

Senate Resolution 19EX

By: Senators Mullis of the 53rd, Gooch of the 51st, Harbison of the 15th, Anavitarte of the 31st,
Hickman of the 4th and others

A RESOLUTION

1 Commending the Lower Muscogee Creek Tribe, the Cherokee of Georgia, and the Georgia
2 Tribe of Eastern Cherokee; and for other purposes.

3 WHEREAS, the ancestors of today's southeastern tribes and other native peoples have for
4 millennia inhabited the lands of the present-day State of Georgia, honoring, protecting, and
5 stewarding the land of this beautiful state that we hold so dear; and

6 WHEREAS, the arrival and settlement of General James Oglethorpe, founder of the colony
7 of Georgia, opened a new chapter in the histories of the native peoples of said territory; and

8 WHEREAS, the State of Georgia acknowledges the significant role that Native American
9 tribes played in permitting the birth of this colony to take root, such as Tomochichi, a local
10 Yamacraw Creek chief, who welcomed the new arrivals and gifted tribal land to General
11 James Oglethorpe for the establishing of Savannah where the stirring for Georgia statehood
12 would commence. Because of his diplomatic role, Chief Tomochichi established peaceful
13 relations between the native population and the new English settlers and also the ultimate
14 success of Georgia; and

15 WHEREAS, in 1801, the first mission school to the Cherokee and the Lower Muscogee
16 Creek was established at Spring Place, Georgia. The Moravian mission became a model for
17 ministry, education, and farming techniques and, in subsequent years, a friend and ally to the
18 chiefs and tribal heads at New Echota, capital of the Cherokee; and

19 WHEREAS, on November 12, 1825, New Echota was officially designated as the capital of
20 the Cherokee. The tribal council also began a building program that included construction
21 of a two-story council house, a supreme court, and, later, the office of the first Indian
22 language newspaper, the *Cherokee Phoenix*, which used the new syllabary created by the
23 Cherokee scholar, Sequoyah; and

24 WHEREAS, the Cherokees' sovereign right to their land and nation was confirmed by the
25 United States Supreme Court in the case of *Worcester v. Georgia*, in which Chief Justice
26 John Marshall opined that the relationship between the Indian nations and the United States
27 is that of nations and that the federal government had the sole right to deal with the Indian
28 nations in North America. Justice Marshall also clearly stated that neither the states nor the
29 federal government had the right of possession to native lands nor political dominion over
30 the laws enacted by native peoples; and

31 WHEREAS, the removal and loss of land of the native peoples from Georgia began with the
32 Lower Muscogee Creek, initiated by state government policy, and in 1832, after
33 Congressional passage of the Indian Removal Act, Georgia included Cherokee territory in
34 its Sixth Land Lottery, allocating Cherokee land to white settlers, although the Cherokee had
35 never ceded the land to the state; and over the next six years, the Georgia Guard operated
36 against the Cherokees, evicting them from their properties; by 1834, New Echota was
37 becoming a ghost town, and council meetings were moved to Red Clay, Cherokee Nation,
38 now in Tennessee; and

39 WHEREAS, as the General Assembly recalled in a 1997 resolution dedicating the Trail of
40 Tears Highway: "New Echota was converted from the capital of a nation to a holding pen for
41 the human inhabitants of that nation as they were rounded up and corralled like cattle to
42 embark on one of the most sordid chapters in our state's history, the forced migration of the
43 Cherokee people from their native Southeastern foothills and mountains to Oklahoma, an
44 event that lives in infamy as the Trail of Tears"; and

45 WHEREAS, the Constitution of the United States is the supreme law of the land, which we
46 are sworn to protect and uphold; and

47 WHEREAS, it is abundantly fitting and proper for the members of this body to recognize the
48 importance of the Lower Muscogee Creek Tribe and the Cherokee to the rich history of this
49 state and our nation.

50 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
51 commend the Lower Muscogee Creek Tribe, the Cherokee of Georgia, and the Georgia Tribe
52 of Eastern Cherokee.

53 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
54 to make appropriate copies of this resolution available for distribution to the Lower
55 Muscogee Creek Tribe, the Cherokee of Georgia, and the Georgia Tribe of Eastern Cherokee.