

the purpose of giving general information to the late Treaty with the Indians, in addition to the publication

Governor's Message

two documents in the news papers for were ordered to be printed & forwarded to the members of the Legislature, & they

GENERAL ASSEMBLY

omit for the information of your neighborhood ^{OF THE} one of the Copies forwarded

STATE OF GEORGIA.

Yours very Respectfully

AT THE OPENING OF THE

Dr. Thomas G. Jones *Thomas Stock*
EXTRA SESSION.

MAY 23, 1825.

WITH A PART OF THE DOCUMENTS ACCOMPANYING
THE SAME.

PUBLISHED BY ORDER OF THE GENERAL ASSEMBLY.

MILLEDGEVILLE.

CAMAK & RAGLAND, PRINTERS.

1825.

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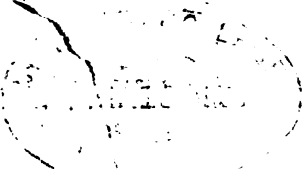
IN SENATE, 26th May, 1825.

Whereas a considerable portion of the Documents accompanying the Message of his Excellency the Governor are of a nature highly interesting to the good people of this state—

It is therefore resolved, That one thousand copies of said Message together with the whole of such Documents accompanying the same as are connected with the affairs of this state in relation to the Creek and Cherokee nations of Indians, be printed.

Approved, June 1, 1825.

G. M. TROUP, Governor.



Gratis

Governor's Message.

EXECUTIVE DEPARTMENT, GEO. }
MILLEDGEVILLE, 23d MAY, 1825. }

*Fellow Citizens of the Senate,
and of the House of Representatives—*

IN calling you together I have not been unmindful of the personal inconvenience, and of the public expense which attend it. Consulting both, little will be submitted to your consideration, disconnected with the main subject of your deliberation.

The recent acquisition of our vacant territory in the occupation of the Creeks, is that subject, and the survey and appropriation, the objects which will claim your attention. For the first we are chiefly indebted to the Commissioners of the United States, Col. Campbell and Major Merriwether. Too much praise cannot be given to these gentlemen, for the firmness and intrepidity with which they met the most formidable obstacles, and for the untiring zeal, and patient labor, with which they conquered them. That of this praise there can be no waste or misapplication, you will read in the various documents and correspondence connected with it and which are submitted. You will distinctly see that the principal difficulties which embarrassed them from beginning to end—which defeated the first Treaty at Broken Arrow, and which were well nigh producing a rupture of the last at the Indian Springs, proceeded from a quarter, the least of all to be expected—from officers in the pay and confidence of the Federal Government, who instead of rendering to the Commissioners the most cordial co-operation, had organized an opposition, thereby exposing to suspicion their own Government, which in justification of itself was finally obliged to avow that the perfidious plots and devices contrived by it were unknown and unauthorized at Washington, at the same time the authors and contrivers were permitted to escape but with little observation, and certainly without merited punishment.

The Delegation in Congress, always faithful to their trust, have seconded by active and incessant labor, the measures taken by this Government to support not only this important right, but all other rights and interests of the state; and in the delicate and critical relations which these involved, have so deported themselves as to command the confidence of ourselves, and the respect of all who know them.

In disposing of the Territory thus acquired, it is recommended to you to consult the will of your constituents, so far as that will can be distinctly ascertained.—The Lands belong to them in joint and several property, and none but themselves or immediate Representatives can rightfully dispose of them. Recognizing this as a fundamental principle, you have in the exercise of a sound discretion to look as well to ulterior and remote as to immediate interests—interests which the People themselves cannot fail to appreciate and cherish, because they directly and equally concern each and every of them now, and their posterity hereafter. They are those of Public Education—of Internal Improvement—of relief from Taxation, when taxation would be most required and most burthensome—the efficiency of a Military system for defence in providing arms and Arsenals, and all the Materiel of War, for which, no state ought to be dependent on another, and indeed every subject which in peace or war, can conduce to the safety or prosperity of the State, and requiring for its most useful and energetic application, the propulsive instrument, money. To dilate upon these topics would be to consume your time uselessly. Your own wisdom will better supply the argument in support of each. Suffice it to say, that the accumulation of a Fund for Internal Improvement on an extended scale will, by its judicious application, so multiply your resources and augment your income, as to enable you eventually to replace that Fund—provide abundantly for all the wants of the State—dispense with Taxation, and place you in all these respects on a footing with the most favored of your sister States, who with less means have accomplished more.

These are no idle speculations. The results are about to be realized in an illustrious instance, where a great member of the confederacy, has made herself greatest by perfecting what nature had roughly sketched, and thus fulfilling be a no very complicated process the highest duties to herself and to God. Our physical advantages are scarcely inferior, and when it is believed to be quite practicable to divide with her the trade of the Western World, our temptations cannot be less. Presupposing therefore that the system hitherto adopted for the settlement of our Territory will be pursued I advise that the Fee upon the Grant be fixed at a rate which, whilst it makes the Grant essentially a donation and takes nothing from the pockets of the poorest of our citizens, but what will be paid without inconvenience or complaint, will at the same time bring something into the Treasury in aid of the General Fund, appropriated to these objects.—To this the proceeds of the Fractions and of any reservations you may think proper to make, will importantly contribute.

Having advocated the present system from the beginning, there has been no reason to change any opinion formed of it.—Men and the soil constitute the strength and wealth of nations, and the faster you plant the men, the sooner you can draw on both. No new country has been peopled faster than the territory acquired from time to time by Georgia—none more rapidly improved with the same established modes and customs of improvement. The speculations by which its principle has been vitiated, it is our bounden duty to discourage and repress—they defeat the very end of it, because whilst you contemplate the advantage of the poor, the speculation preys upon the poor and fattens on it.

Having foreseen that troubles might arise in the Indian country from the proceedings at Broken Arrow, and the Indian Springs, I sought an early opportunity after the first indications of them to dispatch my Aid de-camp Col. Lamar, into the Nation with a talk for that portion of the Tribe which had menaced McIntosh and his friends with injury. This duty was performed entirely to my satisfaction, as you will perceive by the report of Col. Lamar. They professed the most friendly sentiments both toward the whites and toward McIntosh, and gave assurances that they were meditating harm to neither. It is believed from recent information, that they acted in perfect sincerity and good faith, and that the subsequent departure from it was the result of the active and malignant interference of white men. In my solicitude for the peace and happiness of this afflicted race, who were about to leave us to try new fortunes in a distant land, I issued the Proclamation of the 21st of March, which immediately followed the ratification of the Treaty, and thus transcended the obligations enjoined by strict duty.

Having their own pledge that the peace should be kept among themselves, I wished to see no interruption of it by the Georgians, and honorably for them, there has been none. I verily believe, that but for the insidious practices of evil minded white men, the entire nation would have moved harmoniously across the Mississippi. The massacre of McIntosh and his friends is to be attributed to them alone. That chieftain, whose whole life had been devoted to Georgia as faithfully as to his own Tribe, fell beneath the blows of the assassins, when reposing in the bosom of his family, upon the soil of Georgia--the soil which he had defended against a common enemy and against his own blood--which he had relinquished forever to our just demands, and which he had abandoned to our present use, only because we asked it. So foul a murder, perpetrated by a foreign force upon our territory, and within our jurisdiction, called aloud for vengeance. It was my settled purpose, having first consulted the government at Washington, to have dealt out the full measure of that vengeance; so that honor, humanity, justice, being satisfied, whatever stain may have been left upon our soil, none should upon the page of our history.

But the Representatives of the People were about to assemble, who would bring with them feelings and sentiments corresponding to the occasion, tempered by a deliberate wisdom and a sound discretion--the task is cheerfully resigned to them, and whatever in the last resort they will--that will be done.

The consternation and alarm which immediately followed the death of McIntosh, rendered necessary measures of precaution as well for the security of the Frontier as for the protection of the Friendly Indians, who deserting their homes, fled with their wives and children, before the hostile party, and presenting themselves destitute and defenceless at various points of the frontiers, asked bread of our humanity, and protection of our arms. The Quarter-masters were directed to supply the one, and our Generals ordered to afford the other, and both at the expense of the United States, of which they had

due notice. The orders and instructions to Maj. Generals Wimberly, Miller and Shorter, with the correspondence &c. are laid before you.

The United States government have been again advised of the earnest desire of the government of Georgia, that the line between this state, and the state of Alabama should be run and marked. The United States answer to this last request, that it is a concern of the two states exclusively, in which the United States will not interfere. On the former occasion, as you will remember, the General Government declined a participation, and upon the allegation singly that the state of Alabama had not given her assent. The state of Alabama had in fact given her assent, and had sought with much solicitude the concurrence of Georgia. Very recently her former resolutions upon this subject have been rescinded, and Georgia is left free to run the line with or without her co-operation, as she may deem best. The correspondence with the general government and the letter of the governor of Alabama are submitted.

Our claims to the lands occupied by the Cherokees within our limits, as well as those on account of Indian depredations, provided for by the first treaty at the Indian Springs, are adverted to only to inform you of the actual state of those interests, and for this purpose the various papers connected with them are laid before you.

Since you were last in session much of anxiety and concern have been manifested for all the interests connected with the Bank of Darien. The origin of the excitement and consequent depreciation of the paper of that institution may be considered fit subjects of investigation.—The report of a committee appointed to examine the state of its affairs having been reviewed and adopted by you, left at the close of the session the solvency of the Bank indisputable. When on a subsequent occasion it became necessary for the Executive to pass an order connected with this depreciation, and the administration of the finances, I did not hesitate so to act, as to conform the order both to your expressed opinion and the practice of the Treasury. As no change had been made in the condition of the institution, would suffer none to be made in the payments and receipts of its bills at the Treasury until you should order otherwise, and while I would not permit any measure to be taken which would be construed into depreciation at the Treasury, I would suffer none that would have the least effect to embarrass the operations of the other institutions, and this was the more proper because the difficulties of the one institution might be ascribable in some degree to remissness or indiscretion in the management for which it was certainly not entitled to favor, whilst the operation at the Treasury still continued favorable to it, inasmuch as the receipts and payments being confined to Darien bills, and the receipts exceeding the payments there would be a constant accumulation of such bills and consequently a subtraction to that amount from the circulation of the country.

In every other state of the Union where bank credit has been sustained, these institutions mutually aid and assist each other, and

Harmonious co-operation maintain unimpaired the circulating medium of that state. Those of Georgia must profit of this wise example-- interest and credit are not to be found in rivalry and discord, and it is sincerely hoped and believed that in this instance conflicting opinions have been the result of misapprehension or mistake. The great institution of the United States keeps them all in check, and should at the same time keep them all in Union.

The expences incurred by the reception of Gen. Lafayette, amount to \$7 198 32, as you will see by the accounts and vouchers which are exhibited. The Executive had, in this instance, received an unlimited power over the public treasure, which ought never to be conceded but upon very extraordinary occasions. It is due to the public as well as to the officer charged with the disbursement to institute a strict enquiry into the expenditure, thus exacting as far as practicable after the expenditure, that accountability which in ordinary cases ought to be secured before. The orders given to my Aids de-Camp, who were charged with their execution, enjoined on them the strictest economy; and all circumstances considered, they have not disappointed my expectations.

Since your last meeting our feelings have been again outraged by officious and impertinent intermeddlings with our domestic concerns. Beside the resolution presented for the consideration of the Senate by Mr. King of New York--it is understood that the Attorney General of the United States who may be presumed to represent his Government faithfully and to speak as its mouth piece, has recently maintained before the Supreme court doctrines on this subject which if sanctioned by that Tribunal will make it quite easy for the Congress by a short decree to divest this entire interest without cost to themselves of one dollar, or of one acre of public land.-- This is the uniform practice of the Government of the United States--if it wishes a principle established which it dare not establish for itself a case is made before the Supreme court and the principle once settled the act of Congress follows of course. Soon very soon therefore the United States Government, discarding the mask will openly lend itself to a combination of fanatics for the destruction of every thing valuable in the Southern country--One movement of the Congress resisted by you and all is lost. Temporise no longer--make known your resolution that this subject shall not be touched by them but at their peril--but for its sacred guarantee by the constitution we never would have become parties to that instrument, at this moment you would not make yourselves parties to any constitution without it, of course you will not be a party to it from the moment the General Government shall make that movement.

If this matter be an evil it is our own--if it be a sin we can implore the forgiveness of it--to remove it we ask not even their sympathy or assistance--it may be our physical weakness--it is our moral strength. If, like the Greeks and Romans, the moment we cease to be masters we are slaves--we thenceforth minister, like the modern Italians, to the luxury and pleasures of our masters--poets, painters, musicians and sculptors we may be--the moral qualities however

which would make us fair partakers of the grandeur of a great empire would be gone--We would stand stripped and desolate under fervid sun and upon a generous soil, a mockery to ourselves, and of very contrast of what with a little firmness and foresight, we might have been. I entreat you, therefore, most earnestly, now that it is not too late, to step forth, and having exhausted the argument, to stand in your arms.

Your fellow-citizen.

G. M. TROUP.

COPY OF THE TREATY

Held with the Creek Nation of Indians at the Indian Spring, 12^h February, 1825, with sundry Documents on the subject thereof.

IN SENATE OF THE UNITED STATES,
FEBRUARY 28, 1825.

Read: Referred to the Committee on Indian Affairs: and printed in confidence for the use of the Members.

TO THE SENATE OF THE UNITED STATES.

I transmit to the Senate, for the exercise of its constitutional power, a treaty lately concluded at the Indian Spring, by Commissioners of the United States, duly authorized, with the Chiefs of the Creek nation, assembled there in council, with the documents connected therewith.

JAMES MONROE.

Washington, February 28, 1825.

Articles of a convention, entered into and concluded at the Indian Springs, between Duncan G. Campbell, and James Meriwether, Commissioners on the part of the United States of America, duly authorized, and the Chiefs of the Creek nation, in Council assembled.

Whereas the said Commissioners, on the part of the United States, have represented to the said Creek Nation, that it is the policy and earnest wish of the General Government, that the several Indian tribes within the limits of any of the states of the Union, should remove to territory to be designated on the west side of the Mississippi river, as well for the better protection and security of the said tribes, and their improvement in civilization, as for the purpose of enabling the United States, in this instance, to comply with the compact entered into with the state of Georgia, on the twenty-fourth day of April, in the year one thousand eight hundred and two: And the said commissioners having laid the late message of the President of the United States, upon this subject, before a General Council of said Creek Nation, to the end that their removal might be effected upon terms advantageous to both parties;

And whereas the Chiefs of the Creek Towns have assented to the reasonableness of said proposition, and expressed a willingness to emigrate beyond the Mississippi, *those of Tokaubatchee excepted* :

These presents therefore witness, that the contracting parties have this day entered into the following convention :

ART. 1. The Creek Nation cede to the United States all the lands lying within the boundaries of the state of Georgia, as defined by the compact herein before cited, now occupied by said Nation, or to which said nation have title or claim ; and also, all other lands which they now occupy, or to which they have title or claim, lying north and west of a line to be run from the first principal falls upon the Chatahoochie river, above Cowetau Town, to Ocfuskee Old Town, upon the Tallapoosa, thence to the falls of the Coosaw River, at or near a place called the Hickory Ground.

ART. 2. It is further agreed between the contracting parties, that the United States will give, in exchange for the lands hereby acquired, the like quantity, acre for acre, westward of the Mississippi, on the Arkansas River, commencing at the mouth of the Canadian Fork thereof, and running westward between said rivers Arkansas and Canadian Fork, for quantity. But whereas said Creek nation have considerable improvements within the limits of the territory hereby ceded, and will moreover have to incur expenses in their removal, it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said nation will sustain by removal, and to enable them to obtain supplies in their new settlement, the United States agree to pay to the nation, emigrating from the lands herein ceded, the sum of four hundred thousand dollars, of which amount, there shall be paid to said party of the second part, as soon as practicable, after the ratification of this treaty, the sum of two hundred thousand dollars. And as soon as the said party of the second part shall notify the Government of the United States of their readiness to commence their removal, there shall be paid the further sum of one hundred thousand dollars. And the first year after said emigrating party shall have settled in their new country, they shall receive of the amount first above named the further sum of twenty five thousand dollars. And the second year, the sum of twenty five thousand dollars. And annually thereafter, the sum of five thousand dollars, until the whole is paid.

ART. 3. And whereas the Creek nation are now entitled to annuities of thirty thousand dollars each, in consideration of cessions of territory heretofore made, it is further stipulated that said last mentioned annuities are to be hereafter divided in a just proportion between the party emigrating and those that may remain.

ART. 4. It is further stipulated that a deputation from the said parties of the second part, may be sent out to explore the territory herein offered them in exchange ; and if the same be not acceptable to them, then they may select any other territory, west of the Mississippi, on Red, Canadian, Arkansas, or Missouri Rivers—the territory occupied by the Cherokees and Choctaws excepted ; and if the territory so to be selected shall be in the occupancy of other Indian tribes, then the United States will extinguish the title of such occupants for the benefit of said emigrants.

ART. 5. It is further stipulated, at the particular request of the said parties of the second part, that the payment and disbursement of the first sum herein provided for, shall be made by the present Commissioners negotiating this treaty.

ART. 6. It is further stipulated, that the payments appointed to be made, the first and second years, after settlement in the West, shall be either in money, merchandise, or provisions, at the option of the emigrating party.

ART. 7. The United States agree to provide and support a blacksmith and wheelwright for the said party of the second part, and give them instruction in agriculture as long, and in such manner, as the President may think proper.

ART. 8. Whereas the said emigrating party cannot prepare for immediate removal, the United States stipulate for their protection against the encroachments, hostilities, and impositions, of the whites, and of all others; but the period of removal shall not extend beyond the first day of September, in the year eighteen hundred and twenty-six.

ART. 9. This treaty shall be obligatory on the contracting parties, so soon as the same shall be ratified by the President of the United States, by and with the consent of the Senate thereof.

In testimony whereof, the Commissioners aforesaid, and the Chiefs and Head Men of the Creek Nation, have hereunto set their hands and seals, this twelfth day of February, in the year of our Lord one thousand eight hundred and twenty five.

DUNCAN G. CAMPBELL, [L. S.]

JAMES MERRIWETHER, [L. S.]

Commissioners on the part of the United States.

WILLIAM McINTOSH,

Head Chief of the Cowetaus.

Etomme Tustunnuggee, of Cowetau	his x mark.	[L. S.]
Holahtau, or Col. Blue,	his x mark.	[L. S.]
Cowetau Tustunnuggee,	his x mark.	[L. S.]
Artus Mico, or Roby McIntosh,	his x mark.	[L. S.]
Chilly McIntosh,		[L. S.]
Joseph Marshall,		[L. S.]
Athlou Hajo,	his x mark.	[L. S.]
Tuskenahah,	his x mark.	[L. S.]
Benjamin Marshall,		[L. S.]
Coccus Hajo,	his x mark.	[L. S.]
Foshatepu Mico,	his x mark.	[L. S.]
Oethlamata Tustunnuggee,	his x mark.	[L. S.]
Tallasu Hajo,	his x mark.	[L. S.]
Luskegu Tustunnuggee,	his x mark.	[L. S.]
Foshaju Tustunnuggee,	his x mark.	[L. S.]
Emau Chuccolocana,	his x mark.	[L. S.]
Hijo Hajo,	his x mark.	[L. S.]
Tbla Tho Hajo,	his x mark.	[L. S.]
To mue Holueto,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Encha Hajo,	his x mark.	[L. S.]
Yah Te Ko Hajo,	his x mark.	[L. S.]

No co su Emautha,	his x mark.	[L. S.]
Col. Wm. Miller, Th'catchca,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Hoethlepoga Tu-tunnugga,	his x mark.	[L. S.]
Eepocokee Emautla,	his x mark.	[L. S.]
Samuel Miller,	his x mark.	[L. S.]
Tomoc Mico,	his x mark.	[L. S.]
Charles Miller,	his x mark.	[L. S.]
Tallasu Hajo, or John Carr,	his x mark.	[L. S.]
Otulga Emautla,	his x mark.	[L. S.]
Ahalaco Yonolo, of Cusatau	his x mark.	[L. S.]
Walucco Hajo, of New Yauco,	his x mark.	[L. S.]
Cohausee Ematla, do.	his x mark.	[L. S.]
Nineomau Tochee, do.	his x mark.	[L. S.]
Konope Emautha, Sand Town,	his x mark.	[L. S.]
Chawacala Mico, do.	his x mark.	[L. S.]
Foctalustu Emautla, do.	his x mark.	[L. S.]
Josiah Gray, from Hichater,	his x mark.	[L. S.]
William Kanard, do.	his x mark.	[L. S.]
Neha Theucco Hatkee, do.	his x mark.	[L. S.]
Halathta Fixico, from Big Shoal,	his x mark.	[L. S.]
Alexander Lasby, from Talledega,	his x mark.	[L. S.]
Espokoche Hajo, do.	his x mark.	[L. S.]
Emauthla Hajo, do.	his x mark.	[L. S.]
Nineomatochee, do.	his x mark.	[L. S.]
Chuhah Hajo, do.	his x mark.	[L. S.]
Efie Eematla, do.	his x mark.	[L. S.]
Atausu Hopoie, do.	his x mark.	[L. S.]
James Fife, do.	his x mark.	[L. S.]

Executed on the day as above written, in presence of

JOHN CROWELL,
Agent for Indian Affairs.
 WM. F. HAY, *Secretary.*
 WM. MERRIWETHER,
 WM. HAMBLY,
United States' Interpreter.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian Chief, General William McIntosh, claims title to the Indian Spring Reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said McIntosh, signed in full council of the nation: And, whereas, the said General William McIntosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof:

Now these presents, further witness, that the said General William McIntosh, and also the Chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five

thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said Commissioners on the part of the United States, and the said William McIntosh and the Chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty five.

DUNCAN G. CAMPBELL, [L S]
 JAMES MERIWETHER, [L S]
U. S. Commissioners.

William McIntosh,	his x mark.	[L S]
Eatonmee Tustunnuggee,	his x mark	[L S]
Tuskegoh Tustunnuggee,	his x mark.	[L S]
Cowetau Tustunnugge,	his x mark.	[L S]
Col. Wm. Miller,	his x mark.	[L S]
Josiah Gray,	his x mark	[L S]
Nehathlucco Hatchee,	his x mark.	[L S]
Alexander Lasley,	his x mark.	[L S]
William Canard,	his x mark.	[L S]

Witness of execution,
 WM. F. HAY, *Secretary.*
 WM. HAMBLY, *United States' Interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of Gen. William McIntosh, be it therefore known to whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior, his x mark.
 Yoholo Micco, his x mark.
 Little Prince, his x mark.
 Hopoi Hadjo, his x mark.
 Tuskehenahau, his x mark.
 Oakefuska Yoholo, his x mark.
 JOHN CROWLEY,
Agent for Indian Affairs.

July 25, 1825. [1824.]

No co su Emautha,	his x mark.	[L. S.]
Col. Wm. Miller, Th ^l catchca,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Hoethlepoga Tustunnugga,	his x mark.	[L. S.]
Eepookee Emautla,	his x mark.	[L. S.]
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Tomoc Mico,	his x mark.	[L. S.]
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Tallasu Hajo, or John Carr,	his x mark.	[L. S.]
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Cohausee Ematla, do.	his x mark.	[L. S.]
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DUNCAN G. CAMPBELL, [L S]
 JAMES MERIWETHER, [L S]
U. S. Commissioners.

William McIntosh,		[L S]
Eetomnee Tustunnuggee,	his x mark.	[L S]
Tuskegoh Tustunnuggee,	his x mark.	[I S]
Cowetau Tustunnuggee,	his x mark.	[I S]
Col. Wm. Miller,	his x mark.	[L S]
Josiah Gray,	his x mark.	[L S]
Nehathlucco Hatchee,	his x mark.	[L S]
Alexander Lasley,	his x mark.	[L S]
William Canard,	his x mark.	[L S]

Witness of execution,
 Wm. F. HAY, *Secretary.*
 Wm. HAMBLY, *United States' Interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of Gen. William McIntosh, be it therefore known to whom it may concern, that we, the undersigned chiefs, and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior, his x mark.
 Yoholo Micco, his x mark.
 Little Prince, his x mark.
 Hopoi Hadjo, his x mark.
 Tuskehenahau, his x mark.
 Oakefuska Yoholo, his x mark.
 JOHN CROWLEY,
Agent for Indian Affairs.

July 25, 1825. [1824.]

No co su Emautha,	his x mark.	[L. S.]
Col. Wm. Miller, Th'catchca,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Hoethlepoga Tustunnugga,	his x mark.	[L. S.]
Eepochokee Emautla,	his x mark.	[L. S.]
Samuel Miller,	his x mark.	[L. S.]
Tomoc Mico,	his x mark.	[L. S.]
Charles Miller,	his x mark.	[L. S.]
Tallasu Hajo, or John Carr,	his x mark.	[L. S.]
Otulga Emautla,	his x mark.	[L. S.]
Ahalaco Yonolo, of Cusatau	his x mark.	[L. S.]
Walucco Hajo, of New Yauco,	his x mark.	[L. S.]
Cohausee Ematla, do.	his x mark.	[L. S.]
Nineomau Tochee, do.	his x mark.	[L. S.]
Konope Emautha, Sand Town,	his x mark.	[L. S.]
Chawacala Mico, do.	his x mark.	[L. S.]
Foetalustu Emautla, do.	his x mark.	[L. S.]
Josiah Gray, from Hichater,	his x mark.	[L. S.]
William Kanard, do.	his x mark.	[L. S.]
Neha Theucco Hatkee, do.	his x mark.	[L. S.]
Halathta Fixico, from Big Shoal,	his x mark.	[L. S.]
Alexander Lasby, from Talledega,	his x mark.	[L. S.]
Espokoche Hajo, do.	his x mark.	[L. S.]
Emauthla Hajo, do.	his x mark.	[L. S.]
Nineomatochee, do.	his x mark.	[L. S.]
Chuhah Hajo, do.	his x mark.	[L. S.]
Effe Eematla, do.	his x mark.	[L. S.]
Atausu Hopoie, do.	his x mark.	[L. S.]
James Fife, do.	his x mark.	[L. S.]

Executed on the day as above written, in presence of

JOHN CROWELL,
Agent for Indian Affairs.
 WM. F. HAY, *Secretary.*
 WM. MERRIWETHER,
 WM. HAMBLY,
United States' Interpreter.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian Chief, General William McIntosh, claims title to the Indian Spring Reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said McIntosh, signed in full council of the nation: And, whereas, the said General William McIntosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof:

Now these presents, further witness, that the said General William McIntosh, and also the Chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five

thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said Commissioners on the part of the United States, and the said William McIntosh and the Chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty five.

DUNCAN G. CAMPBELL, [L S]
 JAMES MERIWETHER, [L S]
U. S. Commissioners.

William McIntosh,	his x mark.	[L S]
Eetomnee Tustunnuggee,	his x mark.	[L S]
Tuskegoh Tustunnuggee,	his x mark.	[L S]
Cowetau Tustunnuggee,	his x mark.	[L S]
Col. Wm. Miller,	his x mark.	[L S]
Josiah Gray,	his x mark.	[L S]
Nehathlucco Hatchee,	his x mark.	[L S]
Alexander Lasley,	his x mark.	[L S]
William Canard,	his x mark.	[L S]

Witness of execution,
 Wm. F. HAY, *Secretary.*
 Wm. HAMBLY, *United States' Interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of Gen. William McIntosh, be it therefore known to whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior, his x mark.
 Yoholo Micco, his x mark.
 Little Prince, his x mark.
 Hopoi Hadjo, his x mark.
 Tuskehenahau, his x mark.
 Oakefuska Yoholo, his x mark.
 JOHN CROWLEY,
Agent for Indian Affairs.

July 25, 1825. [1824.]

No co su Emautha,	his x mark.	[L. S.]
Col. Wm. Miller, Th'ecatchca,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Hoethlepoga Tustunnugga,	his x mark.	[L. S.]
Eepocokee Emautla,	his x mark.	[L. S.]
Samuel Miller,	his x mark.	[L. S.]
Tomoc Mico,	his x mark.	[L. S.]
Charles Miller,	his x mark.	[L. S.]
Tallasu Hajo. or John Carr,	his x mark.	[L. S.]
Otulga Emautla,	his x mark.	[L. S.]
Ahalaco Yonolo, of Cusatau	his x mark.	[L. S.]
Walucco Hajo, of New Yauco,	his x mark.	[L. S.]
Cohausee Eematla, do.	his x mark.	[L. S.]
Nineomau Tochee, do.	his x mark.	[L. S.]
Konope Emautha, Sand Town,	his x mark.	[L. S.]
Chawacala Mico, do.	his x mark.	[L. S.]
Foctalustu Emautla, do.	his x mark.	[L. S.]
Josiah Gray, from Hichater,	his x mark.	[L. S.]
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Halathta Fixico, from Big Shoal,	his x mark.	[L. S.]
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Espokoke Hajo, do.	his x mark.	[L. S.]
Emauthla Hajo, do.	his x mark.	[L. S.]
Nineomatochee, do.	his x mark.	[L. S.]
Chuhah Hajo, do.	his x mark.	[L. S.]
Efie Eematla, do.	his x mark.	[L. S.]
Atausu Hopoie, do.	his x mark.	[L. S.]
James Fife, do.	his x mark.	[L. S.]

Executed on the day as above written, in presence of

JOHN CROWELL,

Agent for Indian Affairs.

WM. F. HAY, Secretary.

WM. MERRIWETHER,

WM. HAMBLY,

United States' Interpreter.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian Chief, General William McIntosh, claims title to the Indian Spring Reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said McIntosh, signed in full council of the nation: And, whereas, the said General William McIntosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof:

Now these presents, further witness, that the said General William McIntosh, and also the Chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five

thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said Commissioners on the part of the United States, and the said William McIntosh and the Chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty five.

DUNCAN G. CAMPBELL, [L S]
 JAMES MERIWETHER, [L S]
U. S. Commissioners.

