

T H E

# GEORGIA STATE GAZETTE

O R

## INDEPENDENT REGISTER.

FREEDOM of the PRESS, and TRIAL by JURY, to remain inviolate forever. Constitution of Georgia.

*AUGUSTA: Printed by JOHN E. SMITH, Printer to the State; Essays, Articles of Intelligence, Advertisements, &c. will be gratefully received, and every kind of Printing performed.*

*AUGUSTA, Nov. 18.*

In COUNCIL, November 10, 1786.

THE Board took up the order of the day, that relates to a communication of the Board of Commissioners appointed to treat with the Creek Indians, when the following order was taken:

That the said treaty be deposited in the State Secretary's Office.

That the immediate file be dismissed, and placed in the Archives of Office.

That by virtue of the said treaty, the Commanding Officer in the respective districts, do, without delay, discharge all posts, guards, and spies of every description.

That the Governor draw a warrant on the Treasurer in favor of John Habersham, Esq. Chairman, for the sum of twelve hundred and fifty pounds sterling, in order to enable them to discharge several engagements entered into on public account, the said Board to be accountable.

That upon a recommendation of the said Commissioners, Captain James Perry be, and he is hereby appointed, the Officer to take into safe keeping five Creek hostages, with power to appoint two sergeants, and ten private men, to serve as a constant guard over the said hostages, during the time they may remain as such.

That the first clause of the concurrent resolutions of the Legislature of the 3d day of August last past, together with the articles of a treaty of peace, amity, and commerce, entered into by the before said Commissioners with the Creek Indians, be published; and all persons therein concerned are required to pay due regard to the same.

Ordered, That the said communication, and the order taken thereon, be also published.

Extract from the Minutes,

JAMES MERIWETHER, S. E. C.

BOARD of COMMISSIONERS.

Shoulder-Bone, October 26, 1786.

WHEREAS from the uncertainty of being able to procure goods at Savannah for the Indian treaty, it became necessary to purchase a quantity in Augusta; and it appearing that the goods proposed to be purchased at Savannah have been since obtained, and that the amount thereof exceeds that of the order on the Treasury given by his Honor the Governor in Council, the ult. and being evident to the Board, that in order to discharge the several engagements they have entered into on public account, not only for goods, but the payment of expenses, linguists, &c. it is indispensably necessary to recommend to the Honorable the Executive, an augmentation of the sum set apart by the Legislature for the above purpose; which recommendation they are of opinion the 15th article of instructions to the Commissioners authorizes them to make.

Resolved therefore, That this Board do, for the reasons above-mentioned, recommend to his Honor the Governor in Council, that he issue another warrant on the Treasury, in favor of the Chairman, for the sum of twelve hundred and fifty pounds, which, with five hundred pounds called for the 15th August, and since obtained, will make the sum of se-

venteen hundred and fifty pounds; for which the Commissioners will account when the business of the treaty is finished.

A true copy from the Minutes,

JAMES M. STEUART, C. B. C.

Board of Commissioners for Indian Affairs,  
Augusta, Nov. 8, 1786.

S I R,

WE returned from Shoulder-Bone two days since; and have the honor to transmit herewith the treaty entered into with the Creek Indians, which was signed the 3d instant.

On our arrival at camp we were concerned to find that the head men present were from fifteen towns only, but three of which were of the upper part of the nation, by parties from which the murders had been committed last spring. We had been led to expect, from our information, that a more considerable number would have attended. The Indians, however, assured us, that many of the Chiefs present were authorized to speak for other towns than those they immediately represented, and that such towns would consequently be bound by whatever was concluded upon; the present being the season for hunting, was also offered as a reason for the non-attendance of many; and further, that McGillivray had advised the Upper Creeks not to go to the treaty, as he would fettle all matters for them by writing. There did not remain any doubt with us that the latter was the true cause, being sensible of his disposition to thwart a measure, which would so materially interfere with his private views.

After some consideration we agreed to enter on business with the Indians, the progress and result of which, your Honor has already been informed of.

