John Ross, who served as principal chief from 1828 to 1866, led the Cherokee Nation's struggle against removal. From Thomas L. McKenney and James Hall, History of the Indian Tribes of North America *(Philadelphia: F. W. Greenough, 1838–44); copy in the Rare Book Collections, Wilson Library, University of North Carolina, Chapel Hill.*

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RESISTING REMOVAL

"THE CLOUDS MAY GATHER, thunders roar & lightening flash from the acts of Ga. under the approvation of Genl. [Andrew] Jackson's neutrality, but the Cherokees with an honest patriotism & love of country will still remain peaceably and quietly in their own soil." So wrote Principal Chief John Ross in July 1830 to Jeremiah Evarts, author of the antiremoval William Penn essays, and the executive secretary of the American Board of Commissioners for Foreign Missions.[1] The General Assembly of Georgia had passed, and continued to pass, legislation designed to make the lives of the Cherokees so miserable they would welcome the chance to find safety and repose in the West. As their chief, Ross labored to lead the Cherokees through the minefield laid by Georgia and ensure the survival of the sovereign Cherokee Nation in its ancient homeland with its boundaries secure and

its people safe in the enjoyment of their property and political rights. Depending on the "honest patriotism & love of country" that filled him with pride in his fellow Cherokees, Ross never deviated from his strategy of peaceable, passive resistance. That it proved insufficient should not detract from the imaginative, daring, and increasingly desperate path down which he led his people.[2]

Georgia's legislation of harassment rested on three motivations. The most powerful was the desire to acquire the nearly five million acres the Cherokee Nation held and refused to sell. Some Georgia politicians dreamed of building a canal through to the Tennessee River and thus giving Georgia access to the vast interior market served by the Ohio-Mississippi River network. But most saw the land as the means to cement their political futures. Unique among the states, Georgia gave away its unoccupied domain in a series of public lotteries. All adult male citizens and widows qualified for a draw, war veterans and other worthies often got two draws, and winning tickets could be sold if the "fortunate drawer" did not wish to take possession of the tract he won. Designed to curb speculation by giving all citizens a chance, the lottery had the effect of demonstrating to Georgians that they, as individuals, could benefit directly from a cession of Cherokee land. The result was that Indian policy was not an abstract issue in Georgia politics. Politicians who claimed to have succeeded in engineering a cession hoped for rewards at the ballot box, which led them to compete with one another in their zeal to acquire land and seize the credit.

Of course, the chance to get a free farm kept the attention of individual Georgians focused on the Indians.

In the racist atmosphere of Georgia, acquiring all the land held by the Cherokee Nation raised the problem of what to do with the Cherokees who lived there. Unwelcome as neighbors, they must be expelled. Georgians understood that they could not simply drive them out. The Cherokees would resist, there might be war, and Georgia would be blamed. Georgians needed some kind of screen to hide behind and cloak their actions with legal respectability. The General Assembly provided that. For example, legislation that denied Cherokees the right to testify in court but subjected them to Georgia law threw open the door to legalized theft of their property, brutalization of their persons, and intimidation of every conceivable kind. Legislation that declared Cherokee law null and void, forbade the Cherokee government to function, and criminalized any public act by Cherokee leaders sought to decapitate the Cherokee Nation and render the Cherokee people helpless. And to cover unexpected contingencies, the General Assembly established the Georgia Guard, a special police force charged to enforce the law that in fact became a central element in the state's program of harassment and intimidation.

Georgia justified its campaign of land grabbing and legal aggression by claiming it had a charter right as one of the original colonies to exercise dominion over all the land and people within its borders. The state pressed this claim against the federal government by insisting that the commerce clause

of the U.S. Constitution gave Congress authority to control only trade and left all other relations in the hands of the states. According to this line of argument, any provisions in a treaty that strayed beyond questions of commerce, narrowly defined, were unconstitutional federal usurpations of the sovereign powers of the state. Georgia pressed this claim against the Cherokee Nation as well. Not satisfied to deny the Nation's authority, the state denied its very existence. And when Georgia combined its claim to sovereignty with its argument that treaty provisions guaranteeing land rights to the Cherokees were unconstitutional, it was a short step to the argument that the only right the Indians had to the land they occupied was that of a tenant who could be dispossessed at a moment's notice. The Georgia Assembly waited until 1835 to act on this assertion, but repeatedly asserting it and threatening to act on it proved useful for trying to intimidate the Cherokees.

