**Trail of Tears Notes**

* In 1838 and 1839, as part of Andrew Jackson's Indian removal policy, the Cherokee nation was forced to give up its lands east of the Mississippi River and to migrate to an area in present-day Oklahoma. The Cherokee people called this journey the "**Trail of Tears**," because of its devastating effects.
* The displacement of native people was not wanting for eloquent opposition. Senators Daniel Webster and Henry Clay spoke out against removal. The Reverend Samuel Worcester, missionary to the Cherokees, challenged Georgia’s attempt to extinguish Indian title to land in the state, actually winning his case before the Supreme Court.
* Worcester vs. Georgia, 1832 and Cherokee Nation vs. Georgia, 1831 are considered the two most influential legal decisions in Indian law. The U.S. Supreme Court ruled for Georgia in the 1831 case, but in Worcester vs. Georgia, the court affirmed Cherokee sovereignty. President Andrew Jackson arrogantly defied the decision of the court and ordered the removal, an act that established the U.S. government’s precedent for the future removal of many Native Americans from their ancestral homelands.
* The U.S. government used the Treaty of New Echota in 1835 to justify the removal. The treaty, signed by about 100 Cherokees known as the Treaty Party, relinquished all lands east of the Mississippi River in exchange for land in Indian Territory and the promise of money, livestock, various provisions, tools and other benefits. When these pro-removal Cherokee leaders signed the Treaty of New Echota, they also signed their own death warrants, since the Cherokee Nation Council had earlier passed a law calling for the death of anyone agreeing to give up tribal land.