William McIntosh,		[L S]
Eetommeē Tustunnuggee,	his x mark.	[L S]
Tuskegoh Tustunnuggee,	his x mark.	[I S]
Cowetau Tustunnugge,	his x mark.	[I S]
Col. Wm. Miller,	his x mark.	[U. S.]
Josiah Gray,	his x mark.	[U. S.]
Nehathlucco Hatchee,	his x mark.	[L S]
Alexander Lasley,	his x mark.	[U. S.]
William Canard,	his x mark.	[L S]

Witness of execution,

Wm. F. HAY, *Secretary.*

Wm. HAMBLY, *United States' Interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of Gen. William McIntosh, be it therefore known to whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior, his x mark.

Yoholo Micco, his x mark.

Little Prince, his x mark.

Hopoi Hadjo, his x mark.

Tuskehenahau, his x mark.

Oakefuska Yoholo, his x mark.

JOHN CROWLEY,

Agent for Indian Affairs.

July 25, 1825. [1824.]

INDIAN SPRINGS, *February 13, 1825.*

SIR: In compliance with instructions received from Col. Campbell while in Washington City, I notified the Chiefs of this nation to meet the United States' Commissioners at this place on the 7th inst for the purpose of treating with them for their lands.

Your letter of the 18th, enclosing a copy of the instructions to the Commissioners, did not reach me until the 8th. On the arrival of the Commissioners, I informed them that I was ready to obey their orders on all points touching the negotiation, and cheerfully co-operate with them in effecting the object of their mission.

Yesterday a Treaty was signed by M'Intosh and his adherents alone. Being fully convinced that this Treaty is in direct opposition to the letter and spirit of the instructions which I have a copy of, I feel it to be my bounden duty, as the Agent of the Government, to apprise you of it, that you may adopt such measures as you may deem expedient, as to the ratification; for if ratified, it may produce a horrid state of things among these unfortunate Indians. It is proper to remark, that, with the exception of M'Intosh, and perhaps two others, the signatures to this treaty are either chiefs of low grade, or not chiefs at all; which you can perceive by comparing them to those to other treaties, and to the receipts for the annuity: and these signatures are from eight towns only, when there are fifty-six in the nation.

I beg you to be assured that I pursued strictly your instructions in relation to this negotiation; and although the treaty has not been made in conformity with the instructions of which I have been furnished, yet I think it can be at no distant day to the entire satisfaction of the Government. I have made those hasty remarks from conviction of duty, to apprise you of the manner in which it was accomplished; and if it be thought necessary, I can give you all the particulars, pending this negotiation. A deputation of head chiefs are desirous of visiting Washington, to have a full and fair understanding relative to —

I have the honor to be,

Your obedient servant,

JOHN CROWELL,

Agent for Indian Affairs.

The Hon. JOHN C. CALHOUN,
Secretary of War.

WASHINGTON, *16th February, 1825.*

SIR: On the 13th inst. we had the honor of enclosing to you, from the Indian Springs, the copy of a treaty which had been concluded the day previously, with the Creek nation of Indians. On Monday morning, the 14th, a supplemental article was added, which has exclusive relation to two reservations claimed by the Indian Chief Gen.

McIntosh. I am gratified at the opportunity which I now make of transmitting to the Department, by our Secretary, Major Hay, the original Treaty and the Commissioners' Journal. On reference to this last document, you will discover under what circumstances the negotiation was renewed, and how it progressed and terminated. There is nothing of singular import in the whole proceeding, except the sudden and mysterious departure of the Cussetans at night, after solemn assent to a treaty. The explanation given to this movement, by the report of Col. Williamson, at the conclusion of the Journal, I hope will be found satisfactory. The step was far from being voluntary, these chiefs, doubtless, were deluded by a wily and perfidious individual in the service of the government, as interpreter.— His opposition to a treaty was notorious. His life and character have been too much diversified, and too strongly marked, to make him a fit officer of public trust.

The attendance of chiefs was a full one, much more so than is usual, when *chiefs only* are invited. The opposition was feeble and seems to have been dictated by the Big Warrior. The death of this chief, I conceive, puts the question at rest. That all opposition will now cease, and that the dissenting party will now treat and re-unite themselves with the majority, I have no doubt. To meet this expected contingency, a portion of the appropriation has been reserved.

Shortly before the notice was circulated for the meeting at the Indian Springs, the Chiefs of the Lower Towns convened on Flint River, and adopted certain proceedings, which I now enclose. At these proceedings the Cussetans were fully represented, and the head chief actually signed them. The deputation had reached Milledgeville, on their way to the City, when I reached Georgia,

I have the honor to be, Sir,

With great consideration,

Your obedient servant,

DUNCAN G. CAMPBELL,

The Hon. JOHN C. CALHOUN,
Secretary of War.

CREEK NATION,
Coweta, January 25, 1825.

We, the Chiefs of Coweta, Taladega, Cussetas, Broken Arrows, and Hitchitas Towns, in council met, do take this method to lay before our Father, the President of the United States, the most distressing difficulties that are existing in our nation, and have been for some time past, owing entirely to the existence of two parties in the nation, known and designated by the Red Sticks, (or hostile party,) and the other party friendly to the United States, and who were the warm supporters of the American war against said party of Indians, and also, against the British. For further particulars we most respectfully refer our Father, the President, to General Jackson, who can test to

the characters of the present bearers of this remonstrance. It is painful to us to acknowledge that there is an actual necessity of calling upon our Father, the President of the United States for protection. Inasmuch as the Big Warrior, who is influenced by the hostile party, with the exception of a few are calling his chiefs together, of which consists such Indians as were particularly opposed to the United States during the last American war. One of the most conspicuous Chiefs of this Council is Gun Boy, whom we took prisoner before Fort Gaines during Jackson's campaign against the Seminole Indians; and passing orders and decrees without the consent of any of our towns, apparently for the destruction of our people, who are the friendly party. Inasmuch as it certainly will create an internal war amongst ourselves; and we hope our Father, the President of the United States, will never admit that his red children, who took his white children by the hand in the defence of the United States in the late war with Great Britain, should be entirely excluded from having any voice in the nation; or, in other words, excluded from the benefits of their country, and for the Big Warrior and his party to have the entire prerogative of the nation. We are informed that the Big Warrior and his Chiefs are now in council, and we expect are passing such decrees as are derogatory to the safety of M'Intosh, and the rest of his chiefs: for instance, it has been but a short time since, when they met in the grand council square, and passed an order for the execution of M'Intosh and any other of his Chiefs, who would make any propositions to the United States, in favor of selling any part of the country which we now claim. This is not all; there is no doubt but what said council, at the present meeting, will pass an order for the dismissal of General M'Intosh and many others of his adherents, and in all probability they have, or will, send on a delegation from the council to that amount; although knowing at the same time, that M'Intosh and his Chiefs have the superiority in the grand council of the nation; for reasons why, they were the only supporters and defenders of the nation in the last war; and that a number of the Big Warrior's Chiefs forfeited their rights to the country which they previously had, by their hostility to the United States during the last war.

We do, therefore, deny that the Warrior's party have any right to enter into any such arrangements; and we also deny that Gun Boy, and several others of the Warrior's Chiefs, has any privilege in the national council—although we have heretofore permitted them to do so; for they did not defend our country from the foreign or domestic foes, but used their utmost exertions against the United States, and in favor of their enemies. We, therefore, head men of the nation, or of the aforesaid towns, assure our Father, the President, that we have much trouble in our country, and much too in consequence of our Agent's partiality to the Big Warrior's party, inasmuch as it appears to create a jealousy with us, that the United States is failing to comply with what they once promised us, that is, protection. But we are conscious that it is unknown to our Father, the President.

But hoping that our Father will make the necessary inquiries of our delegation, and to advise accordingly for his red children's welfare, of which we ever pray, &c.

Cowetas,

Tome Tuskunuchey, his x mark.
 Hothe Martha Tusnuggee, his x mark.
 James Island, his x mark.
 Colonel Blue, his x mark.
 Cosku Tuskunuggee, his x mark.
 James Derriso, his x mark.
 Tulsa Hayo, his x mark.
 Arpefka Tuskuneggee, his x mark.
 Efar Tuskunahar, his x mark.
 Fosuch Emarlo, his x mark.
 Thlatohayo, his x mark.
 Neharholo, his x mark.
 Coweta Tuskunehar, his x mark.
 Yeacas Ku, his x mark.
 Fama Micco, his x mark.
 Joseph Marshall,
 Benj. Marshall,
 John Stenner,
 Captain Canard, his x mark.
 Jacob Beaves, his x mark.
 Foshuneh Tuskunuggee, his x mark.

Taladegas.

Walthroco Hargo, his x mark.
 Bucklas Emarlo, his x mark.
 Dick, his x mark.
 Oakfuske Tuskunuggee his x mark.
 Rolin Gaison, his x mark.

Broken Arrows.

Arpefku Tuskunuggee, his x mark.
 Samuel Miller, his x mark.
 C. W. Miller, his x mark.
 Charles Miller, his x mark.
 Andy Lovett, his x mark.
 Harper Lovett, his x mark.
 John Harrod, his x mark.
 Cosseata.
 Tuckeparchuhago, his x mark.

Hitchetas.

Seah Grey.

Wm. M'INTOSH, *Sp. N. Council,*
 SAML. HAWKINS, *Interpreter.*

CHERRY M'INTOSH, *Clerk.*

CREEK NATION, 25th Jan. 1825.

We, the principal Chiefs of Coweta, Talladega, Broken Arrow,
 and Hitcheta Towns, in council met, agreeable to a previous notice
 by Gen. William M'Intosh, whom we acknowledge to be our prin-

cipal protector and Chief, having full confidence in his patriotism, integrity, and great regard for his people, whom he represents, have unanimously nominated and appointed him, with seven others of the national council. (to wit :) Tome Tuskunuggee, Oathle Tuskunuggee, Benjamin Derriso, Seah Gray, Arpifke Tuskenuggee, Tukuparchu Hayo, and Coweata Emarlo, and Samuel Hawkins, interpreter, to meet the President of the United States, our Father, and to make such arrangements as will be most conducive to the welfare of our people, and to receive such advice, as our Father, the President may think proper to give; and should our Father the President, give it, as his opinion, and the claim of the State of Georgia to the land within her limits, would prevent a fee simple title from vesting in our people, then, in that event, Gen. William McIntosh, with the other delegates of our chiefs, are duly authorised, in behalf of our people, to make such arrangements with our father the President, or his Commissioners for that purpose, in an exchange for lands west of the Mississippi, such as have been referred to by the United State's Commissioners, lately at the Broken Arrow, assuring the President our Father, at the same time, that any thing which the said delegates may do on the occasion, will meet the approbation of the national council in general, inasmuch as there are six of our principal council, with Gen. Wm. McIntosh, who are authorised to sign any treaty of that kind, which our Father the President and our delegates may make upon the subject.

Signed in open council the day and date above written.

Cowetas.

Tome Tuskunuggee, his x mark.
 Hothlemarto Tuskunuggee, his x mark.
 James Island his x mark.
 Col. Blue, his x mark.
 Coskee Tuskunuggee, his x mark.
 James Derriso, his x mark.
 Tulsa Hayo, his x mark.
 Arpifkee Tuskunuggee, his x mark.
 Efau Tuskunaha, his x mark.
 Fosueh Emarlo, his x mark.
 Thohato Hayo, his x mark.
 Nichar Halo, his x mark.
 Coweata Tuskunehar, his x mark.
 Yeacas Ku, his x mark.
 Farma Micco, his x mark.
 Joseph Marshall,
 Benj Marshall,
 John Shehica, his x mark.
 Jacob Beaves, his x mark.
 Fospunch Tuskunuggee, his x mark.

Talladegas.

Mathlo Hayo, his x mark.
 Fuchlas Emarlo, his x mark.

Dick, his x mark.
 Oakfuske Tuskunuggee, his x mark.
 Robin Gaison, his x mark.

Broken Arrows.

Arpifke Tuskunuggee, his x mark.
 Samuel Miller, his x mark.
 C. W. Miller, his x mark.
 Charles Miller, his x mark.
 Andy Lovett, his x mark.
 Harper Lovett, his x mark.
 John Harrod, his x mark.

Cuseata.

Tusherbatchee Hayo.

Hitcheta.

Seah Gray.

WILLIAM McINTOSH,
Speaker to the National Council.
 SAMUEL HAWKINS,
Interpreter.

CHERRY McINTOSH,
cl. to the N. Council.

*Copy of a Letter from D. G. Campbell to Col. John Crowell, agent of
 Indian Affairs*

WASHINGTON CITY, January 12, 1835.

SIR: The commissioners on the part of the United States have come to the conclusion of assembling the Chiefs of the Creek nation, for the purpose of submitting to them matters of importance to themselves and the government. The day of convention will be the 7th of February next, Monday at the Indian Springs. We are desirous that all the chiefs of the nation should attend, who are in the habit of transacting public business, and of signing treaties.

You will cause the enclosed invitation to be circulated, forthwith, amongst the chiefs, and broken days issued accordingly. On my return to Georgia, which will be in a few days, I shall probably have occasion to address you further upon the subject of the negotiation.

I am, sir, your obedient servant,
 DUNCAN G. CAMPBELL.

Col. JOHN CROWELL,
Agent Indian Affairs.

No co su Emautha,	his x mark.	[L. S.]
Col. Wm. Miller, Th'catchca,	his x mark.	[L. S.]
Abeco Tustunnuggee,	his x mark.	[L. S.]
Hoethlepoga Tustunnugga,	his x mark.	[L. S.]
Eepocokee Emautla,	his x mark.	[L. S.]
Samuel Miller,	his x mark.	[L. S.]
Tomoc Mico,	his x mark.	[L. S.]
Charles Miller,	his x mark.	[L. S.]
Tallasu Hajo, or John Carr,	his x mark.	[L. S.]
Otulga Emautla,	his x mark.	[L. S.]
Ahalaco Yoholo, of Cusatau	his x mark.	[L. S.]
Walucco Hajo, of New Yauco,	his x mark.	[L. S.]
Cohausee Ematla, do.	his x mark.	[L. S.]
Nineomau Tochee, do.	his x mark.	[L. S.]
Konope Emautha, Sand Town,	his x mark.	[L. S.]
Chawacala Mico, do.	his x mark.	[L. S.]
Foctalustu Emautla, do.	his x mark.	[L. S.]
Josiah Gray, from Hichater,	his x mark.	[L. S.]
William Kanard, do.	his x mark.	[L. S.]
Neha Theucco Hatkee, do.	his x mark.	[L. S.]
Halathta Fixico, from Big Shoal,	his x mark.	[L. S.]
Alexander Lasby, from Talledega,	his x mark.	[L. S.]
Espokoke Hajo, do.	his x mark.	[L. S.]
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Nineomatochee, do.	his x mark.	[L. S.]
Chuhah Hajo, do.	his x mark.	[L. S.]
Efie Eematla, do.	his x mark.	[L. S.]
Atausu Hopoie, do.	his x mark.	[L. S.]
James Fife, do.	his x mark.	[L. S.]

Executed on the day as above written, in presence of

JOHN CROWELL,
Agent for Indian Affairs.
 WM. F. HAY, *Secretary.*
 WM. MERRIWETHER,
 WM. HAMBLY,
United States' Interpreter.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian Chief, General William McIntosh, claims title to the Indian Spring Reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said McIntosh, signed in full council of the nation: And, whereas, the said General William McIntosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof:

Now these presents, further witness, that the said General William McIntosh, and also the Chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five

thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said Commissioners on the part of the United States, and the said William McIntosh and the Chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty five.

DUNCAN G. CAMPBELL, [LS]
 JAMES MERIWETHER, [LS]
U. S. Commissioners.

William McIntosh,	his x mark.	[LS]
Eetomnee Tustunnuggee,	his x mark.	[LS]
Tuskegoh Tustunnuggee,	his x mark.	[LS]
Cowetau Tustunnugge,	his x mark.	[LS]
Col. Wm. Miller,	his x mark.	[LS]
Josiah Gray,	his x mark.	[LS]
Nehathlucco Hatchee,	his x mark.	[LS]
Alexander Lasley,	his x mark.	[LS]
William Canard,	his x mark.	[LS]

Witness of execution,
 Wm. F. HAY, *Secretary.*
 Wm. HAMBLY, *United States' Interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of Gen. William McIntosh, be it therefore known to whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior, his x mark.
 Yoholo Micco, his x mark.
 Little Prince, his x mark.
 Hopoi Hadjo, his x mark.
 Tuskehenahau, his x mark.
 Oakefuska Yoholo, his x mark.
 JOHN CROWELI,

Agent for Indian Affairs.

July 25, 1825. [1824.]

vice at Broken Arrow, was because he was not instructed to do so, and did not, therefore, consider it to be his duty.

The propositions made at Broken Arrow, were repeated, to exchange for the whole country, and give a difference of five hundred thousand dollars, which should be considered as a full indemnity for the loss of improvements, and the expense of removal. The Chiefs were then advised to consult among themselves, and give the subject a full and dispassionate consideration. The Commissioners then retired. On the evening of this day, the Cowetaus, Cusseataus, Hitchetas, Soowagalaws, Talladegas, New Yorkers, Sand Towns, Thlecatchkas, Big Shoal, met in a council of their own. There was a numerous representation from the Coweta and Cusseatau towns. The subject of the treaty was fully discussed, as we are informed, and have no doubt. A vote was taken and was unapimous, with the exception of two inconsiderable Chiefs, in favor of a cession. Those who attended, were free in their intercourse and communications with the Commissioners, and seemed to feel no restraint or hesitation in the expression of their feelings and assent, upon the subject of a sale and removal.

The following communication was received from the War Department, by express, from Washington Georgia :

DEPARTMENT OF WAR,
January 21, 1825.

GENTLEMEN: In my instructions to you of 13th September last, there was no designation of land made to be assigned to the Creeks, in the event of their removal. Since you left here the subject has been further examined into, in reference to a general disposition of the tribes west of the Mississippi, from which examination I find that a portion of the country lying in the junction of the Arkansas and Canadian river, one of the principal branches of the Arkansas, and which limits the Choctaw possessions in that quarter, is the best, and may accordingly be proposed. Any arrangements, however, which may be entered into in relation to it, must, of course, be subject to the extinguishment of the titles to those lands according to the tenor of my instructions aforesaid.

I am, very respectfully, your obtd.

J. C. CALHOUN.

To Messrs. CAMPBELL & MERRIWETHER,
Commissioners, &c.

FRIDAY, 11th.

The Commissioners met the council at 12 o'clock. The chiefs were requested to give their reply to the talk of yesterday. The head chief from Tuckaubatchee then addressed the commissioners to the following effect: We met you at Broken Arrow, and then told you we had no land to sell; I then heard of no claims against the nation, nor have I since. We have met you here at a very short notice, and do not think that the chiefs who are here have any authority to treat. Gen. M'Intosh knows that we are bound by our laws, and

that what is not done in the public square, in general council, is not binding on the nation. I am, therefore, under the necessity of repeating the same answer as given at Broken Arrow, that we have no land to sell. I know that there are but few from the upper towns here, and many are absent from the lower towns.

General McIntosh knows, that no part of the land can be sold without a full council and with the consent of all the nation, and, if a part of the nation choose to leave the country, they cannot sell the land they have, but it belongs to the nation. From what you told us yesterday, I am induced to believe that it may be best for us to remove, but we must have time to think of it; and, should the chiefs who are here sell the land now, it might create dissensions and ill blood among the Indians. I have received a message from my head chief, the Big Warrior, directing me to listen to what commissioners have to say; to meet them friendly and part in the same way, but not to sell the land. I am also instructed, to invite you to meet us at Broken Arrow, three months hence, when a treaty may possibly be made, and to return home. This is the only talk I have for you, and I shall return home immediately. I gave you but *one* talk at Broken Arrow, and shall give you but *one* here. Such is the message I have received from my head chief, and I am bound to obey. To-morrow I shall leave here. I have now said all I have to say; I will listen to anything further you have to say, but shall give no further answer. The chiefs who were in favor of cession, being vastly superior in grade and numbers, replied to this talk, and stated that the nation was fully represented, much more so than is usual at meetings without the nation, and that they were fully authorized to make a treaty; that they had come there for the purpose of making a treaty, and should do so. Finding that the subject was undergoing a discussion, the commissioners retired for the purpose of removing the restraint which their presence might produce; and, after some further debate among themselves, the council broke up. Previous to retiring, the commissioners informed the council that they had been called together by the authority of the President, on business of importance: that the nation appeared to be fully represented, and, that if any of them thought proper to leave the place before the business was closed, they should conceive themselves fully authorized to carry on and conclude their negotiation with those who remained.

SATURDAY, 12th.

In the morning of this day, early, the commissioners were informed, that, in the course of the previous night, a part of the Cussetaus and Soowagaloos had broke up their encampment and started home. On inquiry, it was found that a part of the chiefs from those towns had secretly left their encampment after midnight and retired, without giving the slightest intimation of their intentions either to the commissioners or to those chiefs of the other towns with whom they acted in concert on Thursday evening, and in council on Friday. Being wholly at a loss to account for this sudden and mysterious movement, the commissioners instituted an inquiry into its cause. The only information obtained, was derived from a half breed Indian,

who stated that the *order* for their departure came from Col. Hambly the interpreter. The following order was issued, and the messenger dispatched. "The chiefs of the Cussetau Town having assembled at the Indian Springs under the authority of the President, and then suddenly retired, under order, as is stated: the commissioners demand that they state to the bearers hereof, the reasons of their leaving the treaty ground, and particularly that they state under whose order they are acting." At 2 o'clock, having prepared a treaty, in conformity with the wishes of a large portion of the chiefs, the commissioners met the council, when the treaty having been fully interpreted and explained, was signed by all the chiefs present, except the delegation from Tuckebatchee, and one chief from Talledega. During the execution of the treaty, to which no objection had been made, the principal chief from Tuckebatchee, Poyethleyohole, addressed the council as follows, "I have received instructions from my head chief not to sign a treaty, but perhaps on seeing him we may yet conclude to join you and all be friends. I wish to part with you all in perfect friendship." The Tuckebatchee chiefs then took friendly leave of the commissioners and the council, and retired.

MONDAY, 14th.

The commissioners met the council: when an additional article to the treaty was interpreted to, and signed by, all the principal chiefs present.

Soon after the treaty was concluded, Colonel Williamson returned and made the following report—

Wm. W. Williamson having been dispatched under written authority from the United States' Commissioners holding a treaty with the Creek Indians for the purpose of demanding of certain chiefs the reasons of their leaving the treaty ground, and of ascertaining under whose authority they were acting; reports to the commissioners the occurrences of his jaunt, and the information which he acquired.

The informant states, that, under the order of the commissioners, he set out from the treaty ground, on Saturday morning, taking with him two intelligent half breed Indians, one of whom speaks English correctly.

Having progressed upwards of twenty miles in pursuit, he met a Cowetau Indian, who, upon being questioned, stated that he met Tuckebatchee Hajo, a Cussetau chief, who told him, that they had left the treaty; that Col. Stedham had told him to go; that Hambly said so; and if they did not go, they would all be put in jail. (Col. Stedham is a chief of Soowagoloo town, and Hambly is United States' interpreter.) The informant then proceeded a few miles onward, and overtook the son of old Tuskenaha, the head chief of Cussetau. He stated that, the overnight, Col. Stedham came to the camp, and took his father out, and that, in their absence, he fell asleep, and when he awoke, he found that all were gone, and word left for him to follow. The young man then referred us to another Indian, who was traveling with him, who, he said, was riding Stedham's saddle. The person referred to, was then examined, who stated, that, in the night, a

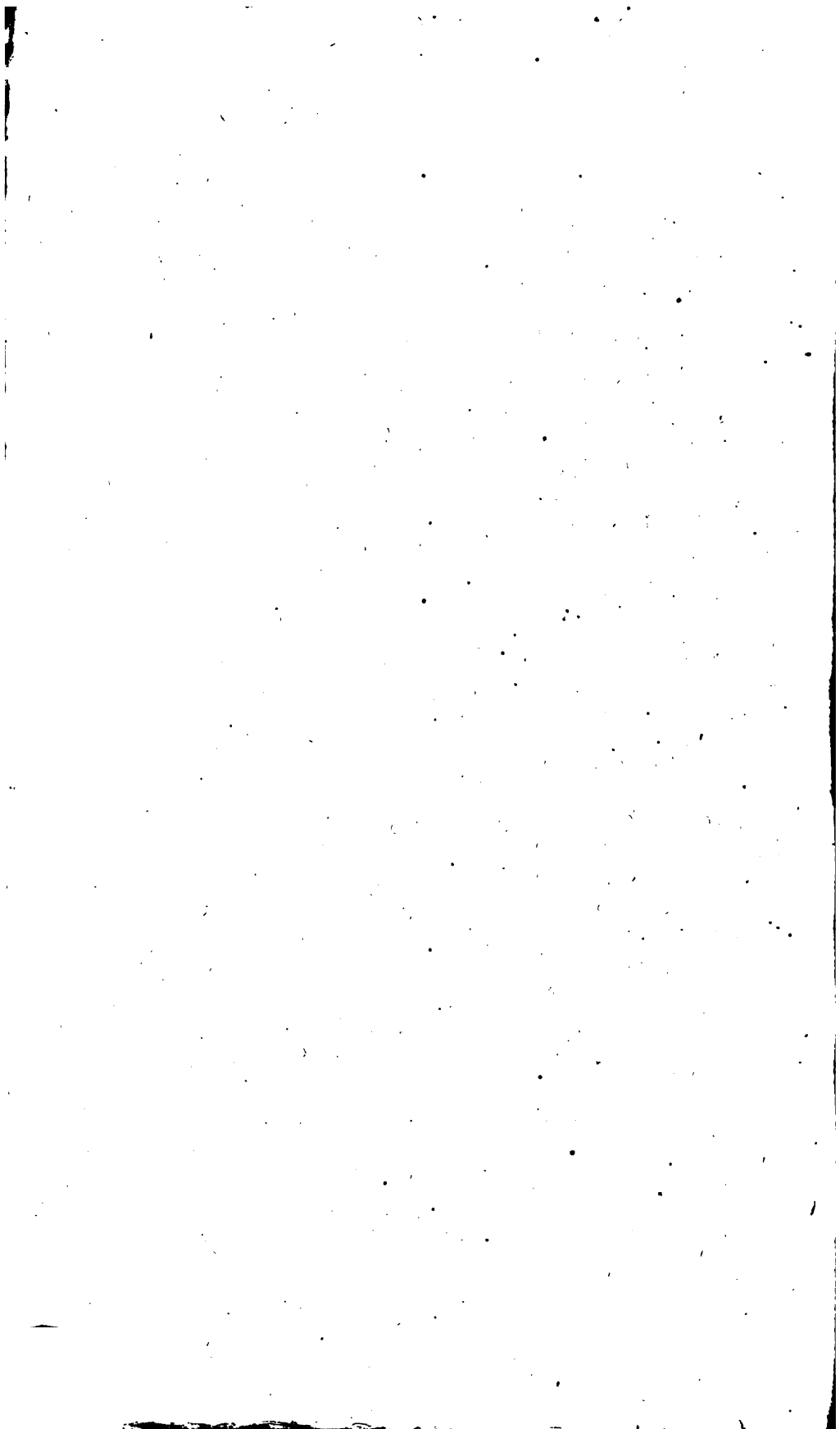
white man came to the camp, and called out Stedham, and had a conversation of some length. At the close, Stedham returned to the camp, and said he should be off, and would take the (examinant's) saddle, and examinant must bring on his. We then proceeded to Flint river, forty five miles from the treaty ground. We there learned, that the retiring party had crossed the river about the middle of the day, and observed that they were then out of danger, and could not be overtaken. We found that the party had stopped, and some were resting, and others amusing themselves. Search was made for Tuck-abatchee Hajo, who, upon being questioned, acknowledged that he had made the statement to the young Indian, as before related, and confirmed it. He added, that Hambly had told Stedham to go and to take old Tuskenah with him..

Another old chief was next examined, Ossa Pochee, who stated that Stedham had come to the camp in the night, and called out old Tuskenah, and had a long talk, and told him, that if they did not all go, the white people would have them all in jail; that they must start that night, and ride all night, and get over the line, or they would be overtaken. They then broke up and set out.

Another Indian stated, that Stedham said that if old Tuskinah and his party were brought away, what were left could not make a treaty, and that was the reason they came off. These examinations were had in the course of Saturday night: next morning we sought an interview with old Tuskinah himself. He was found extremely indisposed to a full disclosure; but upon being closely questioned, acknowledged that Stedham had come to him in the night and told him to go—that he was one of the oldest chiefs, and that a treaty could not be made without him. Other Indians, standing by observed to Tuskinah, that he had told them a different story before. He then acknowledged that Stedham had said the orders came from Hambly, and that Stedham's information was as he had before stated. He said that he was a friend to the commissioners and the President, and had no notion of going off until Stedham gave him the talk. In the course of the examination, he implicated Poyeth-yohola; and said that he had come to the camp and told them to go and break up the treaty for the present, and they would meet again, a few months hence, at Broken Arrow. Poyeth-yohola is the head chief of Tuck-abatchee, attending the treaty.

In our jaunt we received certain information of the death of the Big Warrior, from different sources.

The commissioners then convened the chiefs; distributed some presents; ordered them furnished with rations to take them home; advised them to temperance and unanimity, and took friendly leave, and adjourned.



LETTER

From the Secretary of War, transmitting copies of the Report and Proceedings of the Commissioners appointed to treat with the Creek Nation of Indians, for an extinguishment of their claim to land, lying within the State of Georgia, &c.

FEBRUARY 8, 1825.

Referred to the Committee on Indian Affairs.

DEPARTMENT OF WAR,

February 5, 1825.

SIR: In compliance with the resolution of the House of Representatives of the 1st inst. directing the Secretary of War to lay before the House "a copy of the report of the Commissioners appointed by the President to treat with the Creek Indians, for the extinguishment of their claim to lands lying within the state of Georgia; of the journal kept by the said Commissioners, and of the correspondence respecting the causes that have prevented them from effecting the object of their appointment; and also a copy of all the letters written to the Creek Indian agent on that subject from the Department of War," I have the honor to transmit herewith, the inclosed copies of all the papers, numbered from 1 to 10, called for by said resolution. A copy of the original instructions to the commissioners is also inclosed.

