the state of Alabama. During Creek removal to Indian Territory Moore's family was divided with some members remaining in Alabama, while others sought land in the west, and still other members removed to the Creek Nation in Indian Territory in present-day Oklahoma. His family's experience illustrates the difficulties faced by Creek families during this period.

Acknowledgments

To Kathryn Braund, whose patience, support, and guidance I owe so very much. She helped me find my passion, my career, and my voice when I had none. To be included among the remarkable list of historians that were once her students is both humbling and a great privilege.

To those people whose story I have attempted to tell, I hope you always find that I “tell it well.”

Table of Contents

Becoming an Indian Countryman

At the age of 72, James Moore, who "had lived nearly all his life" with the Creek Indians, welcomed historian Albert J. Pickett into his home in Dudleyville, Alabama, in September 1847.[1] There, he and his companion and friend Abraham Mordecai regaled Pickett with stories of their lives among the Creeks. Moore arrived in the Creek Nation at a time of great economic transition following the American Revolution. Moore and his fellow Indian countrymen, all married to Creek women, were participants and well as witnesses to the enormous change the Creeks experienced between the American Revolution and removal. Moore settled and became linked to the small Okfuskee town of Nuyaka. Like other white men among the Indians, Moore's story and that of his family is complex and difficult to unravel. Yet their history offers insight into the Creek experience in the early republic.

By the late eighteenth-century, when Moore arrived in the Nation, Creek towns were divided into two geopolitical regions primarily due to their location in relation to the Upper and Lower trade paths. The Upper Creek towns were located on the Tallapoosa, Coosa, and Alabama rivers and their tributaries. The Upper Creek towns belonged to one of three distinct tribal groups known as Alabamas, Tallapoosas, and Abeikas. The Lower Creeks towns spread across the Chattahoochee, Flint, and Ocmulgee rivers, and populated mainly by peoples known as Cowetas. By the late eighteenth century, there were an estimated 73 towns composing the Creek Nation—48 Upper Creek towns and 25 Lower Creek towns—the population has been estimated at 15,000 to 25,000 people. Identity for individual Creeks began first with their kinship, a matrilineal society; lineage traced through the mother dictated kinship and clan affiliation. Identity based on

[1] Interview with James Moore, 30 September 1847, Box 2, Book 2, Section 15, Albert J. Pickett Papers, Alabama Department of Archives and History (hereafter cited as ADAH).

town followed, along with the regional division of a person's town (Tallapoosa, Alabama, Abeika, or Coweta). Creek towns were mostly autonomous, though by the 1790s Creek headmen began to insert a sense of Creek national identity in the face of U.S. Indian policy that led to eroding sovereignty and loss of land.[2]

In 1796, James Moore resided along the path between the Creek towns of Tallassee and Tuckabatchee. Moore was born in Pennsylvania in 1760 and made his way into the Creek Nation sometime between the years of 1781-1792.[3] When the U.S. Indian agent to the Creeks traveled through the Nation and visited Moore, he made no notes or descriptions of Moore's property, his family, or his length of time in the Creek Nation; in contrast, to the agent's extensive descriptions of the large plantations of other Euro-Americans that lived in the Nation. The agent's lack of interest suggests that Moore's holding were relatively modest in 1796.[4]

There is no evidence in the historical record of Moore's exact reason for choosing to take on such great risk, moving so far away from his home in Pennsylvania to start a new life in the unfamiliar land of the Creek Nation. However, Moore was not unique, by the 1790s there were an estimated 300 Euro-Americans living in the Creek Nation.[5] The majority of whom were European and American men who moved to the Creek Nation to take part in the deerskin trade.

---

[2] Kathryn E. Holland Braund, *Deerskin and Duffels: The Creek Indian Trade with Anglo-America, 1685-1815* (Lincoln: University of Nebraska Press, 1996) 3-12; J. Leitch Wright Jr., *Creeks and Seminoles: The Destruction and Regeneration of the Muscogulge People* (Lincoln, University of Nebraska Press, 1986),1-40; Angela Pulley Hudson, *Creek Paths and Federal Roads: Indians, Settlers, and Slaves and the Making of the American South* (Chapel Hill: The University of North Carolina Press, 2010) 1-9; Gregory A. Waselkov, *A Conquering Spirit: Fort Mims and the Redstick War of 1813–1814* (Tuscaloosa, AL: University Alabama Press, 2006), 1-15.

[3] Benjamin Hawkins, *The Collected Works of Benjamin Hawkins, 1796-1810*, H. Thomas Foster, III, ed. (Tuscaloosa: University of Alabama Press, 2003), 50; Eric Beerman, "Arturo O'Neill: First Governor of West Florida during the Second Spanish Period," *Florida Historical Quarterly* 60 (July 1981), 29–41; Interview with James Moore, 30 September 1847, Albert J. Pickett Papers, ADAH.

[4] Hawkins, *The Collected Works*, 50, 168.

[5] Caleb Swan, "Position and State of Manners and Arts in the Creek, or Muscogee Nation in 1791," in *Information Respecting the History, Condition, and Prospects of the Indian Tribes of the United States,* ed. Henry Rowe Schoolcraft, 6 vols. (Philadelphia: Lippincott, 1856) 5:263; Kathryn E. Holland Braund, "The Creek Indians, Blacks, and Slavery," *Journal of Southern History* 57 (November 1991): 625.

These traders traveled to Creek towns to offer manufactured goods in exchange for the deerskins. Traders began establishing permanent residence in Creek towns and maintained their shops year-round as the deerskin trade flourished in the eighteenth century. In order to gain approval to build homes and stores within a town many of these men took Creek wives. Those men who took permanent residence in a town and married Creek women became known as Indian countrymen.[6] Like any broadly defined groups of people, Indian countrymen were complex and diverse in their actions, motives, and their relationships with U.S. officials and their Creek kin and neighbors. Indian countrymen were more than just resident traders who lived briefly among the Creeks; many Indian countrymen lived the rest of their lives in the Nation among their Creek neighbors and kin.

In the eighteenth century, the Creek Nation participated in the international economy through their access of the transatlantic commerce by suppling deerskins and other resources to European powers, primarily the British, that held footholds in North America. In return, the Creeks obtained firearms, powder, textiles, iron and steel implements, and other manufactured goods. The Creeks were incredibly adaptive when it came to their relationships with European nations. Creeks maintained their balance of autonomy and regional control by keeping trading partners unbalanced. Prior to the Seven Years' War, they skillfully and intelligently maneuvered their trade partners against one another to negotiate the best prices for their skins and achieve beneficial positions. The appreciation of the luxury of manufactured goods slowly evolved into a relationship of dependence on manufactured goods. Late in the eighteenth century, the result of the American Revolution shrank the availability of trade partners for the Creeks. The violence of

[6] Theda Perdue, *"Mixed Blood" Indians: Racial Construction in the Early South* (Athens: University of Georgia Press, 2003).12-16; Ethridge, *Creek Country*, 77-79, 111-118; Green, *Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln: University of Nebraska Press, 1985), 19.

the war had brought the deerskin trade to a temporary halt. The decline of white-tailed deer populations of the Southeast and the loss of access to trade partners ensured that the deerskin trade would never bring about the profits it had before the war. What had been a history of relations between the Creeks and a variety of trade partners was reduced to the forced political, economic, and social relations between the Creeks and the young United States.[7]

In August 1790, the United States and the Creek Nation signed the Treaty of New York bringing peace between the two nations. Under the Constitution, the federal government had sole charge of Indian relations and treaty-making power. Land disputes between Georgia and the Creeks were settled, boundaries of Creek territory were agreed upon and the federal government agreed to protect the Creeks from encroachment by American citizens. The Washington administration also enacted a subversive policy of "civilization" that was a hallmark of the Treaty of New York. The policy sought to deal with the “Indian problem” in ways thought to be less violent than warfare.[8]

Washington also appointed Benjamin Hawkins to serve as the U.S. Indian agent and implement the civilization policy. The policy's aim was to alter the traditional cultural and social practices of the Southern Indians by targeting their economic practices. The United States had little need of the deerskins that were the primary economic resource the Creeks had to offer for trade, the new country was more interested in the land and crops that could be cultivated from that land. U.S. Indian policy enacted the civilization program that promoted private commercial agriculture by supplying the Creeks with domesticated animals and manufactured farming

[7] Michael D. Green, *The Politics of Indian Removal,* 18-41. Robbie Ethridge, *Creek Country: The Creek Indians and Their World* (Chapel Hill: The University of North Carolina Press, 2003) 10-12.
[8] Wright, *Creeks and Seminoles,* 137-143; J. Leitch Wright Jr., “Creek-American Treaty of 1790: Alexander McGillivray and the Diplomacy of the Old Southwest,” *Georgia Historical Quarterly,* 51, no. 4 (December 1967): 379-400.

implements to promote the move to private farms and plantations. It was believed if the Creeks would adopt the “civilized” American practices of farming, herding, and private land holdings that the Creek Nation would not require the vast amount of hunting lands. If the plan was successful the Creeks would sell their land to the United States. The U.S. policy was fraught with ignorance of Creek traditional practices, and directly promoted practices that disrupted gender roles and cultural traditions. Ultimately, the plan of civilization utilized an economic strategy in an attempt to achieve a process of cultural erosion and assimilation, as a means to achieve the primary political goal of undermining Creek sovereignty and control of land.[9]

When Hawkins first made his way through the Creek Nation, he visited many Indian countrymen in the Upper Creek towns. Hawkins was traveling with his sub-agent, Alexander Cornells (Oche Haujo), when the two first met Moore in 1796. Cornells, the son of trader James Cornells and a Creek woman, served as Hawkins's interpreter and ran a model farm near the Creek town of Tuckabatchee. Cornells was also one of the leaders of the town of Tuckabatchee. Moore utilized his relationship with Hawkins to his advantage, visiting the Indian agent a year later. Hawkins wrote to Cornells, after the visit from Moore, on Cornells’ actions and responsibilities as an Indian sub-agent. Hawkins wrote that from speaking to James Moore, "I find, from him, you have had some liars in your neighborhood" and instructed Cornells that he "must not let such foolish people make you do any thing injurious to your character. You are an officer in the service of the United States, and you will be respected as such.” Moore had acted as an informant for Hawkins about the area Tuckabatchee in which he lived. Moore’s willingness to work with Hawkins was the beginning of Moore’s continued efforts to assist both U.S. and

[9] Robbie Ethridge, “Creeks and Americans in the Age of Washington,” in *George Washington’s South*, ed. Tamara Harvey and Greg O’Brien (Gainesville, FL: University Press of Florida, 2004), 278-280; Ethridge, *Creek Country*, 12-16; Braund, “The Creek Indians, Blacks, and Slavery,” 626-627.

Creek leaders in the decades to come. Included in Hawkins's letter was approval authorizing Moore to act as a trader to the "town of Big Tallassee upper for Tuhtocaugee." Michael Welch, the former authorized and licensed trader to the town had informed Hawkins that he was no longer able to act in that capacity. Moore utilized his connections of both Creeks and Americans to his advantage, and within a year of meeting Hawkins, he gained approval to become the licensed trader to Tootacaugee (Corn House).[10]

It is most likely that Moore was only a hireling to the licensed trader of Tuckabatchee before his move, and that his move to Tootacaugee was, therefore, an advancement in his place in the Creek trade economy. Likewise, Moore's move to Tootacaugee could have been a response to the transitioning Creek economy from the declining deerskin trade. Tootacaugee was one of several towns settled by Okfuskees seeking more land. Tootacaugee was located twenty miles upriver from the larger Okfuskee town of Nuyaka. The *talwa* (town) of Nuyaka was little more than twelve miles upriver from the larger town of Okfuskee and less than a half mile up and across the river from the bend in the river known as Cholocco Litabixee (*corakko letvpekse*).[11]

Tootacaugee was settled at the site that had originally been a literal corn house for Okfuskees to store food for their hunters. The area around Tootacaugee continued to serve as hunting grounds for the Okfuskees. Tootacaugee was the first Creek town that Hawkins visited during his travels through the Nation in 1796. He described approaching Tootacaugee from the north traveling along a "good path;" the path descended from a small range of mountains with

[10] Benjamin Hawkins to Alexander Cornells 31 October 1797, in Hawkins, *The Collected Works*, 216-217; Joshua Piker, *Okfuskee: A Creek Indian Town in Colonial America* (Cambridge, MA: Harvard University Press, 2006), 84; Wright, *Historic Indian Towns,* 158-159; Ethridge, *Creek Country,* 16, 79.
[11] According to Waselkov "*corakko letvpekse*, literally 'horse foot'" Gregory A. Waselkov, *A Conquering Spirit: Fort Mims and the Redstick War of 1813–1814* (Tuscaloosa, AL: University Alabama Press, 2006), 168.

