

CHEROKEE CONSTITUTION.

We state in one of our last numbers, that the Principal Chiefs of this Nation were to meet the United State's Agent, at his residence, for the purpose of hearing a communication from the President in relation to the newly formed Cherokee Constitution. As many influential men of the adjoining States and *elsewhere*, particularly members of Congress, either from misapprehension, or settled determination to oppose every Indian Improvement, have raised the cry, that an "Indian tribe in the heart of the Union has assumed an attitude of independence, by forming a constitution and ought to be opposed," we were fearful that the Executive would make serious exceptions to some of the principles of our infant government. We are, however, happily disappointed. The words of the President contain no intimation that the Cherokees ought to be prohibited from forming a Constitution, but on the contrary, that this Constitution can be recognized by the General Government, if its provisions do not interfere with the relation existing between the United States and the Cherokees. It was never the intention of the framers of this Constitution, or their Constituents, to alter that connection. We believe the Cherokees are aware of the importance, particularly at this interesting crisis, when enemies abound, of holding the President's hand, or in other words the General Government, and paying a suitable regard to the existing treaties. But without multiplying our own remarks, we present to our readers the letter of the United State's Agent on this subject, and the reply of the two Principal Chiefs. We publish them *verbatim ad literatim*.

Communication to the Chiefs of the Cherokee Nation 16th April, 1828.

Friends and Brethrens

It was in obedience to instructions from your Great Father, the President of the United States, that I sent for you—you have done well that you have come;—I thank you for it—

I have but little to say to you, and what I have to say are his words—not mine.

The subject of your having formed a Constitution, and Constitutional Government, has raised a considerable clamor particularly in the adjoining states—

It has been brought before the Congress of the United States—and the President has been Officially notified of it——And has directed me to "Convene the Chiefs, and inform, them that he wishes them, *distinctly* to understand that this act of theirs, cannot be considered in any other light, than as Resolutions of purely municipal character—And which he wishes them *distinctly* to understand, will not be recognized as changing any one of the relations under which they stood to the General Government, prior to the adoption of said constitution."

These are all the words which he has directed me, to say you. They contain but two sentences; both of which are delivered with considerable emphases; and both of which I wish you to understand, take and ponder them over, and over again. They are the words of your father and friend.

To some of you it may be necessary to explain what I understand by municipal regulations. I understand them to be such ordinances, rules, or by laws, as the inhabitants of any city, town or other Body Corporate, are authorized by their several acts of incorporation, to pass for their own internal regulations and government.

To make this more plain, I will give you an example. The people living in a town, apply to the legislature of their state to be incorporated, and it is granted, a law passes defining their corporate boundaries, and authorising them to elect councillors, to make such ordinances, or by laws, as they deem necessary for the government and well being of the people residing within their corporate limits (provided those by laws shall not be contrary to the laws of the state) and to elect officers to execute these by laws; which, when so made, have all the force of the state laws over those people; but cannot prevent, and must not militate against, or impede, the regular administration of the laws of the state, over that same Territory and people.

A word or two now as to the relations, under which you stood to the General Government, prior to the adoption of said Constitution; when the United States took the Cherokees by the hand, and adopted them as children into the great American Family, certain stipulations were entered into; called a treaty, by which both parties were bound; and neither can annul, without the consent of the other. In which the Cherokees gave up to the General Government certain rights and privileges, which they previously and while in a savage state enjoyed. And received in lieu thereof, what was believed by your fathers, to be an equivalent.

You gave up to them, your sovereign independence; and the right to regulate all your intercourse; with foreign nations, or individual foreigners, and with their citizens. And in