With respect to the hostages, we would recommend that the measures we have suggested to your honorable Board (by our inclosed resolution of this date) as necessary for their security and support, be taken. We would at the same time respectfully recommend, that the Officer who is to have the charge of them, may be directed to extend every degree of indulgence, and good treatment, to them, which may not be inconsistent with his duty, and their safe keeping. Mr. Philip Scott, who speaks the Creek language, has agreed to stay with them.

We also enclose a recommendation to your honorable Board for the advancement of a further sum of money, to enable us to discharge the demands against us on public account.

We shall in another letter lay before you an account of the expenditures appertaining to our department, and have the honor to be, very respectfully, Sir,

Your Honor's most obedient servants,

By order of the } JOHN HABERSHAM, Chairman  
Board, } of the Board of Commissioners.

His Honor Edward Telfair, Esq.  
Governor, &c. &c.

Board of Commissioners, Augusta, Nov. 8, 1786.

WHEREAS it is necessary that proper provision for the security and maintenance of the five Indian hostages now here should be made as soon as possible,

Resolved, That it be recommended to his Honor the Go-

return, in Council, to direct, that a commissioned Officer, two serjeants, and ten private men be employed to serve as a constant guard over the said hostages, during the time they may remain as such, and that a secure place be provided for their reception. That the pay of the said Officers and men be as follows, viz. To the Officer six shillings; to each of the serjeants two shillings and six-pence; and to each of the private men two shillings per diem, to be paid them weekly. And that Mrs. Philip Scott be employed to act as linguist, with an allowance of seven shillings per diem. And as it will be necessary that the said hostages, guard, and linguist, should be provided with rations, it is further recommended, that a person be engaged to furnish them with such as the law allows, together with one cord of wood per week, and one peck of Indian corn per diem for a horse belonging to the linguist; and that for such supplies the said person be also paid weekly.

That for the above purposes His Honor the Governor, in Council, do give warrants on the Treasury of this state, to an amount not exceeding two hundred and sixty-five pounds, agreeable to the subjoined estimate, viz.

Estimate of pay for ninety days, from the 8th of November, 1786, for one commissioned Officer, two serjeants, and ten private men, and one linguist:

	Pay per diem.	
One Captain,	6s.	£ 27 0 0
Two Serjeants,	2s. 6d. each	22 10 0
Ten Privates,	2s. each	90 0 0
		139 10 0
One Linguist,	7s.	31 10 0
		171 0 0

Subsistence for the above and five Indian hostages, viz.

450 rations of provisions for the hostages, each consisting of one and a half pound of beef or other meat in proportion, one and a quarter pound of corn meal, one gill salt to every five rations, and one gill of rum to each ration, a is. £22 10 0

1260 rations of do. for the guard and linguist, each consisting of the above-mentioned articles, except the rum, a gd 47 5 0

Twelve cords of wood, a 9s. 4d. 5 12 0

Twenty two bushels and a half of corn for the linguist, a 2s. 4d. 2 12 6

One quarter's rent of a house 12 10 0

90 9 6

£261 9 6

The Board further recommend Captain James Perry as a fit person to command the guard.

A true copy from the Minutes,

JAMES M. STEUART, C. B. C.

HOUSE of ASSEMBLY, August 3, 1786.

WHEREAS it appears to this House that in the month of May last several parties of Creek Indians did without provocation or aggression on the part of the white people make an irruption into the old settlements of this state, and painted for war, and in every respect hostile in their appearance, did fall upon several peaceable inhabitants, and cruelly and barbarously murder to the number of six, besides burning and destroying divers houses and buildings, and stealing and carrying off a number of horses, the property of the citizens of this state. And whereas in consequence thereof, a party of men were immediately ordered out in pursuit of the said Indians, and having come up with the rear of one gang, killed two of them, with the loss of one man on the side of the white people. And whereas his Honor the Governor and Executive Council, at a loss to account for the unprovoked attack from the Indians, and willing to avoid a war with them, did immediately thereafter sent Colonel Daniel M'Murphy, Superintendent of Indian Affairs, to the nation, with a peace talk, and instructions to enquire into the cause of this act of hostility, so contrary to the tenor of treaties subsisting between the Indians and white people, and also with orders to demand whether the same was done by the rashness of some straggling parties. And whereas the said Colonel M'Murphy having accordingly visited the greater part of the towns of the Up-