Tootacaugee settled at the base of the range. He evaluated that land as being good for corn, with small trees in the lower areas, and "the land good in their neighborhood."[12]

The trading path that led from Augusta into the Creek Nation split into two paths known as the Upper Path and the Lower Path. The path from Etowah, known to the Creeks as the Upper Path, ran by Tootacaugee on the west bank of the Tallapoosa River. The Upper Path ran to Okfuskee and weaving among the Upper towns and eventually leading westward to the Chickasaw and Choctaw Nations. The Lower Path led to the largest Lower town of Coweta, as well as among other Lower towns along the way. Moore's move to a town along the Upper path that directly connected to eastern markets in Georgia certainly offered new economic opportunities. No matter the reason for Moore's move to the Tootacaugee, he would remain in the area of the Okfuskee towns along the Tallapoosa River for the rest of his life.[13]

It is possible that Moore continued as the licensed trader to Tootacaugee through a hireling, but he did not reside at the town. Likely, due to his marriage to an Okfuskee woman, Moore relocated to an area between the Okfuskee towns of Nuyaka and Epesaugee. While Tootacaugee had given Moore access to Okfuskee hunters, his move down river allowed him to continue his access to the Upper path, while his marriage allowed him to further his place among the Okfuskees. Little is known of Moore's wife, Fanny. As a Creek woman, Fanny also benefited from their marriage. For a Creek woman, marriage to a trader secured access to goods for her kin, and during the difficult economic transition in the Nation, secured access to food with ability to purchase in times of need. Traditionally, Creeks lived in a household consisting of two to four

[12] Hawkins, *The Collected Works*, 43s-51s, 27-29.
[13] Amos J. Wright Jr., *Historic Indian Towns in Alabama, 1540-1838* (Tuscaloosa, AL: The University of Alabama Press, 2003), 158-159; Braund, *Deerskins and Duffels*, 90-92; Angela Pulley Hudson, *Creek Paths and Federal Roads*, 21-23; See John H. Goff, "The Path to Oakfuskee: Upper Trading Route in Alabama to the Creek Indians," *Georgia Historical Quarterly* 39 (June 1955): 152-171.

small structures arranged around a courtyard in which the family kept goods, stored and prepared foods, and slept. The permanent residents of the household were related women (sisters, mothers, and aunts, and unmarried children), unmarried male relatives, and the woman's husband. These traditional dwelling spaces left little room for private agriculture other than the small household garden usually planted nearby. The European-style commercial agricultural practices of private fields and herds of livestock created a direct conflict with traditional settlement patterns. During the eighteenth century, the success of the deerskin trade had attracted an increased number of traders into Creek towns and changes to traditional settlement patterns had begun. By the time of James and Fanny's marriage, the increasing practice of commercial agriculture saw Creeks and Indian countrymen moving further away from their towns. In 1796, White Lieutenant, the Okfuskee headman at Nuyaka, had moved his home across the river from the town and owned nearly thirty cattle. The Okfuskee towns in the area of Nuyaka offered Moore access to a considerable number of Creek hunters, proximity to the Upper path, and Creek kin and neighbors.[14]

The changes in agricultural practices and especially the increase in livestock led to tensions in the Creek Nation. In May 1798, the Creek National Council held one of Hawkins-supported annual meetings at Tuckabatchee. Efau Hadjo (Mad Dog), Speaker of the Nation, spoke first. Addressing Hawkins and the traders who were present, he demanded that Americans stop allowing their herds to roam on Creek hunting grounds. The council pointed out that traders had to abide by the rules of the chiefs while living in their towns and should refrain from

[14] For the development of material inequalities among the Creeks see Claudio Saunt, "Taking Account of Property: Stratification among the Creek Indians in the Early Nineteenth Century," *William and Mary Quarterly*, 57, no. 4 (October 2000): 733-760; Theda Purdue, "A Sprightly Lover Is the Most Prevailing Missionary": Intermarriage between Europeans and Indians in the Eighteenth-Century South" in *Light on the Path: The Anthropology and History of the Southeastern Indians*, (Tuscaloosa: University of Alabama Press, 2006) 168-169; Perdue, "*Mixed Blood" Indians,* 12-16; Piker, *Okfuskee*, 111-134,196-204.

encouraging mischief, spreading lies, and disobeying Creek laws. Hawkins addressed the traders and supported the demands of the chiefs and warned that they must respect the chiefs of the town in which they live, and the laws of the Nation or they would be stripped of their license and removed from the Nation at the request of the chiefs.[15]

At the beginning of the third day of meetings, Efau Hadjo again addressed all those in attendance on behalf of the voice of the whole Nation concerning several traders who resided in the Nation. He noted that these men were to be expelled from the Nation as they were "liars, medlars, and rogues" who were negatively influencing public affairs and "constantly circulating reports injurious to our peace." The first trader to be public expelled was Richard Bailey of Atasi, being charged simply with being of "an unfit character to be in their land." William Lyons was also expelled, noted as being "at Tuckabatchee, Tallauhassee, a hireling to James Moore." Hawkins did not record any other mention of Moore, nor was he recorded as being present or absent from the National Council meeting.[16]

This meeting of the National Council that expelled several Indian countrymen from the Creek Nation is the only record of James Moore having a hireling under his employment. Tuckabatchee Tallahassee was an Okfuskee settlement on the west bank of the Tallapoosa just four miles upriver from Nuyaka. Tuckabatchee Tallahassee was located at the mouth of present-day County Line Creek in Tallapoosa County. But after 1832, the creek was known as Moore's Creek, an indication of the impact that Moore had on the Okfuskee settlements in the nineteenth century and the American settlement of Dudleyville as it became known after Creek removal.[17]

[15] Saunt, "Taking Account of Property," 733-760; Hawkins, *The Collected Works*, 313-317.
[16] Hawkins, *The Collected Works*, 317-319; Amos J. Wright Jr., *Historic Indian Towns in Alabama,* 164.
[17] Wright Jr., *Historic Indian Towns in Alabama,* 164; Swanton, *Early History of the Creek Indians,* 247, 273-279.

James Moore managed to build a life in the Creek Nation and raise a Creek family in the Okfuskee settlements near Nuyaka. Moore and his family were connected to numerous other Creeks and Indian countrymen throughout their lives in the Nation. Moore's transition from trader to planter and prominent local contact was mirrored by the experiences of these men.

Robert Grierson, the most successful Indian countryman to move into the Creek Nation in the late eighteenth-century, lived twelve miles from Nuyaka.[18] Grierson was born in Scotland and moved first to Augusta with his family. Robert and members of his family operated a trading business engaged in the deerskin trade receiving skins from Creek hunters and traders. Robert moved from Augusta in the 1770s, and like many Euro-American traders that moved into the Creek Nation, he married a Creek woman. Robert's wife Sinnugee was from the town of Hillabee, located on a creek of the same name that flowed into the Tallapoosa approximately fifty miles upriver from the conflux of the Coosa and Tallapoosa rivers.[19] Grierson and his wife lived three miles north of the town of Hillabee where he engaged in ranching as well as American-style commercial agriculture. Their town was still close enough for the Grierson to participate in the deerskin trade, with access to some 150 Creek hunters and it was along a primary path east to Augusta. Through the 1780s and 1790s, the Grierson family grew along with their wealth. By 1796, when Hawkins made his first visit to the Grierson home the family consisted of at least six children Sandy, Sarah, Walter (Watt), David, Elizabeth (Eliza), and William.[20] Sarah Grierson had already married Indian countryman Stephen Hawkins (no

[18] Hawkins, *The Collected Works*, 29.
[19] Claudio Saunt, *Black, White, and Indian: Race and the Unmaking of an American Family* (New York; Oxford: Oxford University Press, 2006) 15.
[20] Saunt, *Black, White, and Indian*, 15; James Eyre Wainwright, "Both Native South and Deep South: The Native Transformation of the Gulf South Borderlands, 1770-1835," (Ph.D. dissertation, Rice University, 2013): 106; Hawkins, *The Collected Works*, 30-31.

relation to Benjamin Hawkins), and together they had two children Pinkey and Sam. Stephen Hawkins and Sarah Grierson had already accumulated 300 cattle, thirty horses, and forty enslaved people that Hawkins recorded only as "negros."[21]

When Hawkins visited in 1796 the entire Grierson family was busy at work picking and ginning cotton. They were preparing the harvested cotton for transport to the market in Tennessee where Grierson expected to sell at a rate of thirty-four cents per pound. The Grierson plantation was able to produce two thousand pounds of cotton annually. Grierson had acquired a treadle gin that had been sent to him from Providence. Hawkins, who has been labeled by one scholar as the first modern extension agent, informed Grierson of "some defect in the puting (sic) it up" and informed him how to correct them. He also inspected Grierson's cotton fields and advised him next season to thin and top the plants as they grew as to produce larger bolls. Grierson informed Hawkins of a truth that so many would learn over the next century, that the climate there was not suited for the planting of black seed cotton, but alternatively, green seed cotton flourished.[22] By 1813 Grierson's sprawling plantation and "civilized" practices that he employed to grow his wealth drew the ire of some of his neighboring Creeks.[23]

One of the oldest Indian countrymen was Abraham Mordecai. Mordecai was born in Pennsylvania on 24 October 1755 to a father of Jewish descent and mother of German descent. Mordecai and his father both fought in the colonial militia during Dunmore's War in the summer of 1774 at Fort Pitt, and both served in the American Revolution. In 1783, Mordecai migrated south and settled in the Creek Nation at Buzzard Roost on the Flint River. He worked for the first

[21] Hawkins, *The Collected Works*, 31.
[22] Hawkins, *The Collected Works*, 30-31; Jack D. L. Holmes, "Benjamin Hawkins and United States Attempts to Teach Farming to Southeastern Indians," *Agricultural History*, 60 (Spring 1986), 231; Braund, "The Creek Indians, Blacks, and Slavery," 627-628.
[23] Hawkins, *The Collected Works*, 429-430; Perdue, "A Sprightly Lover," 177.

U.S. Indian agent James Seagrove as a messenger and interpreter alongside Timothy Barnard. In 1786, Mordecai married a Creek woman whose name has not survived in the historical record. According to an account from A.J. Pickett, Mordecai's wife was an "Indian considerably darkened with the blood of Ham."[24] Three years later in 1789, Mordecai and his family relocated their home and trade store near Line Creek a tributary to the Tallapoosa across from the town of Hiothlewaule.[25] In the Creek Nation, he traded for not only deerskins, but pink root, hickory nut oil, and other regional plants. He used packhorses to transport his goods to Pensacola and Augusta, and larger barge canoes to transfer goods to Mobile and New Orleans. In one account Mordecai once sold 30 gallons of hickory nut oil made by Creek women in New Orleans to the Governor— or at least the Governor's nephew.[26]

In 1804, Mordecai looked to expand his trade by installing a cotton gin-house. Hawkins approved the construction; however, he did require an alteration to the request. Mordecai had had planned to build the gin-house on his property on the Tallapoosa River across from Hiothlewaule approximately twelve miles from the conflux of the Coosa and Tallapoosa Rivers. Hawkins required that Mordecai have the gin-house built at the home of Charles Weatherford on the Alabama River a mile below the conflux. Always attempting to further the plan of civilization Hawkins believed having the gin-house at Weatherford's would allow for Creek women from towns along both the Coosa and Tallapoosa to transport their cotton on the river to sell to Mordecai. Mordecai contracted Lyons and Barnett, mechanics from Georgia, to build the gin-house.[27]

---

[24] Albert James Pickett, *History of Alabama, and Incidentally of Georgia and Mississippi, from the Earliest Period* (Charleston, SC: Walker and James, 1851), 421.
[25] Hawkins, *The Collected Works*, 168.
[26] For a detailed description of the process by which Creek women made hickory nut oil see Hawkins, *The Collected Works*, 38; A.J. Messing, "'Old Mordecai'—The Founder of the City of Montgomery," *Publications of the American Jewish Historical Society*, no. 13 (1905): 75.
[27] Messing, "'Old Mordecai'," 76.

