

GENERAL COUNCIL OF THE CHEROKEE NATION.

MESSAGE

OF THE PRINCIPAL CHIEFS OF THE
CHEROKEE NATION, TO THE GEN-
ERAL COUNCIL.

To the Members of the Committee and
Council, in General Council convened.

FELLOW CITIZENS:—In addressing
you on this momentous occasion, we
cannot, in justice to our feelings, for-
bear a solemn pause, and with
grateful feelings meditate on the ma-
ny blessings which a kind Providence
has conferred on us as a people. Al-
though we have had trials & tribulations
to encounter, & in some instances, the
sad effects of intemperance have been
experienced within the circle of our
citizens, yet, there is every reason to
flatter us in the hope, that under wise
and wholesome laws, the preponder-
ating influence of civilization, morali-
ty and religion, will secure to us and
our posterity an ample share of pros-
perity and happiness.

Occupying your seats by the free
suffrage of the people, under the privi-
leges guaranteed by the Constitution,
the various subjects requiring your
deliberation the present session, will,
necessarily be important. The or-
ganization of the new Government,
the revision and amendments of the
old laws, so as to make them in unison
with the principles of the Constitution,
will require your attention; & it cannot
escape your wisdom, that the laws
should be short, plain & suitable to the
condition of the people, and to be well
executed. The Judiciary system de-
mands your serious deliberation, and
the mode for conducting suits in courts
should be free from all complicated
formalities, and no other form should
be required than, to let both parties
know distinctly, what is alledged, that
a fair trial may be had.

A law should be passed requiring managers & clerks of all public elections to register the names of the persons voting as well as the names of the candidates to whom the votes are given, by observing such a course, illegal votes will be detected, and the elections conducted with more regularity, harmony, and satisfaction.

The public press deserves the patronage of the people, and should be cherished as an important vehicle in the diffusion of general information, and as no less powerful auxiliary in asserting and supporting our political rights. Under this impression, we cannot doubt, that you will continue to foster it by public support. The only legislative provision necessary for conducting the press, in our opinion, is to guard against the admission of scurrilous productions of a personal character, and also against cherishing sectarian principles on religious subjects. The press being the public property of the Nation, it would ill become its character if such infringements upon the feelings of the people should be tolerated. In other respects, the liberty of the press should be as free as the breeze that glides upon the surface.

From the accompanying memorial, signed by several of our respectable citizens, together with the public Treasurer, you will discover that further indulgence is called for in behalf of the public debtors, and it is for your wisdom to determine, whether, it would be just and proper, that the law requiring the Treasurer to call in all the money loaned out, should be amended so as to give further indulgence to the borrowers, that the payments may be made by reasonable instalments. Owing to the extreme scarcity of money, from the general pressure in business, such indulgence would, no doubt be, a great relief; and the probable distress and ruin, from the sacrifices of property consequent from public sales, may be averted.

After receiving the Treasurer's report and ascertaining the true condition of the public funds, it will also be your province to determine the expediency of making suitable provisions for the erection of a National Academy, at New Echota. This subject, has for some time past been agitated, and is anticipated with the warmest zeal by the reflecting part of our citizens, and it should receive your particular attention. By the Treaty of 1819, four tracts of land, equal to fifteen miles square were reserved for the purpose of creating a revenue for a school fund, to be applied under the direction of the President of the United States, for the education of the youths of this Nation. The lands were to have been sold under the direction of the President in the same manner as the public lands of the United States, and notwithstanding the repeated and urgent requests which have been made, for the sale of these lands, and the no less repeated promise on the part of the General Government to attend to it, for reasons unknown, they are not yet sold. We would recommend you to memorialize the President on this important subject, and respectfully to request that, the available funds may be applied to the support of the contemplated National Academy.

The several charity schools in this country under the immediate patronage of benevolent societies of the several states should not escape your notice. Altho' the superintendents of these schools, under the direction of respective societies have the right of conducting them, according to the dictates of their own discretion and judgments, yet, without presuming any disparagement to their regulations, we would suggest the expediency of selecting a visiting committee on the part of the nation, for the purpose of inspecting their public examinations, & at such other times as said Committee may deem proper, and that they should be required to make a general report on the state of improvement &c. to be

laid before the session of each General Council. Such a course pursued by the authorities of the Nation in relation to these institutions, would no doubt excite an interest among the pupils, and add to the vigilance of their preceptors, and at the same time produce general satisfaction.— An indifferent course perhaps might eventually produce relaxation and apathy in their operations, and we should endeavor to avoid the dishonor of any circumstance which might possibly take place, that would defeat the fondest expectations of those, upon whose benefaction they are founded.

The circumstance of our Government assuming a new character under a constitutional form, and on the principles of republicanism, has, in some degree, excited the sensation of the public characters of Georgia, and it is sincerely to be regretted that this excitement should have been manifested by such glaring expressions of hostility to our true interests. By the adoption of the Constitution, our relation to the United States, as recognised by existing Treaties, is not in the least degree affected, but on the contrary, this improvement in our government, is strictly in accordance with the recommendation, views and wishes of the Great Washington under whose auspicious administration, our Treaties of peace, Friendship and protection were made, and whose policy in regard to Indian civilization has been strictly pursued by the subsequent administration.

The pretended claim of Georgia to a portion of our lands, is alleged on the following principles. First, by discovery. Secondly, by conquest.— Thirdly, by compact.