per and Lower Creeks, and given out his talks to them, hath returned without any determined answer, but being examined before this House hath related his conversation with the leading men in the said towns, and also with several principal traders; and hath likewise informed the House of what he saw and could discover in the nation; from all which there is too much reason to apprehend the murders and depredations committed were done by the authority of the major part of that people—That such Indians are now meditating, and are resolved upon a general attack against the inhabitants of this state, and that they only wait for the gathering in of their crops to begin hostilities.

It therefore becomes the duty of the good people of this commonwealth—considering the enemy they have to deal with—rushing in when and where they are least expected—and from whose savage warfare even innocent women and helpless children are the least secure—to be prepared against an event highly probable, to wit, that of an Indian war.

To this end it is hereby resolved as follows: That, as peace is infinitely more desirable than war, and that as the latter ought not to be undertaken but in order to secure the former, eight Commissioners be nominated by this House, one to be taken out of each of the Counties of Chatham, Liberty, Effingham, Burke, Richmond, and Wilkes, one other out of the counties of Glynn and Camden, and one other out of the counties of Franklin, Greene and Washington, who, together with a ninth to be nominated and appointed by his Honor the Governor and Council, shall, as soon as conveniently may be, proceed to Oconee, Oakmulgee, or Flint River, as they shall judge best; first sending forward a talk to the head men of all the towns of the Upper and Lower Creeks, inviting them to a conference and treaty, at such place as the said Commissioners or a majority of them shall agree upon. That in case the said Indians do agree to a meeting, they shall be furnished with passports and full protection in their persons and effects, until they return home.

That at such meeting the Commissioners form and agree upon a treaty, and enter into such stipulations for securing peace and tranquility, both to the white people and the Indians, as they shall judge fit; and that they be invested with all the powers of this state, for concluding a permanent treaty with the Indians. And this House will ratify and confirm all and whatsoever the said Commissioners or a majority of them shall on that head agree upon with the Indians.

(Signed)

JAMES M. SIMMONS, Clerk of the General Assembly.

## GEORGIA.

ARTICLES of a TREATY of PEACE, AMITY and COMMERCE, concluded near the mouth of Shoul der Bone Creek, a branch of the Oconee River, the third day of November, in the year of our Lord one thousand seven hundred and eighty-six, and of the Independence of the United States of America the eleventh; between the subscribing Commissioners in behalf of the state of Georgia the one part, and the underwritten Kings, Head Men and Warriors, in behalf of the Creek nation on the other on the following conditions, namely,

WHEREAS since the signing of the last treaty held Galphinton, and dated the 12th day of November, one thousand seven hundred and eighty-five, between Commissioners appointed by the said state, and the kings, head men, and warriors, of the said Creek nation, acts of hostility have been committed by parties of the Indians on the inhabitants of the said state, in violation of the said treaty, whereby the friendship and harmony, so essentially necessary to both parties, have been greatly disturbed. AND WHEREAS the said parties are now mutually desirous of renewing a treaty which may comprehend such articles as will give satisfaction to the party injured, and restore peace, friendship, and commerce to both: It is therefore covenanted and agreed,

First. The Indians for themselves and the rest of the king head men, and warriors of the Creek nation, do promise to engage that six of their people who were of the parties that murdered the same number (say six) of the white inhabitants last spring, shall be put to death in a manner satisfactory to the person or persons whom his Honor the Governor or Commissioners may send to see it done. And that the white people who were the means of the said murders being committed, shall be removed from the nation without delay.

