Name _____

PRIMARY SOURCE

In 1830 Congress passed the Indian Removal Act, and President Andrew Jackson signed it. In 1835 a small group of Cherokee signed the Treaty of New Echota, and in 1836 the Senate approved it. That September, Principal Chief John Ross and the Cherokee council wrote to Congress to protest the treaty. Read the law, then the Cherokee answer.

The Indian Removal Act and a Cherokee Answer

Their words (exact)	In plain English
Indian Removal Act, Section 1 (1830)	
That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi ... to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there ...	The president may divide land the United States owns west of the Mississippi River into districts for Native nations that choose to trade the land where they live now and move there.
Indian Removal Act, Section 3 (1830)	
... the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them ...	The president may solemnly promise the nation that the United States will protect the new land for them, and for their children and the people who come after them, forever.
Indian Removal Act, Section 7 (1830)	
... Provided, That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.	Nothing in this law allows anyone to break a treaty the United States has already made with a Native nation.
John Ross and the Cherokee council (1836)	
By the stipulations of this instrument, we are despoiled of our private possessions, the indefeasible property of individuals.	This treaty robs us of our own homes and property, which belong to each of us and cannot rightly be taken away.
John Ross and the Cherokee council (1836)	
We are denationalized; we are disfranchised. We are deprived of membership in the human family! We have neither land nor home, nor resting place that can be called our own.	We are no longer treated as a nation, and we have lost our rights. We are not even treated as human beings! We have no land, no home and no place to rest that we can call our own.
John Ross and the Cherokee council (1836)	
The instrument in question is not the act of our Nation; we are not parties to its covenants; it has not received the sanction of our people.	This treaty was not made by our nation. We did not agree to its promises, and our people never approved it.

"An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi," May 28, 1830, 21st Congress, 1st Session, chapter 148, The Public Statutes at Large of the United States, vol. 4, pp. 411-412, checked against the Library of Congress scan (https://www.loc.gov/item/llsl-v4/). John Ross and the Cherokee council, letter "To the Senate and House of Representatives," Red Clay Council Ground, Cherokee Nation, September 28, 1836, from Gary E. Moulton, ed., The Papers of Chief John Ross, vol. 1 (University of Oklahoma Press, 1985), pp. 458-461, as transcribed by PBS, Africans in America (https://www.pbs.org/wgbh/aia/part4/4h3083t.html) and Arizona State University CPTL (https://cptl.asu.edu/sites/default/files/2021-06/Q117%20An%20Indigenous%20View%20of%20Indian%20Removal%20%28John%20Ross%2C%201836%29_CPTL.pdf). Public domain. Exact words; ... marks words left out.