In the first year of operation, he bought small quantities of cotton from individual Creeks and other traders, ginned the cotton rapidly removing the seeds, and transported it to New Orleans and was able to secure a rate of thirty-three cents per pound of cotton. Mordecai's cotton gin-house was one of the first in the Creek Nation. His endeavor was only one of the first for a region that would a few years later experience an explosion in immigration due to King Cotton, the leading cause of the epidemic that became known as "Alabama Fever."[28]

Mordecai's endeavor into the cotton trade was short lived. In 1805, a group of twelve to sixteen Coosada warriors armed with long hickory poles led by Tourculla (better known as Captain Sam Isaacs), a Creek headman, confronted him at his home. Tourculla and Mordecai began to fight attempting to throw one another from the bluff before the warriors began to strike Mordecai relentlessly, "until he became almost like jelly." They cut off his left ear and left him nearly dead. This was the usual punishment for adultery. Returning later, they set fire to his storehouse, his supply of cotton, the newly constructed gin-house, and a boat that Mordecai had purchased in New Orleans for $400.[29]

As Albert Pickett whimsically noted in his 1851 *History of Alabama*, "a pretty squaw was the cause of the destruction of the first cotton gin in Alabama." A romantic notion, although untrue, that has long prevailed as the reason why Tourculla attacked and burned Mordecai's gin-house and property even to the present day. Before his death, Mordecai spoke with historian Albert J. Pickett, who left conflicting accounts of this incident. According to the first account, two of Mordecai's horses wondered into the fields of young corn destroying some of the plants

[28] William Warren Rogers et al. *Alabama the History of a Deep South State* (Tuscaloosa, AL: University of Alabama Press, 1994) 54-59.
[29] Messing, "'Old Mordecai'," 75; Interview with Abraham Mordecai, 30 September 1847, Box 2, Book 2, Section 15, Albert J. Pickett Papers, Alabama Department of Archives and History.

belonging to the Creek town of Coosada. Tourculla took more of an exception to this than might have been common. When he confronted Mordecai, the Indian countryman offered to pay for the damage, but Tourculla made his true feelings known, as Mordecai recalled years later, he thought Mordecai "should be beaten and driven off—that the whites should not crowd them." Livestock were central in Pickett's interview notes dated 1847, and also in an article he wrote in an article titled "Old Mordecai" that was published in the *Montgomery Flag and Advertiser* a month later. He later added the hint of adultery that was featured in his *History of Alabama,* published in 1851. No matter the cause, Pickett saw for himself the scarred disfigured ear and the knots that Mordecai still carried with him forty years later.[30]

Mordecai and his conflict with the Coosada headman was not an isolated event. Indian countrymen and Creeks who choose to adopt new practices of private commercial agriculture to substitute the income and trade goods that the deerskin trade had afforded them were in many cases met with resistance from Creeks. Traditional Creek ways of life had already been impacted by European contact, European trade goods, and the deerskin trade made those goods available. While there was much internal conflict in the first decade of the nineteenth century in the Creek Nation, it was only increased by the pressure of U.S. Indian policy. The Treaty of New York had promised the Creeks they would retain all of their lands that they held but in the years that followed the Creeks were forced to sign several treaties with the federal government ceding millions of acres. Treaties were not the only way Creeks lost land, as neighboring Georgians and Americans encroached on Creek land, along with increased American travelers through the Creek Nation, leading to the destruction of hunting grounds, the fowling of water, and the

[30] Interview with Abraham Mordecai, 30 September 1847, Box 2, Book 2, Section 15, Albert J. Pickett Papers, Alabama Department of Archives and History.

continued depletion of already thinning populations of game. These internal and external pressures began to divide the Creek Nation and lead to the civil war in 1813.[31]

Indian Countrymen in the Creek War

The war club was a traditional Creek weapon and the act of raising the war club was a symbolic and literal act of going to war. In late spring 1813, a faction of the Creek Nation went to war against the National Council leadership for their accommodation of American demands. James Moore, like many Indian countrymen, received an early warning of the coming war from Creeks who were friendly to him. After his initial warning, Moore "waited to get the true Intelligence" from another unnamed man before heading out of the Nation with the intelligence. He later recounted that the "whole of the upper towns have taken the war Club."[32] It is likely that Moore received warning from his wife's kin. The unnamed Creek told Moore to "not let any Red Person know it," warning that if others found out, they would kill him. He warned Moore to leave his town and explained that the other Creeks would pretend to be friendly with Moore for a time until they were ready and then they would kill him. The man went on to explain to Moore that the Prophet had directed the Creeks to kill their own people if they "did not take up the war Club" when they were first given the order to do so. Moore repeated a rumor running through the Creek Nation that one of the Red Sticks had been given a letter by the commanding officer of the British to take to Pensacola and there the Spanish and British would supply arms and ammunition. The Red Sticks had sent the letter on to the Governor of Pensacola who accepted the letter and told the Red Sticks he would supply them with their request. Moore explained that

[31] Green, *The Politics of Indian Removal*, 35-40; Ethridge, *Creek Country*, 221-239; Robert P. Collins, "A Packet from Canada:" Telling Conspiracy Stories on the 1813 Creek Frontier," in *Tohopeka: Rethinking the Creek War and the War of 1812*, ed. Kathryn E. Holland Braund (Tuscaloosa, AL: The University of Alabama Press, 2012), 53-84.
[32] [Affidavit of] James Moore, 1813 July 13, Jones County, Georgia, Telamon Cuyler, Hargrett Rare Book and Manuscript Library, The University of Georgia Libraries, presented in the Digital Library of Georgia.

a week beforehand ten to twelve horses from every town had begun to make their way to Pensacola to retrieve the supplies from the Spanish. According to Moore's account, the Red Sticks were to remain ready for war until their supplies arrived from Pensacola and then they would attack the frontier of Georgia, while the Indians known as the Alabamas along with ten Choctaw towns were to attack the settlements of the "Tensaw and Bigby." Moore fled his home at Nuyaka and took safety in the neighboring state of Georgia. On 13 July, he provided an affidavit to local officials of Jones County warning them of the violent faction that was rising among the Creeks.[33]

On 14 July 1813, Major General David Adams sent a letter that included an affidavit to the Governor of Georgia David Mitchell. His letter stated that he had just received the affidavit from Jones County, Georgia, that caused him to fear the outbreak of war on the frontier from the Creeks. It is almost certain that the affidavit from Jones County was the one that James Moore had given the day before. Much of the information that Moore provided appeared to be true. In less than two weeks from the time of his testimony on 27 July 1813, the first battle of the Creek War of 1813-1814 took place at the Battle of Burnt Corn Creek. There, Mississippi Territory Militia ambushed a party of Red Sticks returning from Pensacola with supplies and ammunition they had received in Spanish Florida.[34]

Shortly after Moore fled from his home at the Okfuskee towns, violence erupted in the Creek Nation. At Okfuskee, Red Sticks attacked and killed five chiefs and slaughtered nearly all of the cattle in the town. A daughter-in-law of Robert Grierson had been invited to Okfuskee to

[33] [Affidavit of] James Moore, 1813 July 13, Jones County, Georgia, Telamon Cuyler, Hargrett Rare Book and Manuscript Library, The University of Georgia Libraries, presented in the Digital Library of Georgia; Collins, "A Packet from Canada," 53-84.
[34] Letter, 1813 July 14, Jasper County, [Georgia to] David B. Mitchell, [Governor of Georgia], Milledgeville, [Georgia] / Maj[or] General David Adams, Telamon Cuyler, Hargrett Rare Book and Manuscript Library, The University of Georgia Libraries, presented in the Digital Library of Georgia; Waselkov, *A Conquering Spirit*, 96-104.

teach the women how to spin and weave. When the Red Sticks attacked Okfuskee, her property was destroyed including her loom and bolt of cloth. She returned to Hillabee, where she had lived before for twelve years with her husband's family, she "was stripped of all of her clothing except the shift and petticoat on her back" and her livestock killed.[35]

Robert Grierson refused to leave his plantation at Hillabee during the rise of the violent conflict in the Nation, even after his son David and grandson Pinkey Hawkins were killed. In July 1813, Red Stick warriors attacked Grierson's property and took all of his livestock and seventy-three slaves, though the enslaved people were later returned.[36] The Grierson family remained at their homes supplying Hawkins with information on the Red Sticks possibly in hopes of gaining some support that might save their property.

The internal conflict continued to grow until it became a war between the United States with troops of state militias invading the Creek Nation in attempts to stop the Red Stick revolt. Late in October, Red Stick warriors again attacked the Grierson plantation and burned the entire property. Grierson wrote to Andrew Jackson commander of the Tennessee Militia of his condition "suffering all the outrages of these outrageous lawless band of savages." Knowing Jackson and the Tennessee militia had already made their way into the Creek Nation from the north he wrote, "humbly praying for your protection for myself and family and negroes together with any other property we have left."[37] Protection for the Griersons never came, and they were forced to abandon their home at Hillabee and sought refuge in Jasper County, Georgia. The destruction and violence of the war only worsened as the American forces invaded the Creek

[35] Hawkins to John Armstrong, 28 July 1813, in *Letters, Journals and Writings of Benjamin Hawkins Vol II. 1802-1816*, ed. C.L. Grant, (Savannah, GA: The Beehive Press, 1980) 651-652.
[36] Saunt, *Black, White, and Indian*, 18-19.
[37] Robert Grierson to Andrew Jackson, 13 November 1813, letterbook D, p. 205, reel 61, Andrew Jackson Papers, Library of Congress.

Nation burning towns and taking any food that remained in the fields. The people of Hillabee had begun to talk to Jackson of surrendering when on 18 November unsuspecting residents were attacked by American forces, resulting in the death of sixty people and 250 others taken as prisoners, and the town burned.[38] The Georgia militia also pressed into the Nation from the east. Hawkins sent orders in early December to an assistant agent to send 20 allied Creek warriors "under a Chief acquainted with the towns under Tallapoosa about Newyaucau and the neighboring country" to General Adams, the commander of the Georgia militia. Hawkins added, "If any of Mr. Grierson's are with the Chiefs send them all to General Adams." Late in December, the Georgia militia under General David Adams made their way to Nuyaka. The town had just recently been abandoned, and a small exchange of fire came from across the river when militia approached the town. The Georgia militia took the little amount of food that remained and burned the town.[39]

By January of 1814, the Red Sticks affiliated with the Okfuskee and other Upper Creek towns, along with their families, took refuge in a bend of the Tallapoosa River. Less than a mile down river from Nuyaka, the place known to the Creeks as Cholocco Litabixee (Horse's Flat Foot), soon became known to Americans as Horseshoe Bend. The bending river provided a natural barrier of protection on three sides, and the Red Sticks began building a log fortification (*tohopeka*) across the open end of the peninsula. On 27 March 1814, the Tennessee militia under Andrew Jackson attacked the Creeks fortified at Tohopeka. Nearly 1,000 Red Stick warriors from Okfuskee, Nuyaka, Hillabee, Okchai, Thlotlogulgua (Fish Ponds), and Eufaula fought under the Okfuskee chief and Red Stick leader, Menawa, against Jackson's force of over 3,000

[38] Saunt, *Black, White, and Indian*, 19-20; Waselkov, *A Conquering Spirit*, 163-164.
[39] Benjamin Hawkins to Peter Early, 15 December 1813, in *Letters, Journals and Writings of Benjamin Hawkins*, 676; Piker, *Okfuskee*, 196-204.

men. The battle was decisive, and an estimated 900 Red Stick warriors died, in what is still the largest number of American Indian deaths in a single battle in American history. Though the battle of Tohopeka was the last battle of the war, it was not until August that the war officially concluded.[40]