I have the honor to be,

Your obedient servant,

J. C. CALHOUN.

To the Hon. the SPEAKER

Of the House of Representatives, U. S.

CITY OF WASHINGTON,

8th January, 1825.

SIR: The Commissioners appointed by the General Government to hold a treaty with the Creek nation of Indians, for the acquisition of territory, met at the Broken Arrow, an Indian town on the Chatahoochee, on the 29th November last. The negotiation was commenced on the 1st December, with the chiefs of the nation, in number about two hundred. There were in attendance, however, from six to ten thousand of the inhabitants of the country. Our proceedings were necessarily protracted on account of our exposed situation, at an inclement season, and the obstacles which we had to encounter. Having continued in session from 1st to the 18th of December, we resolved upon a temporary adjournment, that we might be enabled to communicate with the Government upon points materially affecting our future operations. For this purpose, I have visited this place, and now do myself the honor of submitting to the Department, as well the proceedings which have already occurred, as the prospective arrangements which we hope to effect.

From the discussions which have been had, great in number and variety, upon the subject of our relations with the Indian tribes within the limits of states, we are very certain that we do not err in concluding that it is the wish, as well as the policy, of the Government, that the land claim of such tribes should be extinguished, and their removal effected. To produce such desired end, the commissioners have exerted every mean which it was in their power to control.— Had the authorities and people of the nation been left to the free and unrestrained exercise of their own inclinations and judgment, we believe that our success would have been commensurate with our wishes and propositions. From the outset, it was impossible not to perceive a very striking difference between the sentiments and deportment of the chiefs of the upper and lower towns. This local distinction applies itself to the settlers upon the Tallapoosa, and those upon the Chatahoochie. The former are principally under the control of the Big Warrior, and the latter of General McIntosh. The former were stubborn and unyielding, while the latter considered our proposition as reasonable, and were disposed to its acceptance. A treaty could have been obtained, signed by a large majority of the Chiefs within the Georgia limits, ceding the territory which they occupy, and we doubt not, but that there would have been a striking unanimity on the part of the population, but for the threats and intimidating language which had been industriously circulated. These are contained in the written proceedings of the two meetings held by a portion of the chiefs at Tuckabatchee in May, and at the Pole Cat Springs in November last. The first of these meetings seems to have been produced, in some measure, by a communication made by John Ross, a Cherokee chief, to the Big Warrior, immediately after his return from this place, in the spring of the last year. His commu-

negotiation was accompanied by manuscript copies of the whole proceedings which occurred shortly previous, with that tribe. With the precise tenor of Ross' letter, we could not inform ourselves, but understood that it proposed a concert of action between the two tribes; that it earnestly advised a resistance of the policy of the government, and that its further aim was to depreciate McIntosh, and to destroy his standing and influence. The course prescribed seems to have been scrupulously pursued, for, at the meeting at Tuckabatchee, the resolution was, to "follow the pattern of the Cherokees, and, on no account whatever, to consent to sell one foot of land, neither by exchange or otherwise." This meeting was attended exclusively by chiefs within the Alabama limits. The proceedings of this meeting were in the presence of, and reduced to writing by Captain Walker, the sub-agent, and carried, shortly after, in June, to the Broken Arrow by the Big Warrior, and submitted for sanction. No objection was made, except by McIntosh, neither do we understand that any direct sanction was obtained. The time which transpired between the period of this meeting, and the subsequent meeting at the Pole Cat Springs, in November, seems to have been industriously employed in confirming the decision of the upper town chiefs, and in exciting and cherishing the fears and alarms of McIntosh and his adherents.

The second meeting at the Pole Cat Springs, was at the house of the sub-agent and as on the previous occasion, he was the writer of the state paper, and immediately afterwards, caused both to be published in the newspapers of Alabama. A paper containing these publications accompanies this statement. Of the existence of these proceedings by which the question was prejudged, and the commission forestalled, we had no knowledge until we obtained it casually on our way to the treaty. Under these disadvantages the negotiation was commenced, and the journal of our proceedings, herewith furnished will serve to show, to some extent, the manner in which it was pursued. The commissioners were dependent solely upon their own exertions. They derived no aid from the principal agent, and encountered the perfidious opposition of his assistant. I may not, sir, have a proper apprehension of the duties and obligations of the agent's department; but according to my convictions, a furtherance of the views and policy of the government should form its paramount consideration. The agent, however, entertains a different sentiment, and professes to pursue a course of strict neutrality. As against the agent, we make no charge of interference. But that Captain Walker has prostituted the duties of his office, and wantonly intermeddled, we have no hesitation in alleging. If these people are capable, they are not inclined to draw the distinction, and therefore give to the conduct of Captain Walker the sanction of the agent's department.

I have thus, sir, enumerated some of the causes which operated, what our adversaries are pleased to regard, an entire defeat. We are far, however, from considering that we have failed in laying the ground work of the most pleasing and satisfactory success. The letter which I had the honor to address to the Department, from Augusta, in November, 1823, in which allusion is made to the sentiments of Gen. McIntosh, has been used as an instrument in the hands

of his enemies, for the purpose of lessening his influence, and of bringing him into contempt among his own people. Satisfied, as I am, that nothing which I then said, or which I shall now say, ought rightfully to have such tendency, I shall proceed to detail some further proceedings, with which that individual is particularly connected. So long as the negotiation was conducted with the council generally, no answer was received, other than a prompt rejection of every proposition which was submitted. We were aware, that individuals sitting in Council acquiesced in such refusal, who are heartily disposed to a cession, but were held in restraint by the intimidating language of the adverse party. We made access to a number of chiefs of this description, and received from them a full disclosure of their feelings, wishes and difficulties. A Treaty could have been obtained, signed by a full representation of chiefs, from all the towns within the limits of Georgia. The population contained within those limits, is represented by the Agent to be about ten thousand; and, also, to be the one half of the whole nation. Such treaty would have extinguished the Indian claim to all lands within the limits of Georgia; and would have effected the removal of that number of Indians beyond the Mississippi. To the conclusion of such a treaty, at the time, and under the circumstances, two difficulties presented themselves. We had commenced our negotiation with the entire nation, represented by a National Council. After doing this, we were not fully satisfied that a treaty, obtained from a divided council, sitting at a different place, would have met the sanction of the government. Its rejection would have reduced its signers to the grade of common Indians, and perhaps have exposed their persons to the severest vengeance of the opposing party. It was, therefore, thought most expedient to come to a temporary adjournment, and consult the government, in relation to the exigency. The authority of the executive is asked, to convene the chiefs within the limits of Georgia—to negotiate with them exclusively, if we think proper, or inclusive of a deputation of chiefs from the Upper Towns, if such deputation should present themselves, and evince a disposition to negotiate to further extent. The success of any future operation depends solely upon the decision to be made upon this proposition. The grant of such authority, with positive certainty, will result as I have stated. If it be considered as inconsistent or impolitic, then any further prospect of acquiring lands of the Creeks, by the process of negotiation, may be considered as closed. Much conversation was held with general McIntosh, concerning the details and consequences of such an arrangement. He is the only Indian with whom I have ever conversed, who seemed to comprehend rightly the connexion between the Indian tribes and the government of the United States.

If others have the like legal view of their condition, they have never had the candor or magnanimity to express it. He seems to appreciate very feelingly, the manner in which the tribe has been cherished; and the very humane and advantageous policy suggested by the President and the Department, of concentrating all the tribes in compact settlements, beyond the Mississippi. In effecting this design, he will have it in his power to be eminently useful. Himself and his followers, ten thousand in number, would form the largest tribe in the

west; and, by example and invitation, would induce others to join them. It is sanguinely believed, that, even at the outset, if such arrangement were about to occur, that the nation would not permit itself to be divided, but, that the whole would come in, and that the removal would be general and entire. But if this desirable end could not be produced at once, the emigrating party would very speedily drain from our limits those who might remain. For considerations like these, I view it as a matter of great moment to maintain McIntosh in his authority and influence, and in his estimation of himself. I beg to be pardoned, for suggesting, that I consider this much his due, from the important military services which he has rendered the United States. He stands very differently, in point of merit, from his principal opposer, the Big Warrior; and the like difference would be found in a comparison of the followers of the one, with those of the other. He has been to the west himself, and has the judgment to discover, and the candor to acknowledge, the superior advantages of a location in that quarter. He would have preferred the territory selected by the Choctaws, but has no objection to a settlement still further west. The emigrating party are desirous that as little time should be lost as possible. They will send out an exploring committee, and wish to avail themselves of the spring and summer of this year, for that purpose. They are desirous, also, that the period of their removal, should not be beyond the next fall. Such promptness and expedition cannot be otherwise than acceptable to the government; It will be particularly so to the states which are interested. It is proposed by the emigrants themselves, to relieve the government from the entire expense and detail of transportation. A particular sum, not unreasonable or excessive in amount, will be stipulated to be given, which they will receive and disburse themselves, considering it is a full indemnity for the improvements which they abandon, the expenses which they may incur, either in transportation or the purchase of necessaries to sustain them in their new settlement.

Upon the subject of the government of the Creeks we could not acquire information of a definite and satisfactory character. Their council is composed of a great number of Chiefs of various grades of authority. The Big Warrior is Head Chief of the Upper Towns, and McIntosh of the lower. He is also Speaker of the Nation. The Little Prince is highest in authority; being Head Chief of the Nation; and has been uniformly the friend and adherent of McIntosh. In the present negotiation he considered himself bound by the sanction he had given to the proceedings at Tuckabatchee and Pole Cat Springs. His attendance at those meetings we consider to have been insidiously procured.

The attendance of the head chief of the Cowetau Town was procured in like manner, at the last meeting at Pole Cat Springs. The name of this chief, as signed to the proceedings, is Tomma Tustanugga. I received the statement from himself, that he had been taken in, and imposed upon, and that he should not hold himself bound by the supposed pledge. This Cowetau town is the most extensive and numerous in the nation, and claims to be the original town of the whole tribe, and that all others are its branches. In proof of this priority of standing, I beg leave to refer you to our Journal, which contains a

communication from the Council of the 11th of December, in which they say that "the first red people that ever visited the whites, were from the Cowetau Town. The like proof was contained in an observation of the Little Prince, during the negotiation. In argument, an old treaty was referred to, which had been concluded between the Creeks and the state of Georgia. Its authenticity was denied, on the ground that "no Cowetau chief had signed it." Cowetau is on both sides of the Chatahoochie; contains M'Intosh, the Little Prince, Comma-Tustunnugga; and extends from Broken Arrow to the Cherokee boundary. It is worthy of remark, that the treaty of 1821, concluded at the Indian Springs, is signed by but two chiefs on the Alabama side of the nation. The fact is, that M'Intosh maintains the right of the Cowetau Town alone to dispose of the whole country. It would seem that the upper towns conceded this authority, and dreaded its exercise; for the utmost consternation was discoverable wherever it was known that commission [the commissioners] and the Cowetau chiefs had had an interview.

Thus, Sir, have I hastily detailed to you the obstacles which we had to encounter; the foundation which we laid; the prospective advantages which are held out to us; the manner of their attainment, and a very imperfect history of the relative powers of the Creek towns. I shall be gratified if the sketch shall be found to contain the information required. If it does not, its defects may probably be supplied by reference to myself; and [I] hope that such reference may be made, without reserve, as often as necessary.

I would add, very respectfully, that an early decision is desirable. It is in contemplation to return to the Creek country, re assemble the chiefs by the 5th of February, and transmit the treaty in time for the adjudication of the present Senate.

With great consideration and esteem, I have the honor to be, Sir
your obedient servant,

DUNCAN G. CAMPBELL,

The Hon. JOHN C. CALHOUN,
Secretary of War, Washington City.

DEPARTMENT OF WAR,
16th July, 1824.

SIR: Major James Merriwether and yourself, have been appointed, by the President, Commissioners to treat with the Creek Indians, and I accordingly enclose herewith your Commission, and instructions.

Major Merriwether is notified of the appointment, and furnished with a copy of the instructions.

I have the honor to be,

Your obedient servant,

JOHN C. CALHOUN.

Col. DUNCAN G. CAMPBELL,
Commissioner, &c. Washington, Georgia.

WASHINGTON, 27th July, 1824.

SIR: I had the honor of receiving yours of the 16th inst. accompanied by a commission to Major Merriwether, and myself to hold a treaty with the Creek nation of Indians. The instructions under which our proceedings are to be conducted, have also been received. I have this day written to the Creek Agent, Col. Crowell, upon the subject of the contemplated treaty, and have an expectation of seeing the other Commissioner this week at Athens.

The President and Department will please accept my acknowledgments for this additional mark of confidence, and the pledge of my best exertions, to accomplish the business of the appointment.

With great consideration and esteem,

I am, &c. &c.

DUNCAN G. CAMPBELL.

The Hon. JOHN C. CALHOUN,

DEPARTMENT OF WAR,
19th July, 1824.

GENTLEMEN: Upon reflection, it is thought proper to defer transmitting the funds, for the expenses of negotiating with the Creeks, until you have apprised the Department of your acceptance, and of the time at which the funds will be required. On the receipt of such information the funds will be forwarded.

I have the honor, &c.

JOHN C. CALHOUN.

Col. DUNCAN G. CAMPBELL,

AND

Maj. JAMES MERRIWETHER,
Commissioners, &c.

WASHINGTON, 27th July, 1824.

DEAR SIR: By the last mail I received a communication from the Secretary of War, advising me of the appointment of Commissioners, to treat with the Creek nation of Indians, for the acquisition of territory within the limits of Georgia. Before this reaches you, you will no doubt receive the like information. Being instructed to correspond with you upon the subject of the proposed treaty, I am happy that an acquaintance will authorise a free discussion of all matters connected with the subject. Having so recently heard of the appointment, I have not yet had an opportunity of seeing my colleague, Major Merriwether. We shall no doubt, have an interview next week at Athens, where we shall probably digest some plan for

our future operations. In the mean time will you do me the favor, to give me your views as to the most convenient time and place of having the convention. Say, also, what number of Indians may be expected to attend, what length of time we shall probably be engaged in the negotiation, and what will be the most advisable mode of supplying rations at the least expense.

I am, &c.

DUNCAN G. CAMPBELL,

Col. JOHN CROWELL,

WASHINGTON, August 8, 1824.

SIR: Since writing you on the 27th, I have received yours of the 19th ult. relating to the transmission of the funds for negotiating with the Creeks. The Department will please consider us as having accepted the appointment of Commissioners. I have lately seen Major Merriwether; but not having heard from the agent, Colonel Crowell, we were unable to fix definitely upon the time of holding the treaty. We spoke of the 1st of November, as well suited for the occasion, and shall direct our arrangements to that period, unless the agent furnishes some satisfactory reason to the contrary. A young gentleman who resides at the agency reached here yesterday, and informs me that the agent received communications from the Department and myself at the same time, and at the moment of setting out for Savannah; that he will be here on the 15th inst. on his return. I shall avail myself of the opportunity of the interview to acquire in detail all the information necessary to our future operations. The agent is intelligent and communicative, and, I am certain, will afford us all the facilities within his control.

I have, &c. &c.

DUNCAN G. CAMPBELL

The Hon. JOHN C. CALHOUN,

DEPARTMENT OF WAR,
September 13th, 1824,

SIR: In drawing up your instructions, as Commissioner to treat with the Creek Indians, the subject of exchange of territory did not escape the attention of the Department; but there is, at present, no tract of land on the West of the Mississippi, to which the Indian title is extinguished, that could be offered in exchange. Such being the fact, it was believed that no arrangement could take place on the principle of exchange of territory, that would be satisfactory to the Creeks. If, however, you should find there is any likelihood of making the exchange, the Government would prefer that to any other ar-

angement; but such an arrangement would have to be conditional upon the extinguishing the Indian title to the tract that may be designated west of the Mississippi. Should any such tract be conditionally designated west of our settlements, the Government would immediately make arrangements for the extinguishment of the Indian title, in order to put the Creeks in possession of it. The enclosed sketch will show the present Indian boundaries in that quarter, which will regulate you in your location west, should an exchange of territory be adopted as the basis of the pending treaty with the Creeks.

I have, &c. &c.

JOHN C. CALHOUN.

To Colonel DUNCAN G. CAMPBELL.

AUGUSTA, August, 6, 1824.

SIR: When on the eve of leaving home for Savannah, where I have to attend the District Court on business of the United States, I received information from the Department of War, of yourself and Major Merriwether being appointed to treat with the Creek Indians for lands within the limits of Georgia, as well as your letter on the same subject. As my presence at the Court in Savannah is indispensably necessary, I cannot attend you till my return, which, I think, will be about the 15th, when I will do myself the honor to call on you at your residence, and make the necessary arrangements preparatory to the meeting of the Indians. I hope the few days delay, in consequence of my trip to Savannah, will not be material, or interfere with your arrangements in relation to it.

I have, &c. &c.

JOHN CROWELL,
Agent for Indian Affairs.

Colonel DUNCAN G. CAMPBELL,
Washington, Georgia.

WASHINGTON, September 5, 1824.

DEAR SIR: Having receiving Major Merriwether's views upon the subject of a contract for supplying rations for such Indians as may attend the contemplated treaty, I now forward the result. The Major seems to be of opinion, that advertising for proposals will be the most expedient plan which we can adopt. I have given you on the other side an extract from his letter to which I ask your attention. Situated as you are, with more means of information on the subject than we possess, and having also had the benefit of experience upon the matter of contract, we must necessarily place much reliance upon your judgment and discretion. You will readily perceive that it is an object as well as a duty to be cautious as well as economical.

Keeping these principles in view, we will request you to pursue such course as you may deem most expedient in procuring a favorable and efficient contract. I shall attend Baldwin Court on the 4th Monday in this month, when I shall be glad to be informed of any matter affecting our negotiation. We are greatly concerned for the result of our mission, and must beg you to prepare the nation for the issue we desire.

I am, &c. &c.

DUNCAN G. CAMPBELL,

Col. JOHN CROWELL,

PRINCETON, CREEK NATION,

September 20th, 1824.

SIR: I reply to your letter of the 5th instant on the subject of a contract to be made for supplying rations for such Indians as may attend the contemplated treaty, I have to observe, that I did, while at Washington give you the best information I possessed in relation to this subject. I will with pleasure close a contract for you, or do any thing you may require me to do in relation to the contract, or any other matter touching the business of the treaty that I can consistently do. But it must be distinctly understood, that it is to be done under your special instructions. Should you determine to advertise for proposals, there is no time to spare, and if you wish me to close the contract, you will direct the proposals to be made to me at the Creek Agency on a given day for rations to be issued to the Indians at Broken Arrow, near Fort Mitchell, to commence on the 25th of November, and to continue as long as the Commissioners may require. Should the proposals be directed to me it must be done on or before the 1st of November, as I shall be absent from that date to the 20th of November on business in Savannah.

From the best information I have been able to collect, I think we may reasonably calculate on about five thousand Indians attending the treaty.

I have, &c.

JOHN CROWELL,

Agent for Indian Affairs.

Col. DUNCAN G. CAMPBELL, *Milledgeville.*

PRINCETON, CREEK NATION,

September 27th, 1824.

SIR: Since I wrote you last, I have had an interview with a number of the head chiefs of the Creek Nation at this place. I stated to them that Commissioners had been appointed by the United States

for the purpose of holding a treaty with them for the purchase of the lands within the limits of Georgia, and the Commissioners and myself had appointed the 25th November for the meeting, and at this place; but in consequence of the indisposition of several of the Head Chiefs, they opposed to fixing upon that day. I then urged them to as early a day as possible, and we finally agreed upon the 6th of December as the earliest day they would consent to. You will therefore, consider that as the day of the meeting, instead of the 25th of November, as agreed upon between us at Washington.

I have, &c.

JOHN CROWELL,

Agent for Indian Affairs.

Col. DUNCAN G. CAMPBELL,
Washington, Georgia.

WATKINSVILLE, 13th October, 1824.

Sir: I have declined answering yours of the 20th and 27th ultimo, knowing that I should have an interview with Major Merriwether at this place. Having had that interview, I now communicate the result. When we fixed the 25th November as the day of commencing our negotiations with the Creeks, we felt that it was a more distant period than was well suited to our convenience. It is therefore with more reluctance that we obtain an assent to a postponement of the time. The 6th of December is an extension of the time which will result in such an interference with our engagements, as to be highly objectionable. We have therefore come to the conclusion of suggesting the 1st of December, as better suited to ourselves, and which we hope will in no wise be exceptionable to the chiefs or yourself. We are of opinion that a contract for supplying rations, can be most economically obtained by advertising for proposals. Your intended absence, as mentioned in yours of the 20th, will occur at a time when the proposals should be opened, and a contract closed. We have, therefore, advertised for proposals to be delivered to ourselves at Milledgeville, on the 8th of November, at which time a contract will be reduced to form and a requisition made. About that time, you will probably pass Milledgeville, on your way to Savannah. Should this be the case, we shall be very happy to have the benefit of your experience and judgment on the subject. We shall be obliged to you, to issue a friendly invitation to the chiefs to met us at Broken Arrow on the 1st of December. It will be matter of regret if the time is objected to, for we have seen no substantial reason given by the nation for the postponement.

I am, &c. &c.

DUNCAN G. CAMPBELL.

Col. JOHN CROWELL,

On the 8th day of November, the commissioners met at Milledgeville for the purpose of receiving proposals for the supply of rations at the contemplated treaty, when the following contract was entered into.

STATE OF GEORGIA.

Memorandum of a contract this day entered into between James Meriwether and Duncan G. Campbell, commissioners on the part of the United States, of the one part, and John H. Brodnax, of the other part, *Witnesseth*:

The said Brodnax agrees to furnish said commissioners with supplies for such of the Creek nation of Indians as may attend a treaty to commence with said nation on the first day of December next, at the Indian town called Broken Arrow, on the Chatahoochie river. A requisition is, by these presents, now made on said Brodnax, for twenty thousand rations, to be ready for delivery on the day, and at the place, aforesaid. The ration to consist of twenty ounces of beef, twenty ounces of sifted corn meal, and the army quantity of salt. The beef part of the ration estimated at five cents; the meal part at three and three-fourth cents, and the salt part at one fourth of a cent. In case of failure on the part of the said Brodnax, to furnish the full supply of rations, having the component parts aforesaid, then he is to be liable for the deficiency, according to the above estimates.

It is further stipulated that the said Brodnax is to furnish any additional supply of rations, of the same component parts, at the same place and at the same prices, which the Commissioners may require, pending the negotiations with the said nation, the said Brodnax being furnished with the earliest practicable notice of the requisite of further supplies after the commencement of the said negotiation on the day aforesaid. It is further stipulated, that the said Brodnax is to give the necessary attention of himself, agents, or laborers, in taking care of and issuing the rations aforesaid from day to day as the same may be demanded for use. The commissioners on their part agree to pay at the rate of nine cents per ration for each and every ration furnished by said Brodnax, under the requisitions of said Commissioners. The sum of eighteen hundred dollars is now advanced to said Brodnax in consideration of the twenty thousand rations agreed to be furnished as aforesaid, but to be refunded in proportion to any deficiency which may occur in furnishing the amount of said first requisition.

Witness my hand and seal this 9th November, 1824.

JAMES MERRIWETHER, [L. S.]
D. G. CAMPBELL, [L. S.]
JOHN H. BRODNAX. [L. S.]

Signed, sealed, and acknowledged in presence of
SAMUEL D. ECHOLS.

STATE OF GEORGIA.

Know all men by these presents, that we, John H. Brodnax, Zarahiah White, Magers Henderson, and Laird W. Harris, are held and firmly bound to James Merriwether and Duncan G. Campbell, Commissioners acting on the part of the United States, in the sum of five thousand dollars, for which payment, well and truly to be made, do bind ourselves, our executors, administrators, &c. jointly and severally, firmly, by these presents. Witness our hands and seals, this 9th November, 1824.

The condition of the above obligation is such, that whereas the above named John H. Brodnax hath this day entered into a contract with the said Commissioners, acting on the part of the United States, to furnish a supply of rations in the Creek nation, at the time, upon the terms, and in the quantities specified in a contract bearing even date herewith. Now, if the said Brodnax shall well and faithfully abide, fulfil, keep, and perform, all and singular the covenants, undertakings, and agreements, in said writing specified, and shall not violate, neglect, refuse, or fail, to comply therewith, then the above obligation to be void, else to be and remain in full force and virtue.

JOHN H. BRODNAX, [L. S.]
 ZACHARIAH WHITE, [L. S.]
 M. HENDERSON, [L. S.]
 LAIRD W. HARRIS. [L. S.]

Test,

SAMUEL D. ECHOLS.

PRINCETON, NEAR BROKEN ARROW,
 November 30th, 1824

The Commissioners arrived this day at this place, and finding the Indians convening in considerable numbers, issued to the Agent and the contractor the following instructions and orders:

PRINCETON, CREEK NATION,
 30th November, 1824.

Sir: Pursuant to instructions, and also of a circular from the Department of War, copies of which are herewith furnished, you are designated to ascertain the number and component parts of rations issued daily, pending the present treaty. The manner of issuing and verifying to conform as near as may be to the mode which prevails in issuing rations to soldiers. At the close of the treaty, the account will be presented to us for approval.

Your obedient servants,

DUNCAN G. CAMPBELL,
 JAMES MERRIWETHER.

United States Commissioners

J. J. CROWELL,

Agent for Indian Affairs.

PRINCETON, CREEK NATION, 30th Nov. 1824.

SIR: The issuing of rations to the Indians will commence on tomorrow morning. The agent of the nation, Colonel Crowell, has been designated to ascertain the number and component parts of rations issued daily. Rations will be issued daily, in the morning, at the old factory buildings, in such numbers as the agent may require.

Your obedient servants,

DUNCAN G. CAMPBELL,
JAMES MERRIWETHER,
United States Commissioners.

Major JOHN BRODNAX, *Contractor, &c.*

December 4th 1824.

The Commissioners having been this morning notified of the organization of the Council, attended, with the nation's agent, at two o'clock, and were introduced. The Council were informed that the commissioners held their authority under the United States, and had important business to transact, which would be disclosed in a talk Monday.

On this day an additional requisition was made upon the Contractor, as follows:

SIR: From the increasing number of Indians now convening at this place an additional number of rations will be necessary. We are required forthwith to supply the further number of twenty thousand rations to be issued according to the terms of your contract, entered into with us.

D. G. CAMPBELL,
JAMES MERRIWETHER,
U. S. Commissioners.

JOHN H. BRODNAX, *Contractor.*

December 7th, 1824.

The inclemency of the weather prevented a meeting of the Council on yesterday. On this day the following address was delivered to them in full council:

Friends and Brothers of the Creek Nation—

We met you on Saturday last around your great council fire, and were received with the pipe and the right hand of friendship, and then informed you that we had the same feelings towards you, and that we were commissioned by our Father the President of the United States.

States. We also told you that on this day we would make known to you the object of our visit. We now tell you, that upwards of twenty years ago a bargain was made between the United States and Georgia. The United States agreed to purchase for Georgia all the lands lying within certain limits. In this direction, the line runs from Florida up the Chatahoochie to the first big bend above the mouth of Uchee Creek, and thence to Nickejack on the Tennessee river. Georgia has made several requests of the United States to have this agreement carried into effect. The United States, feeling bound by her contract, has appointed commissioners, and they are now before you on this business. The President finds you entirely surrounded by white people. He sees that there are frequent interruptions by encroachments on both sides. A great many complaints are sent to him. He has attended to all these things, as he wished to make them all quiet. He has extensive tracts of country under his dominion beyond the Mississippi, which he is willing to give you in exchange for the country you now occupy. We make you an offer, not only for your territory within the limits of Georgia, but for your whole country. The price which we are to give can be more fully stipulated hereafter. This can consist in a great measure, of other lands of such extent and value as may be agreed upon. But our government would do something more, so as to make your removal easy, and your new settlement secure and comfortable. In a matter of this weight we cannot say at once all we have to lay before you. We shall expect you to listen to us as long as we have any thing to say, and we will do the same by you. We want you to take time and consider, and deliberate well before you decide either way. We know that our government has not directed us to make an unjust or improper offer to you. We cannot consent, therefore, that our propositions should be put aside in a hasty manner. After going fully into the subject on both sides, we shall be able to lay our proceedings before the President, and let him decide upon what has been done.

Whenever you are ready to answer us, we shall be ready to meet you. In all our intercourse, we desire good understanding.

Your FRIENDS AND BROTHERS,

December 8th, 1824.

The following reply was this day made by the Chiefs to the address of yesterday :

Friends and Brothers :

On Saturday last we received you as members of our Father's family. The pipe, as a token of peace, was offered to you, and you received it; the right hand of friendship was extended to you, and you did not refuse. Your talk was that you were sent to us by our Father the President of the United States; that you would, in two days, repeat to us our Father's talk. You have, in part, done so.—

You have told us that upwards of twenty years ago a bargain was made between the United States and Georgia; that the United States agreed to purchase for Georgia all its lands lying within certain limits, &c. The agreement between our Father, the President of the United States, and our Brothers of Georgia, we have never before this time been acquainted with, nor are we now convinced that any agreement between the United States and the state of Georgia will have the effect of alienating the affections of a just parent from a part of his children, or aggrandizing the one by the downfall and ruin of the other. That ruin is almost the inevitable consequence of a removal beyond the Mississippi, we are convinced. It is true, very true, that we are "surrounded by white people;" that there are encroachments made. What assurances have we that similar ones will not be made on us, should we deem it proper to accept your offer, and remove beyond the Mississippi? And how do we know that we would not be encroaching on the people of other nations?

We will await your next communication, entertaining the hope that you will then acquaint us with the whole of your talk.

We have all confidence in our Father, the President, and in yourselves as commissioned by him, and are convinced that you will deal justly by us.

As we have met friends, we wish to continue so, let the result of our meeting be as it may.

Your Friends and Brothers,

LITTLE PRINCE, his X mark.

O. PORTHLE YGHOLO, his X mark.

Speaker of the Upper Creeks.

WM. McINTOSH, his X mark.