Georgia's harassment of the Cherokees sometimes reached ludicrous levels. In the early summer of 1831, Governor George Gilmer sent a secret agent into the Cherokee Nation to document the blood quantum of Chief John Ross. Cherokee agent Hugh Montgomery replied with information on several of the leading men.[3] At this point the Cherokees were united in opposition to removal, and even when a faction defected, blood quantum played no role. Gilmer, however, wanted evidence to support his claim that the Nation was ruled by a clique of mixed-blood, mostly white, self-serving aristocrats who browbeat the full-blood "real"

Cherokees into opposing removal when they knew that it was in their best interest to go.

Resisting such persecution peaceably could not have been easy, even though all Cherokees knew that to fight back was dangerous. The General Council decided to do so, however, early in 1830, since their U.S. agent refused to do so. In 1829, Governor Gilmer decided that the final treaty with the Creeks, signed in 1827, had ceded to the state about one million acres that the Cherokee Nation claimed as part of its territory. Gilmer made his conclusion widely known, and hundreds of Georgians entered the disputed region, adjacent to Carroll County. Failing to gain the protection of the United States, the Council decided to exercise a right recognized in the 1791 Treaty of Holston to punish any Americans who crossed the line into their country illegally. Fearful of the reaction, the Cherokee Nation had never ejected intruders before. But one group of about twenty families, members of a gang of horse thieves called the Pony Club, had squatted along the main road to Alabama, and the Council was afraid that the Cherokees would be blamed for their crimes. The Council appointed Major Ridge, a prominent figure with a distinguished record as war leader and public servant, to lead a troop of Light Horse, the national police force, to evict the intruders. They did so, burning out the families, who later testified that they were terrified by Ridge, who wore a buffalo skull headdress complete with horns, and his men, painted for war. A posse from Carroll County tracked the Cherokee Light Horse and captured four, one of whom they beat to

death. The others they carried off to jail. On the way, two escaped, but the third, Rattling Gourd, they held. Hugh Montgomery, the federal agent assigned to the Cherokee Nation, got him released with the argument that he was not an officer in the Light Horse, made no decisions, and was simply following orders. The central question, the right of the sheriff of Carroll County, Georgia, to enter the Cherokee Nation and arrest four Cherokees (not to mention killing one of them) for acting in accordance with a treaty provision, remained unanswered.[4]

Intrusion into the Cherokee Nation became further complicated with the discovery of gold on its land in 1829. Several thousand prospectors joined the Cherokees panning the streams, chased the Indians away, and then fell to fighting among themselves for choice sites. One source estimated that the miners took out some two thousand dollars of gold a day, wealth that would have had a dramatic impact on the Nation and its people. Again the United States did nothing to defend either the boundaries or the property rights of the Cherokees. Ultimately, Georgia forbade all mining, by Cherokees and non-Indians, on the theory that continued mining would cheat the "fortunate drawers" who won gold claims in the lottery.

The policy of Chief Ross and the Cherokee government in response to these provocations had three parts. One was a public-relations campaign. Friends of the Cherokees had been very active during the debate over the removal bill in 1829–30, and the American Board and other influential

Christian groups and individuals maintained a lively interest in the affairs of the Cherokees. John Ridge, David Vann, and Elias Boudinot, attractive, well-educated, and articulate young Cherokee men, made periodic lecture tours of eastern cities, where they often spoke to packed houses. But the *Cherokee Phoenix* was the centerpiece of the Nation's effort to keep the story of its rights and sufferings before the public. The National Council had authorized the establishment of a national newspaper in 1825. Funded through the Nation's treasury, the *Phoenix* began publication on February 21, 1828, with two clear purposes: to keep the Cherokee people informed on public issues and to demonstrate to the outside world the extent of Cherokee "civilization." Under the editorial direction of Elias Boudinot, the paper published the laws of the Nation, covered national political affairs, and ran stories on Cherokee culture and history. Much of this material appeared in parallel columns in English and Cherokee, using the syllabary invented by Sequoyah earlier in the decade and readable by a large percentage of Cherokees. Boudinot also published news from the United States and the world. The *Phoenix* had readers all over the United States and abroad, and Boudinot had exchange relations with over one hundred newspapers, many of which reprinted his editorials and other Cherokee news. Most Americans found it remarkable, some even unbelievable, that an Indian tribe produced a newspaper, and it therefore generated a great deal of public interest. Boudinot was a skillful editor and made the *Phoenix* an extraordinarily effective propaganda tool. "The wide circulation

of the Cherokee Phoenix throughout the United States, have had a very salutary & happy effect," Ross announced to the General Council in 1831, "by enlightening the great mass of the people of the United States upon the Indian Cause."[5]