James Moore was still residing in Georgia when in May of 1814 Georgia's Major General Adams sent Moore along with a man by the name of James Taylor into the Creek Nation as spies. Their orders were to "proceed as secretly and expeditiously as possible to the Tallapoosa River" to the neighborhood of the Okfuskee towns. They were to try and evaluate the number of Red Stick warriors who were left to fight against the U.S. forces. Shortly after crossing the Chattahoochee River the men met two Indians from Okfuskee who had fled during the battle at Tohopeka but had since been serving as messengers. Moore related that the Okfuskee men knew less than ten men who had escaped the battle at Tohopeka. They gave the totals of warriors who had survived all of the battles from the war stating not more than twenty warriors belonging to the Okfuskee Towns had survived, and none escaped from the Mad Warrior's village, none from Fish Ponds, none from the Tuckabatchee old fields, but three from the village of Nuyaka. They expressed that from the terms that had been proposed by Hawkins all who survived were "anxious for peace." His mission accomplished he returned to Georgia. A note next to the mark of James Taylor stated that he did not understand the Creek language but received the facts from Moore during the time of the conversations. While the exact number is still unknown, an estimated that some 3,000 Creek warriors died during the war, a devastating

[40] Andrew Jackson to Thomas Pickney, 28 March 1814, in *The Papers of Andrew Jackson Vol III, 1814-1815*, ed. Harold D. Moser (Knoxville, TN: The University of Tennessee Press, 1991) 52-53; Waselkov, *A Conquering Spirit*, 168-171.

loss to a Creek Nation that is estimated to have had a population of 20,000 at the beginning of the war. In total, an estimated forty-eight towns were destroyed during the war. [41]

The Treaty of Fort Jackson officially ended the war on 9 August 1814. The devastation to the Creeks continued as both factions of Red Stick, and allied Creek chiefs were forced to sign away 21 million acres of land to the United States.[42] The new American territory quickly became a thriving means of economic gain for squatters and plantation owners. Jackson himself noted that the land along the Alabama River, "far exceeds any conception of fertility, and advantages that I had conceived." Envisioning the settlements of plantations that would use enslaved labor in the region, he observed that "the prospect of wealth much greater than any country I know off" further estimating that the land could produce $30 million of annual revenue for the United States along with the security of the southern frontier. Weakened by the destruction and death of the war, the Creeks and others who called the Nation home were forced to reorganize and rebuild their homes and their talwas. James Moore along with Robert Grierson, Abraham Mordecai, and their families all returned to the ashes of their homes and rebuilt their lives. The Creek Nation in which Moore's children would come to experience was forever altered from the one Moore entered in the eighteenth century.[43]

---

[41] [Letter], 1814 May 20, Ocmulgee, Jasper County, [Georgia to] Major Gen[era]l David Adams, Ocmulgee, Jasper County, [Georgia] / James Moore [and] James Taylor, Telamon Cuyler, Hargrett Rare Book and Manuscript Library, The University of Georgia Libraries, presented in the Digital Library of Georgia; Waselkov, *A Conquering Spirit*, 170-171.

[42] William W. Winn, *Triumph of the Ecunnau-Nuxulgee: Land Speculators, George M. Troup, State Rights, and the Removal of the Creek Indians from Georgia and Alabama, 1825-38* (Macon, Georgia: Mercer University Press, 2015), 13-25.

[43] Andrew Jackson to Rachael Jackson, 23 August 1814, in *The Papers of Andrew Jackson Vol III*, 117-118; Saunt, *Black, White, and Indian*, 19-23; Green, *The Politics of Indian Removal*, 39-43; Braund, *Deerskins and Duffels*, 187-188; Saunt, "Taking Account of Property," 747-748.

Between a State and a Nation

James Moore lived quietly in the Creek Nation raising his family in the decade that followed the Creek War. Moore sought to improve his economic station through slave-based agriculture and participating in the growing southern slave economy. The historic record tells little of Moore's life or business in the Creek Nation during the 1810s and 1820s. What information we have about Moore derives from a controversy involving debt and the struggle of Creek sovereignty in the face of Alabama extension laws.[44]

In June of 1826, Moore was visited by David Mitchell, a man from Maury County, Tennessee, not to be confused with the former governor of Georgia and Indian Agent to the Creeks of the same name. Mitchell made his way into the Creek Nation in order to gain payment on a debt that he claimed that James Moore owed him. Six years earlier in 1820, Moore began visiting a store in St. Clair County, Alabama, just beyond the western border of the Creek Nation. Over several visits, Moore accrued a debt of $1,469.45 for goods that he received on credit. Moore had used the bill of sales, which served as the legal title of ownership, for four of his enslaved people as collateral for the debt. James Mitchell owned the store; he had migrated south from Tennessee and opened a store to take part in the growing economy created by "Alabama Fever." When James Mitchell died in 1825, he left all of his assets, property, and guardianship of his two children to his brother David Mitchell. [45]

When David Mitchell first visited Moore in June of 1826, he failed to receive any payment on the debt. Moore acknowledged that the debt was just, but he claimed to be unable to

[44] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives; David Mitchell to Andrew Jackson, 16 June 1829, in *The Papers of Andrew Jackson Vol VII, 1829*, ed. Daniel Feller (Knoxville, TN: The University of Tennessee Press, 2007), 290-291.

[45] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives; David Mitchell to Andrew Jackson, 16 June 1829, in *The Papers of Andrew Jackson Vol VII*, 290-291.

pay and asked Mitchell to return in six weeks. When Moore was visited again by Mitchell in July he again delayed in making any payment. Mitchell pressed Moore saying that he could not return for a third time without receiving any payment. Moore agreed that he would settle the debt if the two met in August at Fort Williams.[46]

When Mitchell arrived at Fort Williams he did not find Moore until the next morning when a friend of Mitchell's came to him and informed him that Moore was there at the fort but had been seen preparing to leave. Mitchell found Moore with his saddle already on his horse about to depart from Fort Williams to return home. Mitchell demanded a payment from Moore who responded that he would not settle with him because "there was too many agents there for him to get justice" and he was leaving. Mitchell threatened to have the agents stop him from leaving. At this Opothle Yoholo intervened offering that if Mitchell would allow Moore to return home then Opothle Yoholo would meet Mitchell at Moore's home in mid-November to settle the debt if Moore was still unable at that time. Mitchell agreed with the proposal of the Creek headman and in November, he returned to the home of Moore. When Mitchell arrived, he found Opothle Yoholo, and two other leading Creek headmen, Chinnabee and Tuckabatchee Mico, who had been there meeting with Moore for two days. Moore noted that he was ready and willing to settle the debt, offering that he had between eight and nine-hundred dollars' worth of cattle to sale to put towards the payment of his debt. Opothle Yoholo intervened again, this time announcing to Mitchell that he would not pay the debt, nor would he allow Moore to pay even "one cent." Mitchell demanded that he be given the four enslaved people that Moore had signed over as security for the original debt, or that Moore provide him some other security to guarantee his future payment of the debt. And if the enslaved people were to remain in the Nation, Mitchell

[46] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives.

wanted security for a future payment. Upon hearing his demand, Opothle Yoholo called for the slaves and announced, as Mitchell recounted, "there they were that if I [Mitchell] attempted to take them it would be at the risk of My life." Mitchell understood the threat that powerful Creek headman delivered and left Moore's.[47]

Mitchell had little recourse to receive any compensation for the debt he inherited from his brother. Dealing directly with Moore had led to no success, as it seems questionable if Moore even had the money to pay the whole amount of the debt. Mitchell's account of the events suggest Moore did not have the value of the debt in tangible assets, even Moore's reference of being able to partially pay the debt was on the prospect of selling his livestock. In mid-April of 1827, Mitchell turned to the state of Alabama to gain some payment from Moore. Autauga County Circuit Court had issued a writ for James Moore to appear in court. With the writ in hand, and this time accompanied by a sheriff of Autauga County, Mitchell entered into the Creek Nation to have Moore arrested. Moore was taken out of the Nation across the Alabama state-line to the courthouse in Autauga County. Moore appealed to the court that he was not prepared for the trial and signed over an enslaved man, Joshua Falker, as security for his promise to return for the court appointed trial date. Moore returned to his home in the Creek Nation and undoubtedly informed Opothle Yoholo of the events. With the headman's help, Moore fled north to the Cherokee Nation and went into hiding at Gunter's Landings (present-day Guntersville). Mitchell complained to Eaton that Joshua Falker had likewise fled. For Mitchell, this was an economic loss because, as he saw it, "I had no chance for my money through that course." [48]

[47] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives.
[48] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives; Green, *Politics of Indian Removal*, 145-148.

It appears that after Moore was released from Autauga County jail that he began to contemplate emigrating west to Creek holdings in Indian Territory. The first Creeks to 'voluntarily' emigrate west were the supporters of disgraced chief William McIntosh, who had been executed after making an illegal cession of Creek land to Georgia in 1825.[49] Although Moore resided "in the neighborhood" of the Grierson and Hawkins families, he made it clear in his interviews after the execution of McIntosh that he was not among those Creeks considered to be McIntosh supporters.[50]

The Indian sub-agent, and son-in-law to deceased Tuckabatchee headman Big Warrior, William Walker wrote to Thomas McKenney, head of the Office of Indian Affairs, in March of 1828 reporting on the Creeks opposed to allowing others to enroll in 'voluntary' emigrating to the west. Many headmen believed that the more Creeks that emigrated west to Indian Territory the weaker the entire Nation would become to prevent the loss of more land and undermining of the Nation's sovereignty. The Creek headmen even passed laws making it illegal for any Creek to promote the idea of voluntary emigration west.[51]

The state of the Creek Nation in 1828 was becoming increasingly desperate and violent. Walker reported that a number of headmen "have made a Regulation to Kill any man who will Enrole for the arkensaws." Walker had written "a letter to an old Indian Cuntriman" James Moore who he described as being a resident of Weogufka and friendly to the idea of emigration. According to Walker, Opothle Yoholo angrily went to Moore (in early 1828) and demanded the

---

[49] Andrew K. Frank, "The Rise and Fall of William McIntosh: Authority and Identity on the Early American Frontier," *The Georgia Historical Quarterly*, 86, no.1, (Spring 2002): 18-48; Second Party Emigration Roll in Haveman, *Bending Their Way Onward,* 38 – 54; Green, *Politics of Indian Removal,* 86-97; Haveman, *Rivers of Sand*, 11-19.

[50] Deposition of James Moore, 27 September 1826, RG-75, Special Files of the OIA, 1807-1904, Special File-136, M-574, reel-27, National Archives.

51 Haveman, *Rivers of Sand*, 40-41; Haveman, *Bending Their Way Onward,* 55-56; 680.

letter that Walker had written to Moore. Opothle Yoholo "Carreyed it to the Cherokees there was nothing in the letter — only my friendly advice to Moore and the Indians to Emigrate" Walker reported. Walker did not say what became of Moore or if he went with Opothle Yoholo to the Cherokee. He did include at the end of his letter that John Davis, a Creek man of African ancestry from Weogufka, thought that Moore's property would be "taken a way from him unless some protection given him."[52] Walker mentioned nothing of Moore's trouble with James Mitchell, his arrest by Autauga County sheriff, or the enslaved people that Opothle Yoholo had taken from Moore.