Speaker of the National

HOPOY HADGO, his X mark.

WM. HAMBLY, P. I.

CHERRY McINTOSH,

Clerk of the National Council.

The following requisition was made this day on the contractor:

SIR: We perceive that an additional number of rations will be necessary; you will, therefore, have twenty thousand more in readiness immediately.

JAMES MERRIWETHER.
DUNCAN G. CAMPBELL.

Major JOHN BRODNAX.

December 9th, 1824.

The following address was this day made to the Chiefs.

FRIENDS AND BROTHERS: We attended your council yesterday, and received your talk, which we are glad to find made in a spirit of

good feeling and liberality. This was expected of you, on account of the kindness and protection which has always been extended to you by the United States. You have requested that the whole of our talk be delivered at this time. We have no objection to go fully into that subject, and although the time allowed is very short, we believe we shall be able to comply with your request.—Brothers, we now proceed to explain the nature of your connection with the General Government, and although it may not be very pleasing, it is, nevertheless, true.

We ask you, how did the Muscogee nation come by this country? You came from the west and took the country from another people, who were in possession. After living here a great many years, the people from over the *big waters* came in large vessels and took some of the country from you, and set up their own Government, and made laws, and made you obey them. Ninety two years ago the British granted a charter to all the land between Savannah and Alatomaha rivers, up to their heads, and thence to the western ocean. Then, afterwards, sixty years ago, the same British government extended the limits of Georgia to St. Mary's river; thence, along the Florida line, to Mississippi river.

All this was Georgia 'till 1802. We will now tell you how the country we have described happened to belong to the United States: About fifty years ago a war broke out between the British and her own people who were here. The war lasted seven years, and the British were conquered—you took part in that war and were conquered also. All the country which was conquered, belonged then to the conquerors. The British were all driven off, and you would have shared the same fate, but for the humanity and goodness of the new government, which was established after the war. This new government was called the United States of America; and directly after it was formed, it held treaties with you, and all other Indian tribes.—You are not the only tribe that fought on the side of the British; every other tribe did the same, and all were treated alike—all gave up and claimed protection, and were received into favor. The Delawares made a treaty at Fort Pitt, and gave up their power; the Six Nations did the like at Fort Stanwix; the Cherokees, at Hopewell, and the Creeks, at New York.

Since the war of the Revolution, when General Washington fought the Indian tribes have had no power in the United States. It was not your fault that your forefathers fought against their country, yet you have to be the sufferers by their rashness. Since this time some of you have shown yourselves worthy of being the President's children, by fighting by the side of the white man, against the foes of liberty. The President will always stand by you, and protect you against want, and against your enemies. He has not sent us here to make offers, or propose schemes for your injury or destruction. On the contrary, the most earnest wish of his heart is, that you should be preserved; that you should live and prosper; that you should advance in civilization; that you should have good laws, and obey them; that you should have schools, and learn; that you should have churches, and worship him who made you. But the question is, how are we to attain these desirable ends? The President, in great goodness, has

pointed out the way: Fifteen years ago he advised some of his red children to go beyond the Mississippi. Five thousand went, and are free from intrusion and disturbance from the whites. These limits are extended, and they are not surrounded and hemmed in on every side. If the young men wish to pursue the game, it is there found in abundance; if they wish to become herdsmen and cultivators, the soil is well suited for these purposes. But above all, if you wish to quit the chase, to free yourselves from barbarism, and settle down in the calm pursuits of civilization and good morals, and to raise up a generation of Christians, you had better go. The aid and protection of the government will go with you. The good wishes of the best men alive will go with you; and the missionaries, with their schools and meeting houses, and good examples and prayers, will be planted in the midst you. Brothers, the talk which we now deliver to you is from the mouth of a great and good man, our father, the President. In speaking to his Cherokee children, he says these words: "My impression is strong, that it would promote essentially the security and happiness of the tribes within our limits, if they could be prevailed on to retire west and north of our states and territories, on lands to be procured for them by the United States, in exchange for those on which they now reside. Surrounded as they are, and pressed as they will be on every side, by the white population, it will be difficult, if not impossible, for them, with their kind of government, to sustain order among them. Their interior will be exposed to frequent disturbances, to remedy which, the interposition of the United States will be indispensable, and thus their government will gradually lose its authority, until it is annihilated. In this process the moral character of the tribes will also be lost, since the change will be too rapid to admit their improvement in civilization, to enable them to institute and sustain a government founded on our principles, if such a change were compatible either with the compact of Georgia, or with our general system, or to become members of a state, should any state be willing to adopt them in such numbers.—But all these evils may be avoided if these tribes will move beyond the limits of our present states and territories."—These are the words of the President, used no longer ago than last March. We will now give you the talk of the Secretary of War, Mr. Calhoun, to the Cherokees, last January. He says, "You must be sensible that it will be impossible for you to remain for any length of time in your present situation, as a distinct society or nation, within the limits of Georgia, or any other state. Such a community is incompatible with our system, and must yield to it. This truth is too striking and obvious not to be seen by all of you, surrounded as you are by the people of the several states. You must either cease to be a distinct community, and become, at no distant period, a part of the state within whose limits you are, or remove beyond the limits of any state."

We have thus given you the talks of two of the highest authorities of the United States, the President and Secretary of War. These, to be sure, were delivered to the Cherokees, but they apply with equal force to you, for both are within the Georgia limits, and the United States are bound to extinguish your title. Brothers, we might add the talks of the members of Congress from Georgia to the President,

and also the talk of our head man, the Governor of Georgia. We have these by us, and will explain them to you verbally. They are too long to be included in this writing. We can here say this much of them, that they set forth very strongly the rights of Georgia— That the President has listened to them, and sent us here for the purpose of settling matters which threaten to produce the greatest disturbances and serious consequences.

Brothers, before we came into your country, we read in the newspapers, where some of you had held two meetings at Tuckabatchee and Pole Cat Spring, and signed a talk to “follow the pattern of the Cherokees, and never sell another foot of land.” We fear you have suffered yourselves to be misled. You have made a hasty conclusion which you are unable to support. Whether this was produced by the Cherokee talk that was sent to you, or by the intemeddling officiousness of interested individuals, or by both, we are not exactly prepared to say. But we warn you against the advice of intruders and false prophets. As lofty ground as the Cherokees have taken, we have no doubt of seeing the time when they will come under the laws of the whites, or go to the west, where they can be to themselves. These two meetings which you have had are rash and premature — They are not binding even upon those who signed them, much less are they binding upon the nation. This is the place where laws are made, in full Council, not at Tuckabatchee or Pole Cat Springs where a mere handful are gathered together, not, perhaps, so much by their own consent, as by designing individuals. This nation was once led into a dreadful war by advisers and false prophets. Take care how you listen to talks which come from such sources. No man, no nation, has a right to interfere with the affairs of this nation. We shall make our propositions open and fair to this Council. If our talk is received, we doubt not but the good of yourselves and the United States will be advanced. If it is rejected, it will be to the injury of both. There shall be no interference with us, and we shall be inclined to try the extent of our powers, if we detect any interference with you.

Brothers, we have heard you say that you love the country you live in, and that you are opposed to a removal. This is not the first country which has been sold by its proprietors. The United States has lately bought Florida from Spain, and the Spaniards are gone, part to Cuba, and others beyond the seas. The United States, some years ago, bought Louisiana from France, and many of the inhabitants removed thousands of miles from the place of their birth, and where their fathers were buried. The United States have lately made a treaty with the Seminoles, and have marked out a country for them and told them to go to it. The United States have exchanged lands with the Choctaws, and that tribe have a flourishing settlement, with which they are very much pleased, on Red River, including the Warm Springs. Other instances might be given, where countries have been sold, and people removed. We believe, that, by an exchange and removal, this nation would secure a safe and permanent resting place, where they would be free from interruption and disturbance. You would have some encouragement to clear fields and build good houses. They would be yours, and yours not for a short time; but or yourselves and generations afterwards. You flourish best when

at a distance from the settlements. In going through your country, where do we find the most improvements? On the lines of the states, and even on the public roads, we hardly ever see a field or a house. You retire within, in order to get clear of the intrusions and encroachments of disorderly whites, who sometimes gather upon our frontiers. But even in the interior, the state of your improvements are such as to show that there is something wrong—that you do not consider yourselves at home. You told the Commissioners at the Indian Springs, that your people had quit hunting, and settled down to the industrious use of the axe, hoe, plough, and loom. The game is gone, but still we find you ranging in parties in all directions; some to Florida, some to the Cherokee and Choctaw nations, and some have gone even beyond the Mississippi. Brothers, we plainly see, and we know it to be true, from the talks of the President, the Secretary of War, the Governor of Georgia, the Georgia delegation in Congress, and the Legislature of Georgia, for years past, that one of two things must be done:—you must come under the laws of the whites, or you must remove. Brothers, these are not hard propositions. If you intend to be industrious, and go to work in earnest, our laws will not be burthensome. But the difference would be so quick and so great, that at first it might make you restless and uneasy. But let you go where you will, a change in your condition will be the study of christians and the work of the Government. Brothers, we now tell you what we, in the name of your Father, the President, want you to do. We want the country you now occupy. It is within the limits of Georgia and Alabama. These states insist upon having their lines cleared. The President will do this by giving you a better country and will aid you in removing; protect you where you may go, against whites and all others, and give you a solemn guarantee in the title and occupancy of the new country which you may select—We now leave you, to pause, to examine, and decide. This talk comes to you full of friendship, yet it is of serious and important import. By deciding for yourselves, it may prevent others from deciding for you. We want an answer, as soon as it may be convenient to give it. Congress of the United States and the Legislature of Georgia are both in session, and they will want to know what has been done.—We again assure the nation of our friendly feeling.

DUNCAN G. CAMPBELL,
JAMES MERRIWETHER,
United States Commissioners.

10th December, 1824.

The following requisition was this day made on the Contractor :

SIR: Furnish forthwith twenty thousand rations, which we perceive will be requisite.

DUNCAN G. CAMPBELL,
JAMES MERRIWETHER,
U. S. Commissioners.

Major Jno. H. BRODNAX.

11th December, 1824.

The following reply was this day received from the Chiefs, in answer to the address delivered them on the 9th inst.

THLE-CATCH-CA,
11th December, 1824.

Friends and Brothers : You have given us a very long talk which we will now answer the most prominent parts of.

You tell us of things which we never heard before. You tell us that the Muscogees are not the original proprietors of this soil; that they came from the West, and obtained it by conquest. This we do not know. From all the traditions which have been handed down to us from our forefathers, we have been impressed with the belief, that we are the original and sole proprietors of the soil. Brothers, the first white people that ever landed here, found us here. The first red people that were known to visit the whites, were from the Coweta town. We are therefore under the conviction that our people are the original proprietors of the soil, as an inheritance left to us by our forefathers. As proof of this, every sale of lands which has been made to the whites, has been made by the Muscogees. But admit that we now hold our lands by right of occupancy only—admit the claim of Georgia to have been a good one to that part of country ceded to the United States by the treaty of cession of 1802, a stipulation in that agreement declares, that the United States will extinguish for Georgia the Indian title to the lands within the ceded limits, as soon only as it can be done on peaceable and reasonable terms. This certainly admits the claim of the Muscogees to the right of an occupancy, until they are willing to dispose of that occupancy. It is true, that, in the war between Great Britain and her colonies, that many of our people were deluded by the British, and persuaded to take the side against the colonies. But after the conclusion of that war, which terminated in favor of the colonies, a new, free, and independent government was formed and acknowledged by all or many of the European powers.

After the establishment of the United States Government, they made treaties with the different tribes, and the first treaty entered into between the Muscogee nation and the United States, at New-York, in August, 1790, the 5th article of which, here follows, viz: "The United States solemnly guaranties to the Creek nation, all their lands within the limits of the United States, to the westward and southward of the boundary line described by the preceding article," expressly guaranties to this nation all the lands within certain limits, and not ceded by that treaty; a part of which lands, are the lands which Georgia now claims. The 2d article of the treaty of Fort Jackson, done in August, 1814, speaks this language: "The United States will guaranty to the Creek nation, the integrity of all their territory, eastwardly and northwardly of the said line, to be run and described as mentioned in the first article."—At the treaty of the Indian Spring in January, 1821, in reply to a request made by the

Chiefs of the nation to the Commissioners, for a guarantee to the remainder of their lands, the Commissioners said verbally, "that we had already a sufficient guarantee in two former treaties," alluding, undoubtedly, to the treaties of New York, in 1790, and Fort Jackson, in 1814. Taking into view, the words of the treaty of cession with Georgia, and the several guarantees in treaty stipulations between this nation and the United States, as well as the letter of the Honorable George Graham, acting Secretary of War, to the Creek deputation, dated 17th March, 1817, an extract of which here follows, viz: "The land which was guaranteed to you by the treaty signed by General Jackson and your Chiefs and head men, on the 9th of August, 1814, is your land, and your Father, the President, who holds you and your nation fast by the hand, will take care that no part of it is ever taken from you, excepting by the free consent of the Chiefs and head men, given in council, and for a valuable consideration"—it seems to have been distinctly understood by the contracting parties, and acknowledged by the government of the United States, that no coercive measures were to be apprehended by us; nor can we believe, that our Father, the President, will act otherwise than in good faith, in the strict and faithful performance of treaty stipulations. Brothers, we have already parted with various tracts of our land, until we find our limits quite circumscribed—we have barely a sufficiency left us. The proposal to remove beyond the Mississippi, we cannot for a moment listen to. Brothers, we have among us, aged and infirm men and women, and helpless children, who cannot bear the fatigues of even a single day's journey. Shall we, can we leave them behind us? Shall we desert, in their old age, the parents that fostered us? The answer is in your own hearts—No! Again, we feel an affection for the land in which we were born; we wish our bones to rest by the side of our fathers. Considering, then, our now circumscribed limits, the attachments we have to our native soil, and the assurances which we have, that our homes will never be forced from us, so long as the Government of the United States shall exist, we must *positively decline* the proposal of a removal beyond the Mississippi, or the sale of any more of our territory. Brothers, we feel gratified by the friendly disposition manifested towards us by you, and as we met friendly, so we hope to part.

Your Friends and Brothers.

[Signed as before.]

December 15th, 1824.

In conversation with Colonel Crowell, the Agent, the Commissioners were informed that the two publications dated at Tuckebat-
chee and Pole Cat Springs, signed by a number of the Upper Town
Chiefs, were written by the sub-agent, Captain Walker, that the first
was brought to this place in June last, no signatures were obtained,
but the Agent understood it to be consented to generally. It was
then in the hand writing of Captain Walker, the last meeting where

the Pole Cat proceedings occurred was at Walker's house. No communication was made to the Government of either of these proceedings.

The following communication was received from his excellency the Governor of Georgia.

EXECUTIVE DEPARTMENT, }
Milledgeville, 9th Dec. 1824 }

GENTLEMEN: The Legislature will probably adjourn about the 18th inst. ; and as much anxiety is manifested to know whether you have any prospects of concluding a Treaty, I have sent an express that this letter may be safely delivered into your own hands. If there are no prospects of bringing your mission to a favorable termination, be so good as to apprise me of the obstacles you have had to encounter—if you found yourselves anticipated and forestalled by the Indian Council, held in the Spring, of which we received the first notice recently through an Alabama print. Inform me, if you please, by what authority that Council was held: whether with the knowledge, countenance, or encouragement of the Agent: was the Agent present at that Council, and what part did he take: who drew up their State Paper: were the proceedings of that Council made known by the Agent to his Government, without delay, and was it with a knowledge of these proceedings that you were appointed: were any allusions made to them in your instructions. You will pardon the trouble I give you. There is no absolute right, on my part, to propound these questions; no obligation on yours to answer them. Nevertheless, you are citizens of Georgia, and if your negotiations fail, you will see how necessary it will be for me to receive true and correct answers to these questions, from such authority as will enable me to use them in vindication of our rights to the best advantage. You will not infer from any of them that hasty inferences have been indulged to the prejudice of the Government of the United States. Hope is still entertained, that all will be right, and in no event will any thing be sought to inculpate the Government of the United States, but strict matter of fact.

With great consideration and respect,

G. M. TROUP.

To which the following reply was returned:

PRINCETON, NEAR BROKEN ARROW,
December 14, 1824,

SIR: Your express arrived here on Sunday, and found us absent on a small excursion up the river on business most importantly connected with our mission. We did not return till yesterday, and then in excessive rain, which has greatly retarded our operations. We are not without our difficulties in determining what shall be our answer to the several inquiries which you have propounded. These do

not arise, however, from any reluctance to make to you a full disclosure of our proceedings, and the obstacles which we have had to encounter, but for an apprehension that, by such communication, we might, *for the present*, weaken the means of which we hope successfully to avail ourselves. As Agents of the General Government, and as citizens of Georgia, we cannot regard your efforts upon this subject in other than the most favorable light; and at a time more seasonable, in case of our failure, we shall be prepared most heartily to co operate in your views, and upon the very points of your inquiries.

We commenced our negotiations in writing; as far as it has progressed in this way, we send you a copy. This method has been abandoned, as too formal, and liable to too many interruptions. Our discussions will be conducted orally for the future, and in this way we shall enjoy advantages which will probably lead to success.

The proceedings which you have seen published, as occurring at Tuskebatchee, and Pole Cat Springs, were evidently intended to forestall us. They have, in a great measure, had the effect, by spreading alarm throughout the nation, by the miserable farrago of threats which they contain. For some time past, the Cherokees have exerted a steady and officious interference in the affairs of this tribe. That this has derived additional impulse, and that we are now encountering a daily interference most active and insidious, we have no doubt.

We decline a specification, in the hope that we may succeed without it, and thereby avoid its irritating consequences. Deeply sensible that a persevering zeal is indispensable, in furtherance of the policy of the Government, and in vindicating the rights of Georgia, we will communicate again by express, to reach you in the forenoon of Saturday, if such step should appear to us to promise any advantage.

With sentiments of great consideration and respect, we are your obedient servants,

DUNCAN G. CAMPBELL,
JAMES MERRIWETHER.

His Excellency GEORGE M. TROUP, *Milledgeville.*

On this day, December the 14th, the Commissioners attended the Council, and found them engaged in the earnest discussion of the subject of the treaty. Eight or ten chiefs delivered their opinions at considerable length, and some with great earnestness and vehemence. After they had closed, the Commissioners were invited in, and having previously arranged with the Council to conduct the negotiation, verbally delivered to them a talk, which insisted, in strong terms, upon the acquisition of the whole country by exchange, or of a part by exchange or purchase. The wishes of the General Government were urged. Efforts were used to convince the Council that such an arrangement was indispensable, whether considered in relation to the United States or themselves. That for the safety and better means of defence of the United States, and to enable her to comply with the compact with Georgia, it was necessary that the states

should lie together in a compact form. That, for the protection and improvement of the nation, it was necessary they should go out of the limits of the states. They were warned against the talks of any body except the General Government; that they had been misled by the Cherokees and others, whose duty it was to have instructed them better.

Many other topics were also urged, and documents read, showing the rights of the United States and Georgia, and the opinions and wishes of the General Government.

At the close of the Commissioners' remarks on the above subject, they proposed that the balance of the negotiation should be conducted by a number of chiefs, to be selected by the Council; and that the mass who were standing round, and occasioning great expense in rations, should be discharged. They also proposed that the place of negotiation should be changed to some room which should be more comfortable and convenient; and that the Commissioners would pay the expense of such a room. To the whole of these last propositions a flat denial was received. It was answered, that they would discharge none of their people; that they would meet no where but in the square; and that proceedings should be in the presence of all who were attending. Two chiefs then gave their answer to the main subject of the Commissioners' talk. These were short but pointed, consisting of but little more than the "emphatic No." The Council were then informed that the Commissioners could not take such answer as conclusive; that they should continue the negotiation as long as they thought proper, and would expect to meet the Council again on to-morrow.

The following letter was addressed to the Agent:

SIR: Having been instructed by the War Department to call on you for any information or assistance which we might need, pending the present treaty, we have to request that you cause to be produced to us certain documents transmitted by the Cherokee nation, or some individual thereof, to this nation; also a letter, purporting to have been written by one Charles Casheda, of Tennessee, to the Big Warrior. We deem an inspection of the above documents material to us, in furthering the just views and policy of the General Government. If they are in the custody, power, or control of yourself or sub agent, we shall be thankful, if you will cause them furnished as soon as practicable.

We are, Sir, your obedient servants,

DUNCAN G. CAMPBELL,
JAMES MERRIWETHER.

Col. JOHN CROWELL, *Agent, &c.*

To which the following reply was received.

GENTLEMEN: In reply to your note of this date, in relation to certain documents said to have been transmitted to the nation by the Cherokees, I have to remark, that no such documents, or documents of any description, from the Cherokees, are in my possession; but

on application to the sub agent, he has delivered to me the enclosed papers, and states, that they are all that are in his possession. He states, that the letter of Casheda of Tennessee to the Big Warrior, he believes to be in the possession of the Warrior.

Mr. Peck, who acted as Secretary to the Creek Council, informs me, that he has in his possession the correspondence between the Cherokees and the United States' Commissioners at New-Town, but that he does not feel himself authorized to give them up, without the consent of the chiefs, from whom he received them.

I have, &c. &c.

JOHN CROWELL,

Agent for Indian Affairs.

Messrs. CAMPBELL and MERIWETHER.

United States Commissioners.

Note.—The papers furnished, were a letter from the Cherokee delegation to the President; letter from D. G. Campbell to the Secretary of War, dated 28. h November, 1823; Report of the Secretary of War to the President; Secretary of War to Cherokee delegation; the delegation to the Secretary of War; President's Message to Congress. The above papers were in manuscript, and, as we believe, in the hand-writing of John Ross.

December 16, 1824.

The Commissioners met the Council again on this day, and gave them a talk. Reference was had to the treaties of Augusta, Galphinton, and Shoulderbone, for the purpose of showing, that even before the Revolution, the lands which the nation occupied were not held by title, but reserved to them simply for hunting-grounds. Subsequent treaties were also referred to, and many arguments urged in favor of an entire or partial session of lands. A distinct proposition was then submitted, that the United States would give lands in exchange for the entire possessions of the Creek nation, acre for acre, and to indemnify the nation for their improvements, and the expenses of removal, would pay the sum of five hundred thousand dollars, or would make an exchange for the lands within the limits of Georgia, giving as odds, the sum of three hundred thousand dollars. To these arguments and propositions, the Little Prince replied, that he had directed his warriors several times to tell the Commissioners that he had no land for sale; but that we would not believe them, therefore he would answer himself. He said he should listen to no old treaties. That at New York the nation gave up land, and that General Washington gave them the balance, and told them it was theirs; and that they never intended to spare another foot. The Commissioners then laid before them sundry documents, containing evidence of a claim in favor of Blackburn and Houston, of Tennessee against the nation, forwarded by the War Department, and then retired.

December 18, 1824.

The commissioners met in council, and asked whether they persisted in the determination which they had expressed, of ceding lands on no terms. The Big Warrior's deputy answered, that he would not take a house full of money for his interest in the land; and that we might take this for a final answer.

In regard to the claim from Tennessee, the council insisted on delay; stating, that papers were in the hands of the Big Warrior, which were material. They said further, that the arrest of the claimants, and the capture of their goods, were under the order of the agent, Col. Hawkins; and that this order could not then be produced; and that they could not consider the claim any further at this time.

The commissioners then took their leave of the council, and retired.

On the evening of this day the commissioners consulted as to the course best to be pursued. Believing that they had been defeated by combination and preconcert, they resolved to pursue the subject by every means of which they could avail themselves. It appeared that the most active, industrious, and insidious means, had been resorted to for months, for the purpose of inspiring confidence, determination, prejudice and obstinacy, in one part of the nation, (Upper town,) and of spreading fears and alarms in the other, by threats and menaces. These were frequently repeated in the course of the negotiation. The commissioners found themselves overreached in the selection of the place. The combination had every opportunity of exerting its devices, and the commissioners had but few facilities of counteraction. We satisfied ourselves that a treaty could be obtained from the chiefs within the limits of Georgia, and to the extent of the Georgia claim. The basis of such treaty would have been exchange of territory, and would have effected the removal of one half of the nation, 10,000. The commissioners, entertaining some doubts of the validity of treaty signed by individual council, and fearing to expose such part of the chiefs to the resentment of the combination, resolved upon a temporary adjournment, for the purpose of obtaining the further instructions of the Government. The following communication was then addressed to the Secretary of War. But the commissioners, considering that the business of negotiation requires to be precipitated, and that the least delay would endanger success; and, considering further, that the subject admits of better explanation, and greater detail, by a personal interview with the Executive of the Union, determined that a member of the board should, with the least possible delay, proceed to Washington City, and that proceedings should rest until his return. D. G. Campbell being selected to make the visit to Washington, the board adjourned, and resolved to set out for Georgia the next day.

No. 3.

*Extract of a letter from Col. Duncan G. Campbell, Commissioner,
&c. to the Secretary of War, dated,*

WASHINGTON, 11th January, 1825.

" Having understood from the Department this morning, in a verbal conversation, that the President, after consulting the Cabinet, had declined granting to the commissioners the authority which was asked in my communication of the 8th instant, I take leave to propound another course, and to request that I may be instructed accordingly, as the decision may be made.

" The facts, heretofore disclosed, shew a willingness, on the part of the Indians within the Georgia limits, to cede their territory, and to emigrate; but insurmountable obstacles present themselves to the acceptance of a treaty thus concluded. It is now proposed to reassemble the chiefs of the whole nation; to renew the offers already made; to obtain the entire Creek country, if practicable; but if this cannot be effected, then to accept a treaty, signed by the chiefs, within the limits of Georgia, provided such treaty be accompanied by the assent of the other chiefs, that the land to be abandoned by the emigrating party, shall be immediately subject to the disposition of the Government. I am unable to perceive any objection, to which this proposition may be liable. If the President entertains the like views, and we can receive specific instructions that the plan proposed coincides with the wishes and policy of the Government, I have a strong assurance that a treaty, highly favorable, may shortly be obtained. The special message message of the President, which you mentioned as being about to be made, will no doubt be found an efficient auxiliary."

No. 4.

*Copy of a letter from the Secretary of War to Col. Duncan G.
Campbell, Commissioner, &c, &c. dated*

DEPARTMENT OF WAR,
January 13, 1825.

SIR: I am directed by the President to inform you that Captain Walker, the sub agent of the Creek nation, has been discharged by his order. The reasons for his discharge, will appear in the letter to Colonel Crowell, the agent, covering the discharge of the sub-agent, a copy of which is herewith enclosed.

The agent was instructed, by a letter from this Department of the 16th July last, covering an extract from the instructions to yourself and Major Merriwether, to obey your orders on all points connected with the proposed treaty, as will appear by a copy of the letter and

of the extract referred to, and herewith enclosed. It was not doubted by the Department, but that he would zealously co-operate in effecting the object of the Government in authorizing the treaty to be held. It appears, however, by the report, that the agent neglected to inform you of the previous meetings and decision of the Creek chiefs at Tokaubatche and the Pole Cat Springs, which had so material a bearing on the negotiation, and that the commissioners had to rely solely upon their own exertions, without aid from the agent, who assumed a neutral position. It also appears, from the journal, that in the opinion of the commissioners, the Creek Indians have been misled by the Cherokees, and *others whose duty it was to have instructed them better*. It is the desire of the President, before he makes any decision on the conduct of the agent, to be put in full possession of all the facts and circumstances, which may enable him to form a correct opinion as to his conduct and motives in withholding his co-operation; and particularly, whether the agent received any instruction from the commissioners directing his general or particular co-operation, which he refused or neglected to fulfil, and who are referred to in speaking of "others," in the extract from the journal of the proceedings of the commissioners above stated; and particularly, whether the agent was, and if so, by what particular acts of his were the Creeks misled.

It is doubtless the duty of the agent to watch over and to protect the Indians assigned to his agency, and to advance their interest in all cases under the treaties, laws, and instructions of the Department; but still he is the agent of the Government, and is bound in all cases to give his zealous co-operation in effecting its views. In addition to which, in this case, he was particularly directed to obey the instructions of the commissioners, which ought to have excluded all doubt as to his duty, affording all the aid in his power to contribute to a successful termination of the treaty.

The commissioners, in their communication to the governor of Georgia, speaking of the difficulties in answering his inquiries, remark that these (difficulties) do not arise from any reluctance to make to you (the governor) a full disclosure of our proceedings, and the obstacles which we have had to encounter, but from an apprehension that, by such communication, we might, for the *present*, weaken the means of which we hope successfully to avail ourselves. As agents of the general Government, and as citizens of Georgia, we cannot regard your efforts upon this subject, in other than the most favorable light; and at a time more seasonable, in case of our failure, we shall be prepared most heartily to co-operate in your views, and upon the very points of your inquiries." Again, "that we are now encountering a daily interference, most active and insidious, we have no doubt. We decline a specification, in the hope that we may succeed without it, and thereby avoid its irritating consequences."

The President requests to be informed of the nature of the communication which was withheld from the governor, and which, if it had been communicated, would for *the present*, weaken the means of which the commissioners hoped successfully to have availed themselves; and which, at a time more seasonable, in the case of a failure, they proposed to make known, and to co-operate with his views on the points of his inquiries, and what was the nature of the means referred to;

and, also, what was the nature of those active and insidious interferences which the commissioners encountered, but which they declined specifying in their answer to the governor, in order to avoid irritating consequences; and from whence such interferences came.

The proposed renewal of the negotiation renders the explanation the more desirable. The President is very solicitous for its successful termination; and a full disclosure of the nature, extent, and source of the opposition at which the commissioners hint, will enable him to adopt such measures, as the facts disclosed may require.

I have the honor to be,

Your most obedient servant,

J. C. CALHOUN.

To Colonel DUNCAN G. CAMPBELL.
Commissioner, &c.

No. 5.

*Copy of a letter from the Secretary of War to Col. John Crowell,
Indian Agent, &c. dated*

DEPARTMENT OF WAR,
Jan. 13, 1825.