Second. All Negroes, horses, cattle, and other property now in the nation, and which were taken from the inhabitants of Georgia, shall be restored to such person or persons as His Honor the Governor or the Commissioners shall direct.



hite or other free people in the nation, who are held as pri-  
soners or slaves, shall also be delivered up to the afore said  
prisoners.

*Third.* If any citizen of this state or other person or per-  
sons shall attempt to settle or run any of the lands reserved for  
Indians for their hunting grounds, such person or persons  
may be detained until the Governor shall be informed thereof,  
and demand him or them; and then any of the tribes near  
such offenders to come and see the punishment, according to  
the laws as now are or hereafter may be enacted by the said  
state for trying such offenders.

*Fourth.* The punishing of innocent persons, under the  
idea of retaliation, shall not be practised on either side.

*Fifth.* If any citizen of the state, or other white person or  
persons shall commit a robbery or murder or other capital  
crime on any Indian, such offender shall be delivered up to  
justice, and be tried according to the laws of the state, and  
the notice of such intended punishment shall be sent to some  
one of the tribes;

*Sixth.* If any Indian shall commit a robbery or murder,  
or other capital crime on any white person, such offender  
shall receive a punishment adequate to the offence; and due  
notice of such intended punishment shall be given to his Honor  
the Governor.

*Seventh.* If the Indians shall know or suspect of any de-  
sign of any neighbouring tribes against the peace or safety of  
the state, they shall make the same known in the most expec-  
tation manner to his Honor the Governor.

*Eighth.* All white persons shall be at liberty, and con-  
ducted in safety, into the settled parts of the state, when they  
shall require it; except such persons as shall come under the  
restrictions pointed out in the third article.

*Ninth.* The trade with the Indians shall be carried on as  
heretofore. And all just debts due by any of the said Indians  
to any of the merchants or traders of the said state, shall be  
fairly and fully paid.

*Tenth.* The present temporary lines reserved to the Indians  
for their hunting grounds, shall be agreeable to the treaties  
held at Augusta and Galphinton; the former bearing date the  
first day of November, one thousand seven hundred and  
eighty-three; and the latter the twelfth day of November,  
one thousand seven hundred and eighty-five; every part of  
which is hereby fully confirmed. And the said lines shall  
be marked as soon as the Indians can possibly make it con-  
venient to come down and see it done; the present being  
their hunting season. And of their intention of attending  
for the said purpose, they shall notify his Honor the Governor  
at least one month before their departure from the nation.

*Eleventh.* After the aforesaid lines are marked, neither  
white persons nor Indians shall be allowed to pass them with-  
out a special licence for that purpose; that for a white per-  
son to be from under the hand of his Honor the Governor,  
and that for a trader or Indian from under the hand of the  
Agent of the state, or his deputy residing in the nation. Any  
person of either party, who shall be found transgressing this  
article, shall be detained until the authority to whom such  
offender belongs, shall be informed thereof.

*Twelfth.* In proof of their good faith and sincere inten-  
tions to perform the before-mentioned articles, and for the  
security of the inhabitants of the said state, the Indians agree  
to leave in the hands of the Commissioners five of their people,  
namely, Chuwackie Mico, of the Cowetas; Cuchas Mico,  
of the Cusitaws; Suckawockie, brother to the last named,  
also of the Cusitaws; Eneathlocke, second man of the Broken  
Arrow; and Enautalecke, nephew of the head man of the  
Swaglos. The said Indians, during their stay among the  
white people, shall be provided with comfortable diet, lodg-  
ing, and clothing, and be well treated in every other respect.

IN WITNESS whereof the Parties have hereunto set their  
hands and seals, the day and year before-mentioned.

Signed, Sealed, and Delivered } On the part of the State:  
in Presence of }

JOHN TWIGGS,	JOHN HABERSHAM,
DANIEL M'CURPHY,	ABN. RABOT,
JOHN GRAVES,	J. CLEMENTS,
JAS. DUROUZEUX,	JAS. M'NEIL,
PHILIP SCOTT,	JOHN KING,
JAS. M. STEUART.	J.A. POWELL,
	F. O'NEAL,
	JARED IRWIN.

