

Pro Native Documents

Document A

Source: The Intercourse Act of the United States Congress (March 30th, 1802)

“Be it enacted, that if any such citizen or other person, shall go into any country which is allotted or secured by treaty to any of the Indian tribes south of the river Ohio, without a passport, that person shall forfeit a sum not exceeding fifty dollars, or be imprisoned not exceeding three months”.

Document B

Source: Cherokee alphabet invented by Cherokee Sequoyah (1825)

D _a	R _e	T _i	Ꭰ _o	Ꭱ _u	i _v
Ꭶ _{ga} Ꭷ _{ka}	Ꭵ _{ge}	Ꭶ _{gi}	Ꭲ _{go}	Ꭳ _{gu}	Ꭴ _{gv}
Ꭸ _{ha}	Ꭶ _{he}	Ꭹ _{hi}	Ꭳ _{ho}	Ꭴ _{hu}	Ꭵ _{hv}
Ꭼ _{la}	Ꭶ _{le}	Ꭺ _{li}	Ꭴ _{lo}	Ꭶ _{lu}	Ꭷ _{lv}
Ꭽ _{ma}	Ꭱ _{me}	Ꭸ _{mi}	Ꭶ _{mo}	Ꭹ _{mu}	
Ꭾ _{na} Ꭿ _{hna} Ꮀ _{nah}	Ꭲ _{ne}	Ꭹ _{ni}	Ꭷ _{no}	Ꭺ _{nu}	Ꭱ _{nv}
Ꮃ _{qua}	Ꭳ _{que}	Ꭶ _{qui}	Ꭸ _{quo}	Ꭴ _{quu}	Ꭲ _{quv}
Ꮄ _{sa} Ꮇ _s	Ꭴ _{se}	Ꭺ _{si}	Ꭲ _{so}	Ꭵ _{su}	Ꭶ _{sv}
Ꮅ _{da} Ꮆ _{ta}	Ꭶ _{de} Ꭷ _{te}	Ꭹ _{di} Ꭺ _{ti}	Ꭳ _{do}	Ꭴ _{du}	Ꭵ _{dv}
Ꮇ _{dla} Ꮈ _{tla}	Ꭼ _{tle}	Ꭳ _{tli}	Ꭴ _{tlo}	Ꭶ _{tlu}	Ꭷ _{tlv}
Ꮉ _{tsa}	Ꭶ _{tse}	Ꭸ _{tsi}	Ꭲ _{tso}	Ꭹ _{tsu}	Ꭳ _{tsv}
Ꮊ _{wa}	Ꭴ _{we}	Ꭱ _{wi}	Ꭳ _{wo}	Ꭴ _{wu}	Ꭵ _{wv}
Ꮋ _{ya}	Ꭲ _{ye}	Ꭹ _{yi}	Ꭴ _{yo}	Ꭶ _{yu}	Ꭷ _{yv}

Document C

Source: This is a modern photograph of the Vann House, built in Northern Georgia around 1804 by James Vann, a Cherokee leader. Vann owned slaves as did a small number of wealthy Cherokees. His estate consisted of 800 acres of cultivated land, 42 cabins, 6 barns, 5 smokehouses, a mill, a blacksmith shop, a trading post, peach & apple orchards.



Document D

Ralph Waldo Emerson, TO MARTIN VAN BUREN, PRESIDENT OF THE UNITED STATES CONCORD, MASS., April 23, 1838.

A PROTEST AGAINST THE REMOVAL OF THE CHEROKEE INDIANS FROM THE STATE OF GEORGIA

You will not do us the injustice of connecting this remonstrance with any sectional and party feeling. It is in our hearts the simplest commandment of brotherly love. We will not have this great and solemn claim upon national and human justice huddled aside under the flimsy plea of its being a party act. Sir, to us the questions upon which the government and the people have been agitated during the past year, touching the prostration of the currency and of trade, seem but motes in comparison. These hard times, it is true, have brought the discussion home to every farmhouse and poor man's house in this town ; but it is the chirping of grasshoppers beside the immortal question whether justice shall be done by the race of civilized to the race of savage man, - whether all the attributes of reason, of civility, of justice, and even of mercy, shall be put off by the American people, and so vast an outrage upon the Cherokee Nation and upon human nature shall be consummated.

One circumstance lessens the reluctance with which I intrude at this time on your attention my conviction that the government ought to be admonished of a new historical fact, which the discussion of this question has disclosed, namely, that there exists in a great part of the Northern people a gloomy diffidence in the moral character of the government.

On the broaching of this question, a general expression of despondency, of disbelief that any good will accrue from a remonstrance on an act of fraud and robbery, appeared in those men to whom we naturally turn for aid and counsel. Will the American government steal? Will it lie? Will it kill ? - We ask triumphantly. Our counsellors and old statesmen here say that ten years ago they would have staked their lives on the affirmation that the proposed Indian measures could not be executed ; that the unanimous country would put them down. And now the steps of this crime follow each other so fast, at such fatally quick time, that the millions of virtuous citizens, whose agents the government are, have no place to interpose, and must shut their eyes until the last howl and wailing of these tormented villages and tribes shall afflict the ear of the world.

Document E

Jeremiah Evarts

The American Board of Commissions for Foreign Missions was responsible for establishing most of the church missions and schools among the Cherokee and other southern tribes. Jeremiah Evarts was its leader and here provides arguments against the Indian Removal Act pending in Congress in 1829.