The second tactic of Chief Ross and the Cherokee government in response to Georgia's persecution was to lobby in Washington, presenting oral and written arguments, petitions, and memorials citing the history of their treaty relations, quoting the relevant treaty provisions and federal laws, and respectfully demanding that something be done to protect them from the escalating disruption of their social and economic well-being. The Cherokee delegations, at least one a year, sometimes two or three, traveled to Washington and made their case. The president, the officer required by the Constitution to enforce the laws of government, was their primary target, but his standard reply was that he had no power to override the sovereignty of Georgia, regardless of the treaties, and, therefore, if the Cherokees did not wish to live under the law of the state, they must sell out and emigrate. Though he sympathized with them and regretted their suffering, he professed, his hands were tied by the Constitution. It did not take long for the Cherokees to realize that Jackson and his administration welcomed, indeed encouraged, Georgia's harassment. The states could do the dirty work that drove the tribes to the treaty table, leaving Jackson free to pose as their protector. The Cherokees also lobbied Congress, although with less hope, understanding that additional legislation, if not enforced, was of little use.

The third tactic took the Cherokees into the courts. On June 3, 1830, six days after Jackson signed the Removal Act into law, the Georgia legislation that extended its jurisdiction into the Cherokee Nation went into effect. Getting hauled into Georgia courts was not unprecedented for the Cherokees, but neither was it common, and the General Council did not have a national policy on the problem. The threat, however, was clear. Many Cherokees would be arrested for violating Georgia law, and because they could not testify in their own defense, they would need legal representation. The Council, at Ross's request, authorized the chief to draw money from the treasury to hire attorneys, and Ross found several willing to serve Cherokee clients. At the same time, Ross and Jeremiah Evarts of the American Board had been corresponding about developing a federal case against Georgia's assertion of sovereign jurisdiction over the Nation. Evarts had suggested several names, including Massachusetts senator Daniel Webster, an attorney of legendary national reputation, but Webster suggested that they approach William Wirt of Baltimore. Wirt was one of the stars of the legal profession. He had been attorney general in the administrations of James Monroe and John Quincy Adams, and he was well known as a political enemy of Andrew Jackson. Although his decisions on Indian policy and tribal rights had been inconsistent, he was clearly no friend of the emergent doctrine of state sovereignty. With some skepticism, he agreed to do the preliminary research necessary to decide if the Cherokees could win their argument.

Through the summer of 1830 and in constant correspondence with Ross, Webster, Evarts, and other advisers, Wirt worked on the case. His brief, which Ross ordered published and distributed by the *Phoenix*, concluded that the legislation extending Georgia's civil and criminal jurisdiction over the Cherokee Nation was unconstitutional. Following a line of reasoning similar to the William Penn essays of Evarts, Wirt concluded that the law was repugnant to the treaties between the United States and the Cherokee Nation, Congress's 1802 Trade and Intercourse Act, and the commerce clause of the U.S. Constitution. Wirt was uncertain, however, about how to proceed. The easiest route was to appeal a case from a Georgia court, but Wirt did not relish dealing with that state's judiciary. An obvious tactic was to go directly to the U.S. Supreme Court seeking an injunction against the state, but jurisdiction was a problem. The U.S. Constitution gave the Supreme Court original jurisdiction in suits between the states and foreign nations, but Wirt was not convinced that the Cherokee Nation was a foreign nation. While he was trying to decide, in the fall of 1830 the sheriff of Hall County arrested a Cherokee man, Corn (or George) Tassel, for murder, charging him with killing another Cherokee man. The act occurred within the Cherokee Nation, thus presenting Wirt with a case challenging Georgia's jurisdiction. Judge Augustin S. Clayton heard the preliminaries in his Hall County court but deferred the trial until a tribunal of appellate judges ruled on the constitutionality of the extension legislation. William H. Underwood, a Georgia attorney Ross had hired to represent Tassel, presented the same treaty-based

