

Andrew Jackson: On Indian Removal



"The Trail of Tears," oil on canvas by Robert Lindneux, 1942; in the Woolaroc Museum, Bartlesville, Okla., U.S.

The Granger Collection, New York City

Westward expansion brought the United States into contact with numerous Indian tribes and the admission of new states brought certain Indian lands within the national boundaries. In the following message to Congress of December 6, 1830, President

Jackson inaugurated the policy of extinguishing all Indian title to such lands and removing the Indians to an area beyond the Mississippi River. The President asserted that such a policy would avoid a "collision" between federal authority over the Indians and state jurisdiction of their lands, and that it would open to "dense and civilized population" areas previously occupied only by "a few savage hunters." The policy was upheld by the Supreme Court in the case of Cherokee Nation v. State of Georgia, but when Chief Justice John Marshall ruled in Worcester v. Georgia that the Indians retained certain rights in their own lands, Jackson is said to have retorted, "John Marshall has made his decision, now let him enforce it."

It gives me pleasure to announce to Congress that the benevolent policy of the government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of Congress, and it is believed that their example will induce the remaining tribes also to seek the same obvious advantages.

The consequences of a speedy removal will be important to the United States, to individual states, and to the Indians themselves. The pecuniary advantages which it promises to the government are the least of its recommendations. It puts an end to all possible danger of collision between the authorities of the general and state governments on account of the Indians. It will place a dense and civilized population in large tracts of

country now occupied by a few savage hunters. By opening the whole territory between Tennessee on the north and Louisiana on the south to the settlement of the whites it will incalculably strengthen the southwestern frontier and render the adjacent states strong enough to repel future invasions without remote aid. It will relieve the whole state of Mississippi and the western part of Alabama of Indian occupancy, and enable those states to advance rapidly in population, wealth, and power.

It will separate the Indians from immediate contact with settlements of whites; free them from the power of the states; enable them to pursue happiness in their own way and under their own rude institutions; will retard the progress of decay, which is lessening their numbers, and perhaps cause them gradually, under the protection of the government and through the influence of good counsels, to cast off their savage habits and become an interesting, civilized, and Christian community. These consequences, some of them so certain and the rest so probable, make the complete execution of the plan sanctioned by Congress at their last session an object of much solicitude.

Toward the aborigines of the country no one can indulge a more friendly feeling than myself, or would go further in attempting to reclaim them from their wandering habits and make them a happy, prosperous people. I have endeavored to impress upon them my own solemn convictions of the duties and powers of the general government in relation to the state authorities. For the justice of the laws passed by the states within the scope of their reserved powers they are not responsible to this government. As individuals we may entertain and express our opinions of their acts, but as a government we have as little right to control them as we have to prescribe laws for other nations.

With a full understanding of the subject, the Choctaw and the Chickasaw tribes have with great unanimity determined to avail themselves of the liberal offers presented by the act of Congress, and have agreed to remove beyond the Mississippi River. Treaties have been made with them, which in due season will be submitted for consideration. In negotiating these treaties, they were made to understand their true condition, and they have preferred maintaining their independence in the Western forests to submitting to the laws of the states in which they now reside. These treaties, being probably the last which will ever be made with them, are characterized by great liberality on the part of the government. They give the Indians a liberal sum in consideration of their removal, and comfortable subsistence on their arrival at their new homes. If it be their real interest to maintain a separate existence, they will there be at liberty to do so without the inconveniences and vexations to which they would unavoidably have been subject in Alabama and Mississippi.

Humanity has often wept over the fate of the aborigines of this country, and philanthropy has been long busily employed in devising means to avert it, but its progress has never for a moment been arrested, and one by one have many powerful tribes disappeared from the earth. To follow to the tomb the last of his race and to tread on the graves of extinct nations excite melancholy reflections. But true philanthropy reconciles the mind to these vicissitudes as it does to the extinction of one generation to make room for another. In the monuments and fortresses of an unknown people, spread over the extensive regions of the

West, we behold the memorials of a once powerful race, which was exterminated or has disappeared to make room for the existing savage tribes. Nor is there anything in this which, upon a comprehensive view of the general interests of the human race, is to be regretted. Philanthropy could not wish to see this continent restored to the condition in which it was found by our forefathers. What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise or industry execute, occupied by more than 12 million happy people, and filled with all the blessings of liberty, civilization, and religion?