On the part of the Indians:

Cusa Mico,	Hothlepoya Mico,
Ninnehomhta Mico, Tu-	Opohethle Mico, or Tal-
stonuckie,	lasee king,
Mico Chee,	Opoya Lata,

Opoya Hajo,	Tholau Hajo
Eufalla Teftonoky	Tufkia Mico
Okellafa Hajo	Aufunuck Tufstucke
Eneathlaco Opaya	Tufkia Mico, senior
Wawlatia Mico	Teomy Tufsto Nucke
Opaya Emathla	Tolobe Mathla
Ockehan Hajo	Hitcheta Mico
Olackta,	Opaya Tufsto Nuckie
Tuljifca Mico,	Tufsto Nuckie
Tufsto Muckie,	Aulack Hajo
Hottely Mico	Enea Thlaco
Ofuchee Mathla,	Hopaye Mico
Cusita Mico	Othlepoya Mico
Enca Mico,	Chuwackie Mico
Enea Thlaco	Eneathlocke
Epha Tufsto Nuckie	Olafe Emathla
Epheane Tufsto Nukis	Munjoy
Coppitchu Tufsto Nucke	Hallatowegie
Oke Lefa	Will Jones
Cousa Tufstonucke	Chatofaha
Yahola Mico	Sokakoway
Econchot Hajo	Cuchas Hajo
Cusa Mico	Toutkis Hajo
Cuchas Mico	Opayouchee
Ochunnee Hala,	Tusk Encha
Foufatchee Mico	Wakfe Hajo.

IN COUNCIL, November 11, 1786.

A Communication from the Commissioners appointed to  
treat with the Creek Indians of the 10th inst. was received  
and read: Whereupon it is

*Ordered,* That previous to a dissolution of the Board of  
Commissioners, the Executive once more call the attention of  
the Board to the recommending a sum adequate to the pay  
of the Officers and men that have been called out, and on  
actual duty, agreeable to the Resolution of the 4th day of  
August last past.

Extract from the Minutes,  
JAMES MERIWETHER, S. E. C.

IN COUNCIL, November 13, 1786.

A Communication from the Board of Commissioners ap-  
pointed to treat with the Creek Indians, of the 11th inst. was  
received and read: Whereupon

*Ordered,* That the first clause of a conference with the  
Commissioners, dated the 5th day of October last, together  
with the first article of the report of their Board, dated the 7th  
day of the said month, and the first above recited communi-  
cation be published.

IN COUNCIL, October 5, 1786.

The Board entered into a communication with the Com-  
missioners to treat with the Creek Indians, when the follow-  
ing matter was proposed:

For three months pay for fifteen hundred men and Officers.

BOARD of COMMISSIONERS, Oct. 7, 1786.

The Board having taken under consideration the communi-  
cation from the Honorable the Executive of the 5th instant,  
do give the following opinion on the matters contained there-  
in, to wit,

"For the three months pay for the fifteen hundred men  
and Officers," It is the opinion of this Board, that no special  
appropriation being made by the Assembly for the payment  
of the Militia, and the uncertainty of there being a sufficiency  
of money for that purpose, make it necessary to defer that  
matter for the present.

BOARD of COMMISSIONERS, Nov. 11, 1786.

The Board took into consideration the following clause of  
the communication of this day from the Honorable the  
Executive, viz:

"That previous to a dissolution of the Board of Commis-  
sioners the Executive once more call the attention of the  
Board to the recommending a sum adequate to the pay of  
the Officers and men that have been called out, and on  
actual duty, agreeable to the resolution of the Legislature  
of the 4th day of August last past."

Whereupon the sense of the Board being taken, whether  
it is in the power of this Board to make the said recommen-  
dation or not: It appeared that three members were in the  
affirmative, and three in the negative; therefore no division  
could be had thereon.

Extract from the Minutes,  
JAMES MERIWETHER, S. E. C.