

## Learning Activity - Secondary Level

### TEACHING SPEAKING AND LISTENING SKILLS WITH PRIMARY SOURCES

*Orders No. [25] Head Quarters, Eastern Division Cherokee Agency, Ten. May 17, 1838. Library of Congress*



#### OVERVIEW

Students practice speaking and listening skills while exploring General Winfield Scott's "Orders No. 25" for the general removal of the Cherokee from their eastern lands.

#### Objectives

After completing this learning activity, students will be able to:

- Explain in detail the nature and content of General Scott's orders regarding the Cherokee; and
- Practice college-ready listening and speaking skills

#### Time Required

Two 45-minute class periods

#### Grade level

9 - 12

#### Topic/s

Cherokee Removal

#### Subject

American History

#### Standards

Common Core State Standards <http://www.corestandards.org/>

College and Career Readiness Anchor Standards for Speaking and Listening

The Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects are explicit about the speaking and listening skills necessary for students to succeed in college. In addition to the reading and writing skills contained in the CCSS, the standards also demand sophisticated speaking and listening in all subject areas.

#### Comprehension and Collaboration

1. Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.

3. Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

#### Presentation of Knowledge and Ideas

4. Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.

6. Adapt speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate

#### Credits

Adapted from a lesson plan created by Terry Roberts, National Paideia Center

## **PREPARATION**

### **Materials Used**

#### **Have these materials ready before the activity:**

- Orders No. [25] Head Quarters, Eastern Division Cherokee Agency, Ten. May 17, 1838  
<http://hdl.loc.gov/loc.rbc/rbpe.1740400a>
- Primary source analysis tool (available online)  
[http://www.loc.gov/teachers/usingprimarysources/resources/Primary\\_Source\\_Analysis\\_Tool.pdf](http://www.loc.gov/teachers/usingprimarysources/resources/Primary_Source_Analysis_Tool.pdf)
- Speaking and Listening Skills Self Assessment handout, attached
- A question sheet, attached

#### **Background for the activity:**

General knowledge of Indian removal and the Trail of Tears

## **PROCEDURE**

### **Before the first class period:**

Give each student a copy of the Orders, and the transcript (if desired), to read as homework.  
Give each student a primary source analysis tool to complete as homework.

### **During the first class period:**

Distribute or display the Speaking and Listening Skills Self Assessment, review skills as needed with the students, and tell them that they'll complete the self-assessment twice: after their small group work (today), and again after a whole class discussion (next class meeting).

This lesson follows a jigsaw approach: students will work on one question in a small "expert" group, and then move into a second group – a reporting group - and present their expert group's response to the question to classmates.

Place the students into small groups and assign each group one of the following four questions to discuss. Give each student a copy of the attached question sheet. Students should refer to the Orders and to their completed analysis tool during the discussion. Each student must keep notes for use in their reporting groups.

1. In paragraph 11, Scott writes that "the Cherokees, by the advances which they have made in Christianity and civilization, are by far the most interesting tribe of Indians in the territorial limits of the United States." What do you think he meant by this sentence? Why do you think he included it in a set of military orders?
2. In paragraph 12, Scott writes that "a general war and carnage" would be "utterly abhorrent to the generous sympathies of the whole American people." Why do you think he included these phrases?
3. Based on this text, are the Cherokee citizens of the United States or of any state? How does their status affect their removal?
4. Based on this text, did the government have the right to "remove" the Cherokee from their traditional lands in 1838? Why or why not?

After the expert groups have had time to prepare their responses, move students into their reporting groups, where they will take turns presenting the responses they prepared in the expert groups. Again, each student should take notes to refer to in the whole class discussion during the next class period. Remind students that they will be assessing their own speaking and listening skills at the end of this activity.

Collect completed primary source analysis tools and answers to questions, if desired.

Students may complete the self-assessment in class or as homework, as time allows. Because students will assess their skills twice, ask them to record their answers to the assessment after the small group and whole class discussions in different colors to distinguish between them.

**During the second class period:**

Seat the students in a circle or hollow square, each with a copy, or transcript, of the text.

After reminding them of the speaking and listening skills that you are asking them to practice during the discussion itself, facilitate their discussion of the text with a version of the following questions:

*Opening* – Identify main ideas from the text:

- What one sentence in this set of orders teaches the most about this event in American history? (round-robin response)
- Why did you choose that sentence? (spontaneous discussion)

*Core* – Focus/analyze textual details:

Ask students to respond to some or all of the following questions in a whole-class discussion. Tell them that they must substantiate their opinions by referencing portions of the actual text.