SIR: I herewith enclose a letter to Captain Walker, discharging him from the service of the United States, as sub agent, which you will cause to be delivered as speedily as practicable. The charges against Captain Walker are generally, that he aided and countenanced the Indians in their opposition to the treaty, and, particularly, that he penned the publication of the Creek chiefs, at Tokaubatchee and the Pole Cat Springs; and that their meeting at the latter, was at his house, and with his sanction and countenance. In addition to the above, it appears, by verbal statements, that Captain Walker has married a daughter of one of the principal chiefs of the nation, which creates a relationship that is calculated to influence him improperly in the discharge of his duty. Captain Walker's place will be filled by the Department, as soon as a suitable person can be selected.

I have, &c.

JOHN G. CALHOUN.

Col. JOHN CROWELL,
Indian Agent, Creek Agency, Ga.

No. 6.

Copy of a letter from the Secretary of War, to Mr. William Walker, sub agent, &c. dated 11th January, 1825.

DEPARTMENT OF WAR,
Jan. 11th, 1825.

SIR: It appearing, by the journal and report of the commissioners appointed by the President, to treat with the Creek Indians for a cession of territory, that so far from contributing to effect the object of the Government, your influence has been used in defeating the successful termination of the treaty, I am directed by the President to inform you that you are, in consequence, discharged from the service of the United States as sub-agent; and your pay and duties will accordingly cease on the receipt of this communication.

I am, respectfully,
Your obedient servant,
JOHN C. CALHOUN.

To Mr. WILLIAM WALKER,
Sub-agent, Creek Agency.

No. 7.

Copy of a letter from S. S. Hamilton, to Col. John Crowell, Indian Agent, &c. dated 16th July, 1824.

DEPARTMENT OF WAR,
Office of Indian Affairs, 16th July, 1824.

SIR: Colonel Duncan G. Campbell and Major James Merriwether, have been appointed by the President Commissioners to treat with the Creek Indians for a further extinguishment of their title to lands within the limits of Georgia; and I am directed by the Secretary of War, to notify you thereof, and to transmit to you the enclosed extract of his instructions to the commissioners, for your information and government.

With great respect,
I have the honor to be,
Your obedient servant,
S. S. HAMILTON.

To Col JOHN CROWELL,
Indian Agent, Creek Agency, Geo.

Extract of a letter from the Secretary of War to Col. Duncan G. Campbell and Maj. James Merriwether, Commissioners, &c. dated 16th July, 1824.

* The probable amount of provisions that will be required to be issued to the Indians while treating with them, and the price at which

they can be obtained, can be ascertained by a correspondence with the agent, Col. John Crowell, who is instructed to obey your orders on all points connected with the proposed treaty, and to take such steps as may be necessary to prepare the Indians to meet the commissioners at the time and place which they may fix on for holding it, and of which he should be early apprized."

No. 8.

Copy of a letter from Duncan G. Campbell to the Secretary of War, dated 14th January, 1825.

WASHINGTON CITY, 14th January, 1825.

SIR: I have received yours of yesterday, informing me of the removal of Capt. Walker from the office of Sub agent of the Creek nation, and asking further information respecting the position assumed by the principal agent; and asking, also, an explanation of certain passages contained in the commissioners' journal.

I regard the impeachment of an individual, of official delinquency, as matter of delicate import. I did not, therefore, permit myself to become the accuser of Capt. Walker, until by actual observation, and from his own acknowledgment, I was possessed of direct and manifest proof of his guilt. Not possessing the like evidence against the agent, I cannot consent to be considered *his* accuser. My only allusion to this officer was upon the ground of his non co-operation, and his omission to restrain his sub-agent in his adverse movements. This was in compliance with the course suggested by the Department, which required an enumeration of all the difficulties which we had encountered. As far as he has been brought into question, by my report, on account of the negative course which he professed to pursue, and the neutrality which he assumed, the grounds taken have been fully sustained by the President and Department. In any proceeding beyond this, I decline an agency. It only remains for me, then, to give explanations to certain passages which you have cited in the journal; to limit or extend their bearings as the state of facts may require, and to answer certain questions which you have propounded.

I am asked "whether the agent received any instructions from the commissioners, directing his general or particular co-operation, which he refused or neglected to fulfil?" The power of the commissioners to control the agent was derived from their instructions; and the tenor of these instructions will shew the extent of that power. The article connected with the subject is this:

"The probable amount of provisions that will be required to be issued to the Indians while treating with them, and the price at which they can be obtained, can be ascertained by a correspondence with the agent, Col. John Crowell, who is instructed to obey your orders on all points connected with the proposed treaty, and to take such

steps as may be necessary to prepare the Indians to meet the commissioners at the time and place which they may fix on for holding it, and of which he should be early apprized."

The construction given to this article was, that it limited itself to the provisions which might be needed at the treaty, and to the *assemblage* of the Indians. Our expectations that the agent would cooperate, were formed from our convictions of his duty as the officer of the Government. If, as appears to be the fact, his convictions were otherwise, our order would have been an unavailing process. On reference to the journal, I find, in a letter which I addressed to the agent on the 5th September, this sentence:

"I shall attend Baldwin Court on the fourth Monday in this month, when I shall be glad to be informed of any matter affecting our negotiation. We are greatly concerned for the result of our mission, and must beg you to prepare the nation for the issue we desire."

Whether this will be regarded as an "instruction," "directing a general or particular co-operation," I cannot undertake to say. It is most certain that the agent did not so regard it; or, if he did, then he failed to 'fulfill' it: for neutrality was his avowed course from beginning to end.

I now proceed to an explanation of the allusions contained in the letter of the commissioners to Governor Troup, of Georgia. The Legislature of that state being in session, and near a close, the Governor communicated with the commissioners by express. This happened at what we considered the crisis of the negotiation. The very day on which the express arrived, was spent by the commissioners at Cowetaw, a few miles distant from the treaty ground, on business connected with the treaty. The absence of the commissioners—the dispatch of an express to Georgia—the arrival of the Governor's express from Georgia, the communication had, by the commissioners, on that day, with some of the chiefs, had the effect of producing great confusion and alarm in the ranks of those who considered themselves our adversaries. This was manifested by the hasty departure of two messengers to the Big Warrior, one on the night of the 13th, and the other on the morning of the 14th December; one of these messengers was sent at the instance of the sub agent himself. The Big Warrior was not present at the treaty, but seemed to be represented by a committee of four. With these, the sub agent had constant intercourse; and, in council, they were the organ of the opposition. For these acts of interference he was called to account by the commissioners, and given to understand the danger to which he had exposed himself. The withholding of these facts was intended to have its operation upon Walker, and to be made the price of his co-operation. These are some of the 'insidious' and 'daily interferences' to which we had allusion; and this is the individual whom we intended to designate. The business of negotiation, always intricate when applied to Indians and their advisers, becomes peculiar, and is often influenced by circumstances seemingly unimportant.

Thus, sir, have I answered the several points upon which the President required *further* information. In doing this, I have had reference alone to facts of a positive character. To none others did I consider myself warranted in resorting. Impressions, circumstances,

incidentally occurring, public rumor, or newspaper speculations, I have not considered as topics proper to be embodied in this report.

I have the honor to be,

Your most obedient servant,

DUNCAN G. CAMPBELL.

The Hon. JOHN C. CALHOUN,
Secretary of War.

No. 9.

DEPARTMENT OF WAR,
18th January, 1825.

SIR: The President has deliberately considered the proposition submitted by the commissioners to treat with the Creeks, of holding a separate treaty with Gen. McIntosh, for a cession of that portion of the Creek territory lying within the limits of Georgia; and, although he is very desirous of acquiring for the state of Georgia the land in question, he is of opinion that he cannot, with propriety, authorize the treating with Gen. McIntosh alone, as proposed by the commissioners. There could be no objection to an arrangement with him to abandon the country which he now occupies, and to settle, with his followers, on such tract of country as might be assigned to him, on the west of the Mississippi; but the President is of opinion, that it is not in the power of Gen. McIntosh to cede any portion of the land belonging to the Creek nation, without the assent of the nation itself. The principle on which such cession would be made, without such consent, would involve the idea, that every individual in the nation would have a right to cede to the United States, the particular portion of the country in which he might be in actual occupancy; and would, in effect, completely destroy that degree of independence which, under the laws, treaties, and usages of the Government, they have ever enjoyed.

Though a treaty cannot be made for these reasons with Gen. McIntosh alone, for a cession of territory, yet the President can see no objection to a renewal of the negotiation, as proposed by your letter of 11th instant, in order to obtain an arrangement with Gen. McIntosh with the consent of the nation, for the cession of the country in question; and you are, accordingly, in conjunction with Major Merriwether, as commissioners, authorized to renew the negotiation. You will, however, distinctly perceive in the remarks which have been made, that, whatever arrangement may be made with General McIntosh for a cession of territory, must be made by the Creek nation, in the usual form, and upon the ordinary principles with which treaties are held with the Indian tribes.

In the renewed negotiation, you will consider the instructions formerly given of the 16th July, and as applying to the renewed negotiation, as far as they are, in their nature, applicable.

The agent has received instructions to give his hearty co-operation in the object of the negotiation, and to obey, in every respect, the orders which you may give under your instructions. A copy of the letter to the agent is herewith inclosed, for your information,

I have the honor to be,

Your most ob't servant,

J. C. CALHOUN.

To Col. DUNCAN G. CAMPBELL,
Commissioner, &c. &c,

No. 10.

DEPARTMENT of WAR,
18th January, 1825.

SIR: I enclose, by direction of the President, a copy of a letter from this Department to Col. Campbell, one of the commissioners to treat with the Creeks, and a copy of his answer to the same. The nature and object of the letter, and the reply sufficiently explain themselves, and will require no particular remarks.

In communicating them, however, to you, I am directed by the President to state, that, although he sees nothing in the journal and report of the commissioners, or in the answers of Col. Campbell, to impeach your motives, yet he does not approve your conduct in relation to the late treaty. Though it is the duty of the agent to protect and cherish the Indians confided to his care, yet that duty never can be in conflict with the paramount one which he owes to the Government, and which on all occasions obligates him to give his hearty co-operation in effecting its views.

The Department did not suppose that any doubt was entertained on this point, and therefore did not particularly inculcate this duty in its instructions to you in relation to the Creek treaty. The extract, however, from the instructions to the commissioners, in which they are informed that you would obey their instructions on all points, which was communicated to you, is considered as sufficiently indicating the views of the Department in regard to your duties.

The President attributes the fact to a misconception of your duties, that you did not report the meeting of the Indians at Tuckabatchee and the Pole cat Springs, either to this Department or to the Commissioners, and that you did not adopt decisive measures to control the conduct of the Sub-agent in his opposition to the views of the Government.

The treaty is about to be renewed, and the President, feeling much interest in its successful termination, looks with confidence to your hearty co operation with the commissioners. You will spare no pains in preparing the Indians for the meeting, and contributing to the successful termination of the negotiation; and it is also expected, that you will cheerfully, and with alacrity, obey such instructions as

you may receive from the commissioners in the fulfilment of their duties, under the instructions of the Department, a copy of which is herewith enclosed.

I am, &c. &c.

JOHN C. CALHOUN.

To Col JNO. CROWELL,
Indian Agent, Creek Agency.

No. 11.

DEPARTMENT OF WAR,
July 16th, 1824.

GENTLEMEN: I have the honor to enclose you a commission, to treat with the Creek Indians.

At the late session of Congress, an appropriation was made, in addition to the unexpended balance of the appropriation heretofore made, for the same object, (which together make a sum of \$50,000,) to enable the President of the United States, to take the necessary measures for the extinguishment of the title of the Creek Indians, to the land now occupied by them, lying within the limits of the state of Georgia. The President, desirous that the object of the appropriation should be accomplished as fully as practicable, has directed the whole amount of it to be placed subject to your control, and he anticipates, from your prudence and abilities, the most favorable termination to the proposed treaty. You will take care, however, that the whole expenses of negotiation, including those of your commission, issues of provisions and presents under your orders, and such preliminary expenses as the agent may be authorised to incur, shall, in no event, exceed the sum of \$50,000. The probable amount of provisions that will be required to be issued to the Indians, while treating with them, and the price at which they can be obtained, can be ascertained by a correspondence with the agent, Col. John Crowell, who is instructed to obey your orders in all points connected with the proposed treaty, and to take such steps as may be necessary to prepare the Indians to meet the commissioners at the time and place which they may fix on for holding it, and of which he should be early apprised. The enclosed circular will be strictly complied with, in contracting for the provisions, and in issuing them.

It is the desire of the Government, that the feelings and wishes of the state of Georgia should be particularly attended to in any treaty that may be made with the Creek nation. The particular tract, and the extent of country, therefore, to be treated for, are left to your sound discretion. The sum to be stipulated, for any cession that may be obtained, must also, be left very much to your discretion, taking into consideration its extent and the quality of the soil; but, rather than the treaty should fail, the price ought to be liberal; but in no event, to exceed the price paid under the treaty of the 8th January, 1821, with the Creek nation. The terms on which the land was then

purchased, were considered very high. For the purchase made by that treaty, the United States stipulated to pay \$200,000 in specified instalments and they assumed to pay, as a further consideration for said purchase, to the state of Georgia, in five annual instalments, whatever balance might be found due by the Creek nation, to the citizens of said state; which balance has been ascertained to amount to \$100,589; making, in the whole, as the consideration for that purchase, the sum of \$300,589. You will, therefore, in fixing on a price for any cession, which may be proposed to be made by the Creek nation, in no event exceed the price given by that treaty, taking into consideration the quantity of land ceded by it, and the quantity of that proposed to be ceded, but will if possible, obtain it on more reasonable terms. The quantity of land ceded by the Creeks, in the treaty just mentioned, may be ascertained from the surveys which it is presumed, have been made of it by the state of Georgia. To ascertain the quantity which they may now propose to cede, reference must be had to the best sources of information that can be obtained, particularly to the latest and most authentic maps of the State.

For the expenses of negotiating the treaty you will draw on the Branch Bank at Savannah, of which you will give the Department notice. The bank will be authorised by the Treasury Department, to accept your drafts, provided they do not exceed \$50,000.

Your compensation will be at the rate of \$8, and that of your Secretary (whom you are authorised to appoint,) at the rate of \$5 a day for the time actually engaged. The payment will be made on your certificate of honor, specifying the time that you and your Secretary have been actually engaged. Your certificate in like manner, will be a necessary voucher for presents distributed under your authority,

I have the honor to be, &c.

J. C. CALHOUN.

To Col. DUNCAN G. CAMPBELL,

AND

Maj. JAMES MERRIWETHER,

Commissioners, &c.

NOTE—The additional instructions of the 13th September, 1824, are to be found in the Journal of the Commissioners.

EXECUTIVE DEPARTMENT, GEORGIA, }
Milledgeville, 23d Dec. 1824. }

SIR: This letter will be presented by a gentleman who honors in all respects the commission which you have conferred on him—his colleague is equally distinguished here—On the information of either you may of course repose implicit confidence.

Circumstances have transpired of late to make an impression, that in connection with the conference just held with the Creeks, there has been bad conduct somewhere. My own information had before fixed it where the responsibility of it ought to rest.—Of the correctness of

this you will judge after hearing the clear and frank exposition which will be made to you as well as to the Georgia Delegation by Col. Campbell.

They were met at the threshold with difficulties of a character little expected, and which required their utmost ability and exertion to overcome.—They have not all been, because they could not be surmounted; but the result is as favorable under the circumstances as could be expected.—A treaty can be immediately signed upon the conditions which will be disclosed by the commissioners. Any other plan to effectuate the object in which the participation or interference of the agent is permitted will undoubtedly miscarry.

You will share in a great degree, the feelings of the commissioners of the United States, when you hear from their own lips a recital which might impose upon Government the obligation of vindicating itself before them. Honorable men of your own appointment, proceed to the execution of your instructions with full confidence that the way has been opened and rendered smooth by all the means in your power; just and sanguine expectations are indulged of a successful issue by the community in which they live—they look to the reward of highest consolation, that for great and indefatigable exertion, according to their best ability, such an issue would command the thanks and gratitude of the country. All their arrangements are happily concerted for the assembly of the council;—on their way to meet it, they learn for the first time, and in the most casual manner, that the council had been already assembled by different authority; its final decrees passed, and those decrees of the most adverse character registered in the archives of the agency.

You may readily conceive the sensations with which such information was received.—That the Executive of the United States must be in equal ignorance with themselves as to this procedure, was not for a moment to be doubted, but that such an one could not have been had without the knowledge, or consent, or connivance, or command of your own agent, was certain—and this is most certainly established. Now, sir, permit me to remind you that of this most perfidious, treacherous and boldly insolent conduct, you had timely and sufficient warning by a communication which I had occasion to make to the Executive Government some twelve months since, and which was answered by the confirmation of this same man in his office.

That communication was made with the foreknowledge that he would so uniformly deport himself whenever the interests of Georgia were involved; and with the intent solely that you as well as ourselves, foreseeing the evil, might remove it with the least delay, as well as the least inconvenience. Now the Government hearing with its own ears, from its own representatives the truths then attempted to be exposed, and seeing in any further efforts at negotiation the utter hopelessness of a favorable result, if the intermeddling of the agent be not strictly forbidden, will not hesitate it is hoped, to leave the commissioners free and unembarrassed to conclude the treaty on the terms proposed.

Indeed, it is deplorable, that after laboriously combatting and surmounting difficulties and obstructions of all kinds, they should have found themselves at last in the centre of divided councils, with your

own agent on the side of the adverse party, and without any resource left, but the single one of seeking at Washington a direct and absolute power to meet the emergency by signing with McIntosh and his chiefs that treaty.

With great consideration and respect,
(Signed)

G. M. TROUP,

The PRESIDENT OF THE UNITED STATES,
Washington, City.

EXECUTIVE DEPARTMENT, GEORGIA. }
Milledgeville, 23d Dec. 1824. }

GENTLEMEN: Col. Campbell hastens without delay to Washington, to expose before the President, and yourselves, the circumstances connected with the conference with the Creeks—the issue of that conference, and the power now required by the commissioners to consummate and perfect a treaty.

He carries a letter, (of which a copy is enclosed,) to the President. In writing it every indignant feeling was studiously repressed, and I merely asked from him what I believed his own sensibilities would yield spontaneously;—say to him in addition, if you please, that it requires more than human fortitude to sustain ourselves under this weight of contumely and mortification—that we have borne it quite long enough, and that so far as it depends on me, it will be borne no longer.

With great consideration and respect,
(Signed)

G. M. TROUP,

The HON. SENATORS AND REPRESENTATIVES
From Georgia, in Congress—Washington City.

COLUMBIA, S. C. 31st Jan. 1825.

SIR: My return to Georgia has been protracted to a much later period than I intended, or had any reason to expect. The delay at the city was occasioned by the course taken by the Executive of the United States upon the subject of the negotiation pending with the Creeks. This course made it necessary that I should hold a correspondence with the Secretary of War, preparatory to a special message which the President proposed making to Congress in relation to this exigency in particular, and to Indian emigration generally.

The application which I submitted, for authority to hold a treaty with a divided council of the Creeks, was not expressly granted.—Such course by a decision of the cabinet was held to be incompatible with the laws of nations and Indian usage; every other facility how-

ever, was promptly afforded. The sub-agent has been removed.—The agent himself, placed completely under our control, and our instructions so extended and liberalized, as to authorize the most sanguine expectations of success. The negotiation will be renewed at the Indian Springs on the 7th February. Orders to this effect were issued and forwarded from Washington City.

I should have reached Georgia five days earlier, but for a snow storm in Virginia, the heaviest I ever encountered. But for this loss of time, an opportunity would have been afforded me of making this communication more full. I now write under the most disadvantageous circumstances to which a stage passenger can be subjected.

With great consideration,

I have the honor to be

Your obedient servant,

DUNCAN G. CAMPBELL.

(Signed)

His Excellency G. M. TROUP.

CREEK NATION,

Coweta, 25th January, 1825.

We, the chiefs of Coweta, Talladaga, Cusseta, Broken Arrow, and Hitchetas towns, in council met, do take this method to lay before our Father, the President of the United States, the most distressing difficulties that are existing in our nation, and have been for some time past, owing entirely to the existence of two parties in the nation, known and distinguished by the Red Sticks, (or hostile party,) and the other party friendly to the United States, and who were the warm supporters of the American War against said party of Indians, and also against the British.—For further particulars, we most respectfully refer our Father the President to Gen. Jackson, who can test to the characters of the present bearers of the remonstrance.—It is painful to us to acknowledge that there is an actual necessity of calling upon our Father the President of the United States for protection, inasmuch as the Big Warrior, who is influenced by the hostile party, with the exception of a few are calling his chiefs together which consists of such Indians as were particularly opposed to the United States during the last American war. One of the most conspicuous chiefs of this council is Gun Boy, who we took prisoner before Fort Gaines during Jackson's campaign against the Seminole Indians—and passing orders and decrees without the consent of any of our towns, apparently for the destruction of our people who are the friendly party,—inasmuch as it certainly will create an internal war among ourselves, and we hope our Father the President of the United States, will never admit that his red children who took his white children by the hand in the defence of the United States, in the last war with Great Britain, should be entirely excluded from having any voice in the nation, or in other words excluded from the benefits of the country, and for the Big Warrior and his party to have the

entire prerogative of the nation. We are informed that the Big Warrior and his chiefs are now in council, and we expect are passing such decrees as are derogatory to the safety of McIntosh and the rest of his chiefs; for instance, it has been but a short time since, when they met in the grand council square, and passed an order for the execution of McIntosh and any other of the chiefs who would make any proposition to the United States in favor of selling any part of the country which we now claim, therefore we have been compelled to guard Gen. McIntosh since the treaty at Broken Arrow for his safety —this is not all, there is no doubt but what said council at the present meeting will pass an order for the dismissing of Gen. McIntosh and many others of his adherents, and in all probability they have or will send a delegation from their council to that amount, although knowing at the same time that McIntosh and his chiefs have the superiority in the grand council of the nation, for reasons why, they were the only supporters and defenders of the nation in the last war, and that a number of the Big Warrior's chiefs forfeited their rights to their country which they previously had, by their hostility to the United States during the last war. We do therefore deny that Warrior's party have any right to enter into any such arrangements, and we do also deny that Gun Boy, and several others of the Warrior's chiefs, have any privilege in the national council, although we have heretofore permitted them to do so, for they did not defend our country from the foreign or domestic foe, but used their utmost exertions against the United States, and in favor of their enemies. We, therefore, head men of the nation, or of the aforesaid towns, assure our Father the President that we have much trouble in our country, and much too, in consequence of our agent's partiality to the Big Warrior's party, inasmuch as it appears to create a jealousy with us that the United States is failing to comply with what they once promised, that is protection. But we are conscious that it is unknown to our Father the President. But hoping that our Father will make the necessary inquiries of our delegation, and to advise accordingly for his red children's welfare, of which we will pray, &c.

Cowetas.

Tomme Tuskenuggee, his x mark.
 Hothemarte Tuskenuggee, his x mark.
 James Island, his x mark.
 Colonel Blue, his x mark.
 Conkee Tuskenuggee, his x mark.
 James Derriso, his x mark.
 Tulsa Haijo, his x mark.
 Arpifka Tustenuggee, his x mark.
 Efae Tuskeenahar, his x mark.
 Fosuch Emarlo, his x mark.
 Thlato Haijo, his x mark.
 Neharholo, his x mark.
 Coweta Tuskeenehar, his x mark.
 Yeacaskee, his x mark.
 Farna Mico, his x mark.
 Joseph Marshall.

Benjamin Marshall.
 John Shumam.
 Captain Canard, his x mark.
 Jacob Beaver, his x mark.
 Foshunch Tuskenuggee, his x mark.
 Walthocco Hargo, (Talledaga,) his x mark.
 Tuckelas Emarlo, his x mark.
 Dick, his x mark.
 Oakfuskee Tuskenuggee, his x mark.
 Robin Gaison, his x mark.

Broken Arrow.

Arpif kee Tuskenuggee, his x mark.
 Samuel Miller, his x mark.
 C. W. Miller, his x mark.
 Charles Miller, his x mark.
 Andy Lovett, his x mark.
 Harper Lovett, his x mark.
 John Harrard, his x mark.

Cuseatas.

Tucherbatchee Haijo.

Hitchetas.

Seah Gray.

Wm. M'INTOSH, *Sp. N. Councilor*,
 SAML. HAWKINS, *Interpreter*,

GHELLY M'INTOSH, *Clerk*.

CREEK NATION, 25th January, 1825.

We, the principal chiefs of Coweta, Talledaga, Broken Arrow and Hitchetas towns, in council met, agreeable to a previous notice by Gen. William McIntosh, whom we acknowledge to be principal protector and chief, having full confidence in his patriotism, integrity, and great regard for his people whom he represents, have unanimously recommended and appointed him and seven others of the national council, to wit: Tomme Tuskenuggee, Othlee Tuskenuggee, Benjamin Derriso, Siah Gray, Arpif kee Tuskenuggee, Tuckeeparchee Haijo and Coweta Emarlo, and Samuel Hawkins, interpreter, to meet the President of the United States our Father, and to make such arrangements as will be most conducive to the welfare of our people, and to receive such advice, as our Father the President may think proper to give; and should our Father the President give as his opinion that the claims of the state of Georgia to the land within her limits would prevent a fee simple title from vesting in our people, then in that event, Gen. William McIntosh, with the other delegates of our chiefs, are duly authorized in behalf of our people to make such arrangements with our Father the President, or his commissioners for that

purpose in an exchange for lands west of the Mississippi, such as have been referred to the United States' commissioners lately at the Broken Arrow, assuring the President our Father at the same time, that any thing which the said delegates may do on the occasion will meet the approbation of the national council in general, inasmuch as there are six of our principal council with Gen. Wm. McIntosh who are authorized to sign any treaty of that kind which our Father the President and our delegates may make upon the subject.

Signed in open council the day and date above written.

Coweta.

Tomme Tuskenugga, his x mark.
 Hoethlemarto Tuskenugga, his x mark.
 James Islands, his x mark.
 Colonel Blue, his x mark.
 Caskee Tuskenugga, his x mark.
 James Deriso, his x mark.
 Tulsa Haijo, his x mark.
 Arpif kee Tuskenuggee, his x mark.
 Efau Tuskanaha, his x mark.
 Fosuch Emailo, his x mark.
 Thoha to Haijo, his x mark.
 Neha halo, his x mark.
 Coweta Tuskenugga, his x mark.
 Yeacaskee, his x mark.
 Farna Mico, his x mark.
 Joseph Marshall.
 Benjamin Marshall.
 John Sheheeco, his x mark.
 Jacob Beavers, his x mark.
 Foshunck Tuskenuggee, his x mark.

Talledaga.

Wothlo Haijo, his x mark.
 Tucklas Emcilo, his x mark.
 Dick, his x mark.
 Oakfuskee Tuskenuggee, his x mark.
 Robin Garson, his x mark.

Broken Arrow.

Arpif kee Tustenuggee, his x mark.
 Samuel Miller, his x mark.
 C. W. Miller, his x mark.
 Charles Miller, his x mark.
 Andy Lovett, his x mark.
 Harper Lovett, his x mark.
 John Harrard, his x mark.

Cusetas.

Tuckeebatchee Haijo
Seah Gray.

WILLIAM McINTOSH,
Speaker to the National Council.
SAMUEL HAWKINS,
Interpreter.

GHELLY McINTOSH,
Clerk of the National Council.

NEWNAN, PIKE COUNTY, GEO.
26th January, 1825.

Some time in March, 1821, I was called on by the state of Georgia to do some surveying of the line of East Florida, of which I visited a small Indian town on the Alapaha river, below the line. The town was called after the chief (Mico-town.) While I was there he died, and his representatives called on me to examine his papers, and amongst them I found several letters, written from Col. Nicola, a British officer, and one from either Ambrister or Arbuthnot, I now do not recollect. One of the letters particularly named the Big Warrior, as being friendly to them, although he was amongst McIntosh's Indians; that if proper means were made use of, that he, the Big Warrior, could be got with his friends to join them, meaning the British.

The other letters were principally on the subject of advising the Indians how to overthrow McIntosh and his people; that the British were very strong, and would do great things for them, &c.

(Signed)

JOHN H. BRODNAX.

EXECUTIVE DEPARTMENT, GEO. }
Milledgeville, 8th Feb. 1825. }

GENTLEMEN: Within this hour the mail has brought an important communication, made by the President to Congress on the 27th ult. and connected with the objects of your commission. Fearing a copy may not have reached you, I hasten to forward by express a newspaper which contains it. He can be with you early to-morrow morning.

With great consideration and respect,

(Signed)

G. M. TROUP.

D. G. CAMPBELL,

J. MERIWETHER, Esqrs.

U. S. Commissioners for holding treaty with the Creeks—Indian Springs.

INDIAN SPRINGS, Feb. 9th, 1825.

DEAR SIR: It affords us much pleasure to acknowledge the receipt of yours of yesterday, enclosing a special message lately made by the President, to the Senate of the United States. We were aware that such communication was intended to be made, and had arranged for its transmission to this place. It had not arrived however, which makes the arrival of your express the more acceptable.

The chiefs of the nation are coming in, in considerable numbers. We discover distinctly the decided hostility of a large deputation from Took-ay batchee, but are of opinion that in council we have the ascendancy in numbers and in grade. We cannot admit the possibility of defeat, yet such may be the result. Our expectations are founded upon facts which amount to strongest assurance of success, and we must indulge the gratification, that even while "Troup is Governor," the policy and obligations of the United States will be effected, and the rights of Georgia obtained.

With great consideration, we are, Sir,

Your obedient servants,

DUNCAN G. CAMPBELL.
JAMES MERRIWETHER.

(Signed)

His Excellency G. M. TROUP,

EXECUTIVE DEPARTMENT, GEORGIA, }
Milledgeville, 12th Feb. 1825. }

GENTLEMEN: Accept my thanks for your last letter by express.— A dispatch from Mr. Forsyth has this moment reached me, and believing it may be of service to you, I hasten by another express to place you in possession of it. Our delegation as was expected, are resolved to do their duty; it is known to me you will do yours to all parties, and I will endeavor not to be wanting in mine. There can be no doubt of the correctness of the suggestion of Mr. Forsyth, that a treaty concluded with that portion of the tribe resident in Georgia for the cession of all the lands within our limits would be approved by Congress.