The present policy of the government is but a continuation of the same progressive change by a milder process. The tribes which occupied the countries now constituting the Eastern states were annihilated or have melted away to make room for the whites. The waves of population and civilization are rolling to the westward, and we now propose to acquire the countries occupied by the red men of the South and West by a fair exchange, and, at the expense of the United States, to send them to a land where their existence may be prolonged and perhaps made perpetual.

Doubtless it will be painful to leave the graves of their fathers; but what do they more than our ancestors did or than our children are now doing? To better their condition in an unknown land our forefathers left all that was dear in earthly objects. Our children by thousands yearly leave the land of their birth to seek new homes in distant regions. Does humanity weep at these painful separations from everything, animate and inanimate, with which the young heart has become entwined? Far from it. It is rather a source of joy that our country affords scope where our young population may range unconstrained in body or in mind, developing the power and faculties of man in their highest perfection. These remove hundreds and almost thousands of miles at their own expense, purchase the lands they occupy, and support themselves at their new homes from the moment of their arrival. Can it be cruel in this government when, by events which it cannot control, the Indian is made discontented in his ancient home to purchase his lands, to give him a new and extensive territory, to pay the expense of his removal, and support him a year in his new abode? How many thousands of our own people would gladly embrace the opportunity of removing to the West on such conditions? If the offers made to the Indians were extended to them, they would be hailed with gratitude and joy.

And is it supposed that the wandering savage has a stronger attachment to his home than the settled, civilized Christian? Is it more afflicting to him to leave the graves of his fathers than it is to our brothers and children? Rightly considered, the policy of the general government toward the red man is not only liberal but generous. He is unwilling to submit to the laws of the states and mingle with their population. To save him from this alternative, or perhaps utter annihilation, the general government kindly offers him a new home, and proposes to pay the whole expense of his removal and settlement.

In the consummation of a policy originating at an early period, and steadily pursued by every administration within the present century--so just to the states and so generous to the Indians--the executive feels it has a right to expect the cooperation of Congress and of

all good and disinterested men. The states, moreover, have a right to demand it. It was substantially a part of the compact which made them members of our Confederacy. With Georgia there is an express contract; with the new states an implied one of equal obligation. Why, in authorizing Ohio, Indiana, Illinois, Missouri, Mississippi, and Alabama to form constitutions and become separate states, did Congress include within their limits extensive tracts of Indian lands, and, in some instances, powerful Indian tribes? Was it not understood by both parties that the power of the states was to be coextensive with their limits, and that, with all convenient dispatch, the general government should extinguish the Indian title and remove every obstruction to the complete jurisdiction of the state governments over the soil? Probably not one of those states would have accepted a separate existence--certainly it would never have been granted by Congress--had it been understood that they were to be confined forever to those small portions of their nominal territory the Indian title to which had at the time been extinguished.

It is, therefore, a duty which this government owes to the new states to extinguish as soon as possible the Indian title to all lands which Congress themselves have included within their limits. When this is done the duties of the general government in relation to the states and the Indians within their limits are at an end. The Indians may leave the state or not, as they choose. The purchase of their lands does not alter in the least their personal relations with the state government. No act of the general government has ever been deemed necessary to give the states jurisdiction over the persons of the Indians. That they possess by virtue of their sovereign power within their own limits in as full a manner before as after the purchase of the Indian lands; nor can this government add to or diminish it.

May we not hope, therefore, that all good citizens, and none more zealously than those who think the Indians oppressed by subjection to the laws of the states, will unite in attempting to open the eyes of those children of the forest to their true condition, and by a speedy removal to relieve them from all the evils, real or imaginary, present or prospective, with which they may be supposed to be threatened.

Source: A Compilation of the Messages and Papers of the Presidents 1789-1897, vol. 2, James D. Richardson, ed., 1920, pp. 500-529.