- Apart from the order of removal, what else is General Scott attempting to convey?
- Is General Scott's attitude toward the Cherokee contradictory?
- What concerns did Scott seem to have about the removal of the Cherokee?
- What ideas expressed in the notice would perhaps cause different reactions from white and Indian readers?

*Closing* – Personalize and apply the textual ideas:

If, in 1838, the government of the United States claimed the right to "remove" 15,000 people from one part of the country to another, based solely on race and/or citizenship status, what is to prevent the same government from taking similar action in 2038? Can you think of another time when the U.S. government forced a group to move based on their ethnicity? (Consider Japanese internment in the 1940s, for example.) Under what circumstances might the government try to justify a similar action in the future?

**EXTENSION**

Give the students copies of George Washington's letter to the Cherokee Nation.

<http://memory.loc.gov/cgi-bin/ampage?collId=mgw4&fileName=gwpage109.db&recNum=930>

Ask them to consider and or discuss the questions:

- What portions of this letter indicate changes in the attitudes of the government toward Indians between 1795 and 1838? Which appear to be the same?
- What phrases of George Washington's letter suggest that the rights Cherokees had in 1795 were different than those acknowledged in 1838?
- What elements of George Washington's letter predict the eventual Cherokee removal?

**EVALUATION**

Assess student mastery of speaking and listening skills through observation and by having them complete the attached Speaking and Listening Skills Self Assessment.

Ask students to give a written response, either in class or as homework, to the question: *Who do you think were Scott's intended audiences? What techniques did he use to make the message acceptable to each? Assess students' understanding of rhetoric in the Orders.*

Name \_\_\_\_\_

**Speaking and Listening Skills  
Self Assessment**

Skills	Rating
<p><b>Attention</b> I look at the person speaking during the discussion. I do not talk while another is speaking.</p>	0 1 2 3 4 5 6 7 8 9 10
<p><b>Engagement</b> I take notes related to the ideas being discussed. I give way to others as a way of sharing the talk time.</p>	0 1 2 3 4 5 6 7 8 9 10
<p><b>Articulation</b> I make clear and accurate statements. I speak at appropriate pace &amp; volume. I use relevant vocabulary and grammar.</p>	0 1 2 3 4 5 6 7 8 9 10
<p><b>Explanation (Justification)</b> I provide insight about the discussion topic. I refer to the text or another relevant source.</p>	0 1 2 3 4 5 6 7 8 9 10
<p><b>Expansion</b> I consider another point of view. I add to a previous statement by offering a more global/holistic interpretation.</p>	0 1 2 3 4 5 6 7 8 9 10
<p><b>Connection</b> I refer to another comment. I consider multiple points of view. I ask thought-provoking, open-ended questions.</p>	0 1 2 3 4 5 6 7 8 9 10

**Name:** \_\_\_\_\_

### **Discussion Questions**

Orders No. [25] Head Quarters, Eastern Division Cherokee Agency, Ten. May 17, 1838

In paragraph 11, Scott writes that “the Cherokees, by the advances which they have made in Christianity and civilization, are by far the most interesting tribe of Indians in the territorial limits of the United States.” What do you think he meant by this sentence? Why do you think he included it in a set of military orders?

In paragraph 12, Scott writes that “a general war and carnage” would be “utterly abhorrent to the generous sympathies of the whole American people.” Why do you think he included these phrases?

Based on this text, are the Cherokee citizens of the United States or of any state? How does their status affect their removal?

Based on this text, did the government have the right to “remove” the Cherokee from their traditional lands in 1838? Why or why not?

# ORDERS. No. 25.

## Head Quarters, Eastern Division. Cherokee Agency, Ten. May 17, 1838.

**MAJOR GENERAL SCOTT**, of the United States' Army, announces to the troops assembled and assembling in this country, that, with them, he has been charged by the President to cause the Cherokee Indians yet remaining in North Carolina, Georgia, Tennessee and Alabama, to remove to the West, according to the terms of the Treaty of 1835. His Staff will be as follows:

**LIEUTENANT COLONEL W. J. WORTH**, acting Adjutant General, Chief of the Staff.

**MAJOR M. M. PAYNE**, acting Inspector General.

**LIEUTENANTS R. ANDERSON, & E. D. KEYES**, regular Aids-de-camp.

**COLONEL A. H. KENAN & LIEUTENANT H. B. SHAW**, volunteer Aids-de-camp.

Any order given orally, or in writing, by either of those officers, in the name of the Major General, will be respected and obeyed as if given by himself.

