An Act Regulating Indian Affairs

Whereas by the treaties between the United States and the Cherokee Tribe of Indians of 1817 & 1819 commonly called Jacksons and Calhouns treaties, provisions was made for granting Reservations to certain cherokee people, on condition that they become citizens of the U-States, and continue permanently to reside on the same; and whereas by a regulation of the Cherokee people, the authority and claim of their common property shall cease with all person or persons who shall think proper to remove themselves, without the limits of the Cherokee Nation; Therefore

Be it enacted by the Legislature of the State of Georgia that all persons commonly called Reservees and enrolled emigrants under the treaty of 1817 who have received a Reservation under said treaties and their decendents or any citizen of the U-States who has exercised heretofore, the elective franchise or held any civil or military office ~~under~~ within any of the States of this Union shall not be permitted to reside in the bounds of the cherokee country nor exercise any authority or right in the same, all persons who shall be found there offending against this law after the first of January 1836 unless they have enrolled and accepted the terms of the proposed treaty of March 14th 1835 or connection thereof

before any of the courts of this State having jurisdiction of the same shall be sentenced to two years imprisonment at hard labour in the penitentiary of the State

Whereas the Cherokee people in 1827 adopted a constitution, and organized an Independent Government under the same within the territorial limits of the States of Georgia North Carolina, Tennessee & Alabama and which has been declared null and void by the laws of Georgia; Therefore

Be it enacted &c that every person who shall exercise any power or authority or hold any office, under the said Cherokee Government within this State shall be considered as offending against the peace ~~and~~ authority & Sovereignty of this State, and on conviction of being guilty thereof after the first of January 1836 before any of the courts of this State shall be sentenced to two years imprisonment in the penitentiary of this State.

Whereas several persons belonging to the Cherokee Tribe of Indians have enrolled as emigrants and removed to the Cherokee country west of the Mississippi River under the treaties and laws of the U. States making provision for the same; and whereas they have received all the benefits and

provision under said treaties and acts; and have now again returned to the Cherokee country East of the Mississippi; and are here exercising an unhappy influence, in preventing the removal of the Indians west under the several acts of congress; therefore,

Be it enacted that all such persons be required to remove from within the bounds of the Cherokee country; within thirty days; and if found within the same; after that time upon the conviction thereof before any court of this State they shall be sentenced two years to the penitentiary of the State to hard labour

Whereas the United States has made a most liberal and equitable provision, for the removal of the Indians from the East to the West of the Mississippi; and the continuance of them in the midst of the white population is attended with the ~~worst~~ most serious consequences to themselves; and in order to prevent the increase of this evil within this State; Therefore

Be it enacted &c that no Indian or Indians from any other State in this Union shall be permitted to settle within the Territorial limits of this State, and all such persons who have rem-

owed within the bounds of this State since 1830 are required to leave the same within ninety days from the passing of this act, unless they have enrolled and accepted the terms of the proposed treaty and if any such persons are found within this State after that time and on conviction thereof they shall be sentenced to two years imprisonment in the penitentiary, at hard labour

Whereas by the propositions for a treaty offered to the cherokee nation, dated March 14th 1835, and which the President of the U-States has directed to be submitted to the cherokee people by commissioners specially appointed for that purpose and whereas it is provided by the art 16.- That the U-States will defend and protect the cherokees, in their persons and property, by all legal and proper means after their enrollment, or the ratification of the treaty, until the time agreed for their removal, which is fixed at two years from the ratification of the treaty; Therefore.

Be it enacted &c that if the said cherokee people, in a general council assembled shall accept of the said propositions or such a modification or addition to them as the U-States commissioners and the cherokees shall agree

upon; before the first of January 1836 That then they shall be fully protected by the Governor of this State, in all the rights & privileges guaranteed by said treaties; and in case the same is not afforded them that then the Legislature of this State will make provision for the payment of all the damages, for which the U-States will be liable under said treaty within this State; But if the said cherokee people in general council assembled, shall reject the said propositions, and come to no final arrangement & treaty with the said commissioners; that then and in such case, every lot of land in the cherokee country shall be granted in fee, to the successful drawer except in the case of such individuals as enroll and accept the terms of the said ~~treaties~~ treaty or propositions for a treaty before January 1st 1836 who, in such case shall be entitled to all the privileges & rights of said treaty; and this act, during the time fixed for their removal.

Whereas great evils ~~having~~ have resulted

to the poor and improvident Indians; by a system of credit given to them by their traders and persons transacting business with them Therefore.