With great respect and consideration,

(Signed)

G. M. TROUP.

Messrs. CAMPBELL & MERRIWETHER,

United States' Commissioners—Indian Springs.

INDIAN SPRINGS, Feb. 13th, 1825.

SIR: Your express has this moment reached us, and delivered your communication covering the proceedings of Congress upon the Indian question. We are happy to inform you that the "long agony

is over," and that we concluded a treaty yesterday, with what we consider the *Nation*, for nearly the whole country. We enclose you a copy, also dispatches for the government. These last are addressed to your care to secure their certain transmission by to-morrows mail. The original treaty will be conveyed by our Secretary, to Washington City, by the stage leaving Wilkes on Thursday next. We are still in time for ratification by the present Senate, and beg to offer you our sincere congratulations upon the *more* than successful issue of a negotiation in which you have been an ardent co-worker.

With great consideration and respect.

(Signed)

DUNCAN G. CAMPBELL.
JAMES MERRIWETHER,

His Excellency, G. M. TROUP.

EXECUTIVE DEPARTMENT, GEO. }
Milledgeville, 15th Feb. 1825. }

GENTLEMEN: From what I have learned unofficially of the late conduct of the agent at the Indian Springs, his hostility to the interest of Georgia has suffered no abatement. I can by no means vouch for the accuracy of the reports connected with it. The commissioners must know, and if founded in truth, you will be satisfied that the agent will leave no efforts unessayed to detain the Creeks in their own country, to the last hour limited by the treaty—if he be longer continued in office—McIntosh and all his people, are willing to hurry away—The agent can retard or detain them by the multiplication of obstacles which will be insuperable to them. We are much concerned in their speedy removal.

With great consideration and respect.

(Signed)

G. M. TROUP.

The Honorable SENATORS AND REPRESENTATIVES,
In Congress from Georgia, Washington City.

EXECUTIVE DEPARTMENT, GEO.
Milledgeville, 17th Feb. 1825.

Gentlemen: What was stated in my letter of the 15th in relation to the conduct of the agent at the Indian Springs as rumor, is confirmed as matter of fact—Professing good dispositions and tendering hearty co operation to the Commissioners, he was secretly engaged in undermining them.

The Chiefs were all, the Took au batchies excepted, ready to sign the Treaty, and whilst the Commissioners were occupied in the preparation of it, the agent ordered a portion of them to depart by night. When the Commissioners to their astonishment discovered this secession they dispatched Col. Williamson in pursuit, and to advise them

to return—but their resolution was fixed and when it was asked why they had thus precipitately turned their backs upon the commissioners on the very eve of the signature, their answer was, one and all “by order of the Agent.” You see therefore that but for this perfidious interference the treaty would have been concluded by the entire nation, and with a unanimity almost unexampled.

This last act of the agent proves that he is yet animated by the same inveterate hostility to the interests of Georgia which signalized his conduct and defeated the treaty at Broken Arrow.

It is the interest of Georgia, as I believe it is the wish of her people, that the territory be organized as speedily as possible, consistently with the Treaty, and as in expediting the removal of the Indians, much will depend on the facilities afforded by the agent, it is presumable that he will not fail to take the necessary measures to detain them to the last hour limited by the treaty.

I understand further that those of the tribe who refused their assent to the Treaty, threaten injury McIntosh and his chiefs. Should the execution of these threats be attempted (the treaty having been ratified,) I will feel it to be my duty to punish in the most summary manner and with the utmost severity every such attempt, as an act of hostility committed within the actual territory, and acknowledged jurisdiction of Georgia, and thus whether the agent of the United States may think proper to deport himself as a neutral or a partizan.

With great respect and consideration.

G. M. TROUP.

P. S. Dr. Merriwether the Secretary to the Commissioners, I learn proceeds to Washington with the treaty. He will no doubt be able to give you any information which you may require touching the proceedings at the Indian Springs.

G. M. TROUP.

The Honorable SENATORS AND REPRESENTATIVES,
In Congress from Georgia, Washington City.

A PROCLAMATION.

GEORGIA.

By His Excellency G. M. TROUP, Governor and Commander in Chief of the Army and Navy of this state and of the Militia thereof.

Whereas by a treaty concluded with the Creeks at the Indian Springs on the 12th of February last, their claims to the whole territory within the limits of Georgia were ceded to the United States, and the ratification of the same by the President and Senate, having been made known to me, by which act the territory aforesaid according to the stipulations of the treaty, and of the articles of agreement and cession of the year 1802, will on or before the 1st day of September, 1826, pass into the actual possession of the state of Georgia.

And whereas it is provided in said Treaty, that the United States shall protect the Indians against the encroachments, hostilities and imposition of the whites, so that they suffer no interruption molestation, or injury in their persons, goods or effects, their dwellings or the lands they occupy until their removal shall have been accomplished according to the terms of the treaty. I have therefore thought proper to issue this my proclamation, warning all persons citizens of Georgia and others, against trespassing or intruding upon the lands occupied by the Indians, within the limits of this state, either for the purpose of settlement or otherwise, as every such act will be in direct violation of the provisions of the treaty aforesaid, and will expose the aggressors to the most certain and summary punishment, by the authorities of the state and of the United States.

All good citizens therefore pursuing the dictates of good faith, will unite in enforcing the obligations of the treaty as the supreme law, aiding and assisting the Magistracy, in repressing and punishing any disorder or violence which may infringe its provisions. And all officers civil and military are commanded to be vigilant in preventing offences under it and in detecting and punishing offenders.

Given under my hand and the great seal of the state, at the State House in Milledgeville, this twenty-first day of March, in the year of our Lord, eighteen hundred and twenty-five, and of the 49th year of the Independence of the United States of America.

G. M. TROUP.

By the Governor :

E. HAMILTON, *Sec'y. of State.*

CHATTAHOOCHEE, 29th March, 1825.

To His Excellency GEORGE M. TROUP.

SIR: I take the liberty of sending Saml. Hawkins to you, seeing in the newspapers your proclamation stating that the treaty was ratified by the President and Senate. We see in the papers also where Crowell had wrote to the Department that Chiefs of the lowest grade had signed the treaty, and we see where he says there will be hostilities with us if the United States sign the treaty—We are not any ways in danger until he comes home and commences hostility and urges it himself on us. If the treaty is ratified, if you can let Saml. Hawkins have two thousand dollars or stand his security in the Bank to that amount, we will send men on now to look at the country to try to move away this fall—the money if loaned to us will be paid back as soon as the money comes on to pay the first payment of the Treaty—any information that you can give him will be satisfactory to us.

Your dear friend, &c.

(Signed)

WILLIAM McINTOSH

EXECUTIVE DEPARTMENT,
Milledgeville, 29th March, 1825.

Dear General: You will have seen by my proclamation of the 21st inst. that I have resolved in fulfilment of the stipulations of the treaty, to maintain inviolate all your rights reserved by it, so that you suffer no detriment or loss by the trespasses or intrusions of the whites as long as you continue to occupy the country.

It is important that the territory acquired by the late treaty, should be organized as speedily as possible consistently with the provisions of that instrument, and not doubting that your assent will be given to the survey of it before your removal, I have dispatched a messenger to you, that your resolution may be communicated to me without delay—It is not presumed that the least inconvenience can result to you from this measure. Besides my own determination to cause the rights of the Indians to be respected in their persons and property at all times, there will be a future and ample security and protection in the selection of the officers who shall be charged with the duty of running the lines—who shall be responsible, not only that no depredations are committed by themselves, but that none shall be committed by others without their giving prompt notice to the lawful authorities so that the offenders may be brought to justice.

You will understand that there is no intention on my part to hurry your departure—the period of this will be left to your considerations of interest and convenience under the treaty—but as the survey is a work of time, this time can be saved to us, so that having completed it, nothing will remain but to occupy and settle the country after you shall have left it—I wish you by all means to give me your final answer by this express, that I may know what measures it will become my duty to adopt.

Your friend.

G. M. TROUP.

GEN. WM. MCINTOSH, *Creek Nation.*

EXECUTIVE DEPARTMENT,
Milledgeville, 4th April 1825.

Dear Sir: I have written to yourself and Maj. Meriwether jointly but with an expectation that upon your own responsibility you will be able to meet the wishes of Gen. M'Intosh, in relation to an advance of money. It is of great importance that every facility should be given to any movement of the Indians, which looks to a speedy removal beyond the Mississippi, and I will thank you to make known to me your resolution by return mail.

With great esteem and consideration,

(Signed)

G. M. TROUP.

D. G. CAMPBELL, ESQ.

P. S. It is presumed Gen. M'Intosh's requisition will be sufficient authority, and I have ordered it placed on file. A draft of the Secretary of War could be negotiated here.

G. M. T.

EXECUTIVE DEPARTMENT,

Milledgeville, 4th April 1825.

Gentlemen: Col Hawkins has just arrived from the Nation, and announces that the Indians will hold a council in a few days for the purpose of concerting the necessary measures to enable them to remove beyond the Mississippi in the course of the next fall. They will advance a party to explore the country, and to defray the expenses of this they ask for two thousand dollars, which I will thank you to furnish without delay. If you are not in funds I can advance the amount on your assurance that it will be reimbursed from the first remittance to you under the treaty. It will be considered of course as part of the consideration of the purchase and debited to them accordingly.

With great consideration and respect,

(Signed)

G. M. TROUP.

Messrs. CAMPBELL & MERRIWETHER,

U. S. Commissioners.

EXECUTIVE DEPARTMENT,

Milledgeville, 4th April 1825.

Dear General: I have received your letter of the 29th ult. by Col. Hawkins. There will be no danger of any hostility in consequence of the ratification of the Treaty. You will find every thing going on peaceably and quietly—If bad white men intermeddle to stir up strifes and excite bad passions among the Indians, I will have them punished. The President will do the same. My agent has reported that the Indians opposed to the treaty are quite friendly—that they think of no mischief—that they love you and will do whatever their father the President, advises. The Senate ratified the treaty without any difficulty, although the Agent was opposed to it. I write this morning to the United States Commissioners to furnish you with the necessary funds to enable your Commissioners to explore the country west of the Mississippi, so that you may make your arrangements to move during the next fall. As soon as I hear from them you shall know it. I wish you to inform me as early as possible of your resolution about the running and survey of the country, as mentioned in my letter by express.

You will have seen by my Proclamation, that I have determined the Indians shall suffer no loss or injury from our white people if I can help it—It is intended to guard them against those people whom they will themselves consider as trespassers and intruders, and not to prevent white people from going into the nation with honest intentions to make purchase of stock or property of any kind which you can lawfully dispose of—all such persons will be suffered to pass and

repass without molestation—We will endeavor too to appoint good and honest men for our surveyors, so that they will do no harm themselves and suffer none done to the Indians.

(Signed)

Your friend,

G. M. TROUP.

Gen. WM. M'INTOSH, *Creek Nation*.

EXECUTIVE DEPARTMENT,
Milledgeville, 5th April 1825.

Dear Sir: I enclose copies of two letters addressed to you yesterday at Washington, Wilkes. I did not hear until this morning that you would probably attend Warren Court. Be pleased to give me an answer by return mail.

With great consideration and respect,

(Signed)

G. M. TROUP.

Col. D. G. CAMPBELL, *Warrenton*.

ACORN BLUFF, 6th April 1825.

Governor TROUP,

Dear Sir: I received your letter of the 29th March, by the hands of your messenger, which gave me pleasure to get—On the 10th of this month the chiefs will be here when I will lay your letter before them, after which I will inform you what we shall agree to without delay. When this meeting is held, if we agree to the running of the lands, it is my wish that the surveyors should get their support from the red people.

I am, dear sir, yours with respect,

(Signed)

WILLIAM M'INTOSH.

WARRENTON, 7th April 1825.

Dear Sir: By this day's mail I received copies of your communications of the 4th inst. addressed to Maj. Merriwether and myself at Washington. The application for funds on the part of the Creeks to defray the expense of the exploring party about to be dispatched beyond the Mississippi, I consider altogether reasonable, and I am happy that it is in the power of the commissioners, to facilitate this move-

ment. I have no hesitation in assuming the responsibility you suggest. Immediately upon discovering that an appropriation had been made to meet the treaty requisites, I addressed a communication to the Secretary of War, inquiring when, and in what manner the funds would be placed at our control; I am in daily expectation of an answer, and of being referred to the U. States Branch Bank at Savannah. This requisition however can be conveniently met by an advance from the balance of the negotiation fund, yet remaining in our hands. But as the time of my return home, and the opportunities of remittance, are uncertain, I will thank you to make the advance of two thousand dollars, as you have kindly proffered, under the assurance that it will be reimbursed in either of the methods stated, as you may elect.

It may be communicated to Col. Hawkins, if he is yet with you, that the payment of the first instalment under the treaty, may be expected early in the summer.

I have the honor to be,

With great esteem and consideration,

Your obed^t. serv^t.

(Signed)

DUNCAN G. CAMPBELL.

His Excellency, G. M. TROUP.

EXECUTIVE DEPARTMENT,
Milledgeville, 9th April 1825.

Dear General: According to your wish as communicated by my express, I send another to-morrow morning to know the result of the deliberations of the council upon the proposition submitted in my last letter, and also to inform you that the money which was asked to be advanced by me to enable you without delay to explore the country west of the Mississippi, will be ready for you, whenever you send an agent authorized to receive it.

I wish you to hasten the return of my express, or if you have occasion to detain him, to mention to me in your letter the cause of that detention.

Your friend,

(Signed)

G. M. TROUP.

Gen^l. Wm. M'INTOSH.

P. S. There is little doubt but that all or most of our supplies in surveying the country, will be derived from the red people, provided they are willing to furnish them on reasonable terms. G. M. T.

LOCK CHAU-TALO FAU, OF ACRE TOWN,
April 12th, 1825.

His Excellency the Governor of Georgia.

I have received your letters of the 29th March, and of 4th inst. in both of which you ask of me to state our resolution in giving consent

to the survey and running off the country we lately ceded and now occupy.

You state there will be no danger in consequence of the ratification of the treaty, of any hostility—and if bad men stir up strifes and excite bad passions amongst the Indians, you will have them punished, and the President will do so to—and that your agent has reported to you that the Indians opposed to the treaty are now friendly—that they think of no mischief.

With regard to the disposition of the Indians who opposed the treaty, and with regard to the danger to the party who on our part made the treaty, we wish that the belief of your excellency may be realized.

As to the disposition of your excellency and the President of the United States to punish bad men who intermeddle to stir up strifes amongst us, we are well satisfied of; we know you can and will cause such men to be punished, and will protect the nation from such influences, and defend those who signed the treaty.

I have been however, at some loss in making up my mind, and must confess to you the embarrassment, I have laboured under. Ever since the President of the United States has had agents residing among us, we have universally considered it our duty to consult him on all important matters that relate to the General Government, or the Government of any particular state. Considering him the legal and proper organ through whom all official correspondence should pass in relation to our interests appertaining to the treaties made with our nation and the United States.

Some differences existing between the present agent of the Creek nation and myself, and not having any confidence in his advice, I have determined to act according to the dictates of my best judgment, which results in the determination to agree to the request of your excellency in giving my consent, and in behalf of the nation who signed the treaty, their consent that the land lately ceded to the United States at the Indian Springs, may be run off and surveyed whenever you may or the General Government think proper to do so.

If the General Government of the United States have no objection, and the Agent of the Creek nation with the party he influences, does not make any objection or opposition to running and surveying the land, myself and the chiefs and Indians who were in favor of the late treaty do not object, We give our consent.

I request of your excellency to publish in some of the public newspapers, that persons wishing to make purchases of property of any kind, or buy out our improvements for the balance of our time, must first attend at my house and enroll their names specifying the kind of property purchased, and from whom, stating the residence of each party. All such persons we shall consider coming amongst us as fair traders, and all such as may settle on land improved or not in the bounds of the late treaty, will be considered by us and reported as intruders to your excellency if they do not comply with those terms.

I have this moment received notification from the Little Prince inviting me and the chiefs in this quarter to attend a meeting of the nation at Broken Arrow on the 19th inst.—My own health will not permit me, probably to attend the meeting in person, but all of my

chiefs will go. I have determined if my health permits to accompany the delegation to the Western country in our exploring tour, so soon as we receive the money which we desired you to obtain for us through the commissioners.

Your friend and brother,
WM. McINTOSH.

(Signed,)

CREEK NATION, *April 12th, 1825.*

To Governor Troup :

I have taken the liberty of sending to you a memorial of our chiefs to the legislature of your state, and request the favor of you to cause it to be laid before them, with such marks of your approbation as you may in friendship towards us think proper to bestow.

In giving voluntarily our consent for the survey of the lands in the late treaty, we were actuated by motives of friendship purely toward you, and toward your people. No consideration of a mercenary nature could be permitted to enter our breasts when a favor was asked of us, particularly by your excellency, and in behalf of your people. We knew the great importance it was to your people to be ready to occupy the country immediately after our removal from it, and have with true hearts of friendship acceded to your request. We would have thought it disgraceful in us to attempt to make a condition founded on your wants or desires, a price for our acquiescence. The opportunity presented itself, and we hope the circumstance will have only the effect to render ourselves worthy of your esteem and friendship.

I remain your brother and friend,
WM. McINTOSH.

(Signed)

To the members of the Legislature of the State of Georgia :

Friends and Brothers: We, the chiefs of the Creek nation who have sold to the United States a part of the country, and intending shortly to remove to a new country, have thought it our duty to lay before you this our last and farewell address.

Friends and Brothers: We believe you and your state have always been our true friends—ever since we took hold of one another's hands in friendship—we have been as neighbours inhabiting the same country—a country which the Great Spirit made to be the home and habitation of his children; the red and white men are all from the same father, and each of them are entitled to a share in this world of the works of his hands, and of the good things he has made for the use of men. The country which you now possess, and that which we now remain on, was by the Great Spirit originally given to his red

children. Our brothers the white men, visited us when we were like the trees of the forest. Our forefathers smoked the pipe of peace and friendship with the forefathers of the white man, and when the white man said we wish to live with the red man, and inhabit the same country, we received their presents, and said, welcome—we will give you land for yourselves and for your children. We took the white man by the hand and held fast to it. We become neighbors, and the children of the white man grew up, and the children of the red man grew up in the same country, and we were brothers. The white men became numerous as the trees of the forest, and the red men became like the buffalo.

Friends and Brothers: You are like the mighty storm, we are like the tender and bending tree: we must bow before you; you have torn us up by the roots, but still you are our brothers and friends.—You have promised to replant us in a better soil, and to watch over us and nurse us.

Friends and Brothers: The day is come when we surrender the country of our forefathers—land of our nativity—our homes, the places of our youthful diversions. We surrender it to our brothers and friends, and our hearts are glad that we were not forced to do so by our enemies. We go, our people will seek new lands—our hearts remain with you.

Friends and Brothers: In days of old and years long passed, the Creek nation was strong as the lion, and our warriors were like the trees in number. We were visited by a people that came over the great water. We held talks with them, they offered to take us by the hand as friends and brothers, and as the children of one father—the children of the Great Spirit. We met them in friendship and smoked the pipe of peace like brothers of one family. These white brothers were called the English, and their head warrior lived beyond the great water. We were told by him in the talks he sent us, he was our great father and friend, and he made our nation great presents, and we loved his white children who he had sent to live on this side of the great water, and we give them lands and took fast hold to their hands in peace and friendship.

Friends and Brothers: In days long passed the head warrior over the great water sent our nation other talks, and told us his white children who we had long held by the hand, had become bad men and wanted to destroy their head warrior, over the water—that they had become our enemies, and that we must let go their hands, and take up the tomahawk and dance the war dance, and help our great father and friend, who had made us great by presents and help our great father over the water to chastise his disobedient children. Another head warrior arose among the Virginia people whose name was Washington. He sent our people his talks and told us that the white people on this side of the great water and the red men had long been friends and brothers, and that they were born in the same country—that we were children of the same land, and that we must let go our old father over the water who would ruin us, and that we must hold fast to the Virginians.

Friends and Brothers: We listened to our great father Washington, and let go of our friends the English, and smoked the pipe of

friendship and brotherly love with our Virginia brethren. We found the talks of our great father Washington to be true, and that he was our true friend—and his people were our friends. We have always taken the talks of the Presidents who came after our beloved great friend Washington. We have considered the Presidents our protectors and friends, and the American people our brothers and neighbors. We found the English deceitful and our real enemies, and we have long ago fought them as the enemies of ourselves and our American brethren.

Friends and Brothers: Our nation have always met the talks of our great father the President of the United States, when his agents and commissioners told us he wanted land for his people, we have always been willing to divide with them, and share our country to them. We have had a great country, and we needed the assistance of our white friends. We gave you land, and you gave us presents and money, and you taught us the use of the loom, the plough and the hoe, and you taught us the way to value the different kinds of property.

Friends and Brothers: When we were first acquainted with our white friends, we were ignorant like a child. You were in knowledge like a man in his full strength. We therefore, have always listened to the President as our common father and protector: we look up to him as a son would look up to his father.

Friends and Brothers: Our present chiefs remember the time when we possessed the land to the bank of the Oconee river. Some of our old men remember when their hunting ground was the other side of that river. We, however, in our day have attended the talks of the President, when our nation have sold to our Father the President all the land between the limits of the late treaty and the Oconee.

Friends and Brothers: We have been for several years viewing with great attention the advice of the President to make a treaty with our nation for the lands that lay within the boundary that the state of Georgia wanted or claimed. We have paid great attention to all of his talks through the commissioners, and we are now satisfied that his advice is for our best interest, and that he will not forsake his red children in time of danger and trouble.

Friends and Brothers: We are satisfied that our claim to the land of our fathers was before all others. The Great Spirit placed us upon it, and gave it to us as our inheritance; but our neighbors and friends the people of Georgia, wanted more land—their children are growing up like young trees of the forest, and they must have support.

Friends and Brothers: We who send you this our farewell talk, have done every thing we could to satisfy our white brothers and friends, and to please the President our father. We have listened to our father the President's talks, and have determined to make the trial of leaving forever the land of our forefathers and surrendering it to the United States for the use of our long beloved neighbors and friends the people of Georgia.

Brothers and Friends: We have to part with you—you are shortly to be possessors of our lands and our homes—homes dear to us because we were raised and nourished at them: our habitations are simple and plain, but they afford us shelter from the rain and the

storm; our fare is plain and wholesome and affords to us support and health; our people are thinly clothed, but our huts shelter them from the cold: We have enjoyed in a considerable degree many of the comforts of life rendered familiar to us by our intercourse with our white friends and to a much greater extent than a people like us, can again shortly expect when we are removed to the wilderness of the west.

Friends and Brothers: All the comforts we now enjoy we abandon for your sakes. Our wives and helpless children must experience fatigue, hunger, cold, and every other incident that must unavoidably attend us in our travel from this our late beloved country, to the vast wilderness, full of dangers that we probably do not foresee; but we put our trust in the Great Spirit, and our father the President for protection and aid.

Friends and Brothers: In all the treaties with the United States for land for your use, we have never asked of your state to grant our nation presents of any description. We now for the first time as we are about to take our final leave of you, have thought to introduce ourselves to your notice, and hope that the first and last request of a people long your neighbors and friends, will not be passed unnoticed by the people of the great and powerful state of Georgia, always professing toward us the greatest friendship and brotherhood.

Friends and Brothers: To you as the representatives of our old neighbors and friends and as the children of the Great Spirit, and as our common relations managing the affairs of the great state of Georgia, we appeal in terms of friendship, for such aid and assistance as the pleasure of your assembly in behalf of your people may think proper to afford us, previous to our final departure from you. The difficulties, wants and distresses which await us in our removal in a body of ten thousand of our people, consisting of men, women and children, must be our apology for introducing ourselves to the consideration of your humanity, charity and benevolence.

Friends and Brothers: In behalf of our people, we desire of you, if it may meet with your good pleasure and liberality, to make our nation, or such part as determine to remove, such a donation in presents of any kind as the character and dignity of your state may warrant, and the wants, distresses and long attachment of our people to you may deserve.

Friends and Brothers: If after you hear our request and consider of it you should think that we are not entitled to your consideration, generosity or liberality, and that as we are about to leave you forever, and that you now have a legal claim and right to our late country, and that you owe us nothing, still we will remain strong in our former friendship to you. We do not ask of you any thing as a matter of right, or of any legal claim we have on you, but merely desire to recommend ourselves to your generosity and charity.

Friends and Brothers: We finally assure you that our attachment toward our old friends and neighbors shall never cease, and that we will carry with us the feelings of true and devoted friendship toward the state of Georgia, to the United States, and the Legislature of Georgia. If we should be so happy as to experience any token of their regard, we will teach our children to remember it with gratitude,

and cause it to be handed down to the succeeding generations of our
 nation, that they may forever know that Georgia was their friend in
 the hour of distress.

(Signed)

William McIntosh,
 William Miller, his x mark.
 Ahlyheeky, his x mark.
 Aubickah, his x mark.
 Ispogormothe, his x mark.
 Hothemarta Tustunnugge, his x mark.
 Tustunnugge, his x mark.
 Hoge McIntosh, his x mark.
 James Derosoe, his x mark.
 Charles Miller, his x mark.
 Woloclock Hago, his x mark.
 Micholhe Homoethe, his x mark.
 Chawgle Mico, his x mark.
 John Harrod, his x mark.
 Mico Homottoge, his x mark.
 Samuel Hawkins.

April 12, 1825.

MILLEDGEVILLE, 18th April, 1825.

Dear General—In one of your late letters you say something about
 the consent of the United States, or if the agent and the hostiles do
 not make opposition. Pray explain to me your meaning. We have
 nothing to do with the United States or the agent, or the hostiles in
 this matter, all we want is the consent of the friendly Indians who
 made the treaty. If we wanted the consent of the United States we
 could ask it.

Your Friend,

G. M. TROUP.

Gen. WILLIAM MCINTOSH, *Creek Nation*.

FAYETTEVILLE, 14th April, 1825.

Dear Sir: I herewith transmit to you the resolutions of the
 friendly Creek Indians, or those who were in favor of the treaty.—
 As their determination with respect to permitting the recently ac-
 quired territory to be run off, or surveyed, is of general importance to
 the citizens of the state of Georgia, I have deemed it advisable to send
 them by express, as the most speedy and sure mode of conveyance.
 You will also receive by the bearer Mr. Wilson two other letters.

With respect, your most obedient servant.

(Signed)

ALEXANDER WARE.

His Excellency G. M. TROUP.

EXECUTIVE DEPARTMENT,
Milledgeville 16th April, 1825.

Dear General: Your two letters of the 12th inst. have just been received, by which it is made known to me that in council you have given your consent to the survey of the lands.

Your memorial to the Legislature will be presented according to your request, and the notice you wish published in relation to purchases of property of any kind, improvements, &c. &c. will in the same words as you have written be printed in our next papers.

I hope that you will meet the Little Prince and council in good friendship, I wish to see you all united in brotherly affection before you move, and am convinced the President desires the same.

Your friend,

G. M. TROUP.

(Signed)

Gen. WILLIAM McINTOSH, *Creek Nation.*

CREEK NATION, 25th April, 1825.

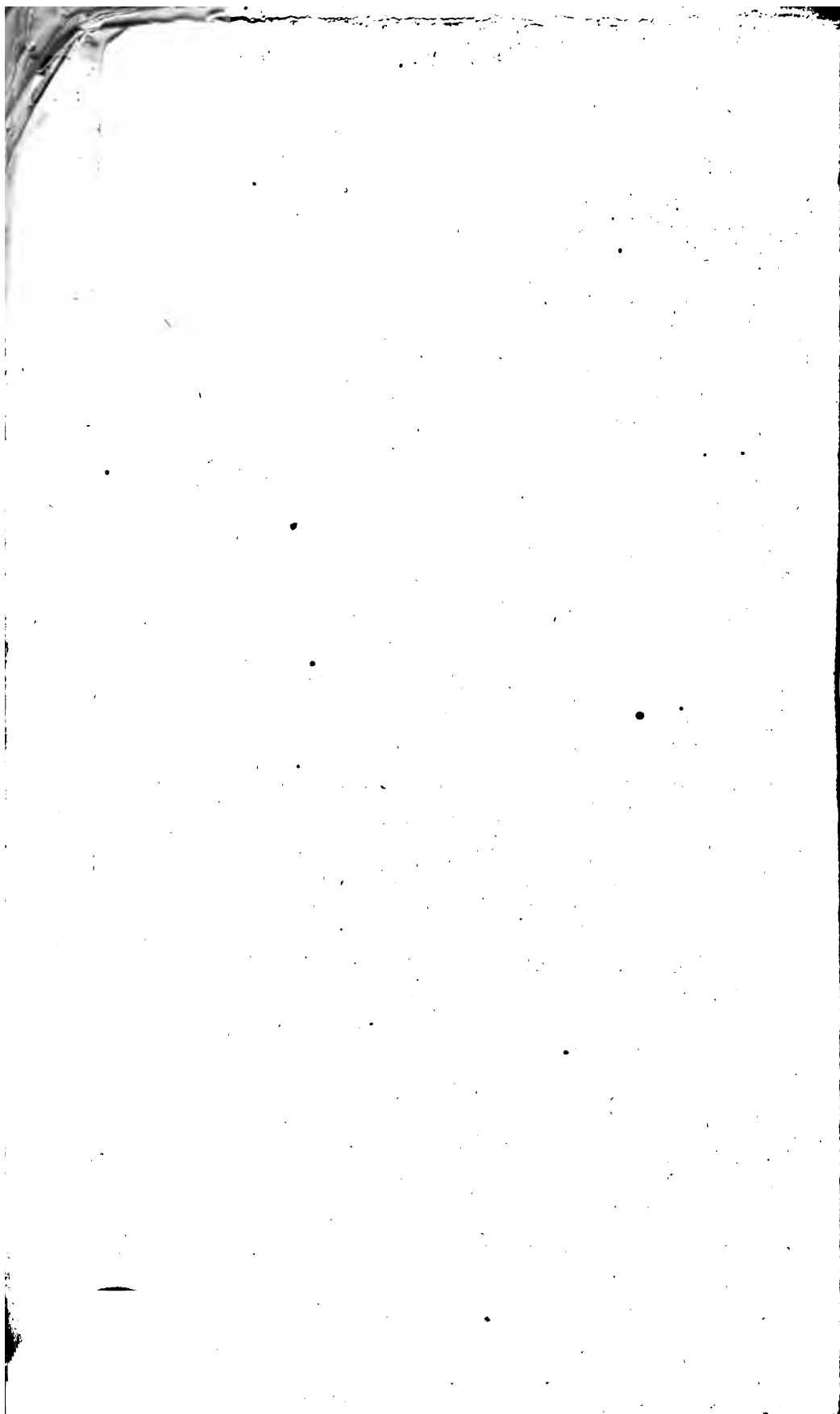
Dear Sir: I received your Excellency's request yesterday, dated the 18th inst. and hereby state to you that my only meaning was not to act contrary to stipulations made between our nation and the United States Government, and we do hereby absolutely, freely and fully give our consent to the state of Georgia, to have the boundary belonging to said state surveyed at any time the Legislature of Georgia may think proper which was ceded at the late treaty at the Indian Springs—signed in behalf of the Nation and by the consent of the chiefs of the same.