In the various discussions, which have attracted public attention within a few months past, several important positions, on the subject of the rights and claims of the Indians, have been clearly and firmly established. At least, this is considered to be the case, by a large portion of the intelligent and reflecting men in the community.

Among the positions thus established are the following: which, for the sake of precision and easy reference, are set down in regular numerical order.

1. The American Indians, now living upon lands derived from their ancestors, and never alienated nor surrendered, have a perfect right to the continued and undisturbed possession of these lands.
2. Those Indian tribes and nations, which have remained under their own form of government, upon their own soil, and have never submitted themselves to the government of the whites, have a perfect right to retain their original form of government, or to alter it, according to their own views of convenience and propriety.
3. These rights of soil and of sovereignty are inherent in the Indians, till voluntarily surrendered by them; and cannot be taken away by compacts between communities of whites, to which compacts the Indians were not a party.
4. From the settlement of the English colonies in North America to the present day, the right of Indians to lands in their actual and peaceable possession, and to such form of government as they choose, has been admitted by the whites; though such admission is in no sense necessary to the perfect validity of the Indian title.
5. For one hundred and fifty years, innumerable treaties were made between the English colonists and the Indians, upon the basis of the Indians being independent nations, and having a perfect right to their country and their form of government.
6. During the revolutionary war, the United States, in their confederate character, made similar treaties, accompanied by the most solemn guaranty of territorial rights.
7. At the close of the revolutionary war, and before the adoption of the federal constitution, the United States, in their confederate character, made similar treaties with the Cherokees, Chickasaws, and Choctaws.
8. The State of Georgia, after the close of the revolutionary war, and before the adoption of the federal constitution, made similar treaties, on the same basis, with the Cherokees and Creeks.
9. By the constitution of the United States, the exclusive power of making treaties with the Indians was conferred on the general government; and, in the execution of this power, the faith of the nation has been many times pledged to the Cherokees, Creeks, Chickasaws, Choctaws, and other Indian nations. In nearly all these treaties, the national and territorial rights of the Indians are guaranteed to them, either expressly, or by implication.
10. The State of Georgia has, by numerous public acts, implicitly acquiesced in this exercise of the treaty-making power of the United States.
11. The laws of the United States, as well as treaties with the Indians, prohibit all persons, whether acting as individuals, or as agents of any State, from encroaching upon territory secured to the Indians. By these laws severe penalties are inflicted upon offenders; and the execution of the laws on this subject, is specially confided to the President of the United States, who has the whole force of the country at his disposal for this purpose.

The positions here recited are deemed to be incontrovertible. It follows, therefore,

That the removal of any nation of Indians from their country by force would be an instance of gross and cruel oppression:

That all attempts to accomplish this removal of the Indians by bribery or fraud. by intimidation and threats, by withholding from them a knowledge of the strength of their cause, by practising upon their ignorance. and their fears, or by vexatious opportunities, interpreted by them to mean nearly the same thing as a command; all such attempts are acts of oppression, and therefore entirely unjustifiable:

That the United States are firmly bound by treaty to protect the Indians from force and encroachments on the part of a State; and a refusal thus to protect them would be equally an act of bad faith as a refusal to protect them against individuals: and

That the Cherokees have therefore the guaranty of the United States, solemnly and repeatedly given, as a security against encroachments from Georgia and the neighboring States. By virtue of this guaranty the Cherokees may rightfully demand that the United States shall keep all intruders at a distance, from whatever quarter, or in whatever character they may come. Thus secured and defended in the possession of their country the Cherokees have a perfect right to retain that possession as long as they please. Such a retention of their country is no just cause of complaint or offence to any State or to any individual. It is merely an exercise of natural rights which rights have been not only acknowledged but repeatedly and solemnly confirmed by the United States....

Document F

Senator Peleg Sprague, "Speech to Congress." April 16, 1830

Much has been said of the Cherokee being uneducated savages, as if that could allow us to break our treaties with them! Actually, it is certain that they have greatly *advanced* in civilization!

We see civilization in the very proof introduced by the gentleman from Georgia, who is trying to show the Cherokee as barbarians. He produced to the Senate a printed code of Cherokee laws and a newspaper printed on a Cherokee press! Is there another instance of such productions from any Indian nation?

I was surprised that with all his investigation, the gentleman from Georgia could find no more remnants of savage customs. The Cherokees till the ground for farming, manufacture for themselves, have work-shops, a printing press, schools, churches, and a regularly organized Government.

Mr. President, I am aware that their white neighbors desire the absence of the Indians. But let it be by their own free choice, not awed by fear, not seduced by bribes. Let us not force them by withdrawing the protection that we have promised in our treaties.

Document G

Edward Everett, U.S. Congressman from Massachusetts "Speeches on the Passage of the Bill for the Removal
of the Indians
Delivered in the Congress of the United States" 1830

The evil, Sir, is enormous; the inevitable suffering incalculable. Do not stain the fair fame of the country. . . . Nations of dependent Indians, against their will, under color of law, are driven from their homes into the wilderness. You cannot explain it; you cannot reason it away. . . . Our friends will view this measure with sorrow, and our enemies alone with joy. And we ourselves, Sir, when the interests and passions of the day are past, shall look back upon it, I fear, with self-reproach, and a regret as bitter as unavailing."