Despite not being aligned with the McIntosh supporters, Moore enrolled with the second McIntosh party. Moore's wife and children were not included on the emigration roll with him, but instead the roll listed Moore and eight enslaved people. This suggest that perhaps Moore felt there was too much pressure on him from both Mitchell, who was empowered with Alabama's newly passed extension laws, and Opothle Yoholo, whose power and authority grew increasingly with his willingness to use it to maintain the Nation in the face of removal.[53]

Instead of emigrating west, Moore remained among the Cherokee at Gunter's Landing for much of 1828. When Walker wrote to Brearley in September the tension and violence in the Nation was still prevalent, Walker offered his opinion on stationing federal troops at Fort Mitchell on the eastern edge of the Creek Nation. Walker believed it would be more effective for troops to be inside the Nation, suggesting "there ought to be some at Tuckabatchee — the seat of disaffection — and some near the heart of the upper creeks Perhaps Hillabee — and march them from place to place as occasion may requirer." Tuckabatchee was the home of Opothle Yoholo,

[52] William Walker to Thomas McKenney, 3 March 1828, in Haveman, *Bending Their Way Onward,* 54-56; Haveman, *Rivers of Sand,* 60.
[53] Haveman, *Bending Their Way Onward,* 39-40.

and Hillabee was in the neighborhood of Moore and the Okfuskee towns, and was among the towns that fought at the battle of Tohopeka. Walker believed that the headmen that were against emigration would only be stopped from preventing others from enrolling if troops were present in the Nation to carry out punishment for the headmen's violent acts. Walker reported a recent incident to Brearley by a Creek known as Red Mouth who had "been the means of preventing the wife & family of James Moore from going to the arkensaw — that family came to me and enroled and the old man is gone and the family was to follow." Walker either believed that Moore had left for Indian Territory, or he was not sharing all the information that he had. [54]

Mitchell heard rumors of Moore's potential emigration in June of 1828 and quickly traveled to Moore's home, but found that Moore had left the day before. Mitchell remained in the neighborhood and hired a Creek man to go down to the home of Opothle Yoholo to find out if the slaves that had been used as security for the debt were there. The man returned and informed Mitchell that William Walker had taken the slaves to his camp near Fort Williams. Walker was assisting Colonel David Brearley who was charged with enrolling Creeks for emigration, and overseeing the emigration parties west.[55]

According to Mitchell's account, Opothle Yoholo wrote to Mitchell about the time Walker took the slaves, informing Mitchell that he still held all of the bill of sales for the slaves, and that Mitchell would have to see him to gain any payment. Mitchell stated, "…the negroes were taken off through Walker up near Gunter's Landing in the Cherokee Nation to where Moore was then secreted and there hid in a cane Brake until sometime in September (this I can

[54] William Walker to David Brearley, 8 September 1828 in Haveman, *Bending Their Way Onward, 60-61.*
[55] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 216-229, National Archives.

prove by several)." [56] Mitchell believed that Walker hired a Cherokee man of mixed heritage named Richard at price of two hundred dollars to take the slaves to "Arkansaw." In the winter of 1828, Mitchell returned to Tennessee and heard from several local men that Moore's slaves were seen traveling through the area heading west to Indian Territory in October of 1828.[57]

When Mitchell returned to Alabama, he received the letter Opothle Yoholo had written him in June regarding the bills of sale. Mitchell sent two men to communicate with Opothle Yoholo about the matter. Opothle Yoholo stood by his letter, and his possession of the bill of sales. He refused to pay Mitchell again, but offered that Walker would pay for the slaves when he returned from overseeing the emigration party west. Walker returned in February of 1829, and the men met to settle the matter. At the meeting Opothle Yoholo claimed he would have nothing to do with it and that Walker and Mitchell must settle it. Mitchell later recounted, "I told him that Walker and me could not settle it but he must do it he got very angry for my insisting on him for a settlement and said I must not talk to him any more and ordered me out of the square after keeping me near six-months and promising he would pay me." [58]

Mitchell's frustrations continued even after Walker's return, he later recounted, "I had no alternative but to sue him." Mitchell filed a suit against Opothle Yoholo in Montgomery County Circuit Court. In March of 1829, the Montgomery County sheriff and two deputies traveled into the Creek Nation to serve the court order against the Creek headman. The writ of the Alabama court required Opothle Yoholo to give security to appear in court or he was to be arrested. The powerful Creek headman and Speaker of the Nation offered no security and refused to be taken;

---

[56] Copy of Opothle Yoholo to David Mitchell, 1 June 1828, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 228-229, National Archives.
[57] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 220, National Archives.
[58] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 221-222, National Archives.

with twenty Creek warriors around him, Opothle Yoholo threatened that he could have another two hundred warriors there in minutes. The Montgomery sheriff was forced to leave the Creek Nation without Opothle Yoholo or any security for his appearance in court. Mitchell, worried that Alabama courts would fail to settle the case, appealed to federal officials. Mitchell wrote to John Eaton, Secretary of War and head of the Office of Indian Affairs, about his case against Moore and Opothle Yoholo and included several copies of documents pertaining to the case including the 1820 receipt of Moore's purchases on credit and the writ served against Opothle Yoholo. Mitchell also wrote to fellow Tennessean and the newly elected President Andrew Jackson, asking him to intervene directly by ordering the Creek Indian agent to force Opothle Yoholo to settle the matter.[59] Writing three months after Opothle Yoholo was served with the writ, Mitchell bemoaned to Eaton, "the Sherriff of Montgomery has frequently sent him word to come and put him self in (sic) but he still refuses to do so and made considerable threats if the sherriff come after him what he would do." Rumors had circulated that Opothle Yoholo had "made over all of his property to defeat any thing that should come against him. Mitchell gave his opinion of Moore's ability to pay writing, "Moore was fully able to pay the money when he left here as he took off with him about twenty eight hundred dollars." Seemingly out of options he complained, "more than two years of time seeing after this business and now the Red Despot sets me at defiance and says that the state of Alabama have no right to pass laws for him."[60]

In January of 1829, Alabama passed extension laws extending the state's legal jurisdiction over the Creek Nation. As Creek headmen described the events, "We are sorry to find the white People in the State of Alabama so inimical and unfriendly to ourselves, our

[59] David Mitchell to Andrew Jackson, 16 June 1829, in *The Papers of Andrew Jackson Vol VII*, 290-291.
[60] David Mitchell to John Eaton, 15 June 1829, Record Group-75, Letters Received by the Office of Indian Affairs, Creek Agency Emigration, 1826-1849, Microcopy-234, reel-222, 221-222, National Archives.

interest and our future prosperity as they wish to drive us from our Land and our Homes by enacting laws extending the Jurisdiction of said State over the creek nation." Writing in March, Creek headmen asked President Jackson "to put a stop to such unlawful measures as it is contrary to the provisions of the late Treaty." Creeks argued that Alabama's extension laws were a violation of the existing treaty between the two nations, and that treaties "as the most enlightened people of the present age say and contend" were to be viewed as "Supreme Law of the Land." The letter included, "for further proof of our great annoyance and trouble we enclose for your inspection several writs that has been served upon us by the Sheriff of Montgomery County." [61] Of the several writs sent to Jackson was the writ served on Opothle Yoholo to appear in court for the lawsuit David Mitchell filed against the headman. Before receiving the Creek headmen's 20 March letter, Jackson wrote to them on 23 March expressing his position on the issue of Alabama's extension laws, "My white children in Alabama have extended their law over your country. If you remain in it, you must be subject to that law." Jackson's letter made it clear that he would not intervene between Alabama courts and the Creeks. He wished only to take advantage of the situation to further promote 'voluntary' removal west. Without federal intervention Opothle Yoholo's case continued. Despite Opothle Yoholo's attorney's attempts to get the case dismissed on grounds that the state lacked jurisdiction to enter the Creek Nation to serve the court orders, the judge allowed the case to continue. In September 1829, the court ruled against Opothle Yoholo and awarded Mitchell $2,097.[62]

James Moore never successfully emigrated to Indian Territory in the west. It is unclear how long he remained hidden among the Cherokee, but he eventually again returned to his

[61] Tuskeneah et al. to Andrew Jackson, 20 March 1829, in *The Papers of Andrew Jackson Vol VII,* 106-107.
[62] Andrew Jackson to Creek Chiefs, 23 March 1829, in *The Papers of Andrew Jackson Vol VII*, 113; Green, *Politics of Indian Removal,* 146-158.

family and home near Nuyaka. Voluntary emigration, Alabama extension laws, and a crippled economy took a toll on the sovereignty of the Creek Nation and the welfare of the Creek people. Moore personally experienced challenges that resulted from being a citizen of the Creek Nation in the years that proceed forced removal. Opothle Yoholo and other headman were forced to seek new ways to slow the erosion of Creek national sovereignty and land. Appeals to Washington over Alabama extension laws fell on deaf ears during the Adams and Jackson administration.[63] Creek leaders found little relief over the next two years.

Removal and Allotment

In 1832, as removal west continued to be the only reply of federal officials under the Jackson administration, and with little other options of relief available, the Creek National Council signed the Treaty of Washington. The treaty was the last efforts to maintain Creek land holdings in the Southeast, but the treaty came at a great cost. All claims of land that the Creek Nation held communally were to be given up in exchange that each Creek head of household would be given title to an allotted 320 acres or a half-section of land. In total 6,557 heads of families received a half-section of land and ninety headmen referred to as "mile-chiefs" received one section or 640 acres, one square mile. In total, 2,187,200 acres were allotted to individual Creeks, less than half of the five million acres the Creek Nation held before signing the treaty.[64]

Federal agents were sent to take a census of the Creek towns and to establish the number of allotments to be assigned. Agents meet with headmen and established the heads of household of each town. James Moore, along with his children Katey, Peggy, Nancy, and John Moore were

[63] Andrew Jackson to Creek Chiefs, 23 March 1829, in *The Papers of Andrew Jackson Vol VII*, 113; Green, *Politics of Indian Removal,* 157-173.
[64] Michael D. Green, *The Politics of Indian Removal*, 169-179; Mary Elizabeth Young, *Redskins, Ruffleshirts, and Rednecks: Indian Allotments in Alabama and Mississippi, 1830-1860* (Norman, OK: University of Oklahoma Press, 1961) 73-75; Haveman, Rivers of Sand, 94-103.

each enrolled as heads of households under the town of Thlatchka and Okfuskee (Echeesehogee town on the waters of the Tallapoosa).[65]

Traditionally, Creeks as a matrilineal society would have considered women to be the heads of households. James Moore and his family's unique place in Creek society is reflected in their allotments. All three of Moore's daughters were listed as receiving allotments despite the fact that each had a male listed under their household in the 1832 census. In contrast, James Moore and his eldest son John were enrolled as head of a household despite both having Creek wives. In the tract book that includes James Moore's allotted half-section, an agent previously made a note for the eastern half of section twelve to be "Reserved for Fanny" the wife of James Moore.[66] James Moore's allotment was located in present-day Dudleyville. The eastern boundary line of the allotted land became the county line of Tallapoosa and Chambers County. The allotments of Moore's children were all in very close proximity to their father's and all within the same township. James Moore had built considerable holdings by 1832. The only households listed under Echeesehogee to include enslaved people were those of the Moores. James was recorded as having eleven slaves, and each daughter as having one. John Moore was the only child recorded as not have any slaves.[67]

Creeks were allowed to choose their allotments of lands they already had improvements on. It seems that Moore potentially had improvements in section one that was located just north of his allotment in section twelve. It is unknown the exact reason that James or his wife Fanny

[65] Micco Foseke (George Grayson) was listed as chief of Echeesehogee (Standing Up Tobacco Town), see Haveman, *Rivers of Sand*, 34-35, 95; 1832 Census of Creek Indians Taken by Parsons and Abbott, Record Group 75, Records of the Bureau of Indian Affairs, Microcopy No. T-275, reel-1, 113-196, National Archives (hereafter cited as 1832 Census of Creek Indians).
[66] Alabama Tract Book, Vol. 370, page 118, General Land Office Records, Bureau of Land Management, Record Group 49, National Archives and Records Administration. Presented online by the U. S. Department of the Interior (hereafter cited as Alabama Tract Book).
[67] 1832 Census of Creek Indians 113-196.

sought to have the specific land allotted to them, but it is likely due to its shared boundary with land Moore already held. It is possible that James Moore used his places as head of a Creek household to choose his half-section while at the same time "squatting" on the section north of his allotment waiting for unassigned sections to be made available for purchase by the federal government. In 1835, James Moore, along with his son Jackson Moore, made three purchases totaling $150 to acquire 120 acres of section one. In 1839, James Moore also purchased the western half of section twelve that had originally allotted to Eufaula Harjo.[68]

Removal of a Nation

James Moore never successfully emigrated west during the period of "voluntary" removal, nor was he forced from his home in 1836 when nearly all Creeks in Alabama were forcibly removed to Indian Territory in present-day Oklahoma. Moore's children also avoided forced removal in different manners. The family lived in Dudleyville, the name of the community that had developed around James Moore's land in Tallapoosa County. The land that had been most closely associated with the Okfuskee talwas and had been the area that Creeks enrolled under the town Thlatchka and Okfuskee (Echeesehogee town on the waters of the Tallapoosa) were allotted lands.[69] In 1835, James Moore's oldest son John P. Moore set out for Indian Territory with his wife and two sons under their own power without accompanying one of the government led emigration parties. It is possible that John made the decision to leave in 1835 because he feared that he and his family would be forcibly removed. John's lack of enslaved people on the 1832 census not only set him apart from his siblings but also from the growing population of Americans who flooded onto former Creek land building plantations using

