

PRESENTMENTS

OF THE GRAND JURY OF CLARK COUNTY,
AT AUGUST TERM, 1830,

GEORGIA, CLARK COUNTY.

Superior Court, August Term, 1830.

THE Grand Jury for the county of Clark, have taken into their serious and solemn consideration, the charge of his Honor JUDGE CLAYTON, relative to the act of the last Legislature, "adding the territory lying within the chartered limits of Georgia and now in the occupancy of the Cherokee Indians, to the counties of Carroll, De Kalb, Gwinnett, Hall and Habersham, and to extend the laws of this State over the same, and to annul all laws and ordinances made by the Cherokee nation of Indians," &c. and have deeply reflected upon the other parts of the same, connected with that interesting subject.

They with entire accord, respond to the sentiments and opinions of his honor, Judge Clayton, as to the undoubted right of the state, and as to the substantial policy and justice of the measure. The right to jurisdiction over all the territory within the acknowledged boundaries of Georgia, cannot be questioned; it belongs to, and is inseparable from her sovereignty as a state, and if it has not been heretofore exercised in that portion of her territory in the occupancy of the Indians, it is not to be considered as a right abandoned, because forbearance on the part of the state permitted it to lie dormant, whilst no necessity required its exercise.

The time had come when the Legislature had to choose between the exigency of extending her jurisdiction and laws over all the territory of the state; or to sanction by silence the organization and action of a distinct and independent government within her limits. We highly approve the measure; and believe we may safely promise on the part of the freemen of this county, to support it by all legal means in our power.

We sincerely deprecate any collision with the judicial authorities of the Union, authorities which we will continually support in the constitutional exercise of all their legitimate rights and duties; but we cannot perceive, and therefore will not acknowledge any right in the Supreme Court of the United States, to interfere with the action of the Government of the state of Georgia, in extending the operation of its own laws over every part of its own territory.

The intermeddling of individuals, and associations of individuals in other states of the Union, to create excitement and discontent among the Indians, is neither compatible with humanity to them, or friendly feeling toward us. It is a matter that does not concern them, with which they have nothing to do, and we have only to request them: *to let us alone*. We view with indignation the abuse and calumny which have been heaped upon the state, for what other states have already done, and we should entertain a hope that this torrent of abuse would be stayed, but for the circumstance of its authors having in view, the production of political effect, rather than to subserve the cause of humanity.

We recommend to the next Legislature such a modification of the law excluding Indians from giving testimony in our Courts, and the passage of such other laws, as will insure to that misguided and unfortunate people, the protection and justice, which they have a right to claim at our hands, and which we are anxious should be afforded to them by our institutions.

Under the belief that an overwhelming majority of the people of this county are in favor of a reduction of the Senators and Representative in our Legislature, and that this desirable end cannot be attained without the intervention of a Convention,—we recommend to the ensuing Legislature the call of one, with reference to this particular object.

We recommend to the Inferior Court of this county, the adoption of some more efficient measures for the better improvement of our roads, and a more rigid enforcement of those laws already in existence. It is to this body, a source of mortification and regret, that a county possessing such energies, enterprise and wealth, should be so wretchedly deficient in a matter of such deep interest to the community at large. We would also recommend the adoption of those measures which in a neighboring county, have so advantageously contributed to the improvement of the roads, and the consequent respectability of the county; and would suggest to our Senator and Representatives in the next Legislature, the propriety of effecting the repeal of existing road laws, so far as the county of Clark is concerned, and the passage of such a law as will give to the Inferior Court, the entire regulation and jurisdiction over this matter.

We thank his Honor Judge Clayton, and Mr. Solicitor Trippe, for the faithful and able discharge of their respective duties during the present term, and also request, that a copy of the charge submitted to this body, be furnished for publication.

We also request that these our presentments of a public nature, be published.

JAMES MERIWETHER, *Foreman*.

THOMAS ALLEN,

JOHN GORDON,

A. R. CHEATHAM,

WILLIAM HAYGOOD,

EDWARD CONNER,

OLIVER P. SHAW,

ELIZUR L. NEWTON,

WALTER A. APPLING,

JOHN H. LOWE,

NICHOLAS SHEATS,

JOHN PARKER,

W. A. CARR,

WILLIAM HARRIS,

A. N. MAYER,

D. HOLMES,

JOSEPH SMITH,

I. W. WOOLDRIDGE,

WM. P. GRAHAM,

A. R. Cheatham objects to so much of these our presentments as relates to the admission of Indian testimony.

A true copy from the minutes, this 16th of August 1830.

ROBERT LIGON, Clerk.