

Primary Source

Letter from Chief John Ross

Despite two favorable Supreme Court decisions, the Cherokee Indians faced forced evictions from their ancestral homelands. In 1835 two commissioners appointed by President Andrew Jackson convinced a small group of Cherokees to sign the Treaty of New Echota, which ceded remaining Cherokee lands to the United States. The Cherokees who signed the treaty clearly did not represent the wishes of the majority of the Cherokee people in whose interest they claimed to act. Jackson nevertheless submitted the treaty to the Senate, which gave it its approval in March 1836. Months later, on September 28, 1836, Cherokees meeting at the Red Clay Council Ground appointed a delegation consisting of Chief John Ross and eight others to journey to Washington and deliver their complaints to Congress in person. Ross brought with him a memorial signed by more than two thousand Cherokees. The following excerpt, taken from that memorial, shows the Cherokees' deep sense of dismay and frustration at the ratification of the so-called "Treaty" of New Echota.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled

After the departure of the delegation, a contract was made by the Rev. John F. Schermerhorn and certain individual Cherokees, purporting to be "A treaty, concluded at New Echota, in the State of Georgia, on the 29th day of December, 1835, by General William Carroll and John F. Schermerhorn, commissioners on the part of the United States; and the chiefs, headmen, and people of the Cherokee tribes of Indians." A spurious delegation, in violation of a special injunction of the general council of the nation, proceeded to Washington city with this pretended treaty, and, by false and fraudulent representations, supplanted in the favor of the Government the legal and accredited delegation of the Cherokee people, and obtained for this instrument, after making important alterations in its provisions, the recognition of the United States Government; and now it is presented to us as a treaty, ratified by the Senate and approved by the President, and our acquiescence in its requirements demanded, under the sanction of the displeasure of the United States, and the threat of summary compulsion in case of refusal. It comes to us, not through our legitimate authorities, the known and usual

medium of communication between the Government of the United States and our nation; but through the agency of a complication of powers, civil and military.

By the stipulations of this instrument, we are despoiled of our private possessions, the indefeasible property of individuals. We are stripped of every attribute of freedom and eligibility for legal self-defence. Our property may be plundered before our eyes; violence may be committed on our persons; even our lives may be taken away, and there is none to regard our complaints. 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. And this is effected by the provisions of a compact which assumes the venerated, the sacred appellation of "treaty."

We are overwhelmed; our hearts are sickened; our utterance is paralyzed, when we reflect on the condition in which we are placed by the audacious practices of unprincipled men, who have managed their stratagems with so much dexterity as to impose on the Government of the United States, in the face of our earnest, solemn, and reiterated protestations.

Source: "Memorial of a Delegation of the Cherokee Nation," *House of Representatives Document 99*, 25th Congress, 2d Session (Serial 325), p. 12.