

Mr. Floyd from the joint committee on the State of the Republic, to whom was referred so much of the Governor's Message as relates to the Cherokee government, made the following REPORT :

The propriety of effecting an entire abolition of the exercise of governmental powers, by the Cherokee Indians, your committee consider as settled. The State, by an act of her legislature, has extended her laws, both civil and criminal, over the territory and persons of said Nation indiscriminately, and thereby virtually abolished all government over such territory, save her own; and any further legislation, having for its object the prevention of the exercise of sovereign power by the Indians, would have been rendered by such act unnecessary, had any or sufficient pains and penalties been annexed to the enforcement of Indian laws or regulations. Those who claim the right of managing the affairs of the Indians, having availed themselves of such omissions on the part of the Legislature, and continue to assemble in Council from time to time, for the purpose of making new laws and enforcing them, and others already adopted, or said tribe has rendered it necessary, in the opinion of your committee, to enact such laws as will prevent in future, the exercise of such assumed powers. The Government of Georgia or the Cherokee Nation alone, has the undoubted right of jurisdiction over the territory and persons of said nation within the chartered limits of Georgia. Both cannot possess it. And if such co-equal rights could exist, the exercise of such right, by both powers, would be cruelty in the extreme to the Indian. What would be required by the one authority, might be rendered highly penal by the other. The same act being declared criminal by both, would inflict severe punishments twice for the same offence—a state of things not to be desired by any civilized community. Such, however, is now the situation of the Cherokee Indians. They live exposed to the penalties and requisitions of the codes emanating from sources different in their origin, differing in their principles, and different in their exactions. In determining which power should yield in this contest of jurisdiction, your committee have had no difficulty, nor can they perceive what violence can be done to the feeling of humanity, when they recommend the abolition of a severe and tyrannical code, and propose to substitute in its place, a humane and republican government. For the purpose therefore of more effectually preventing the exercise of power by the Headmen and Chiefs

of said Nation, they recommend the following bill:—A bill to be entitled an act to prevent the exercise of assumed and arbitrary power by all persons under pretext of authority from the Cherokee Indians and their laws—Which was read the first time.

Thursday, Nov. 2. A bill