I have the honor to be sir, with great esteem, yours respect'fully.

(Signed)

WILLIAM McINTOSH.

His Excellency Geo. M. TROUP.



No. 2.

DOCUMENTS

On the subject of the Murder of General McIntosh and other friendly Chiefs of the Creek Nation—of the causes which produced it, &c. &c.—accompanying the Governor's Message at the opening of the Extra Session.

MILLEDGEVILLE, 17th February, 1825.

Governor—We met with you yesterday, and dined with you as our father. We meet you to day in your office to express our opinion as principal chiefs of Coweta, which expression we have considered best to give you in writing, that you may know when we act contrary to our talk. Eighteen hundred and thirteen was the beginning of the hostile party, and Gen. McIntosh was the first red man who joined the United States and spilt his blood in her defence, at that time we were warriors under Gen. McIntosh, and fought for our country, and after peace was made, we were appointed chiefs by Gen. McIntosh—not by Little Prince or the Big Warrior, therefore we love said McIntosh until death, and will hold fast to his talks, because we know he acts agreeable to our fathers talks, and by him we gain our protection from our father the President—Looking back to 1813, we believe that but for the relations which McIntosh sustained to the U. S. we should have lost our lands without getting a penny for them.

Father—At the late treaty of the Indian Springs, a good many hostiles as usual objected to it. If that party should attempt to breed a disturbance with the friendly Indians we shall inform you for protection, and we hope you will protect us, in case the hostiles should intrude on us, as we look for protection from you as we have been trying to gratify the wishes of our father the President—We hope he loves us as his red children, and we hope you love us as friends of justice, as friends of good order, and friends of harmony.

We remain your affectionate children,

Etome Tustunnugge, his x mark.

Hoethe Marta Tustunnugge, his x mark.

Siah Gray, his x mark.

Tustunnugge Oche, his x mark.

CHILLY McINTOSH,

Clerk of the Nat. Council.

P. S. We wish to know from you in writing whether you could protect us, should protection be necessary.

February 20th, 1825.

Our Father—It gives us great satisfaction that you take us by the hand as your Red children, and determine to protect us if any part of our hair should be injured by the hostile Indians. Yesterday evening we were informed by Chilly McIntosh that you wished to see General McIntosh before his return to state to him a further subject upon the which we now stand at this present time, for fear they might do injury to us in secret by bad advisers, and if we think it necessary that you would send runners on to let the party know that you are ready to protect us if they should attempt to carry their threats into execution. We have considered the subject and determine it to be the best plan to afford safety to our head man and us. If you send the runners on to the party, we want a few lines from you to let our friendly people know that you as commander in chief of the state of Georgia, will protect us in case the hostiles should do injury to us, or any of the friendly party.

Our Father—At the treaty of Broken Arrow the chiefs got jealous of McIntosh and threatened to kill him—the charge against him was that he wanted to sell land to the Commissioners of the United States. In 1824, a few chiefs met at a place called the Pole Cat Springs and passed a law that if any person should sell or offer land for sale, guns and rope should be their end—this law was intended to prevent Gen. McIntosh from selling land, but it was not agreeable to the laws of the nation—if it was intended to be the national law it ought to have been read before the national chiefs and let them determine it—not collect a few chiefs to make a law.—Could an individual state pass a law to extend all over the United States, or one county make and enforce a law for the government of the whole state—The guns and rope are taken from the pattern of the Cherokees, therefore we do not consider it a law of the nation to be enforced, it is merely law among themselves, but those who signed their names to the pattern of the Cherokees determine to execute the law.—This is the report from some of our friends—If they determine, we are ready to defend ourselves, and with your assistance they will find a great difference in numbers—our characteristic disposition is to treat all mankind as friends, brothers, and relations—We determine never to impose on any man, but treat all as friends—Nothing more at present but remain your affectionate children:

Etome Tustunnugge, his x mark.

Hoethe Marta Tustunnugge, his x mark.

Tustunuge Oche, his x mark.

Siah Gray, his x mark.

CHILLY MCINTOSH,
Clerk of the Nat. Council.

(Extract from the Executive Journal.)

Saturday, 19th February, 1825.

Several Indian Chiefs of the Creek Nation among whom were Gen. McIntosh and Etome Tustunnugge, chief of Cowetan, came to the

Executive chamber to hold a talk with the Governor—they had much to say and the meeting lasted some time—the substance of what the Indians said was, that they had in compliance with the wishes of their father the President, and their brethren and friends the Georgians, consented to give up their lands and move across the Mississippi. That before their departure they should have a great many difficulties and troubles to encounter; that their women and children must suffer many privations in passing from their homes where they had some comforts, to a new and distant country—that they must suffer great loss in their stocks, and other property, &c. &c. but notwithstanding all this they were willing to listen to the advice of their great father and give up the lands, but in doing which, offence had been given to some of their people, and as there were bad whitemen among them who were endeavoring to stir up their own people to do them harm, and more especially as the agent was among their worst enemies, and they could expect no protection or support from him, they wanted to know whether they could be certain of protection from the government of the United States, and from that of Georgia, &c. &c.

The Governor answered that he was happy to hear that in compliance with the wishes of their great father they had finally resolved to give up their lands—that their father intended nothing but for their good—that he talked the language of truth and sincerity, and that when he advised them to move across the Mississippi, all the good and wise men of the United States, knew that it was the best advice he could give them—they were exchanging lands which belonged to Georgians for lands which were better and would belong to themselves and their children for ever. That the President was wise enough to know all the difficulties they would have to encounter, but he still thought it would be for their good—that with regard to their women and children and their property, the Governor thought ample provision had been made by the treaty, not only to enable them to remove their women and children in comfort, but to cover any losses they might sustain by the removal, &c. &c. and that with regard to protection either against their own people, who were hostile, or against the whites, he had no doubt their father the President would afford them all the protection their situation might require. That as to the state of Georgia they should so far as depended on him, find protection at all times; and that so long as they conduct themselves well the people of Georgia would be ready to support him in it with all their hearts, for they had for a long time been the friends of Georgia in peace and war, and that they themselves had fought and bled for Georgia in the last war, and that the Georgians could not forget them, &c. &c.

Here Gen. McIntosh adverted to certain events of the last war—spoke of the Big Warrior as having been inimical in heart to the United States but joined the friendly party through fear—his late opposition to the treaty, &c. &c. of a certain chief (Gun Boy) the principal leader of the hostile party since the death of the Big Warrior threatened his life, and his endeavours to prejudice the Indians against him and his followers—his having defeated the same and took him prisoner near Fort Gaines during the late war—

of the rights of the friendly party to dispose of the land when in their opinion, and that of their father the President, it was the interest of the nation and that of the United States for them to do so, with or without the consent of the hostile party.

To the latter part of which the Governor replied—That it was impossible for the United States Government in all their transactions with the Creeks not to feel a difference if they did not make any, between the friendly and hostile part of the nation—That in the business of the treaty, the President could not but consider it as the act of the nation provided the whole country was ceded. But what ought to be considered the act of the nation would be still a question. The Government might be quite well disposed to consider the act of McIntosh and his friends as such a one. It would not be expected that all would unite in the sale of the lands—it would have to be left finally to the President and senate to decide who had the right—and in making this decision there was little doubt that all other things being equal they would give a preference to the friendly Indians.—This was natural, for although a treaty of peace forgives what has passed, the parties to it cannot forget, and the people of the United States, (but more particularly the people of Georgia,) cannot forget the distinction they were obliged to make when in the late war they found McIntosh and his friends fighting on their side, and the hostiles fighting on the side of their enemies, &c.

Etome Tustenuggee at the close, begged leave to hand the Governor a paper which he said he wished him to keep, for that he had been deceived by white men, and was opposed at first to a sale of the lands, but since then his eyes had been opened and he had listened to the voice of his great father, and that now he approved in all things of the talk which had been just delivered, &c.

EXECUTIVE DEPARTMENT, GEO. }
Milledgeville, 26th Feb. 1825. }

In consequence of the apprehensions expressed in a talk delivered by the friendly Chiefs of the Creek Nation on the 19th inst.—the written communication delivered at the same time, and another on the 21st by Etome Tustenuggee—of the hostile intentions of the unfriendly party in said Nation toward M'Intosh and his friends, in consequence of the late treaty; and in compliance with the promises given them, that every aid should be afforded them within the power of this government, it is thought proper to send a friendly talk to the chiefs of Took-au-batchee and Kusetau, at the same time forewarning them of the danger to which they will expose themselves by any outrage committed on M'Intosh or any of the friendly Indians, in consequence of said treaty. Accordingly Col. Henry G. Lamar is directed with a talk to said hostile chiefs, in the following words, to—

To the Chiefs and Headmen of Took-au-batchee and Kusetau:—
I hear bad things of you—You threaten M'Intosh and the lands because they listened to their father the President, and

to the Georgians—They acted like good and dutiful children—You opposed yourselves to the wishes of your great father who was doing the best for the interest of his red people, and would not sign the treaty—But this you did as I believe, under the influence of bad men, who pretended to be your friends, but who cared nothing about you. Now I tell you take care and walk straight—M'Intosh and his people are under my protection, as well as under the protection of the United States. If any harm is done by you or any of your people, to M'Intosh or his people, I will treat you in the same way as if you were to come into our white settlements, and do the like. I will pursue you until I have full satisfaction. Do not let bad men persuade you that because you live in and near to Alabama you will be safe—If you commit one act of hostility on this side the line, I will follow and punish you. But I hope there will be no occasion for this, and that you will take counsel of wise and good men, and so conduct yourselves for the future as to receive the approbation and protection of your father the President, and that I also may look upon you as friends and treat you accordingly. This message will be delivered to you by my aide-camp Col. Lamar.

(Signed)

G. M. TROUP,
Governor of Georgia.

EXECUTIVE DEPARTMENT, GEO. }
Milledgeville, 26th Feb. 1825. }

Sir: The Took-au-batchep and Kussetau towns, adverse from the late measure of treaty concluded at the Indian Springs, having menaced the friendly Indians who signed that treaty with insult and injury, in consequence of their willingness to make cession of the lands to the Georgians, it is resolved to dispatch you with a message to those towns, to represent to them the danger which will ensue if they attempt to carry into effect their hostile designs. They are the weaker party, and no attempts of this character are to be dreaded, but such as are made covertly and in secrecy. But whether of the one or other character, they are forewarned they will be punished with the utmost severity.

From the moment of the ratification, the territory will be considered as belonging to Georgia in all respects, excepting, merely the temporary occupancy of the Indians, and any act of disorder or violence committed there, will be treated as committed within the actual jurisdiction of the state, and of course the Indians committing it pursued and punished wheresoever they may go.

You will meet them with friendly dispositions—Say to them, in accordance with the spirit of the message which you carry, that it is the settled opinion of all the wise and good men of the United States, that the Indians looking to nothing but their own interest, present and future, ought to move without delay beyond the Mississippi. They already know this to be the advice of their great father. They will

soon know it to be the advice of his great council, the Congress—None but bad men, hostile to their true interests, will ever advise them to the contrary.

You will take with you the published documents, shewing the views of the President in relation to the conduct of both the Agent and Cherokees at Broken Arrow. The indignation with which he viewed their conduct, and of course, the indignation with which he will regard the conduct of the Indians hostile to the treaty, if they do not in future deport themselves as men deserving his love and friendship—And another paper, less authentic, but not altogether unofficial, taken from the National Journal, in which they will see that the Indians west of the Mississippi, without foreknowledge of the views or plans of the President, have adopted the same views, and are concerting the same measures for bringing all the Indians together on the west of the Mississippi—and that soon, very soon, they will all go—so that a red man will not be seen, between the Mississippi and the lakes.

Having delivered the message, together with the talks as directed to the two towns, and receiving their answer, either verbally or in writing, you will return and make report to me with as little delay as possible.

Respectfully,

(Signed)

G. M. TROUP.

Col. HENRY G. LAMAR, Aid-de-Camp.

NEWNAN, 3d March, 1825.

Governor : I take the authority to inform you, since we left you we havent got home in consequence of the hostiles. I met my friends at Flint river, Wm. Miller and A. Tustunnuggee, and they tell me that they run them off—threaten to kill them—cut their throats and set up their heads by the road for a show—they are determined to die on their own country, and they have appointed men to kill seven chiefs, Gen. M'Intosh, myself, Joseph Marshall, Sam'l. Hawkins, James Island, Etome Tustennuggee and Col. Miller. Since the treaty the hostile party have been in council a second time at Broken Arrow, and are now at Took-au batchee holding a council—they have not broke up yet. We understand they have sent a memorial on to the President, not to interfere with them or assist us—to let them settle it among themselves. No doubt they are determined to destroy us if they can. Myself and father parted at the Indian Springs on our way home—since I heard the news I have dispatched a runner to him, not to stay one moment at home, but to meet me at this place. Excuse my hand writing—This is not half I know, but the bearer of this is in a burry.

I remain your son,

CHILLY McINTOSH.

His Excellency G. M. TROUP.

EXECUTIVE DEPARTMENT,
Milledgeville, 5th March, 1825. }

Dear Friend: Your letter of the 3d came safe to me this moment: I am sorry to hear that the hostiles continue to be such fools and madmen. They will soon be taught better. If they do not listen to my talks sent by Col. Lamar I will send a military force to the line, to keep them in order and punish offenders. Col. Lamar left this for Kussetau and Took-au-batchee last Sunday the 27th February. He must have arrived at the council before this. It is as I told you it would be, the hostiles have been set on by bad white men. I hope your father will keep out of their way until they are brought to their senses.

Yours sincerely,

G. M. TROUP.

CHILLY M'INTOSH, Creek Nation.

MILLEDGEVILLE, March 10th, 1825.

His Excellency Geo. M. TROUP,

Sir: In obedience to your instructions of the 26th of February last, I proceeded to the towns of Cussetau and Tuckaubatchee, for the fulfilment of the duties required. On my arrival at the former place on the 2d inst. I judged it impracticable to wait the length of time which would unavoidably be consumed in calling the chiefs, I therefore appointed a time for their assemblage by my return; and continued without delay to Tuckaubatchee, where I arrived on the fourth. Fortunately, the chiefs and headmen had met in council for the purpose of regulating the internal government of the town. They were immediately informed of my arrival, and my object; and that I desired to see them in council, so soon as they were prepared for my reception. Their reply was, that they were ready at any time, to hear what I had to communicate. Our salutation was friendly, and they gave every testimony, of the indulgence of the most amicable feelings. Ho-po-eithlea Yoholough, seems to have succeeded the Big Warrior in authority for the present, and will so continue until another individual is designated by appointment. I will not pretend in this report to give in full, the talk I there delivered in council, as I had not reduced the same to writing. I hope it will fully subserve all your purposes to know the most prominent points, on which my remarks at that place were predicated. I informed them the reason why you had sent the communication. I stated that information had been received from a source in which you placed reliance, that in consequence of their being adverse to the treaty, they had become angry with M'Intosh as well as all others, who had been dutiful in obeying the wishes of the President; and designed pursuing them with vengeance. That if this report were untrue, it would be to the mutual interest of all parties to so understand it; that if it be true, and the

attempt should be made to gratify so depraved a feeling, they had exposed to their view, the penalties which would be incurred by so rash a determination. That it behoved them to look to the lessons of experience which the divisions and hostilities of the late war in their nation would furnish; that they should turn a deaf ear to the evil counsel of bad men, and listen to the advice of their father the President; that he united wisdom with goodness, and would point out the only way of promoting their ultimate happiness. This he had done to his council, the Congress, as well as in his instructions to his commissioners, as I would shew from documents. That not only the President had suggested the plan, but that a deputation from the tribes beyond the Mississippi was now on the way to Washington City, desiring the consummation of the same object, and that all the tribes between the Mississippi and the Lakes were invited by their red brothers to come and settle on their land. That they would be received by the right hand of friendship, and could there indulge a perfect security from the annoyance of the white man. That then there would be no conflicting interests, and all strife would cease to exist. I then read the document expressive of the President's desire of a successful termination of the treaty, the extract from the National Journal, containing an account of the proceedings of Indians, west of the Mississippi, and concluded with your communication. They heard me with attention and respect; and when informed that I had closed, Ho-po-eithlea-Yoholough made the following reply in substance—However, as near as memory will serve me, I will give you his words, as communicated to me by the interpreter—He said he was glad to see me, and gratified that you had placed it in his power to contradict the reports which had reached Georgia. That he loved his white brothers, and loved their peace; he also loved M'Intosh—That on hearing the false tales, about his wishing to spill blood, he was sick at heart, and his blood was chilled. That in the war he fought with M'Intosh and his white brothers to subdue the hostiles, and succeeded—That his enemies in war were now under his authority, and to employ them against his best friends, was what had never entered his mind—He loved his father and would never offend him—That not one murmur had by him been placed on the winds to be carried to Georgia, against his white or red brothers—That M'Intosh having made the treaty, would not make him his enemy—he still loved him—he spoke with one tongue, he never deceived—he should be sorry that his father should hear such bad things—He wished his ear to be stopped, and pay no attention to them. That his father had told him while Hawkins was agent, to throw away his gun, quit the chase, and cultivate the land. He followed his advice and knew it to be good. His gun was now rusty, he could not see to shoot—instead of his gun he used the plough and the hoe. That if his people desired war, they had not the means of carrying it on; more than half were without guns, but that they never thought of spilling blood. He wished me on my return home to inform the Governor these things, so that his white brothers might not be disturbed. To which he subjoined—that he had met me as a brother, he hoped I was satisfied, and we would part as we had met. He then on request appointed Charles Cornals to accompany me to Cussetau, saying if I had not requested it, it would

have been done, as he had previously determined to adopt that course. I have been thus particular in order to place it in your power to form an opinion independent of my own. Previously to my arrival at Tuckaubatchee, from gross misrepresentations, I had reason to suppose they indulged the most malevolent feelings towards those favorable to the treaty. Indeed, had I given credence to reports, my conclusion would have been, that they were on the point of commencing immediate hostilities;—such was the prevailing feeling, from exaggerated accounts, that on application to two half breed near Fort Mitchell to accompany me to Tuckaubatchee, as interpreters, they declined through fear, stating that they had understood the Tuckaubatchees were determined to enforce the law passed at the Pole Cat Spring, and it being known that they were friendly to the treaty, and relations of Col. Miller, although fear might restrain them from open violence to their persons, they would secretly murder them. From all the discoveries I was capable of making I can arrive at no other conclusion, than that the feelings seen done will have the good effect of conceiving. However what has disturbed, to their accustomed ease.

restoring the minds of those disturbed, to their accustomed ease. On the 7th inst. in conformity to previous arrangements, the Cussetaus assembled in council. Finding it difficult to progress in business by verbal communications, I determined to obviate the difficulty, by writing and reading to them the following address, only changing the language occasionally that it might be the better adapted to their understanding:

My Friends and Brothers:

It is my duty to come here by the Governor of Georgia to reconcile difficulties which have understood exist among you, and in doing this I shall plainly and tell you the truth, after this is done, if you are deceived it will be your own fault, and you cannot say that the Governor of Georgia, through me, did not warn you of the only way to avoid error and do right. We love you and wish to live in peace. We wish you to love one another and live in peace also. We have understood that in consequence of M'Intosh and others having signed the late treaty, you are angry, and wish to stain your hands in their blood; we hope for the honor of your nation, for your own peace, happiness and safety, that these reports are untrue. If they be true, check the mad career of your feelings. If you do not, it will involve you in calamities ten fold greater than those from which you have narrowly escaped in the late war. M'Intosh and his party have acted as dutiful children in obeying the advice of our wise and good father, the President. This I shall shew you by documents from his own hand. Then having acted in obedience to the will of our father, if you should murder him, or any of his men, or suffer the same to be done, your white brothers will revenge their death, if in the burning of your houses, or at the expense of the life of every red man in your town. But in all this, the innocent would not be punished with the guilty. Let me ask you a question—You have a rifle that has long procured you food, and subdued your enemies; it never fails to kill when properly directed—Suppose you level it at a deer; it snaps or fires and fails to kill;

do you on that account break or throw away a weapon so necessary to your existence and security? And why should you wish to treat M'Intosh less kindly than your gun? Has he not been your friend in peace and in war? Has he not always been faithful to your interests and dutiful to your father the President? The treaty was made in accordance with the advice, and wishes of your father as I have before stated, and will ultimately work the independence, and in the end the happiness of the red people. And shall this be requited with the gun and the rope? We have heard ~~we~~ we have heard that you have listened to the counsel of bad men, that they have wrought among you an ~~very~~ excitement, and that M'Intosh and his chiefs are to be the victims to appease your exasperated feelings. You are warned to turn from ~~such~~ wicked counsel, and be assured no friend, true to the interest of the ~~red~~ man, would recommend the gratification of such feelings. If you should attempt it, your nation would be divided. Take a number of red ~~men~~ bind them close, you cannot break them—separate them or divide ~~the~~ bunch, and the weakest of you can break them in pieces. This would ~~be~~ the condition with your people—divided, you would fall without the power to make one man's struggle. You would be surrounded ~~by~~ the white men, who by reason of your bad conduct, you would make ~~you~~ common enemies. They outnumber the trees in your forest. I have said that M'Intosh and those who signed the treaty, acted in strict obedience to the request of your father—listen and learn his will, and ~~in~~ future let it guide your determinations. [I here read the document shewing the views of the President, as to their removal and his wish ~~the~~ the successful termination of the treaty, and the paper shewing the views of the Indians beyond the Mississippi, and made a few remarks ~~of~~ those subjects and proceeded.]

Now you see what bad men have told you is untrue. I wish of your father, the treaty should be held—the land ~~as~~ the that all of you should move beyond the Mississippi, where you and ~~your~~ your future could not be disturbed in the titles to your land; where the ~~the~~ the Buffalo, the Bear and the Deer could be chased by your young men, ~~and~~ what would be more desirable, they could settle down permanently, and before long enjoy all the comforts of civilized life. These are the wishes of your father. He is wise and good. He studies to promote your happiness. Then why do you not say father “thy will be done.” By so doing, you can select your country, and make a choice before the Cherokees or any other nation; the President will give you the title to the land you acquire in the exchange. No nation, not even your father could then take it from you. No disputes would then exist about land. I say then listen to what your father tells you is right and you will do well. I wish you now to inform me what I must say to the Governor of Georgia, and what must he say to the President. Must I tell him the news he has heard of your wishing to kill M'Intosh and his men is false? Must I say you love them and love their peace, and that you are reconciled to what they have done? Must I say you will punish your bad men who attempt to do harm to those who signed the treaty? I hope you will place it in my power to tell him good news, so that in future there will be no disturbance between our red brothers, or between the white and the red man.

[I then read your communication, and Little Prince replied in a few words, by unequivocally denying any contemplated hostilities to those who signed the treaty. He further stated that the circumstances attending the flight of Col. Miller and Arbicker, originated from causes so trifling in their nature, that the headmen did not judge them worthy of notice, and that they ought not to be considered as indicating the indulgence of unfriendly feelings. That no such were indulged. He appealed to his chiefs to confirm these statements.]

I have as concisely as was consistent with a minute detail of facts, communicated all that passed in council.

My own opinion, which is partly conjectural, and in part formed from observation and conversations had with some of the Indians, is this—leave them to themselves—if they clearly understand what are the wishes of the President, they will conform to them. I speak of them collectively as a people. They have no correct notions of our government and their relative connection with it. Their conclusion is, that the powers of the President are absolute, and that he has an unquestionable right to coerce obedience. But independent of this notion of fear, the unlimited confidence reposed in the wisdom and virtue of the President, is a sure guarantee of the successful accomplishment of his wishes. In order to destroy the effects of this influence, I discover that the belief has been imposed upon them (at least to some extent) that the commissioners being Georgians, were only subserving the interest and wishes of Georgia. There are a number of white men settled among them, who heretofore looked with pleasure on their prospects of enjoying the benefits of a permanent location, who have acquired their confidence by the connections they have formed, and I have no doubt that their influence is secretly exerted to excite discontent and inculcate opinions adverse to the interest of Georgia, and the policy of the general government. There is another prevailing feeling among them—They indulge the belief, should they move beyond the Mississippi, that a perpetual warfare with the tribes inhabiting that country would be the inevitable consequence. You will discover in my talk to them, with the view to produce a complete reconciliation, I endeavored to refute that opinion. If the treaty is ratified I have no doubt that all clamor will cease—for in proportion as they understand the wishes of the President, and the course of conduct our government adopts towards them, in the same degree will all other influence be diminished. Added to this, what has been done was done no doubt with the view to prevent its ratification. The cause therefore which produced the excitement, will cease to exist, after that desirable object is accomplished. If any additional information should be desired on points not embraced in this report, on intimation they will receive a prompt consideration.

I am sir,

Your ob't. serv't.

HENRY G. LAMAR.

CREEK NATION, 10th April, 1826.

To Governor Troup.

SIR: I feel it my duty to state to you, that, being at the Creek Agency since the late treaty at the Indian Springs, I was in conversation with the agent John Crowell, when he told me when I went home to tell the chiefs of the Upper Towns that if they listened to the talks of McIntosh that he would sell them and their land in less than a year, and told me that I must say every thing I could against Gen. McIntosh. Mr. Henry Crowell in the presence and hearing of the Agent told me that the United States' commissioners offered him just before the late treaty ten thousand dollars and five miles square of land if he would use his exertions to cause the nation to sell their land, but he said that he answered the commissioners by saying, that he would have nothing to do with it. He told me that if he had done as the commissioners—would not be doing justice to the Indians, but if he had done so, it would have been to his interest, as he would have got a great deal of money. The Agent said that me and my brother Samuel Hawkins ought to collect the Indians, when Gen. McIntosh was gone to Washington, and burn down his houses and destroy his property, because of his disposition to sell the land.

I am your obedient servant,

(Signed)

BENJAMIN HAWKINS

CREEK NATION, 12th April, 1825.

To Governor Troup.

SIR: I have taken the liberty of addressing you on this occasion, believing you to be the friend of our nation, and of stating to you some facts which relate to the conduct of our Agent, Mr. John Crowell, which I will at any time, if called upon, swear to: When the agent, John Crowell, first paid money to the nation as their annuity in 1821, he paid it in hundred and fifty dollar bills to the principal chiefs, to be divided by them to their respective towns; the Big Warrior told the Agent at the time, that the money could not be fairly divided for the want of smaller bills, and requested the Agent the next time he paid them them off, to bring small bills. Before the Agent had ever met the chiefs in council, his brother, Mr. Thomas Crowell, brought to Fort Mitchell a large stock of goods, and when the Agent came to the council house, he told the chiefs that his brother had goods, and that he had given him a licence, and that they might buy what goods they wanted. The chiefs having what money was to go their respective towns in large bills of fifty and hundred dollars, were compelled to go to Thomas Crowell and buy domestic homespun at fifty cents per yard, of the same description of goods that Gen. McIntosh had furnished the nation at twenty five cents per yard, only a few months ago, or to make an unequal division of their money, or go to the settlements for change. At the time the annuity was paid

the nation in 1822, the Agent, John Crowell, again paid off the nation in fifty and hundred dollar bills, and when the chiefs asked him for change, he said his brother was provided with change or small bills, and at the same time cautioned the chiefs against counterfeiters and said there were a great many counterfeit bills and many suspicious persons about, but that the change his brother had was genuine. The chiefs after receiving their respective amounts allowed their town, went to Mr. Thomas Crowell, the Agent's brother, and asked him to change their money; he told them, the chiefs, (myself acting as interpreter,) that he would give the chiefs of the town, each five dollars in cash, but that the balance of the money must be laid out in goods: some of the chiefs agreed to do so, but others refused and went off; to those who bought his goods in order to make a division to his town, he charged thirty-seven and a half cents per yard; Gen. McIntosh had goods there, and sold homespun at thirty-one and a quarter cents per yard.

I can further state that I was the interpreter where J. Crowell told the chiefs that his brother Henry Crowell who lives at the agency, wanted to make fields on the west side of Flint river, and said the land on the reserve was worn out and he could not make a support on it; but his brother said to him, that he did not want to clear a field for the Georgians, and he, the Agent, asked the chiefs if they intended shortly to part with the lands. The Big Warrior replied, at the same time laughing, that he the agent, need not be afraid that the nation would shortly sell their lands to Georgia.—I have since understood from the head chiefs, that no direct permission was granted to the agent or his brother to clear a field on the west side of the river; but the Agent's brother has a large field on the west side of the river, and has rented out all the fields on the reserve.

I remain your humble servant,

SAMUEL HAWKINS,

Of the Creek Nation.

Since the late treaty, I have been told by a number of the chiefs of this nation, that Hambley, the Agent's interpreter, (during the time the United States commissioners were endeavoring to effect a treaty at Fort Mitchell,) came to the square and told the chiefs early in the morning, that the agent had sent him to tell them what the commissioners would have to say to them, and it was the agent's wish that they all should be of one mind, and answer the commissioners as they had promised him (the Agent,) by saying, that—"We have no more land for sale."