[68] Haveman, *Rivers of Sand,* 96; Alabama Tract Book, Vol. 370, page 116-118.
[69] Haveman, *Rivers of Sand,* 34-35, 95; 1832 Census of Creek Indians 113-196.

enslaved labor. The Moores who remained would no longer be surrounded by their Okfuskee neighbors.[70]

John Moore and his family arrived at Fort Gibson in Indian Territory on 10 February 1836. No details of their journey west have survived in the historical record, but the date of their arrival suggest they endured a difficult journey only made worse by the winter months. The following year, in 1837, four other children of James Moore left Alabama in hopes of building new homes for their family in the west. This part of the Moore family were not traveling to Indian Territory as their brother John and his family had; instead, the sought to find land in Texas. The party consisted of James Moore's youngest son Jackson, his daughters Peggy, Catherine, and her daughter Lizor. The Moore children traveled with at least four enslaved people, Daniel, Adam, Lucinda and her daughter Ebenezer.[71] The few surviving letters between James Moore and his children offer unique insight into their journey and lives in the west. The letters also provide details of the challenges that so many Creeks and others experienced during removal and their first years in Indian Territory.[72]

Jackson Moore wrote to his father on 8 June 1837, from Maplesville, Bibb Co., Alabama, shortly after leaving his home in Dudleyville. Jackson noted that everyone was in good health, but that one horse had died and another that was unfit for use. Likewise, two other members of the party (believed to be enslaved men), Granderson and Murray, had three horses run away from their camp a few nights before. As if writing from a distant place Jackson included,

---

[70] W. Stanley Hoole, ed., "Echoes from the 'Trail of Tears,' 1837" *Alabama Review* 6, no. 2 (April 1953): 135-152; Haveman, *Bending Their Way Onward*, 51, 626; J. Leitch Wright Jr, *Creeks and Seminoles*, 313.

[71] W. Stanley Hoole, "Echoes from the 'Trail of Tears,' 1837," *Alabama Review* 6, no. 2 (April 1953): 135-152; Haveman, *Bending Their Way Onward*,51, 626.

[72] Hoole, "Echoes from the 'Trail of Tears,' 1837," 135-152; W. Stanley Hoole, ed., "Echoes from the 'Trail of Tears,' 1837," part 2, *Alabama Review* 6, no. 3 (July 1953): 222-232.

"Provisions is very high in this Country. Corn is worth $1 and fifty cents per bushel foder is not to be had."[73]

Jackson wrote his father again nearly three weeks later, on 28 June. By this time, he was in Jefferson County, Mississippi. Jackson informed his father that they had reached the Mississippi River and would cross it later the same day. He stated that he was in "good helth [sic]" but that he had been "very unwell" since his last letter. Regarding supplies, he wrote that provisions had become scarce with corn prices double what they had been in Maplesville, and fodder was still unavailable. Cost of supplies and travel were of great importance to the Moore party. They were funding their own journey and were counting on having enough money to purchase land and build a home when they arrived in Texas. Jackson thought that the expenses for the journey had been high, already totaling sixty dollars. At the end of his letter, he confessed "…I want to get home very bad." Included with Jackson's letter was a brief letter from Peggy Moore. Much of her letter echoed Jackson's account of their travels. Peggy added that "the children is unwell with the bowel complaint and we have all ben in the same state helth [sic]. Most of us is well of it."[74]

A month later, on 1 August 1837, Catherine Moore wrote her father from the "Parish of Ouachita State of Louisiana." Catherine described their "distressed situation." Some four days from their destination of Shreveport, Louisiana, she explained, "we were nearly all taken down at once and two were taken by death which was Lizor & Jackson. The balance of us has been laing [sic] at the point of death. One had not been able to see the other berried exape [sic] two which was Grandison and Adam." She informed her father that when the majority of their party had

[73] Jackson Moore to James Moore, 8 June 1837, William Stanley Hoole Papers, University of Alabama Library, Tuscaloosa, AL (hereafter cited as Hoole Papers).
[74] Jackson Moore to James Moore, 28 June 1837, Hoole Papers; Peggy Moore to James Moore, 28 June 1837, Hoole Papers. The letter was postmarked from Rodney, Mississippi.

become ill while they were passing through a "very fine settlement of people." She insisted that the local community had made every effort to take care of and comfort them as best as they could. They were staying with a local man named Hickman and planned to stay there "until the fever quits us." In details that allow for the reader to gain some insight to just how difficult their experiences had been, she explained, "Jackson at this time is a corpes [sic] in the house with us," having died earlier that day. Lizor had died one week before. They had already buried the child in a nearby graveyard belonging to a man named Richard Dickerson, and they planned to bury Jackson there as well.[75]

Included with Catherine's 1 August letter was a note from a John S. Lewis dated 5 August. Lewis, a local doctor, had been called when the Moore party arrived at the home of Hickman. With permission from Catherine, Lewis wrote a message on the letter to James Moore detailing the condition of the family. He assured Moore that, "I feel not a little solicitude in the wellfare of the distressed family above spoken of." Lewis explained that when we left the home of Hickman six or eight members of the "the family" were sick, but he did not think that any of the sick were "seriously so." He complained that "they all appear to have a disposition to postpone taking medicine until perhaps it will be too late." Lewis explained that he advised the family to remain in the Hickman home until they received a letter from their father instructing them on what they should do. After returning to his home some sixteen miles from the Hickman home, the doctor had received the 1 August letter from Catherine, and a separate letter addressed to a Mr. Johnson. The letters were delivered to Lewis "by the old black man," presumably an enslaved black man who had been traveling with the Moore party. In a way that suggests that

[75] Catherine Moore, letter to James Moore, August 1, 1837, Hoole Papers.

Lewis had encountered many people making their way west through Louisiana, he concluded his letter "with the best feelings towards the distressed [and] bereaved family of emigrants."[76] The Moore party experienced firsthand how difficult traveling through the southwest frontier could be. Making their way to Texas to purchase and cultivate new land was not only difficult and expensive, but also deadly.

A few days after Catherine's letter was posted to him on 26 August, James Moore wrote a letter to his son Jackson. James complained that he had only received two letters from his children, the first shortly after they departed on their journey and the other from the day they crossed the Mississippi River. He informed Jackson that "nothing of importance" had occurred in Dudleyville since they left for Texas. He did relate that the summer had been very dry, resulting in a poor yield of crops for the year and wrote, "my own crop is very short." It is clear that James entrusted much of the financial responsibilities of the journey and the purchasing of land in Texas to his son Jackson. He explained to Jackson that he had given Catherine a "note for $250" before their journey, but she had traded it to an individual he refers to only as Heard. He instructed Jackson that "the $100 which I gave you to pay towards said note, I desire you to keep" and suggested that if he had already "paid it over" he should require Grandison or Catherine pay him back or take the equivalent value in property from them. James demanded that Jackson write to him as soon as he was able because he was "very anxious to hear from" him. Specifically, he was interested to know what they had been doing since he last heard from them and how they were "situated" in the new land, how they liked "the country," the prices of goods available in the area, "and of negroes, particularly likely young women and men." Revealing yet other dangers faced by emigrants, he also mentioned that a General Talbot will likely deliver the letter. General Matthew Talbot was

[76] John S. Lewis to James Moore, 5 August 1837, Hoole Papers.

making his way to Texas in an attempt to find his niece who had been taken as a captive when local Indians attacked her family. James instructed Jackson "if you can be of any assistance to him, you must by all means do what lays in your power." He concluded that his health since they had left Alabama had improved and that Jackson's mother and sisters that remained in Alabama "desire to be remembered to you all."[77]

James' 3 September letter included a brief note from Joseph A. Johnson to Jackson. Johnson was an early settler of Tallapoosa County in the 1830s. Johnson wrote the 3 September letter for James and related that he had nothing to add to his father's letter but urged Jackson "write to us immediately, and inform us of everything you can think of." Johnson did include news on Abraham Mordecai who had come to rely greatly on the Moore family in his old age. "Old Mordecai has had the gout again—he hired some men to dig him a well, but your daddy had to pay for it." Unaware of the illness that had fallen his friend, Johnson closed his letter by instructing Jackson that if he returned to Alabama the next fall he should bring "about one thousand buffalo skins that you have killed in Texas." [78]

When James wrote his 3 September letter to his son, he was unaware of the misfortune that had befallen his family. He must have received Catherine's sad news very soon after posting his own letter. For within a week, on 10 September 1837, at 11 o'clock in the morning, Joseph A. Johnson and his young friend Johnson Jones Hooper set out for Texas to find the surviving members of the Moore family. James Moore had hired Joseph Johnson to travel west to Texas and find his remaining children. Johnson enlisted the help of his young friend Hooper to accompany him on his journey. After Johnson and Hooper set out for Texas the first letter Johnson wrote to

[77] James Moore to Jackson Moore, 3 September 1837, Hoole Papers.

[78] James Moore and Joseph A. Johnson, letter to Jackson Moore, September 3, 1837, Hoole Papers; William Stanley Hoole, *Alias Simon Suggs: The Life and Times of Johnson Jones Hooper* (Tuscaloosa: University of Alabama Press, 1952), 31-34.

James Moore was dated 30 September from Russellville, Louisiana. He wrote that they had reached the parish of Ouachita, the place where Jackson and Lizor had died, near the town of Monroe. They arrived there three days before on 27 September and found one member of the Moore party, “we found old Daniel hired to man in the neighborhood till Christmas to pay for a man to guide Peggy and Caty to Texas.” Presumably, the man referred to as "old Daniel" was an enslaved African American that had been traveling with the Moore children.[79]

Johnson kept a detailed daily expense account in a small leather book during his journey to Texas that included the locations they stopped for the day, the date, the miles between each stop, and a record of the supplies, goods, and services that they acquired at each stop. It is there that Johnson recorded that he found Daniel hired to a man in the neighborhood of Hickman, the man that had taken the Moore party into his home when they became ill. Peggy and Catherine had left Daniel to work in exchange for a guide who helped them continue on to Texas. The next day Johnson purchased a horse for Daniel for fifty dollars and paid Hickman four dollars for the care of the Moore party two months earlier.[80]

Johnson wrote to James Moore of the information that he had learned from the locals in the area that Hickman lived. After Jackson died, Johnson explained that Peggy and Catherine “had a great deal of trouble about the negroes.” Murray, a man who had been traveling with the Moore party, attempted to steal the slaves but was arrested and tried for the attempted theft. Johnson explained that Murray “got clear on the ground that Peggy had not ordered him out of her employment.” After Murray was released, he quickly went about stealing a horse that had belonged to Jackson and fled to Mississippi. Johnson gained most of the information of these events from Hickman and cited him as being responsible for originally apprehending Murray for attempting to

[79] Joseph A. Johnson to James Moore, 30 September 1837, Hoole Papers.
[80] Hoole, “Echoes of the ‘Trail of Tears’,” 147-152.

steal the slaves. Johnson suggested that from what he had learned of the events involving the Moore children he believed "there will be a great loss in Jackson's business." Johnson estimated that he would locate Peggy and Catherine by the 2 October and begin their return journey to Alabama rather quickly. Johnson instructed James to address any letters he wrote to Monroe, Wachita Parish, Louisiana, as they would be traveling through Monroe on their returning journey to Alabama.[81]

Johnson, Hooper, and Daniel traveled another 130 miles, and on 3 October they arrived at Caddo Lake, near the Texas line, and found Catherine and Peggy. Johnson wrote a letter to Moore on 18 November postmarked from Shreveport, Louisiana, "For the first time since my arrival in Texas I have an opportunity to write to you. I am sorry to be obliged to send you unfavorable news." When they found Catherine and Peggy, they had already stopped their journey west and began to build a home on Caddo Lake. Johnson led the remaining members of the Moore party along with his partner Hooper into Texas approximately 35 miles from Caddo Lake where Catherine and Peggy had originally stopped. Johnson explained his decision to James Moore, "I do not much like this part of the country but could not get away, for the waggon was nearly worn out and the horses could not travel, they have not eaten a grain of corn since Gradison stop." Johnson directed Adam and Daniel to begin clearing the land and prepping the soil for planting crops the following spring. The tone of Johnson's letter did not hide his feeling towards the quality of the land and the availability of provisions and resources in the area. He asked that James reply to his letter and advise them on what he wished his children to do, "I will comply with your