Be it enacted &c, that no person after the passing of this act shall be permitted to make any trade, or sell them any wares or merchandise, or any thing else on credit to any Indian or Indians except by special licence from the acting U-States agent for the cherokee Indians; nor shall any person or persons be permitted to extend any credit for any trade or under any pretense whatever to any Indian or Indians beyond such an amount, as the U-States agent may deem necessary to supply the actual wants of said Indians, neither shall they have power to collect any such debts so contracted, beyond the amount allowed to be credited by the agent, by any civil process, before any court of this State, by law to the contrary notwithstanding. and if any power shall attempt in any manner by force, or under pretence of law, to prevent any enrolled Indian emigrant, or emigrants, for removal under the directions of the agents and officers of the U. States they shall be liable to a fine of $500, or two years imprisonment in the penitentiary of this State at the option of the court before whom the case may be tried

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Be it enacted by the Legislature of the State of (Georgia) that all persons commonly called Reservees (and enrolled emigrants under the treaty of 1827) who have received a Reservation under Said treaties and their decendents or any citizen of the U-States. Who has exercised heretofore, the elective franchise or held any civil, or military office within any of the States of this Union, shall not be permitted to reside in the bounds of the Cherokee country, nor exercise any authority or right in the same, all persons who shall be found there offending against this law after the first of January 1836 unless they have enrolled and accepted the terms of the proposed treaty, of March 14th 1835 on conviction thereof before any of the courts of this State having jurisdiction of the same shall be sentenced to two years imprisonment at hard labor in the penitentiary of the State

Whereas the Cherokee people in 1827 adopted a constitution, and organized an Independent Government under the same within the territorial limits of the States of Georgia North Carolina, Tennessee & Alabama and which has been declared null and void by the laws of Georgia; Therefore

Be it enacted &c that every person who shall exercise any power or authority or hold any office, under the said Cherokee Government, within this State, shall be considered as offending against the peace authority & sovereignty of this State, and on conviction of being guilty thereof after the first of January 1836 before any of the courts of this State shall be sentenced to two years imprisonment in the penitentiary of this State.

Whereas several persons belonging to the Cherokee Tribe of Indians have enrolled as emigrants and removed to the Cherokee country West of the Mississippi River under the treaties and laws of the U-States making provision for the same and whereas they have received all the benefits and provision under said treaties and acts; and have now again returned to the Cherokee country East of the Mississippi ; and are here exercising an unhappy influence, in preventing the removal of the Indians West under the several Acts of Congress; Therefore.

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Be it enacted that all such persons be required to remove from within the bounds of the Cherokee country; within thirty days; and if found within the same; after that time upon the conviction thereof before any court of this State they shall be sentenced two years to the penitentiary of the State to hard labour

Whereas the United States has made a most liberal and equitable provision, for the removal of the Indians from the East to the West of the Mississippi;and the continuance of them in the midst of the white population is attended with the most serious consequences to themselves; and in order to prevent the increase of this evil within this State; Therefore

Be it enacted &c that no Indian or Indians from any other State in this Union shall be permitted to settle within the territorial limits of this State, and all such persons who have removed within the bounds of this State since 1830 are required to leave the same within ninety days from the passing of this act, unless they have enrolled and accepted the terms of the proposed treaty and if any such persons are found with in this State after that time and on conviction thereof they shall be sentenced to two years imprisonment in the penitentiary, at hard labour (labor)

Whereas by the propositions for a treaty offered to the Cherokee Nation,dated March 14th -- 1835,and which the President of the U-States has directed to be submitted to the Cherokee people by commissioners specially appointed for that purpose and whereas it is provided by the Act -16- That the U-States will defend and protect the Cherokees,in their persons and property,by all legal and proper means after their enrollment, or the ratification of the treaty, until the time afreed for their removal,which is fixed at two years from the ratification of the treaty; Therefore.

Be it enacted &c that if the said Cherokees people, in a general council assembled shall accept of the said propositions or such a modification or addition to them as the U-States commissioners and the Cherokees shall agree upon; before the first of January 1836 That then they shall be fully protected by the Governor of this State,in all the rights & privileges guaranteed by said treaties; and in case the same is not offorded them that that then the Lefislature of this State will make provision for the payment of all the damages,for which the U-States will be liable under Said treaty within this State; But if the said Cherokee people in general council assembled,shall reject the said propositions,the said commissioners; that then and in such case, every lot of land in the Cherokee country shall be granted in full,to the successful drawer except in the case of such individuals as enroll and accept

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Whereas great evil have resulted to the poor improvident Indians;by a system of credit given to them by their traders and persons transacting business with them ; Therefore.

Be it enacted &c, that no person after the passing of this act shall be permitted to make any trade, or sell them any wares or merchandise,or any thing else on credit to any Indian or Indians except by special license from the acting U- States agent for the Cherokee Indians; nor shall any person or persons be permitted to extend any credit for any trade or under any pretense whatever to any Indian or Indians beyond such an amount, as the U-States agent may deem necessary to supply the actual wants of said Indians, neither shall they have power to collect any such debts so contracted,beyond the amount allowed to be credited by the agent,by any civil process,before any court of this State,by law to the contrary notwithstanding,and if any power shall attempt in any manner by force,or under pretence of law,to prevent any enrolled Indian emigrant,or emigrants,for removal under the directions of the agents and officers of the U.States,they shall be liable to a fine of $500. or two years imprisonment in the penitentiary of this State at the option of the court before whom the case may be tried