

1839 ACT OF UNION  
BETWEEN  
THE EASTERN AND WESTERN CHEROKEES

WHEREAS our Fathers have existed, as a separate and distinct Nation, in the possession and exercise of the essential and appropriate attributes of sovereignty, from a period extending into antiquity, beyond the records and memory of man: AND WHEREAS these attributes, with the rights and franchises which they involve, remain still in full force and virtue, as do also the national and social relations of the Cherokee people to each other and to the body politic, excepting in those particulars which have grown out of the provisions of the treaties of 1817 and 1819 between the United States and the Cherokee Nation, under which a portion of our people removed to this country and became a separate community: But the force of circumstances having recently compelled the body of the Eastern Cherokees to remove to this country, thus bringing together again the two branches of the ancient Cherokee family, it has become essential to the general welfare that a union should be formed, and a system of government matured, adapted to their present condition, and providing equally for the protection of each individual in the enjoyment of all his rights.

Therefore we, the people composing the Eastern and Western Cherokee Nation, in National Convention assembled, by virtue of our original and unalienable rights, do hereby solemnly and mutually agree to form ourselves into one body politic, under the style and title of the Cherokee Nation.

In view of the union now formed, and for the purpose of making satisfactory adjustments of all unsettled business which may have arisen before the consummation of this union, we agree that such business shall be settled according to the provisions of the respective laws under which, it originated, and the Courts of the Cherokee Nation shall be governed in their decisions accordingly. Also, that the delegation authorized by the Eastern Cherokees to make arrangements with Major General Scott for their removal to this country shall continue in charge of that business, until it shall be finally closed. And also that all rights and title to public Cherokee lands on the east or west of the river Mississippi, with all other public interests which may have vested in either branch of the Cherokee family, whether inherited from our Fathers or derived from any other source, shall henceforward vest entire and unimpaired in the Cherokee Nation, as constituted by this union.

Given under our hands, at Illinois Camp-ground, this 12th day of July, 1839.

By order of the National Convention:

GEORGE LOWREY,  
President of the Eastern Cherokees.  
GEORGE GUESS, his x mark,  
President of the Western Cherokees.

JO WILL, V. P.  
JACKSON, V. P.



October 1839, a new constitution for the Cherokee nation was drafted and adopted.

John Ross was elected principal chief, and a convention of Old Settlers meeting at Fort Gibson in 1840 approved the constitution.

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