[81] Joseph A. Johnson to James Moore, 30 September 1837, Hoole Papers.

instructions in all cases and sell out here if you wish it."[82] Johnson and Hooper remained in Texas with Catherine and Peggy through the winter.[83]

In January 1838, John Moore and his wife Anna traveled from their home in the Creek Nation south to Texas to visit his sisters. John wrote to his father that he found Peggy and her sons in good health. Johnson was still in Texas with the Moore family and was anxious to return home to his family in Alabama. Johnson encouraged John to move from the Creek Nation to live near his sisters. John estimated that "it would be a short time before it will be a white settlement." A town had already begun to develop a few miles from Peggy's home on the Red River. John continued, "I like the country well enough to move to it but it will not do for any Indian blood to go to live at the present time." John's explanation for not moving near his sisters in Texas suggest that he identified as an Indian, and that others would identify him as such. Furthermore, it suggests that he believed that his sisters would not be subjected to the same level of racism despite the same Creek identity that they inherited from their mother, and, as Creek women themselves, passed down to their own children.[84]

John and his family returned to their home in the Creek Nation after visiting his sisters in Texas. John's letter to his father recounting his visit to his sisters is the last letter to survive from John Moore to his father and possibly the last letter he wrote to him. John had written to his father

[82] Joseph A. Johnson to James Moore, 18 November 1837, Hoole Papers.
[83] Joseph A. Johnson to James Moore, 18 November 1837, Hoole Papers; John P. Moore to James Moore, 16 January 1838, Hoole Papers.
[84] Peggy was listed on the 1832 census as Peggy Moore though a male, presumably a husband, was listed under her home. The 1885 Stidham roll list her as Peggy Kennard along with five so all recorded with the last name Moore. From Nancy Moore Hutton to James Moore, 9 August 1853, it seems that Peggy married a Kennard in the Creek Nation between 1849 and 1853, see *G.W. Stidham's Rolls of Self-Emigrant Creek Indians, 1885-1886,* Special Files of the Office of Indian Affairs, 1807-1904, Special File 285: Creek Self-emigration claims, 1886-1904, Microcopy 574, Roll 77, 2-170, National Archives; Haveman, *Bending Their Way Onward,* 672-63; Nancy Moore Hutton to James Moore, 9 August 1853, Hoole Papers; 1832 Census of Creek Indians, 113-196; John P. Moore to James Moore, 16 January 1838, Hoole Papers.

every few months for the last two years since arriving in Indian Territory. “I have write to you before I got [here] to this country and have not received no answer & I have write to you sence I come [here] but have not received no answer for you, and I am sorrow to receive no letter from you or none from my Brother.”[85]

The process of removal to Indian Territory had been deadly for so many and survival once reaching the new land was not easy itself. As John wrote, “I have [been] very sick sence I see you all last & all my family was all sick but has [been] restore to [their] health again. A great deal of my friends are dead in this country.” Seven months after arriving at Fort Gibson John wrote to his father telling him of life in the Creek Nation in the new land, “I have had bad luck sence I arrive at this country, for we lost all our horses, but one mair and I bought a horse to work but I have nice corn.” Crop yields and Creeks that his father had known in the old Nation were frequent topics, “all of Elizabeth Grierson negroes are got the best crops of corn, and corn is worth fifty cents per Bushel.” The descendants of the former Indian countryman Robert Grierson continued their lives in the Creek Nation even after removal. Most of the family had lived near Hillabee within thirty miles of the Moores in Alabama. There is little evidence of how close the Moores and Griersons were before removal, but in 1837 John wrote from Indian Territory, “All the Griersons are come to this countray, but we are going to move from this countrary by next winter if we are all alive.” John’s letters to his father kept him informed of the conditions in the Nation, but John also wished to stay connected to his family and friends that he left in Alabama. He asked his father, “how you all coming on in the old Creek Nation, Ala., what is going on in that country. I hear that you have

[85] John P. Moore to James Moore, 6 September 1836, Hoole Papers.

had a town just by Peter Dudley's store." John encouraged his siblings to move out west writing, "this is the country for them to make corn …but come in the first of the fall is the best time."[86]

John wrote to a friend, "You must not forget me bacuse we are in the Western countray." He described the water as "bad and brackish" and consistently spoke of his family and the Creeks in general as being "very sickly at times." Despite the physical conditions, John wrote on the value of the land, "It is not the countray [where] you are living but the land is better than the richest land you all got in the old Creek Nation. One acre of land [here] worth Two there." No matter how highly John estimated the value of the land or encouraged his family to move from Alabama, he did not hide the difficulty that the Creeks faced in rebuilding their lives in the new land; "Our country is perfect grave yard, for this country is distruction to we red people, cattle horses dog and everything in Arkansaw. Good stout rivers freese for [several] miles up and down in January. We don't plant nothing until the last of April." Although John frequently wrote of the hardships of living in Creek Nation and on several occasions spoke of relocating to Texas near his sisters, or the Choctaw Nation that he believed had better land, there is no evidence that he ever moved from his home the Creek Nation.[87]

After spending the winter in Texas, Joseph Johnson and Hooper returned to Alabama without any of the Moore children. Johnson's connection to the Moore family did not end. Within a year of returning to Alabama Johnson married Lucy Moore, one of the two youngest daughters of James and Fanny who had remained in Alabama. Hooper remained attached to the family for a time as well. A short time after returning to Alabama Hooper left again on a job. The job sent him west to Charleston to purchase goods, presumably for James Moore. He wrote to Johnson from

[86] John P. Moore to Peter Dudley, 3 February 1837, Hoole Papers; John P. Moore to James Moore, 6 September 1836, Hoole Papers.
[87] John P. Moore to Peter Dudley, 3 February 1837, Hoole Papers; John P. Moore to James Moore, 5 April 1837, Hoole Papers.

Charleston that he had become sick with yellow fever. In the humorous style that he later became famous for Hooper wrote, "They say that the way I ripped and swore when living with the fever was shocking to all the good christians in the House." Hooper was delayed in leaving Charleston until a matter of credit for the goods could be rectified. He wrote to Johnson, "God damn the goods to Hell. You may know I hate going back to Tallapoosa without the damned goods, but I can't help it. When do you go to Texas. I will go with you by God, if the Old man will give me Milley and I shall ask him as soon as I get back." Milley is thought to be the youngest daughter of James Moore. Hooper concluded to Johnson, "I shall be back shortly among the damned Georgians but can't say exactly when. Speak to the old man Moore on the matter whenever you have an opportunity. I hope his health is improved. Respects to Mr. Mordecai." Hooper was never successful in gaining Milley Moore's hand in marriage. Although, Johnson and Hooper had been very close friends, in the years that followed political differences drove a wedge between the two. From Hooper's letter it appears as though Johnson had planned to return to Texas. It is possible that he planned to return with his wife Lucy to live near here sisters. Despite his plans, Johnson never moved his family from Tallapoosa County. [88]

Despite the pleas of his children, James Moore never made the journey west to see his daughters in Texas or to see his son John in the Creek Nation in Indian Territory. Two letters from the Moore children to their father written after 1838 have survived in the historical record. The first, a letter from Peggy to her father survives as only a fragment, so faded that very little of the letter is legible. Written between 1838 and 1849. Peggy informed her father that her sister Nancy Moore Hutton was living with her and they were attempting to "raise a little crop." Nancy Moore

[88] Hoole, *Alias Simon Suggs*, 32-34, 45-47; Johnson Jones Hooper to Joseph A. Johnson, 3 October 1838, Hoole Papers; Robert C. Horn, ed., *Tallapoosa County, Alabama Marriage Records, Volume 1 1834-1863, Record Books 1-5* (Opelika, AL: The Genealogical Society of East Alabama, 1989), 4.

married a Creek man, Jim Hutton, before removal. In 1825, Hutton had served as interpreter for the law menders, during the execution of William McIntosh, to ensure no American staying at McIntosh's inn was harmed or lost property. Nancy was allotted land under the 1832 treaty in the same area of her siblings. In 1836, when John Moore and his family made the journey west Nancy and her husband Jim made the journey with them. Sources on Nancy and her husband are scarce, but Nancy and Jim did not settle in the Creek Nation with her brother John. Instead, the Huttons made their way into Texas to start their new lives in the west. When John visited Peggy and Johnson in Texas in 1838, he only briefly mentions that he saw Nancy as well. Nancy and her husband continued to live in Texas near her sister Peggy until 1849. The Moore children in Texas struggled to build new lives for themselves removed from their family that remained in Alabama and others that choose to continue their lives as Creeks and lived in the Creek Nation.[89]

In 1849, the loss of community and kin became too much for Peggy. She made the decision to move her family from Texas and returned to the Creek Nation. Nancy remained in Texas, writing to her father in 1853 from Garden Valley in Van Zandt County, she described the hardships she endured, "I have lost my husband and my child. The bothe died last winter I am left alone [here]." Nancy struggled with being in a place without her family, "I have got Jo yet, he does [carry] on my farm for me and I [am] quite alone [here]." Joe, an enslaved man, had been born in the "Old Creek Nation" in 1825 to Jim and Venus. Both of Joe's parents were enslaved people who belonged to Robert Grierson before he transferred them to his daughter Katy Grierson. Joe had become the property of Nancy and her husband some years before removing to Texas. As the Moore family was divided when they removed west, so too was Joe from his family who remained enslaved under various members of the Grierson family in the Creek Nation. Joe did accompany

[89] Peggy Moore to James Moore, No Date, Hoole Papers; Nancy Moore Hutton to James Moore, 9 August 1853, Hoole Papers; 1832 Census of Creek Indians, 113-196.

Nancy on her visits to the Creek Nation to conduct business on occasion. During those trips to the Creek Nation Joe and Nancy often stayed with Watt Grayson who resided in the Choctaw Nation, a midpoint between Texas and the Creek Nation. Nancy and Joe made one such trip in 1852. Nancy wrote to her father that she was able to visit Peggy and her children while there. Peggy had remarried since returning to the Creek Nation. Nancy remained determined to continue in Texas, "if I was able to come I would come to see you but I can't quit here and if you do intend to help me now I do stand in [need] of it." Despite Nancy's struggles, she remained in Texas. Nancy's ability to continue her life in Texas was highly dependent on Joe. In turn, Joe's inability to leave Texas was dependent on his legal status as an enslaved person who belonged to Nancy. In 1866, the year after the end of the Civil War, Joe was no longer considered the legal property of Nancy Moore Hutton. That year both Nancy and Joe moved from Texas north into Indian Territory. Nancy immigrated into the Creek Nation alone but likely moved near her sister Peggy or her brother John. Joe moved with his wife and son Jim. In 1937, Jim recounted to an interviewer, "We came from Texas. My father was a slavery negro until after the war. We first lived in the Choctaw Nation just across the South Canadian River." Jim Hutton lived the rest of his life in the Creek Nation. [90]

In 1885, G.W. Stidham was commissioned by the Department of Interior to create a roll of Creeks who self-emigrated to the Creek Nation in Indian Territory, as they were to receive compensation for their travels. Listed under the town of Okfuskee are entries for Nancy Hutton and Peggy Kennard. Nancy was listed as traveling to Texas and then into the Creek Nation alone in 1866. Peggy's entry list eleven other members of her emigration party. Five of the people listed

[90] Saunt, *Black, White, and Indian,* 46-48; Grierson Papers, LGM 85, Reel 18, Alabama Department of Archives and History; Nancy Moore Hutton to James Moore, 9 August 1853, Hoole Papers; Jim Hutton, interview by Margret McGuire, September 16, 1937, Indian-Pioneer Papers, Western History Collections, University of Oklahoma, Norman, Oklahoma (hereafter cited as Indian-Pioneer Papers); *G.W. Stidham's Rolls of Self-Emigrant Creek Indians, 1885-1886,* Special Files of the Office of Indian Affairs, 1807-1904, Special File 285: Creek Self-emigration claims, 1886-1904, Microcopy 574, Roll 77, 2-170, National Archives; Haveman, *Bending Their Way Onward,* 632.