argument that the laws were unconstitutional. The state replied that the Cherokee Nation had neither national nor property rights, that the Compact of 1802 trumped the treaties, and that the commerce clause of the federal Constitution gave the United States authority only over trade relations. Thus the General Assembly had acted within its rights to extend the legal and political jurisdiction of the state over the Cherokee Nation, the sheriff acted properly to arrest Tassel for murder, and Judge Clayton's court had jurisdiction to try him. The judges agreed with the state's argument, Tassel's trial in Hall County resulted in conviction, and Judge Clayton sentenced him to hang on December 24. Wirt immediately appealed Tassel's conviction to the U.S. Supreme Court and asked the justices to overturn the verdict and block the execution. Chief Justice John Marshall granted Wirt's request and issued a subpoena requiring that Georgia governor George Gilmer appear before the bench in January. Gilmer called a special session of the legislature, and together they decided to ignore the subpoena and proceed with the hanging. Early on the morning of December 24, 1830, Hall County officials loaded a coffin into an oxcart, stood Tassel on the coffin under a tree at the end of a state rope, and drove the cart out from underneath him. Boudinot editorialized in the *Phoenix* that Georgia had "hoist[ed] the flag of rebellion against the United States," and if the government tolerated it, "the Union is but a tottering fabric, which will soon fall and crumble into atoms."[6] On December 27, 1830, three days after the Georgia court killed Tassel, Wirt filed before the Supreme Court the case that became *Cherokee Nation* v. *Georgia*.

In this, the first of the two landmark Cherokee cases decided by the Marshall Court in the early 1830s, Wirt based his presentation of the case on the claim that the Cherokee Nation met the constitutional conception of a foreign nation. The Nation, therefore, had standing before the Court and could argue for an injunction against the state of Georgia. Wirt and his cocounsel, John Sergeant, based their argument on the treaty history of the Cherokee Nation. The Cherokee Nation, they contended, retained sovereignty in all things except the two explicitly surrendered by treaty: The Nation agreed to sell land only to the United States, and it accepted U.S. control over its foreign relations and trade. Included in this assertion of retained sovereignty was the right to govern itself as a separate and distinct nation. Rejecting the right of discovery that Georgia claimed it inherited from England, the Nation also retained full authority over the land within its borders, and those rights both predated and were superior to Georgia's pretensions. By enacting and signing the law in question, Georgia's General Assembly and governor had unlawfully violated the sovereignty of the Cherokee Nation. The attorneys then described the effects of Georgia's illegal actions, including the trial and execution of Tassel, the imprisonment of several other Cherokees, and numerous infringements on their individual property rights. The Removal Act did not require emigration, reminded the attorneys, but the effect of Georgia's legislation, coupled with the refusal of the president to fulfill his constitutional obligation to execute the laws and treaties of the United States by protecting

the sovereign rights of the Cherokee Nation, was tantamount to forcible expulsion. The argument lasted for three days in mid-March 1831. Georgia, denying any jurisdiction of the Supreme Court in state affairs, refused to appear.

Six justices heard the case, and their split decision amounts to a 2-2-2 vote. Two justices concluded that the Cherokee Nation was neither a foreign state nor a sovereign nation and that Cherokee individuals were subjects of the state of Georgia. Two argued that the Cherokee Nation was sovereign, had standing before the Court as a foreign state, and was entitled to protection against the unconstitutional laws of Georgia. And two, including Chief Justice John Marshall, decided between the two extremes. The Cherokee Nation lacked standing because it was not a foreign state, but it deserved to be recognized and respected, although as what was not altogether clear, despite Marshall's efforts to describe it. At any rate, four justices agreed to deny the Cherokee Nation standing. Chief Justice Marshall wrote the opinion that the Cherokee Nation could not sue the state of Georgia, and the Court threw out the case for lack of jurisdiction. The justices did not address the Cherokee claim that the legislation of Georgia was unconstitutional and should be declared null and void.

The crucial question in the case was whether the Cherokee Nation was a foreign state. Marshall accepted Wirt's contention that it was "a distinct political society, separated from others, capable of managing its own affairs and governing itself." The Cherokee Nation was a state and had been "uniformly treated as a state from the settlement of the country."