We shall endeavor briefly to elucidate the character of this claim. In the first place, the Europeans by the skill and enterprize of their Navigators, discovered this vast Continent, and found it inhabited exclusively by Indians of various Tribes, and by a pacific courtesy and designing stratagems, the aboriginal proprietors were induced to permit a people from a foreign clime, to plant colonies, and without the consent or knowledge of the native Lords, a potentate of England, whose eyes never saw, whose purse never purchased, and whose sword never conquered the soil we inhabit, presumed to issue a parchment, called a "Charter," to the Colony of Georgia, in which its boundary was set forth, including a great extent of country inhabited by the Cherokees and other Indian Nations.

Secondly. After a lapse of many years when the population of these Colonies had become strong, they revolted against their sovereign, and by success of Arms, established an Independent Government, under the name of "the United States." It is further alleged that the Cherokee Nation prosecuted a war at the same time against the Colonies.

3dly. Several years after the treaties of peace, friendship and protection, which took place between the U. S. & the Cherokee Nation, and by which the faith of the United States was solemnly pledged to guarantie to the Cherokee Nation forever, their title to their lands, a Compact was entered into between the United States and the State of Georgia, by which the United States promised to purchase for the use of Georgia certain lands belonging to the Cherokee Nation, so soon as it could be done on *reasonable and peaceable terms*.

Thus stands the naked claim of Georgia to a portion of our lands.— The claim advanced under the plea of discovery, is preposterous. Our ancestors from time immemorial possessed this country, not by a "Charter" from the hand of a mortal King, who had no right to grant it, but by the Will of the King of Kings, who created all things & liveth forever & ever.

The claim advanced under the second head, on the ground of conquest, is no less futile than the first, even

admitting that the Cherokees waged a war with the Colonies, at the time they fought for their Independence. The Cherokees took a part in the war, *only* as the allies of Great Britain, and not as her subjects, being an Independant Nation over whose lands she exercised no right of jurisdiction; therefore, nothing could be claimed from them, in regard to their lands by the conqueror over the rights of Great Britain. At the termination of the war, the United States negotiated with the Cherokees on the terms of peace as an Independant Nation, and since the close of that war, other wars took place, and at their terminations, other treaties were made, and in no one stipulation can there be found a single idea that our title to the soil has been forfeited, or claimed as the terms of peace; but, to the contrary, we discover that the United States solemnly pledged their faith that our title should be guarantied to our Nation forever.

The third pretension is extremely lame. The United States enters into a compact with Georgia that they will purchase certain lands, which belong to us, for Georgia, so soon as they can do it on *peaceable* and *reasoable* terms. This promise was made on the part of the United States without knowing whether this nation would even consent to dispose of those lands on any terms whatever; and the Cherokees not being a party in the compact, their, title cannot be effected in the slightest degree. It appears astonishingly unreasonable, that all those hard expressions of denunciation which have been unsparingly lavished against our sacred rights and interests, by interested politicians, have arose from no other circumstance than our honest refusal to sell to the United States lands, for the fulfilment of their Compact with Georgia. Although our views & condition may be misrepresented—although we may be stigmatized with the appellation of "*Nu-bobs*," and should be represented as *ruling* with an "*Iron rod*" and "*grinding down into dust the wretched and abject mass*" of our citizens; and although we may be called *avaricious* for *refusing to sell our lands*, we should not be diverted from the path of rectitude. In all our intercourse with our neighboring white brethren, we should endeavor to cultivate the utmost harmony and good understanding, by strictly observing the relations which we sustain to the United States.

Owing to the various misrepresentations respecting us, we have been frequently called upon to make a treaty of cession; and under the hope of succeeding with us, a treaty has been entered into by the United States with that portion of the Cherokees who have absolved themselves from all connection with us, by removing west of the Mississippi, and establishing themselves there as a distinct community, stipulating that all those Cherokees residing east of the Mississippi who will consent to emigrate west of that river, shall receive a bounty consisting of a *rifle gun*, a *blanket*, a *steel-trap*, a *brass kettle* and *five pounds of Tobacco*. Such are the temptations offered to induce us to leave our friends, our relatives, our houses, our cultivated farms, our country, and every thing endeared to us by the progress of civilization—for what? To tread the barren wilds and dreary waste on the confines of the rocky Mountains, with these necessary accoutrements and appendages of the hunter on our backs, in pursuit of the Buffalo and other wild animals. With the view of carrying this burlesque on our happiness into effect, the United States' agent for this Nation has been instructed by the Secretary of War, to visit us at our firesides, accompanied by James Rogers and Thomas Maw, two of the Cherokees residing west of the Mississippi, and who composed a part of the chiefs that negotiated the late Treaty. This extraordinary movement has been made, though without any effect; and we are happy to state, that our citizens generally,

have treated the Agent and his associates with civility, and have with great propriety restrained their indignant feelings from committing any violence on the persons of the two Arkansas chiefs, for the indignity offered by the design of their visit. We would recommend you as the immediate representatives of the people, to submit a respectful memorial to the Congress of the United States, expressive of the true sentiments of the people respecting their situation, and praying that measures may be adopted on the part of the United States for the adjustment of their Compact with the state of Georgia, otherwise than to anticipate any further cession of land from this nation.

WILLIAM HICKS.

JOHN ROSS.

New Echota C. N. Oct. 13, 1828.