The Chiefs of Ordnance, of the Quartermaster's Department and of the Commissariat, as also the Medical Director of this Army, will, as soon as they can be ascertained, be announced in orders.

To carry out the general object with the greatest promptitude and certainty, and with the least possible distress to the Indians, the country they are to evacuate is divided into three principal Military Districts, under as many officers of high rank, to command the troops serving therein, subject to the instructions of the Major General.

**Eastern District**, to be commanded by **BRIGADIER GENERAL EVERTS**, of the United States' Army, or the highest officer in rank, serving therein:—North Carolina, the part of Tennessee lying north of Gilmer county, Georgia, and the counties of Gilmer, Union, and Lumpkin, in Georgia. Head Quarters, in the first instance, say, at Fort Buller.

**Western District**, to be commanded by **COLONEL LINDSAY**, of the United States' Army, or the highest officer in rank serving therein:—Alabama, the residue of Tennessee and Blaine county, in Georgia. Head quarters, in the first instance, say, at Ross' Landing.

**Middle District**, to be commanded by **BRIGADIER GENERAL ARMISTEAD** of the United States' Army, or the highest officer in rank, serving therein:—All that part of the Cherokee country, lying within the State of Georgia, and which is not comprised in the two other districts. Head Quarters, in the first instance, say, at New Echota.

It is not intended that the foregoing boundaries between the principal commanders shall be strictly observed. Either, when carried near the district of another, will not hesitate to extend his operations, according to the necessities of the case, but with all practicable harmony, into the adjoining district. And, among his principal objects, in case of actual or apprehended hostilities, will be that of affording adequate protection to our white people in and around the Cherokee country.

The senior officer actually present in each district will receive instructions from the Major General as to the time of commencing the removal, and every thing that may occur interesting to the service, in the district, will be promptly reported to the same source. The

Major General will endeavour to visit in a short time all parts of the Cherokee country occupied by the troops.

The duties devolved on the army, through the orders of the Major General & those of the commanders of districts, under him, are of a highly important and critical nature.

The Cherokees, by the advances which they have made in christianity and civilization, are by far the most interesting tribe of Indians in the territorial limits of the United States. Of the 15,000 of those people who are now to be removed—(and the time within which a voluntary emigration was stipulated, will expire on the 23d instant—) it is understood that about four fifths are opposed, or have become averse to a distant emigration; and altho' none are in actual hostilities with the United States, or threaten a resistance by arms, yet the troops will probably be obliged to cover the whole country they inhabit, in order to make prisoners, by families, either to this place, to Ross' Landing or Gunter's Landing, where they are to be finally delivered over to the Superintendent of Cherokee Emigration.

Considering the number and temper of the mass to be removed, together with the extent and fastnesses of the country occupied, it will readily occur, that simple indiscretions—acts of harshness and cruelty, on the part of our troops, may lead, step by step, to delays, to impatience and exasperation, and in the end, to a general war and carnage—a result, in the case of those particular Indians, utterly abhorrent to the generous sympathies of the whole American people. Every possible kindness, compatible with the necessity of removal, must, therefore, be shown by the troops, and, if, in the ranks, a despicable individual should be found, capable of inflicting a wanton injury or insult on any Cherokee man, woman or child, it is hereby made the special duty of the nearest good officer or man, instantly to interpose, and to seize and consign the guilty wretch to the severest penalty of the laws. The Major General is fully persuaded that this injunction will not be neglected by the brave men under his command, who cannot be otherwise than jealous of their own honor and that of their country.

By early and persevering acts of kindness and humanity, it is impossible to doubt that the Indians may soon be induced to confide in the Army, and instead of fleeing to mountains and forests, flock to us for food and clothing. If, however, through false apprehensions, individuals, or a party, here and there, should seek to hide themselves, they must be pursued and invited to surrender, but not fired upon unless they should make a stand to resist. Even in such cases, mild remedies may sometimes better succeed than violence; and it cannot be doubted that if we get possession of the women and children first, or first capture the men, that, in either case, the outstanding members of the same families will readily come in on the assurance of forgiveness and kind treatment.

Every captured man, as well as all who surrender themselves, must be disarmed, with the assurance that their weapons will be carefully preserved and restored at, or beyond the

Mississippi. In either case, the men will be guarded and escorted, except it may be, where their women and children are safely secured as hostages; but, in general, families, in our possession, will not be separated, unless it be to send men, as runners, to invite others to come in.