under Peggy were denied payment for self-emigration, Jackson because of his passing before reaching Texas, and Daniel, Adam, Lucinda and her daughter Ebenezer because of their legal status as slaves at the time of the journey. The other members of Peggy's party were her children, Lyman, James, Buck, Moses, and Jackson. Despite Peggy being listed with the last name Kennard, all of her children were recorded with the last name Moore.[91]

By the end of his life, James Moore had become famous as an early Alabama settler. He was sought out in 1847, by Albert J. Pickett, then working on a history of Alabama that included a great deal of information on the history of the Creek people who had been almost entirely erased from their ancestral lands. Pickett interviewed both Moore and Mordecai and this encounter with the two elderly Indian countrymen insured Alabama historians would long remember their names. Pickett's romantic tweaking of Mordecai's account of being attack by Coosada warriors along with the claim that he was the first American to live in the area that became Montgomery, Alabama, elevated Mordecai's importance in early Alabama history. Pickett's interview of Moore also provided to be valuable as Moore recounted the events of the Creek National Council's execution of William McIntosh in 1825. Moore himself had not been present at the execution but recalled what he knew from his son-in-law Jim Hutton. In less than two years after Pickett visited, Mordecai died at the age of ninety-three. James Moore continued to live in the town of Dudleyville until his death in 1855. Both James Moore and his wife are buried at County Line Baptist Church. Next to them are the graves Lucy and her husband Joseph Johnson.[92]

---

[91] *G.W. Stidham's Rolls of Self-Emigrant Creek Indians, 1885-1886,* Special Files of the Office of Indian Affairs, 1807-1904, Special File 285: Creek Self-emigration claims, 1886-1904, Microcopy 574, Roll 77, 2-170, National Archives; Haveman, *Bending Their Way Onward,* 672-632.

[92] Death of an old Settler, obituary of Abraham Mordecai, *Daily State Guard*, September 4, 1849; Interview with James Moore, 30 September 1847, Albert J. Pickett Papers; Pickett, *History of Alabama*, 421; Interview with Abraham Mordecai, 30 September 1847, Albert J. Pickett Papers; James Moore, grave marker, County Line Cemetery, Lafayette, Chambers County, Alabama.

The story of James Moore's life as an Indian countryman is inherently interesting; with tales of being a young American among the Creeks, a spy during the Creek war, one of the earliest fugitives of Alabama law, and one of the most cited sources regarding the execution of William McIntosh. It is clear why Pickett felt the need to interview Moore in the last years of his life. Yet the history of James Moore and his family offers much more when viewed in light of the context of Creek and early American history. Moore's early life in the Creek Nation illustrates the enormous changes that swept through the Nation after the American Revolution; disruptive economic changes, bolstered by the undermining American Indian policy of 'civilization' were leading factors in the building tensions that erupted with the Creek War. Moore was not a bystander to the changing Creek economy or the Creek war, but was an active participant and deeply affected by both. Moore and his children were part of the growing diversity among the Creeks. The Indian countrymen and enslaved African Americans who made the Creek Country their home both created challenges and opportunities for Creek families. Though long overlooked, Moore was a central character in the dispute and lawsuit against Opothle Yoholo in Alabama court, a case that challenged Alabama's newly passed extension laws that were part of renewed actions of federal and state governments that aimed to erode and ultimately extinguish Creek sovereignty and land in the southeast. Ultimately, the experience of the Moore family during Creek removal is the most telling as their story shows that Creek families, even those of considerable means, connections, and mixed-identity were not spared from the challenges and trauma of Indian removal. It is not by chance that the descendants of James Moore can still be found today in Alabama and in the Muscogee (Creek) Nation. For the Moore's family history is indicative of the challenges, changes, and survival of the Creek Nation in the nineteenth century.

Bibliography

Manuscript Sources

Alabama Department of Archives and History, Montgomery, Alabama.
Albert J. Pickett Papers.
Grierson Papers.

Hargrett Rare Book and Manuscript Library, University of Georgia.
Telamon Cuyler Collection. Presented online by the Digital Library of Georgia.

Library of Congress, Washington D.C.
Andrew Jackson Papers, 1775-1874, Series 1.

National Archives and Records Administration, Washington D.C.
Record Group 49, Bureau of Land Management, General Land Office Records.
Record Group 75, Records of the Bureau of Indian Affairs, 1793-1989.
Microcopy 234—Letters Received by the Office of Indian Affairs, 1824-1881
Creek Agency, 1824-76, Roll 222.
Microcopy 275—1832 Census of Creek Indians Taken by Parsons and Abbott, Roll 1.
Microcopy 574—Special Files of the Office of Indian Affairs, 1807 – 1904.
Special File 136, Roll 27—McIntosh party, claims for property destroyed by hostile Creek Indians in 1825, 1825-26.
Special File 285, Roll 77—Creek self-emigration claims, 1886-1904.

University of Alabama, Tuscaloosa, Alabama.
W.S. Hoole Papers.

University of Oklahoma, Western History Collections, Norman, Oklahoma.
Indian-Pioneer Papers.

Newspapers

Daily State Guard, 1849.

Published Primary Sources

Feller, Daniel. *The Papers of Andrew Jackson, Vol VII, 1829.* Knoxville, TN: The University of Tennessee Press, 2007.

Grant, C.L., ed. *Letters, Journals and Writings of Benjamin Hawkins Vol II. 1802-1816.* Savannah, GA: The Beehive Press, 1980.

Haveman, Christopher, ed. *Bending Their Way Onward: Creek Indian Removal in Documents.* Lincoln: University of Nebraska Press, 2018.

Hawkins, Benjamin. *The Collected Works of Benjamin Hawkins, 1796-1810,* H. Thomas Foster, III, ed. Tuscaloosa: University of Alabama Press, 2003.

Horn, Robert C. ed., *Tallapoosa County, Alabama Marriage Records, Volume 1 1834-1863, Record Books 1-5.* Opelika, AL: The Genealogical Society of East Alabama, 1989.

Moser, Harold D. *The Papers of Andrew Jackson, Vol III, 1814-1815.* Knoxville, TN: The University of Tennessee Press, 1991.

Swan, Caleb. "Position and State of Manners and Arts in the Creek, or Muscogee Nation in 1791," in *Information Respecting the History, Condition, and Prospects of the Indian Tribes of the United States, ed. Henry Rowe Schoolcraft*, 6 vols. Philadelphia: Lippincott, 1856.

Published Secondary Sources

Abram, Susan M. *Forging a Cherokee-American Alliance in the Creek War: From Creation to Betrayal*. Tuscaloosa: University Alabama Press, 2015.

Braund, Kathryn E. Holland. *Deerskin and Duffels: The Creek Indian Trade with Anglo-America, 1685-1815*. Lincoln: University of Nebraska Press, 1993.

_____. "The Creek Indians, Blacks, and Slavery," Journal of Southern History 57 (November 1991): 601-636.

Breeman, Eric. "Arturo O'Neill: First Governor of West Florida during the Second Spanish Period," Florida Historical Quarterly 60 (July 1981), 29–41.

Collins, Robert P. "A Packet from Canada:" Telling Conspiracy Stories on the 1813 Creek Frontier," in *Tohopeka: Rethinking the Creek War and the War of 1812*, ed. Kathryn E. Holland Braund. Tuscaloosa, AL: The University of Alabama Press, 2012.

Ethridge, Robbie. *Creek Country: The Creek Indians and Their World*. Chapel Hill: The University of North Carolina Press, 2003.

_____. "Creeks and Americans in the Age of Washington." *In George Washington's South*, edited by Tamara Harvey and Greg O'Brien, 278–312. Gainesville, FL: University Press of Florida, 2004.

Frank, Andrew K. “The Rise and Fall of William McIntosh: Authority and Identity on the Early American Frontier,” The Georgia Historical Quarterly, 86, no.1, (Spring 2002): 18-48.

John H. Goff, “The Path to Oakfuskee: Upper Trading Route in Alabama to the Creek Indians,” Georgia Historical Quarterly 39 (June 1955): 152-171.

Green, Michael D. *The Politics of Indian Removal: Creek Government and Society in Crisis*. Lincoln: University of Nebraska Press, 1985.

Haveman, Christopher D. *Rivers of Sand: Creek Indian Emigration, Relocation, and Ethnic Cleansing in the American South*. Lincoln: University of Nebraska Press, 2016.

Holmes, Jack D. L. "Benjamin Hawkins and United States Attempts to Teach Farming to Southeastern Indians," Agricultural History, 60 (Spring 1986): 216-232.

Hoole, Stanley W. “Echoes from the ‘Trail of Tears,’ 1837” *Alabama Review* 6, no. 2 (April 1953): 135-152.

_____. “Echoes from the ‘Trail of Tears,’ 1837,” part 2,” *Alabama Review* 6, no. 3 (July 1953): 222-232.

_____. *Alias Simon Suggs: The Life and Times of Johnson Jones Hooper*. Tuscaloosa: University of Alabama, 1952.

Hudson, Angela Pulley. *Creek Paths and Federal Roads: Indians, Settlers, and Slaves and the Making of the American South*. Chapel Hill: The University of North Carolina Press, 2010.

Messing, A.J. “‘Old Mordecai’—The Founder of the City of Montgomery,” Publications of the American Jewish Historical Society, no. 13 (1905): 71-81.

Perdue, Theda. *“Mixed Blood” Indians: Racial Construction in the Early South*. Athens: University of Georgia Press, 2003.

_____. “A Sprightly Lover Is the Most Prevailing Missionary”: Intermarriage between Europeans and Indians in the Eighteenth-Century South” in *Light on the Path: The Anthropology and History of the Southeastern Indians*. Tuscaloosa: University of Alabama Press, 2006.

Pickett, Albert James. *The Annotated Pickett’s History of Alabama: And Incidentally of Georgia and Mississippi, from the Earliest Period*. Montgomery, AL: New South Books, 2018.

_____. *History of Alabama: and Incidentally of Georgia and Mississippi, from the Earliest Period.* Charleston, SC: Walker and James, 1851.

Piker, Joshua. *Okfuskee: A Creek Indian Town in Colonial America*. Cambridge, Mass.: Harvard University Press, 2006.

Rogers, William Warren, Robert David Ward, Leah Rawl Atkins, and Wayne Flynt. *Alabama: The History of a Deep South State*. Tuscaloosa: University of Alabama Press, 1994.

Saunt, Claudio. *Black, White, and Indian: Race and the Unmaking of an American Family*. New York; Oxford: Oxford University Press, 2006.

_____. "Taking Account of Property: Stratification among the Creek Indians in the Early Nineteenth Century," William and Mary Quarterly, 57, no. 4 (October 2000): 733-760.

Swanton, John R. *Early History of the Creek Indians and Their Neighbors*. Gainesville, FL: University Press of Florida, 1922.

Wainwright, James Eyrte. "Both Native South and Deep South: The Native Transformation of the Gulf South Borderlands, 1770-1835." Dissertation, Rice University, 2013.

Waselkov, Gregory A. *A Conquering Spirit: Fort Mims and the Redstick War of 1813–1814*. Tuscaloosa, AL: University Alabama Press, 2006.

Winn, William W. *The Triumph of the Ecunnau-Nuxulgee: Lands Speculators, George M. Troup, State Rights, and the Removal of the Creek Indians from Georgia and Alabama, 1825-38*. Macon, GA: Mercer University Press, 2015.

Wright Jr., Amos J. *Historic Indian Towns in Alabama, 1540-1838*. Tuscaloosa, AL: The University of Alabama Press, 2003.

Wright Jr., J. Leitch. *Creeks and Seminoles: The Destruction and Regeneration of the Muscogulge People.* Lincoln: University of Nebraska Press, 1986

_____. "Creek-American Treaty of 1790: Alexander McGillivray and the Diplomacy of the Old Southwest," Georgia Historical Quarterly, 51, no. 4 (December 1967): 379-400.

Young, Mary Elizabeth. *Redskins, Ruffleshirts, and Rednecks: Indian Allotments in Alabama and Mississippi, 1830-1860*. Norman, OK: University of Oklahoma Press, 1961.