

per and Lower Creeks, and given out his talks to them, hath retired 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 Shouder 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 of 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 at Galphintown, 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 kings, head men, and warriors of the Creek nation, do promise and 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 the 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. And

white or other free people in the nation, who are held as prisoners or slaves, shall also be delivered up to the aforesaid persons.

Third. If any citizen of this state or other person or persons shall attempt to settle or run any of the lands reserved for the 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 plea 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 design of any neighbouring tribes against the peace or safety of the state, they shall make the same known in the most expeditious manner to his Honor the Governor.

Eighth. All white persons shall be at liberty, and conducted 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 Galphintown; 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 convenient 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 without a special licence for that purpose; and that for a white person 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 intentions 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, Chuwocklie Mico, of the Cowetas; Cuchas Mico, of the Cusitaws; Suckawockie, brother to the last named, also of the Cusitaws; Eneathlocko, second man of the Broken Arrow; and Enauatalecke, nephew of the head man of the Swaglos. The said Indians, during their stay among the white people, shall be provided with comfortable diet, lodging, 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 HABERSHAM,

JOHN TWIGGS,
DANIEL M'MURPHY,
JOHN GRAVES,
JAS. DUROUZEUX,
PHILIP SCOTT,
JAS. M. STEUART.

ABN. RAB JT,
J. CLEMENTS,
JAS. M'NEIL,
JOHN KING,
JA. POWELL,
F. O'NEAL,
JARED IRWIN.

On the part of the Indians:

Cufa Mico,
Ninnehomohtha Mico, Tu-
stonuckie,
Mico Chce,

Hothlepoysa Mico,
Opohethle Mico, or Tal-
lasee king,
Opoya Lata,

Opoya Hajo,
Eufalla Teftonoky
Okellala Hajo
Eneathlaco Opaya
Wawlatla Mico
Opaya Emathla
Ockelhan Hajo
Olackta,
Tuljifca Mico,
Tufto Muckie,
Hottely Mico
Ofuchee Mathla,
Cusitla Mico
Enca Mico,
Enca Thlaco
Epha Tufto Nuckie
Esphane Tufto Nukis
Coppitchu Tufto Nucke
Oke Lefa
Cousla Tuftonucke
Yahola Mico
Econchot Hajo
Cufa Mico
Cuchas Mico
Ochunnee Hala,
Foulachee Mico

Tholau Hajo
Tufkia Mico
Aufunuck Tuftonucke
Tufkia Mico, senior
Teomy Tufto Nucke
Tolobe Mathla
Hitcheta Mico
Opaye Tufto Nuckie
Tufto Nuckie
Aulack Hajo
Enca Thlaco
Hopaye Mico
Othlepoysa Mico
Chuwockie Mico
Eneathlocko
Olafe Emathla
Munjoy
Hallatowegie
Will Jones
Chatofahla
Sokakoway
Cuchas Hajo
Tourtis Hajo
Opayouchee
Tusk Encha
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 appointed 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 communication be published.

IN COUNCIL, October 5, 1786.

The Board entered into a communication with the Commissioners to treat with the Creek Indians, when the following 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 communication from the Honorable the Executive of the 5th instant, do give the following opinion on the matters contained therein, 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 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 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 recommendation 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.