The treaties verified such a conclusion, and Congress had enacted laws accordingly. "The acts of our government plainly recognize the Cherokee nation as a state, and the Courts are bound by those acts." But in Marshall's view the Cherokee state was not a foreign one. The problem was that the tribes were within the boundaries of the United States, they had accepted the protection of the United States in the treaties, and they had agreed that the United States had the exclusive right to manage their trade. And while they had rights to the land, they "occupy a territory to which we assert a title independent of their will, which must take effect in point of possession when their right of possession ceases." All this denied their foreignness. Searching for an acceptable definition, Marshall coined the term "domestic dependent nation," which he tried to explain by analogy. The tribes were in a "state of pupilage," he wrote, and had a relationship with the United States that "resembles that of a ward to his guardian."[7] Several members of a Cherokee delegation, described by observers as "intelligent and respectful," sat in the gallery during the case, reportedly crying when Wirt recited the troubles Georgia forced their people to endure. They returned home in April 1831, ready to report.

The Cherokee people were well aware of the suit and were eager for the salvation it promised. Chief Ross tried to put the best face on the decision by telling the General Council that it was a victory because the Court recognized that they were "a distinct political society, separated from others, capable of managing its own affairs and governing itself."

This, Ross announced, was "conclusively adverse" to Georgia's claims and, on balance, was more important than the loss of the injunction. Furthermore, Ross stressed his view that, if the Nation could come up with a case that satisfied the Court's jurisdictional requirements, it was sure to win: "Our cause will ultimately triumph."[8] Editor Boudinot was not so certain. He rejoiced that the Court "explicitly acknowledged and conceded" the rights of the Cherokee Nation, but "we are at the same time considered to be in a state of 'pupilage,' unable to sue for those rights in the judicial tribunals. This is certainly no enviable position."[9] Boudinot was more right than Ross. Marshall's definition of the tribes as "domestic dependent nations" in a relationship with the United States that resembled that between a ward and guardian has become, in the 175 years since the decision, a powerful tool for those who seek to inhibit the efforts of Native nations to exercise sovereignty.

During the winter of 1830–31, while the *Cherokee Nation* case was pending, the Georgia legislature forged ahead with a new battery of laws designed to exercise the jurisdiction it claimed over the part of the Cherokee Nation within its boundaries. The first priority was to divide the country into land districts and establish the procedure for its survey and distribution by lottery. The law also extended the service of the Georgia Guard to protect the surveyors from harassment by Cherokees and provided punishments for any person who interfered with the survey. The legislature voted to defer the survey one year, however, in case the Cherokee Nation

and the United States concluded a removal treaty. In December 1831, in the absence of the desired treaty, the legislature authorized the governor to begin the survey in April 1832 and commence the lottery as soon as the survey was complete. The lawmakers included in the survey law a provision to prohibit fortunate drawers in the lottery from evicting Cherokees who owned improvements on the lots they drew. In such cases only, Cherokees could testify against whites in court. Another act authorized the governor to "take possession" of the gold district and station a Guard force there to keep the peace and oust trespassers. The result was that the disposition of the entire region was fully in the hands of the state of Georgia.

The legislation enacted by the Georgia Assembly in December 1830 also provided that any "white person" living in the Cherokee Nation after March 1, 1831, who had not taken an oath promising loyal obedience to the laws of Georgia and received a special permit from the governor was liable to prosecution and imprisonment for not less than four years at hard labor. Only white men married to Cherokee women and "authorized agents" of the U.S. government were exempted. Everyone knew that the law targeted the missionaries, outsiders widely believed to be active advisers against removal. A few missionaries took the oath, and some relocated across the line into Tennessee, but several American Board missionaries chose to do neither. They would test the law, and if arrested, convicted, and sentenced, they would provide Wirt with a case on appeal that the Supreme Court would accept.

On March 12, 1831, the Georgia Guard arrested the missionaries and hauled them into court, where William Underwood, the attorney working for the Cherokee Nation, defended them on the grounds that Georgia's laws had no jurisdiction over them because the Cherokee Nation was sovereign. Augustin Clayton, the judge who had ordered the hanging of Tassel only a few weeks before, figured that the missionaries were planning a test case and released them. All the mission organizations received subsidies from the federal government, and Reverend Samuel Worcester was U.S. postmaster at New Echota. These facts, Clayton decided, qualified them as federal agents. A quick letter to the secretary of war removed that worry, and the postmaster general fired Worcester. When the good news reached Governor Gilmer, he ordered them arrested once again. On July 7, the Guard took Worcester, Doctor Elizur Butler, and nine other missionaries to Gwinnett County, harassing and mistreating them all the way. The Guard chained Butler by the neck to their wagon and made him walk the entire eighty-five miles. Judge Clayton heard their case in mid-September, the arguments once again hanging on the question of Georgia's jurisdiction. After a deliberation of fifteen minutes, the jury found them guilty. Governor Gilmer, fearing the bad national press if the state threw all these churchmen in jail, hoped the missionaries would either take the oath or leave the state. Nine accepted Gilmer's offer, Worcester and Butler refused, and the Cherokees and Wirt had their case.

