

CONSTITUTION OF THE CHEROKEE NATION,

Formed by a Convention of Delegates from the several Districts, at New Echota, July 1827.

ARTICLE VI.

Sec. 1. Whereas the ministers of the Gospel are, by their profession, dedicated to the service of God—and the care of souls, and ought not to be diverted from the great duty of their function, therefore, no minister of the Gospel, or public preacher, of any religious persuasion, whilst he continues in the exercises of his pastoral functions, shall be eligible to the office of Principal Chief, or a Seat in either house of the General Council.

Sec. 2. No person who denies the being of a God, or a future state of rewards & punishments, shall hold any office in the civil department of this Nation.

Sec. 3. The free exercise of religious worship, and serving God without distinction, shall forever be allowed within this Nation: *Provided*, That this liberty of conscience shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of this Nation.

Sec. 4. Whenever the General Council shall determine the expediency of appointing delegates, or other public Agents, for the purpose of transacting business with the Government of the United States; the Principal Chief shall have power to recommend, and by the advice and consent of the Committee, shall appoint and commission such delegates or Public Agents accordingly, and, on all matters of interest touching the rights of the citizens of this Nation, which may require the attention of the United States Government, the Principal Chief shall keep up a friendly correspondence with that Government, through the medium of its proper officers.

Sec. 5. All commissions shall be in the name and by the authority of the Cherokee Nation, and be sealed with the Seal of the Nation, and be signed by the Principal Chief.

The Principal Chief shall make use of his private seal until a National seal shall be provided.

Sec. 6. A sheriff shall be elected in each District by the qualified electors thereof, who shall hold his office for the term of two years, unless sooner removed. Should a vacancy occur subsequent to an election, it shall be filled by the Principal Chief as in other cases, and the person so appointed shall continue in office until the next General election, when such vacancy shall be filled by the qualified electors, and the Sheriff then elected shall continue in office for two years.

Sec. 7. There shall be a Marshall appointed by a joint vote of both houses of the General Council for the term of four years, whose compensation and duties shall be regulated by law, & whose jurisdiction shall extend over the Cherokee Nation.

Sec. 8. No person shall for the same offence be twice put in jeopardy of life, or limb, nor shall any persons property be taken or applied to public use without his consent; *Provided*, That nothing in this clause shall be so construed as to impair the right and power of the General Council to lay and collect Taxes. All courts shall be open, and every person for an injury done him in his property person or reputation, shall have remedy by due course of law.

Sec. 9. The right of trial by jury shall remain inviolate.

Sec. 10. Religion morality and knowledge being necessary to good Government, the preservation of liberty, and the happiness of mankind, Schools and the means of education shall forever be encouraged in this Nation.

Sec. 11. The appointment of all officers, not otherwise directed by this Constitution, shall be vested in the legislature.

Sec. 12. All laws in force in this Nation, at the passing of this Constitution,

shall so continue until altered or repealed by the legislature, except where they are temporary, in which case they shall expire at the times respectively limited for their duration; if not continued by act of the legislature.

Sec. 13. The General Council may at any time propose such amendments to this Constitution as two thirds of each house shall deem expedient; and the Principal Chief shall issue a proclamation, directing all the civil officers of the several Districts to promulgate the same as extensively as possible within their respective Districts, at least nine months previous to the next General election; and if at the first session of the General Council after such General election, two thirds of each house shall, by yeas and nays, ratify such proposed amendments, they shall be valid to all intents and purposes, as parts of this Constitution; *Provided*, That such proposed amendments shall be read on three several days, in each house, as well when the same are proposed, as when they are finally ratified.

Done in Convention at New Echota, this twenty-sixth day of July, in the year of our Lord one thousand eight hundred and twenty seven; in testimony whereof, we have each of us, hereunto subscribed our names.

Delegates of Chickamauga District.

JNO. ROSS, *President of Convention*,
JOHN BALDRIDGE, his x mark.

Delegates of Chattooga District.

GEORGE LOWREY,
JNO. BROWN,
EDWARD GUNTER.

Delegates of Coosawatee District.

JOHN MARTIN,
JOSEPH VANN,
KELECHULEE, his x mark.

Delegates of Sanchez District.

LEWIS ROSS,
THOMAS FOREMAN,
HAIR CONRAD, his x mark.

Delegates of Hickory District.

JAMES DANIEL,
JOHN DUNCAN.

Delegates of Etowah District.

JOSEPH VANN,
THOS. PETTIT, his x mark,
JOHN BEAMER, his x mark,

Delegates of Tappahoe District.

OOCLENOTA, his x mark.
WM. BOLING, his x mark,

Delegates of Squohee District.

JOHN TIMSON;
SITUWAKEE, his x mark.
RICHARD WALKER, his x mark.
A. M'COY, *Secretary of Convention.*