It may happen that Indians will be found too sick, in the opinion of the nearest Surgeon, to be removed to one of the depots indicated above. In every such case, one or more of the family, or the friends of the sick person, will be left in attendance, with ample subsistence and remedies, and the remainder of the family removed by the troops. Infants, superannuated persons, lunatics and women in a helpless condition, will all, in the removal, require peculiar attention, which the brave and humane will seek to adapt to the necessities of the several cases.

All strong men, women, boys & girls, will be made to march under proper escorts. For the feeble, Indian horses and ponies will furnish a ready resource, as well as for bedding and light cooking utensils—all of which, as intimated in the Treaty, will be necessary to the emigrants both in going to, and after arrival at, their new homes. Such, and all other light articles of property, the Indians will be allowed to collect and to take with them, as also their slaves, who will be treated in like manner with the Indians themselves.

If the horses and ponies be not adequate to the above purposes, wagons must be supplied.

Corn, oats, fodder and other forage, also beef cattle, belonging to the Indians to be removed, will be taken possession of by the proper departments of the Staff, as wanted, for the regular consumption of the Army, and certificates given to the owners, specifying in every case, the amount of forage and the weight of beef, so taken, in order that the owners may be paid for the same on their arrival at one of the depots mentioned above.

All other moveable or personal property, left or abandoned by the Indians, will be collected by agents appointed for the purpose, by the Superintendent of Cherokee Emigration, under a system of accountability, for the benefit of the Indian owners, which he will devise. The Army will give to these agents, in their operations, all reasonable countenance, aid and support.

White men and widows, citizens of the United States, who are, or have been intermarried with Indians, and thence commonly termed, *Indian countrymen*; also such Indians as have been made denizens of particular States by special legislation, together with the families and property of all such persons, will not be molested or removed by the troops until a decision, on the principles involved, can be obtained from the War Department.

A like indulgence, but only for a limited time, and until further orders, is extended to the families and property of certain Chiefs and head-men of the two great Indian parties, (on the subject of emigration) now understood to be absent in the direction of Washington on the business of their respective parties.

This order will be carefully read at the head of every company in the Army.

Be Command:

*W. J. Worth*  
Chief of the Staff

*Winfield Scott*

**Orders No. [25] Head Quarters, Eastern Division Cherokee Agency, Ten. May 17, 1838. [n. p. 1838]. TRANSCRIPT <http://www.tngenweb.org/cessions/order-25.html>)**

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MAJOR M. M. PAYINE, acting Inspector General.

LIEUTENANTS R. ANDERSON, & E. D. KEYES, regular Aids-de-camp.

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The senior officer actually present in each district will receive instructions from the Major General as to the time of commencing the removal, and every thing that may occur interesting to the service, in the district, will be promptly reported to the same source. The Major General will endeavour to visit in a short time all parts of the Cherokee country occupied by the troops. The duties devolved on the army, through the orders of the Major General & those of the commanders of districts, under him, are of a highly important and critical nature.

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compatible with the necessity of removal, must, therefore, be shown by the troops, and, if, in the ranks, a despicable individual should be found, capable of inflicting a wanton injury or insult on any Cherokee man, woman or child, it is hereby made the special duty of the nearest good officer or man, instantly to interpose, and to seize and consign the guilty wretch to the severest penalty of the laws. The Major General is fully persuaded that this injunction will not be neglected by the brave men under his command, who cannot be otherwise than jealous of their own honor and that of their country.

By early and persevering acts of kindness and humanity, it is impossible to doubt that the Indians may soon be induced to confide in the Army and instead of fleeing to mountains and forests, flock to us for food and clothing. If, however, through false apprehensions, individuals, or a party, here and there, should seek to hide themselves, they must be pursued and invited to surrender, but not fired upon unless they should make a stand to resist. Even in such cases, mild remedies may sometimes better succeed than violence; and it cannot be doubted that if we get possession of the women and children first, or first capture the men, that in either case, the outstanding members, of the same families will readily come in on the assurance of forgiveness and kind treatment.

Every captured man, as well as all who surrender themselves, must be disarmed, with the assurance that their weapons will be carefully preserved and restored at, or beyond the Mississippi. In either case, the men will be guarded and escorted, except it may be, where their women and children are safely secured as hostages; but, in general, families, in our possession, will not be separated, unless it be to send men, as runners, to invite others to come in.

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A like indulgence, but only for a limited time, and until further orders, is extended to the families and property of certain Chiefs and head-men of the two great Indian parties, (on the subject of emigration) now understood to be absent in the direction of Washington on the business of their respective parties.

This order will be carefully read at the head of every company in the Army.

By Command

/s/ Winifield Scott

/s/ W.J. WORTH, Lt. Colo  
Chief of Staff