Wirt filed an appeal, the Supreme Court issued a subpoena, and Wilson Lumpkin, the newly elected governor of Georgia, was as adamant in his refusal to recognize the authority of the Court over the actions of his state as his predecessor, George Gilmer, had been. In November 1831, when the order to appear before the Court reached his desk, Lumpkin sent it to the General Assembly, which directed him to ignore it. In a replay of the *Cherokee Nation* hearing the year before, no Georgian appeared to rebut Wirt's presentation. The hearing commenced February 20, 1832. Wirt and Sergeant largely repeated the arguments in favor of the sovereignty of the Cherokee Nation that they had developed in the *Cherokee Nation* case, but in important ways the situation was very different. The year 1832 was an election year, and Jackson was eager for the voters' endorsement of his policies. Both Wirt and Sergeant were on opposing presidential tickets—Sergeant as the National Republicans' vice presidential candidate with Henry Clay at the top of the ticket and Wirt as the presidential nominee of the Anti-Masonic Party. The case thus had political implications beyond the interests of the missionaries, Georgia, or the Cherokee Nation. Congressmen, senators, and the press packed the courtroom in the basement of the Capitol.

It was an open secret that Chief Justice Marshall was sympathetic to the Cherokees and believed that Georgia's legislation was both unjust and unconstitutional. Nevertheless, the two attorneys took three days to make their case. Chief

Justice Marshall issued the 6–1 decision on March 3. The law Samuel A. Worcester was convicted of violating, the Court found, was "void, as repugnant to the Constitution, treaties, and laws of the United States," and the conviction should be "reversed and annulled."[10] The lasting significance of this decision is less in its final judgment, however, than in the body of Marshall's opinion.

After Marshall addressed the question of jurisdiction, which was never in dispute, he wrote a long and careful analysis of the history of the relations between the Cherokee Nation and England and then with the United States. England had treated the tribes as sovereign and negotiated treaties of alliance with them. The United States followed suit, thus continuing the practice of recognizing tribal sovereignty. When the United States assumed the role of protector of the tribes, it neither denied nor destroyed their sovereignty. Instead, such a relationship both preserved tribal government and protected it from the states. As a result of their relations with the United States, tribal sovereignty had been diminished in specific ways, but in all other things the tribes retained the sovereignty that had been theirs since time immemorial. Furthermore, only the United States could deal with the Cherokee Nation, because treaty relations are government-to-government relations, the unique concern of sovereign states. "The Cherokee nation," Marshall concluded, "is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia

can have no force."[11] In striking down the Georgia legislation, Marshall asserted that the federal government had supreme authority in conducting relations with Native nations. Useful in protecting the tribes from state encroachment, this idea of federal plenary power has been a double-edged sword, which has also been used to hack away at tribal sovereignty. But the idea that tribes retain all those attributes of sovereignty not explicitly surrendered or denied by Congress has been a significant source of power upon which tribes continue to rely.[12]

The *Worcester* v. *Georgia* decision gratified Chief Ross. Not only had the Court affirmed the sovereignty of the Cherokee Nation, it had redirected the conflict into one between Georgia and the United States, which was an enormous relief. On the other hand, Ross was enough of a realist to be skeptical. The decision was a wonderful thing but without enforcement it changed nothing. Only time would tell.

In the Cherokee Nation, on the other hand, the decision of the Court had a "most powerful effect." In every community, it seemed, the people celebrated with "Rejoicings Dances and Meetings." As William Williamson, an officer in the Georgia Guard stationed in Cherokee country, reported to Governor Lumpkin, "They not only believed that the right of Jurisdiction was restored but that they were Sovereign independent nation & the U. S. bound by Treaty to afford them protection."[13] Like Ross, Williamson was skeptical. But while Williamson belittled the idea of Cherokee sovereignty,

Ross championed it. Along with his "honest patriotism and love of country," it gave him strength and hope. He thanked William Wirt for his work on behalf of the Nation and promised to pay him, someday, but he knew that the fight was not over.