

Senate Resolution 388

By: Senators Gooch of the 51st, Robertson of the 29th, Burns of the 23rd, Watson of the 11th, Hickman of the 4th and others

A RESOLUTION

1 Commending the Muscogee (Creek) Nation, Cherokee Nation, United Keetoowah Band of
2 Cherokee Indians, Eastern Band of Cherokee Indians, and the historical tribes that once
3 called Georgia their home, including the Yuchi Tribe, Chickasaw Nation, Seminole Nation,
4 Seminole Tribe of Florida, Shawnee Tribe, and all tribes; and for other purposes.

5 WHEREAS, the ancestors of today's Southeastern tribes and other Native peoples have for
6 millennia inhabited the lands of the present day State of Georgia. The Lower Muscogee
7 Creek, a major tribe, occupied towns on the Fall Line, the Piedmont, and coastal plain areas.
8 They were not one tribe but several tribes that formed a powerful confederacy. The
9 Cherokee, another major tribe, occupied the mountains of northern Georgia; and

10 WHEREAS, the arrival and settlement of General James Oglethorpe, founder of the Colony
11 of Georgia, opened a new chapter in the histories of the Native peoples of said territory; and

12 WHEREAS, the State of Georgia acknowledges the significant role that the Native
13 Americans played in permitting the birth of this colony to take root, such as Tomochichi, a
14 local Yamacraw Creek chief who welcomed the new arrivals. On August 21, 1739, General
15 James Oglethorpe, because of Tomochichi's diplomatic role, visited Coweta Town on the
16 Chattahoochee River, capital of the Lower Muscogee Creek Nation, a tribe important in the

17 history of the young colony, and there signed the Treaty of Coweta, cementing a document
18 promoting peace and friendship between all Native tribes and the colony; and

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

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

28 WHEREAS, the Native American sovereign rights to their lands and nations were confirmed
29 by the United States Supreme Court in the case of Worcester vs. Georgia, in which Chief
30 Justice John Marshall opined that all Muscogee Creek land east of the Mississippi is that of
31 nations and that the federal government had the sole right to deal with the Indian nations in
32 North America. Justice Marshall also clearly stated that neither the states nor the federal
33 government had the right of possession to Native lands nor political dominion over the laws
34 enacted by Native peoples; and

35 WHEREAS, in subsequent years prior to 1830, relationships with all Native tribes began to
36 deteriorate. In 1826, the Treaty of Washington was signed, which ceded to the United States
37 all Muscogee Creek land east of the Mississippi River. The passage of the Indian Removal
38 Act of 1830 initiated the removal of the Native peoples from Georgia beginning with the
39 Lower Muscogee Creek, thus perpetrating the removal of approximately 17,000 Creeks to

40 the Oklahoma Territory. Georgia then included Cherokee territory in its Sixth Land Lottery,
41 allocating Cherokee land to white settlers, although the Cherokee Nation had never ceded the
42 land to the state; over the next six years, the Georgia Guard operated against the Cherokees,
43 evicting them from their properties; by 1834, New Echota was becoming a ghost town, and
44 council meetings were moved to Red Clay, Cherokee Nation, now in Tennessee; and

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

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

53 WHEREAS, it is abundantly fitting and proper for members of this body to recognize the
54 importance of the Muscogee (Creek) Nation, Cherokee Nation, the United Keetoowah Band
55 of Cherokee Indians, and the Eastern Band of Cherokee Indians, including the historical
56 tribes such as the Yuchi Tribe, Chickasaw Nation, and the Seminole Nation, Seminole Tribe
57 of Florida Indians, and the Shawnee Tribe to the rich history of this state and our nation; and

58 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body,
59 in honor of Native American Honoring Day, commend the Muscogee (Creek) Nation,
60 Cherokee Nation, United Keetoowah Band of Cherokee Indians, Eastern Band of Cherokee
61 Indians, and the historical tribes, including the Yuchi Tribe, Chickasaw Nation, Seminole
62 Nation, Seminole Tribe of Florida Indians, the Shawnee Tribe, and all tribes.

63 BE IT FURTHER RESOLVED that the members of this body proclaim, "LET US GO
64 DOWN TO THE RIVER, LET US BURY THE HATCHET AND PLANT THE TREE OF
65 PEACE!"

66 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
67 to make appropriate copies of this resolution available for distribution to the public and the
68 press.