



DL. I.

BY ELIAS BOUDINOTT,  
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FOR THE CHEROKEE NATION.  
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tion.

CONSTITUTION OF THE CHEROKEE NATION,

Formed by a Convention of Delegates  
from the several Districts, at New Echota,  
July 1827.  
WE, THE REPRESENTATIVES OF THE  
people of the CHEROKEE NATION in  
Convention assembled, in order to estab-  
lish justice, ensure tranquility,  
promote our common welfare, and se-  
cure to ourselves and our posterity  
the blessings of liberty; acknowledg-  
ing with humility and gratitude the  
goodness of the sovereign Ruler of the  
Universe, in offering us an opportuni-  
ty so favorable to the design, and im-  
ploping his aid and direction in its  
accomplishment, do ordain and establish  
this Constitution for the Government  
of the Cherokee Nation.

ARTICLE I.

Sec. 1. THE BOUNDARIES of this  
nation, embracing the lands solemnly  
guaranteed and reserved forever to  
the Cherokee Nation by the Treaties  
concluded with the United States, are  
as follows; and shall forever hereaf-  
ter remain unalterably the same.—  
Beginning on the North Bank of the  
Tennessee River at the upper part of  
the Chickasaw old fields; thence along  
the main channel of said river, includ-  
ing all the islands therein, to the  
mouth of the Hiwassee river, thence  
up the main channel of said river, in-  
cluding islands, to the first hill which  
closes in on said river, about two miles  
above Hiwassee old Town; thence a-  
long the ridge which divides the wa-  
ters of the Hiwassee and little Telli-  
coe; thence along the main channel,  
including islands, to the junction of  
the Cowee and Nantayalee; thence  
along the ridge in the fork of said ri-  
ver, to the top of the blue ridge; thence  
along the blue ridge to the Uni-  
coy Turnpike road; thence by a  
straight line to the main source of the  
Chatahoochee; thence along its main chan-  
nel, including islands, to the Chatta-  
hoochy; and thence down the same to  
the Creek boundary at Buzzard Roost;  
thence along the boundary line which  
separates this and the Creek Nation,  
to a point on the Coosa river opposite  
the mouth of Wills Creek; thence  
down along the South bank of the same  
to a point opposite to Fort Strother;  
thence up the river to the mouth of  
Wills Creek; thence up along the  
East bank of said creek, to the West  
branch thereof, and up the same to its  
source; and thence along the ridge  
which separates the Tombebee and  
Tennessee waters, to a point on the  
top of said ridge; thence due North  
to Camp Coffee on Tennessee river,  
which is opposite the Chickasaw Is-  
land; and thence to the place of beginning.

Sec. 2. The Sovereignty and Ju-  
risdiction of this Government shall ex-  
tend over the Country within the bound-  
aries above described, and the lands  
therein are, and shall remain, the  
common property of the Nation; but  
the improvements made thereon, and  
in the possession of the citizens of the  
Nation, are the exclusive and indefeas-  
ible property of the citizens respecti-  
vely who made, or may rightfully be  
in possession of them; Provided, That  
the citizens of the Nation, possessing  
exclusive and indefeasible right to  
their respective improvements, as ex-  
pressed in this article, shall possess  
no right nor power to dispose of their  
improvements in any manner whate-  
ver to the United States, individual  
States, nor to individual citizens there-  
of; and that, whenever any such citi-  
zen or citizens shall remove with  
their effects out of the limits of this  
Nation, and become citizens of any  
other Government, all their rights and  
privileges as citizens of this Nation  
shall cease; Provided nevertheless,  
That the Legislature shall have power  
to re-admit by law to all the rights  
of citizenship, any such person or per-  
sons, who may at any time desire to  
return to the Nation on their memori-  
alizing the General Council for such

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readmission. Moreover, the Legisla-  
ture shall have power to adopt such  
laws and regulations, as its wisdom  
may deem expedient and proper, to  
prevent the citizens from monopoliz-  
ing improvements with the view of  
speculation.

ARTICLE II.

Sec. 1. THE POWER of this Gov-  
ernment shall be divided into three  
distinct departments;—the Legisla-  
tive, the Executive, and the Judicial.  
Sec. 2. No person or persons, be-  
longing to one of these Departments,  
shall exercise any of the powers pro-  
perly belonging to either of the others,  
except in the cases hereinafter  
expressly directed or permitted.

ARTICLE III.

Sec. 1. THE LEGISLATIVE POWER  
shall be vested in two distinct  
branches; a Committee, and a Coun-  
cil; each to have a negative on the  
other, and both to be styled, the Gen-  
eral Council of the Cherokee Nation;  
and the style of their acts and laws  
shall be,  
"Resolved by the Committee and  
Council in General Council con-  
vened."

Sec. 2. The Cherokee Nation, as  
laid off into eight Districts, shall so  
remain.

