

## Senate Resolution 84

By: Senators Gooch of the 51st, Kennedy of the 18th, Strickland of the 17th, Beach of the 21st, James of the 35th 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 American  
13 tribes have played in permitting the birth of this colony to take root, such as Tomochichi; and

14 WHEREAS, in 1801, the first mission school to the Cherokee and the Lower Muscogee  
15 Creek was established at Spring Place, Georgia. The Moravian mission became a model for

16 ministry, education, and farming techniques, and in subsequent years, a friend and ally to the  
17 chiefs and tribal heads at New Echota, capital of the Cherokee Nation; and

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

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

30 WHEREAS, in subsequent years prior to 1830, relationships with all Native tribes began to  
31 deteriorate. In 1826, the Treaty of Washington was signed, which ceded to the United States  
32 all Muscogee Creek land east of the Mississippi River. The passage of the Indian Removal  
33 Act of 1830 initiated the removal of the Native peoples from Georgia beginning with the  
34 Lower Muscogee Creek, thus perpetrating the removal of approximately 17,000 Creeks to  
35 the Oklahoma Territory. Georgia then included Cherokee territory in its Sixth Land Lottery,  
36 allocating Cherokee land to white settlers, although the Cherokee Nation had never ceded the  
37 land to the state; over the next six years, the Georgia Guard operated against the Cherokees,  
38 evicting them from their properties; by 1834, New Echota was becoming a ghost town, and  
39 council meetings were moved to Red Clay, Cherokee Nation, now in Tennessee; and

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

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

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

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

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

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