Sec. 3. The Committee shall con-  
sist of two members from each Dis-  
trict, and the Council shall consist of  
three members from each District,  
to be chosen by the qualified electors  
of their respective Districts for  
two years; and the elections to be  
held in every District on the first  
Monday in August for the year 1828,  
and every succeeding two years there-  
after; and the General Council shall  
be held once a year, to be convened  
on the second Monday of October in  
each year, at New Echota.

Sec. 4. No person shall be eligible  
to a seat in the General Council, but  
a free Cherokee Male citizen, who  
shall have attained to the age of twen-  
ty-five years. The descendants of  
Cherokee men by all free women, ex-  
cept the African race, whose parents  
may be or have been living together  
as man and wife, according to the  
customs and laws of this Nation, shall  
be entitled to all the rights and privi-  
leges of this Nation, as well as the  
posterity of Cherokee women by all  
free men. No person who is of negro  
or mulatto parentage, either by the  
father or mother side, shall be eligi-  
ble to hold any office of profit, honor  
or trust, under this Government.

Sec. 5. The Electors, and mem-  
bers of the the General Council shall,  
in all cases except those of treason,  
felony, or breach of the peace, be pri-  
vileged from arrest during their atten-  
dance at election, and at the General  
Council, and in going to, and returning  
from, the same.

Sec. 6. In all elections by the peo-  
ple, the electors shall vote *visa voce*.  
Electors for members to the General  
Council for 1828, shall be held at the  
places of holding the several courts,  
and at the other two precincts in each  
District which are designated by the  
law under which the members of this  
Convention were elected; and the Dis-  
trict Judges shall superintend the elec-  
tions within the precincts of their  
respective Court Houses, and the  
Marshals & Sheriffs shall superintend  
within the precincts which may be as-  
signed them by the Circuit Judges of  
their respective Districts, together  
with one other person, who shall be ap-  
pointed by the Circuit Judges for each  
precinct within their respective Dis-  
tricts; and the Circuit Judges shall al-  
so appoint a clerk to each precinct.—  
The superintendents and clerks shall,  
on the Wednesday morning succeeding  
the election, assemble at their respec-  
tive Court Houses and proceed to ex-  
amine and ascertain the true state of  
the polls, and shall issue to each  
member, duly elected, a certificate;  
and also make an official return of the  
state of the polls of election to the  
principal Chief, and it shall be the du-

PRESENTED TO THE  
American Antiquarian Society,  
By ISAAH THOMAS, Esq.  
Worcester, July 1 1830

1. GUY...  
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III  
11. GUY...  
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A GOOD CONSCIENCE.

WHAT is there, in all the pomp of  
the world, the enjoyments of luxury,  
the gratification of passion, compar-  
able to the tranquil delight of a good  
conscience? It is the health of the soul,  
is a sweet perfume, that diffuses its  
fragrance over every thing near it  
without exhausting its store. Unac-  
companied with this, the gay pleasures  
of the world are like brilliants to a dis-  
ipated eye, music to a deaf ear, wine in  
ardent fever, or dainties in the lan-  
guage of an ague. To lie down on the  
pillow, after a day spent in temperance  
and beneficence, and piety, how sweet  
it is! How different from the state of  
him who reclines, at an unnatural  
hour, with his blood inflamed, his head  
throbbing, with wine and gluttony, his  
heart aching with rancorous malice,  
his thoughts totally estranged from  
him who has protected him in the day,  
and will watch over him, ungrateful as  
he is, in the night season! A good  
conscience is, indeed, the peace of  
the passions lulled to sleep, clear  
thoughts, cheerful temper, a disposi-  
tion to be pleased with every obvious  
and innocent object around; these are  
the effects of a good conscience; these  
are the things which constitute happi-  
ness; and these descend to dwell  
with the poor man in his humble cot-  
tage in the vale of obscurity. In the  
magnificent mansion of the proud and  
vain, glitter the exteriors of happiness,  
the gilding, the trapping, the pride, and  
the pomp; but in the decent habitation  
of piety is oftener found the dowry  
of heavenly peace, that solid good,  
in which the parade of the vain, the  
ambitious, and voluptuous, is but a  
shadowy semblance.

Christian Philosophy.

Flattery.—Few things are more u-  
niversally condemned than flattery;  
yet there are few men, who are above  
its influence, and still fewer, who have  
a courage sufficient to repel it  
with a faithful rebuke. The follow-  
ing anecdote is recommended, as af-  
fording a specimen of a good answer  
to flatterers. A certain clergyman  
in New England, eminent both for tal-  
ents and humility, was one day ac-  
companied by a parishioner, who highly  
commended some of his performances,  
of which the clergyman himself had  
a very low opinion. After patiently  
hearing him a few moments, the cler-  
gyman replied; "My Friend, all that  
you say gives me no better opinion of  
myself than I had before, but gives me  
a much worse opinion of you."

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