I had omitted to state to you a fact, which heretofore has been unusual in our transactions with the United States. In the year 1822, when the agent was about paying the nation their annuity, he charged between sixty and one hundred dollars, (the precise sum not recollected,) and deducted it from the annuity of that year, and stated that his reason for doing so was, that he had to pay that much to a person to go to Darien or Savannah to bring up the sum of the annuity.—It

was submitted to by the nation, but considered as an imposition and unjust.

(Signed)

SAMUEL HAWKINS.

CREEK AGENCY, *August 22d, 1823.*

SIR: I received your letter by Kitch, giving an account of the conduct of McIntosh in relation to Stinson.

I should be glad if my business would admit of my going to Chatahoochie at present, but I am engaged making out my accounts for the present year ending thirty-first of this month, and cannot leave home until after that time.

I wish you to state in plain and positive terms to the Prince, that I call upon him as the head man of this nation, to have Stinson taken and brought to me at all hazards; if six men is not enough, send six hundred and take him by force, if he has to destroy McIntosh and his whole establishment to effect it. Tell him it will reflect disgrace on him as the head man of the nation, to suffer one chief to prevent his orders from being put in execution, and this conduct of McIntosh is quite sufficient to break him as a chief. If however, he does suffer McIntosh to protect this man in violating the laws of the United States, his nation must suffer for it; for he may rest assured that the Government will not put up with it: And is it possible that he will allow the conduct of one man to do so serious an injury to his innocent people. If however, he will not have this man taken, I shall adopt such steps as will ensure his arrest, and pay the expenses of it out of the annuity, even should it take the whole of it. I can get men from Georgia that will take him by paying enough for it; and rather than not have him, I will pay every dollar of the annuity for him. I shall inform the Government of McIntosh's conduct; and the President will no doubt hold the nation accountable for it. I wish you to impress upon the mind of the Prince the difficulty which this transaction will place the nation in, should this man be protected by an Indian. This nation, since the war, has acquired a good character for their good behaviour, with the President, and I should dislike for them to lose or tarnish it by protecting a white man in violating the laws of the United States.

The receipt which I took for the annuity, and the one from Col. Lovett for beef, has been miscarried. I enclose another, which you will get signed, and return to me, after getting the names of those about Fort Mitchell, send it by mail to Capt. Walker to be signed by the Warrior, &c.

(Signed)

JOHN CROWELL.

Col. WM. HAMBLY, *Chatahoochie.*

LINE CREEK, FAYETTE COUNTY, GA.

May 1st, 1825.

Governor Troup: The information you have no doubt received by Chilly McIntosh and other Indians, will be confirmed by the following relation of the circumstances attending the horrid transaction on the Chatahoochie and Tallapoosa in the Creek nation. On the morning of the 30th April several neighbors of mine who lodged on the bank of the Chatahoochie this side of McIntosh's, about day break heard the war whoop, and they suppose from two to four hundred guns was fired—the houses were on fire when they set off. An intelligent Indian, Col. Miller, who has fled to my house together with about 150 others, states that he supposes there is upwards of 400 warriors of the hostile party embodied on the Chatahoochie at McIntosh's, feasting on all the cattle they can find, hogs, &c. belonging to the friendly party—states also that they have taken McIntosh's negroes and all other property they can find—they, he states, intend marching toward the settlement of the whites in three days. In this I am a little incredulous, though as far as the resources of our country will afford I will be prepared. Major Finley Stewart is collecting some volunteers to go out and reconnoitre the country; he will set off as soon as practicable: he, Col. Miller, supposes including numbers long cloaked under the garb of friendship, who since the death of McIntosh have joined the hostile party; that the hostile party in the nation largely exceeds 4000 warriors, and that the friendly party amounts now to only 500. They implore protection—they need it—they are constantly coming in—say the road is covered with others.

Yours respectfully,

ALEXANDER WARE.

Some provision ought to be made to supply those refugees with food.

A. W.

EXECUTIVE DEPARTMENT,

Milledgeville, 3d May, 1825.

Sir: Yesterday Chilly McIntosh son of the Gen. and bearer of this, came with other chiefs to announce the death of his father. On the night of the 29th ult. whilst reposing in his bed the savages hostile to the treaty in great numbers beset and fired his house, and this chieftain whose virtues would have honored any country perished by the flames or tomahawk. The old chief of Coweta who was pursued with the same vengeance, and for the same objects perished with him. The crime of McIntosh and Tustunnuggee is to be sought in the wise and magnanimous conduct which at the Indian Springs produced the treaty of the 12th of February, and which in making a concession of their whole country, satisfied the just claims of Georgia, reconciled the state to the Federal Government, and made happy, at least in

prospect, the condition of the Creeks. When by the last of his generous actions he had given his consent in union with his council to the survey and appropriation of the country, only to gratify the wishes of the Georgians, and was on the eve of departure to explore the new home, where the future fortunes of all were to abide, he met the stroke of the assassin, and the bravest of his race fell by the hands of the most treacherous and cowardly. The guilty authors of this massacre, it will be for you to detect and punish. I have done my duty.

You will soon read in my official correspondence with your government, the Indians and the Commissioners, the beginning, the progress, and the end of this frightful tragedy, in which the catastrophe was foreseen, of which ever and anon the Government of the United States was distinctly forewarned, which by the breath of its nostrils might have been averted, but which was not averted. In despite of every thing attempted to the contrary, I had before succeeded in maintaining peace. Even now at the very moment I write, a message of which you have a copy is dispatched to the surviving chiefs to forbear hostility. I believe the advice will be taken as an order, but it is my duty to inform you that to keep this peace longer than I can hear from you will be impossible to any efforts of yours or mine, unless the most ample satisfaction and atonement shall be made promptly for the death of McIntosh and his friend. The Legislature will convene in a few days and on this account I have deferred any measures either of retaliation or protection.

With great respect and consideration.

G. M. TROUP.

THE PRESIDENT OF THE UNITED STATES,
Washington City.

EXECUTIVE DEPARTMENT,
Milledgeville, 8d May, 1825.

Friend—I heard with sorrow yesterday of the death of our common friend McIntosh. All good hearts among the whites deplore it as much as you. Satisfaction will be demanded, and satisfaction shall be had—but we must not be hasty about it. We will be cool and deliberate in the measures we take, and then we will be certain to be right. You be peaceable and quiet until you hear from me, in the same manner as if nothing had happened to McIntosh or Tustunugge;—but depend on it, my revenge I will have—it will be such as we have reason to believe the Great Spirit would require—such as our Christ would not think too much, and yet so much that I trust all red and white men will be content with. Mind what I say to you until you hear from me.

G. M. TROUP.

Col. JOSEPH MARSHALL, *Creek Nation.*

LINE CREEK, Fayette Co. May 3d, 1825.

To Col. Duncan G. Campbell and
Major James Merriwether, U. S. Commrs.

Gentlemen: When you see this letter stained with the blood of my husband, the last drop of which is now spilt for the friendship he has shown for your people, I know you will remember your pledge to us in behalf of your nation, that in the worst of events you would assist and protect us—And when I tell you that at day-light on Saturday morning last, hundreds of the hostiles surrounded our house, and instantly murdered General M'Intosh and 'Tome Tustunnuggee, by shooting near one hundred balls into them. (Chilly and Moody Kennard making their escape through a window.) They then commenced burning and plundering in the most unprincipled way, so that here I am driven from the ashes of my smoking dwelling, left with nothing but my poor little naked hungry children, who need some immediate aid from our white friends, and we lean upon you while you lean upon your government. About the same time of the morning that they committed the horrid act on the General, another party caught Col. Samuel Hawkins and kept him tied till about 3 o'clock, when the chiefs returned from our house and gave orders for his execution in the same way, and refused to leave his implements to cover his body up with; so that it was left exposed to the fowls of the air and the beasts of the forests; and Jenny and her child are here, in the same condition as we are. This party consisted principally of Oakfuskie, Talledegas and Muckfaws, though there were others with them. The chiefs that appeared to head the party were Inlockunge of Muckfaw, Thloc-co-cos co-mico of Arpachoochee; Munnauh, but I know not where he was from, who said they were ordered to do it by the Little Prince and Hopoeith-yoholo, and that they were supported and encouraged in it by the Agent, and the chiefs that were left after the Big Warrior's death, in a council at Broken Arrow, where they decreed that they would murder all the chiefs who had any hand in selling the land; and burn and destroy and take away all they had, and then send on to the President that he should not have the land. I have not heard of the murder of any others, but expect all are dead that could be catched. But by reason of a great freshet in the Chattahoochie, they could not get Col. Miller nor Hogeey M'Intosh, nor the Darisaws, and they and Chilly are gone to the Governor. Our country is in a most ruined state so far as I have heard, (though by reason of the high waters, word has not circulated fast) all have fled from their homes in our parts and taken refuge among our white friends; and I learn there are now at Gen. Ware's (near this place) from 150 to 200 of them, who are afraid to go to their homes to get a grain of what little corn they have to eat, much more to try to make any more—And if you and your people do not assist us, God help us! we must die either by the sword or the famine.

This moment Gen. Ware has come in, and will in a few minutes start with a few men and a few friendly Indians, to try to get a little something for us to eat. I hope so soon as you read this, you will lay it before the Governor and the President, that they may know our

miserable condition and afford us relief as soon as possible. I followed them to their camp about one and a half miles, to try to beg of them something to cover the dead with, but it was denied me. I tried also to get a horse to take my little children and some provisions to last us to the white settlements, which was given up to me and then taken back, and had it not been for some white men who assisted in burying the dead and getting us to the white settlements, we should have been worse off than we were, if possible. Before I close, I must remark that the whole of the party so far as I knew them, were hostiles during the late war.

(Signed)

PEGGY & SUSANNAH McINTOSH.

FAYETTE COUNTY, 3d May, 1825.

COL. CAMPBELL & MAJ. MERRIWETHER,

My dear friends: I send you this paper, which will not tell you a lie, but if it had ten tongues it could not tell all the truth. On the morning of the 30th of April, at break of day, my father's house was surrounded by a party of hostile Indians, to the number of several hundred, who instantly fired his dwelling and murdered him, and Thos. Tustunnuggee by shooting more than one hundred balls into them, and took away the whole of father's money and property which they could carry off, and destroyed the rest, leaving the family no cloths (some not one rag) nor provision. Brother Chilly was at father's and made his escape through a window under cover of a travelling whiteman who obtained leave for them to come out that way. It being not yet light he was not discovered. While those hostiles were murdering my beloved father, they were tying my husband (Col. Saml. Hawkins) with cords to wait the arrival of Iluckchunga, Thlococoscomico and Munnawana, who were the commanders at father's, to give orders for the Co'onel's execution also, which took place about 3 o'clock the same day. And these barbarous men, not content with spilling the blood of both my husband and father, to atone for their constant friendship to both your nation and our own; refused my hands the painful privilege of covering his body up in the very ground which he lately defended against those hostile murderers, and drove me from my home stript of my two best friends in one day, stript of all my property, my provision and my clothing. With a more painful reflection than all these that the body of my poor murdered husband should remain unburied, to be devoured by the birds and the beasts. (Was ever poor woman worse off than I) I have this moment arrived among our white friends, who although they are very kind, have but little to bestow on me, and my poor helpless infant who must suffer before any aid can reach us from you, but I can live a great while, on very little, besides the confidence I have on you and your government. For I know by your promise, you will aid and defend us, as soon as you hear from our situation. These murderers are the very same hostiles who treated the whites 10 years ago, as they have

now treated my husband and father, who say they are determined to kill all who had any hand in selling the land and when they have completed the work of murdering, burning, plundering, and destruction, they will send the President word that they have saved their land and taken it back and that he and the white people never shall have it again, which is the order of the heads of the nation, by the advice of the Agent. We expect that many of our best friends are already killed but have not heard by reason of the waters being too high for word to go quick, which is the only reason Col. Miller, and others on his side of the river were not killed. We are in a dreadful condition and I dont think there will be one ear of corn made in this part of the nation, for the whole of the friendly party have fled to De Kalb and Fayette counties, too much alarmed to return to their houses to get a little grain of what corn they left for themselves and their families to subsist on, much more to stay at home to make more, and we fear every day that what little provision we left will be destroyed. I am afraid you will think I make it worse, but how can that be, for it is worse of itself than any pen can write. My condition admits of no equal, and mocks me when I try to speak of it—after I was stripped of my last frock but one, humanity and duty called on me to pull it off and spread it over the body of my dead husband (which was allowed no other covering) which I did as a farewell witness of my affection. I was 25 miles from any friend (but sister Catharine who was with me) and had to stay all night in the woods surrounded by a thousand hostile Indians, who were constantly insulting and affrighting us. And now I am here with only one old coat to my back, and not a morsel of bread to save us from perishing, or a rag of a blanket to cover my poor little boy from the sun at noon, or the dew at night—I am a poor distracted orphan and widow.

(Signed)

JANE HAWKINS.

DUNCAN G. CAMPBELL & JAMES MERRIWETHER,
U. S. Commissioners.

P. S. If you think proper I wish this to be published.

HEAD QUARTERS,
Milledgeville, 5th May, 1825. }

ORDERS.

The Commander in Chief having received information of the existence among the Creeks of the most frightful anarchy and disorder, and of the recent massacre of Gen. McIntosh and the old chief of Coweta within the actual limits of Georgia, has thought proper to adopt precautionary measures without delay, so that if the United States bound by the constitution and the treaty, to repress and punish hostility among the Indians and maintain peace upon our borders, shall by any means fail in their duty in these respects, a competent

force may be held in readiness to march at a moments warning either to repel invasion, suppress insurrection among the Indians within our own territory or give protection to the friendly Creeks, and avenge the death of McIntosh who, always a firm friend to Georgia, fell a sacrifice in her cause.

Ordered, that Major General Wimberly, Major General Shorter, and Major General Miller, of the 5th, 6th, and 7th Divisions, forthwith proceed to take the necessary measures to hold in readiness their respective Divisions to march at a moments warning either by detachments or otherwise, as they may be commanded by authority of the Legislature, or of the Commander in Chief.

By the Commander in Chief.

(Signed.)

SEABORN JONES,
Aid-de-Camp.

HEAD QUARTERS,
Milledgeville, 5th May, 1825.

SIR: In carrying into effect the enclosed General Orders you will keep a watchful eye to the frontier of our white settlements, so that you may be able without communicating with me, to repress on its first occurrence any commotion which may happen there in consequence of the state of things prevailing in the nation. These infuriated and misguided people may have the temerity before the general government can interpose, to pursue the Indians within our organized limits. You will therefore in the spirit of these instructions give your orders corresponding with them to your most confidential officers resident near the frontiers, who on any sudden emergency of this character may without consulting you proceed instantly to their execution. A copy of Gen. Ware's letter received, after my general orders were issued will assure you of the nature and extent of the danger to be apprehended and of the promptitude with which they are to be carried into effect.

With great consideration and respect,

G. M. TROUP.

A copy addressed to Major Generals
WIMBERLY, SHORTER, & MILLER.

EXECUTIVE DEPARTMENT,
Milledgeville, 5th May, 1825.

DEAR SIR—I have this moment received your letter, and at the very time when I had issued orders to Major Generals Shorter and Wimberly, with corresponding instructions to meet the very exigen-

cies which, from your information, you have reason to anticipate.— They will have the contents of your letter communicated to them, that their orders may be dispatched with the least possible delay.

I wish you to take measures, and the best you can, for the comfortable maintenance of our unhappy friends whilst they seek refuge among us, and are protected by our arms.

Additional orders will be immediately given to Major General Miller to hold his division in readiness.

The expense of supporting the Indians will be incurred by the state in the first instance, and reimbursed to her from the first instalment payable to them by the United States. You will therefore hold me responsible for any contracts you may make on this account, whilst at the same time, I ask the favor of you to cause them to be made on the best possible terms.

I sincerely trust, if these infuriated monsters shall have the temerity to set foot within our settled limits, you may have the opportunity to give them the bayonet freely, the instrument which they most dread and which is most appropriate to the occasion.

Very respectfully and sincerely,

Your friend,

G. M. TROUP.

Brig. Gen. ALEXANDER WARE,
Fayetteville, Geo.

To dispatch Mr. Jones, he will not wait for a copy of the General Orders, as Gen. Shorter will make them known to you by Mr. Jones.
G. M. T.

HEAD QUARTERS,
Milledgeville, 5th May, 1825.

DEAR SIR—I wish you in the distribution of your orders, to instruct the different quarter masters, particularly of the frontier counties, where the Indians are most likely to take refuge under the protection of our arms, to look to their comfortable support by contracts, which you will be pleased to instruct them to form with strict regard to economy. The funds will be advanced by the state, on the credit of the United States or the Indians, and will be reimbursed by one or the other.

Very respectfully and sincerely,

G. M. TROUP.

Addressed to Generals WIMBERLY AND MILLER.

EXECUTIVE DEPARTMENT,
Milledgeville, 5th May, 1825.

SIR—I lose no time in communicating, for the information of the President, a copy of a letter received this morning from Brigadier General Ware, commanding the second brigade of the fifth division of the militia of this state, and to advise you that measures have been adopted for the adequate protection of the frontiers, and for the safety of the friendly Indians seeking refuge within our limits, until the authority of the United States can be effectually interposed, for these purposes—and that therefore the expenses incurred in the mean time, will be considered chargeable to the United States. In due time the measures referred to will be laid before you in extenso.

With great consideration and respect.

(Signed)

G. M. TROUP.

The SECRETARY OF WAR.

Col. Hawkins the interpreter, and friend of McIntosh, has shared his fate.

MACON, 6th May, 1825.

His Excellency Geo. M. TROUP,

SIR: I have just received information in relation to the existing disturbances among the Creek Indians, which I deem sufficiently important to be promptly communicated to you.

A Mr. Freeman, a gentleman no doubt of high character, has just arrived in this place from Alabama with his family: he states, that the Indians appear to be in an alarming state of excitement, and from their general demeanor, so far as it came under his observation, seem determined upon mischief. Their professions however, as far as he understood them, are entirely friendly to the whites, with the exception of the Agent: on his destruction both parties seem determined.

Mr. Freeman passed by Fort Mitchell on Wednesday last, at which place he saw the Agent, who informed him, that while at supper the evening before, a runner from a town about 30 miles distant informed him, that on that night he was to be murdered. The Agent had made every preparation in his power for his defence, and stated, that he believed his death had been determined on at a talk which was held on the Monday week preceding. He had communicated to the Indians the ratification of the treaty, and suggested to them the propriety of selling that portion of the territory which had been reserved, and to go in a body beyond the Mississippi. To the proposition to sell, no reply was given, and he was asked if he had signed the treaty. He informed them that he had signed in the character of a witness. After the talk with the agent was over, the Indians held a secret one, from which the Agent and all the white residents were excluded, at which

time the Agent supposes all their shemes of mischief were devised. Since Mr. Freeman left Fort Mitchell, he has been informed that the time on which the Agent was to be killed, was on Wednesday night, and not on Tuesday night as communicated by the runner. He entertains no doubt but their purpose is executed before this time. If, however, he should be mistaken in his apprehensions, would it not be proper, from his peculiarly perilous situation, to afford the Agent prompt and efficient relief? Both parties of the Indians, those friendly and those hostile to the treaty, are alike excited against him—and both have pronounced the same fate for him. Col. Crowell it is believed, could command between three and four hundred Indians, and if he had military supplies for them, could at least defend himself, although the hostile party is formidable, this opinion has been suggested by Mr. Freeman, but a small additional force could do no injury.

There is one circumstance more strongly indicative of the hostile design of the Indians toward the whites generally, than their warlike exhibitions. It is this—the whites who have been resident among them, and who are acquainted with their habits and character, are sending their families from the nation. The Indians hold a talk on Monday next, for what purpose it is not known.

(Signed)

Yours respectfully,
CHARLES J. McDONALD.

HEAD-QUARTERS,
MILLEDGEVILLE, 7th May, 1825. }

Sir: Your letter of the 6th inst. by express, is this moment received. I am happy to learn from him that he bore to you, orders from Gen. Wimberly, in consequence of my general orders to him. You are therefore already on your guard, and you will not hesitate a moment, to take the necessary measures, first to make safe the frontier, and then to give to the Agent any protection which, according to the evidence before you, his safety shall demand; and of which, from your proximate situation to him, you will be the exclusive judge.

I hope that no harm has befallen him; and if not, you may assure him that any force which may be necessary to reduce to order and obedience any militant tribes of the Creeks within our limits, shall be furnished promptly, under the command of a trusty officer, who will be charged with full powers to act efficiently, under any exigencies which may arise.

I thank you for the promptitude with which you have communicated this new information—at the same time I indulge hope, that the cause of alarm has been exaggerated. It is scarcely to be believed that the Agent, from whom nothing has been heard, well knowing the contentions which agitate the country, and the imminent perils which surround him, should not have dispatched runners to make known to this government officially, and without delay, the circumstances which

your letter discloses, upon the authority of a respectable traveller—
The express which brought it, carries the answer.

With great respect and consideration,

G. M. TROUP.

Brig. Gen. CHARLES J. M'DONALD, *Macon,*

EXECUTIVE DEPARTMENT, }
Milledgeville 9th May, 1825. }

Sir : I enclose for your information, the copy of a letter received on the 7th inst. from Brig. Gen. M'Donald, commanding the 3d Brigade of the 6th Division, and my answer.

The friendly Indians continue to desert their homes, and seek protection within our limits. Our arms are open to receive them at all points, and the necessary measures taken for their maintenance—the expense of which will devolve on the U. S. or the Indians. It is hoped on the former.

Very respectfully,

G. M. TROUP.

P. S. Up to this time, not a word has been received from the Agent.
G. M. T.

To the SECRETARY OF WAR,
Washington, City.

HEAD QUARTERS,
MILLEDGEVILLE, *10th May, 1825.* }

Sir : You will see by a letter published in the papers of this morning, addressed by the Agent to Mr. Bozeman, how inconsistent the contents of it are, with the representations made to you by Mr. Freeman.

You will immediately therefore, on receipt hereof, arrest the progress of any measures you may have devised for the security of the Agent, and return to the position in which you found yourself before you received my last instructions.

You will however, under the general order received through Major General Wimberly, still continue to hold your Brigade in readiness to march to any point of the frontier, at short notice, lest we may be deceived by appearances and surprised.

Very respectfully,

G. M. TROUP.

Brig'r. CHARLES J. M'DONALD, *Macon, Geo.*

P. S. A copy of your letter and my answer, were forwarded to the War Department, for the information of the President.

G. M. T.

GEORGIA, BALDWIN COUNTY.

Personally appeared before me, Harris Allen, one of the Justices of the Inferior Court for said county, Francis Flournoy, who being duly sworn, deposes and saith, that he was at General William M'Intosh's in the Creek Nation, one of the Chiefs of said Nation, on the morning of the 30th of April last, when about day-break a party of Indians (with one white man among them, whom the Indians said was by the name of Hudman, as well as I recollect, and who said he was not sent by the chiefs, to murder, to burn, nor to plunder, but to act as interpreter, and preserve the travellers should there be any there) consisting of from two to four hundred, who so soon as they had closely surrounded the General's dwelling-house and fixed a guard round the house which I was in, set fire to the dwelling house, and immediately shot the General, who instantly fell and was drawn out of the house with considerable effect of the flames, and they continued firing at his corpse until I think they had shot more than fifty balls into him. They then set fire also to the house in which this deponent, and one other white man, and three chiefs had stayed all night, and finding *Thomas Tustunnugge (a Coweta chief) within, they appeared much gratified, and shot him almost as often as they had done the General, and this deponent drew him out from the flames, and afterwards assisted two other white men to bury them both. This banditti were busily engaged from the commencement of the horrid scene, until a late hour of the morning, in plundering and destroying every thing valuable, as well the property of the white men who were present, as the property of the General—tearing a frock off of a young Indian female, and leaving several children stark naked—Carrying off a great many negroes and horses, (and cattle as they themselves told me) and said they were ordered to destroy whatever they could not carry off; and I saw them shoot many hogs which they left on the ground. The General's Cherokee wife went to the camp of the hostiles to beg from them a suite of white to bury the General in, which was denied as she said, and on her return she informed me that those Indians said they were ordered to do what they had done by those who ruled the nation since the Big Warrior's death, and they were supported and encouraged by the Agent. I observed I did not believe that—she replied, they would not tell a lie on the Agent, for they must know it would come to his ears, and they would have to answer for it. About eleven o'clock, those murderers returned again, and after ascertaining that a plain countenanced old man could understand some English, I observed to him "old gentleman is this the way your people do—go to a man's house and shoot him, and burn his house, and take every thing he has and carry it away—or are these bad men, what have they done." He replied, he did not love to kill them, but the heads of the nation said so. I asked if Intockchanga and Thlocco-oesco-mico were the heads of the nation, he answered no—the Little Prince and Hipoethyoholo were their heads now the Big Warrior was dead. I replied, these were the very two men that sent word to the Governor that those chiefs should not be

*Etome.

hurt. He answered, that at first they did send that word to the Governor, and then it was so, but since that the Agent had altered it, and told the council that the only way to get their land back and keep it, was to kill all that had any hand in selling it, and burn and destroy all they had which they could not carry away, and after that other chiefs never would attempt to sell their land, for fear of being treated in the same way—and when they had completed the above as ordered by the council, they would send word to the President that they had saved their land and done took it back, and now he and the white people never should have it again. The above article was confirmed by Col. Hawkins' widow next day, as coming from the party who murdered him, adding the name of Walker former sub-agent to that of Mr. Crowell.

(Signed)

FRANCIS FLOURNOY.

Sworn to and subscribed before me, this 16th day of May, 1825.

H. ALLEN, J. I. C.

*In the Circuit Court of the United States for the District of Georgia,
at Milledgeville, May term, 1825.*

The Grand Jury regret that they find it necessary to ask the attention of the Court to recent occurrences within the circle of its criminal jurisdiction. In the territory lately ceded to the United States by the Creeks at the treaty of the Indian Springs, atrocious murders have been committed upon the bodies of William McIntosh, Tome Tustunnugge and Col Hawkins, three distinguished Indian chiefs at all times the friends of the United States, and just about to begin a journey to West to explore the country preparatory to the removal of the tribe according to the provisions of the said treaty. Numerous parties of Indians the friends of the deceased chiefs and of the United States have been driven destitute and naked into the settled parts of the frontiers of this state for protection from the vengeance of those persons who had just sacrificed those chiefs. It is understood and believed that these outrages have been committed by large bodies of armed Indians, principally residents of Alabama. It is greatly to be apprehended and feared that they have been instigated and countenanced by white persons. The Grand Jury have due confidence in the vigilance of the constituted authorities of the General and State Governments, but they cannot without a violation of their own duty refrain from calling through the Court the attention of both Governments to the situation of the frontier, and to the consequences of the atrocities committed on the lately ceded territory. Those who have driven the friends of the murdered chiefs into the settled parts of the state may pursue to destroy them in their places of refuge.—They recommend that measures of necessary precaution for the protection and succor of the fugitives be immediately taken, and that every attempt to violate their asylum shall be instantly punished. The Grand Jury deem it necessary to the character of the Government of their country, that the authors, perpetrators, aiders and

abettors of the crimes lately committed, should be sought for, and when ascertained, prosecuted and severely punished. They have no language strong enough to mark their abhorrence of the white persons if any who have seduced or irritated the unhappy Indians to perpetrate this tragedy. They recommend the severest scrutiny into the conduct of all white persons in the nation and the judicial prosecution of each and every one of them against whom sufficient evidence to justify [it] shall be discovered.

The Grand Jury request that a copy of this their presentment should be sent to the President of the United States, and another to the Governor of Georgia, and that the foregoing be published in the newspapers of this place.

GUSTAVUS HENDRICK, *Foreman.*

*A. G. C. Mitchell,
Milner Echols,
Henry W. Malone,
James George,
Henry Low,
Warren Jourdan,
Zeba Fletcher,
Jacob Lewis,*

*Elijah Tarver,
Eppes Duke,
Burnell Russell,
Geo. W. King,
Thomas Dark,
John Pinkard,
William Cabiness,
Joseph Stovall,*

Silas Ledbetter.

A true copy,

GEO. GLEN, *Clerk.*

NEWMAN, 18th May, 1825.

GOVERNOR TROUP,

Dear Friend: We enclose you a communication for your perusal; we wish it published in the first paper without you may consider it wrong. There are a number of false statements in the papers; we have caused this meeting to make true statements, and to have it published. We want you to write us by the man who will deliver this to you, whether you will publish it or not. We have appointed ten chiefs, who will meet our friend Chilly McIntosh in Milledgeville. We want you to make use of your endeavors to have our white friends paid agreeable to our order, for provisions furnished us while we are in your country, out of such monies as are coming from our lands.

Rolly McIntosh, his x mark.
Charley Miller, his x mark.
Foursathee Emarlo, his x mark.
Capt. Samuel Miller, his x mark.
Dickey, his x mark.
Col. William Miller, his x mark.
Gommittee.

At a general meeting of the Indians friendly to Gen. McIntosh, and who feel themselves aggrieved of the injuries done by the Indians inimical to the late treaty held at the Indian Springs, the following Address was unanimously agreed to, and for the same to be published in the Georgia Messenger, and one of the Milledgeville papers.

PIKE COUNTY, Flint River, 17th May, 1826.

We have discovered in the Georgia Messenger of Macon of the 11th inst. a letter signed by our agent, Captain Crowell, that the party of Indians friendly to Gen. McIntosh, had threatened his life, and also the life of the Little Prince who is our principal chief at this time. We acknowledge ourselves Gen. McIntosh's friends and party and if any threats of this kind has been made, it has not come within our knowledge, therefore we believe it to be a lie. We also see in the same paper, information derived from the Agency, that the killing of McIntosh, Tome Tustanuggee and the two Hawkins was not intended as hostilities against the whites; that it was only a fulfillment of their own laws, and a law which Gen. McIntosh himself had signed, and declared in the square at Broken Arrow during the late treaty at that place. This law was, that if any Indian chief should sign a treaty of any lands to the whites, that he should certainly suffer death. This statement is positively false, and it is only made use of as a pretext for the cruel murders which have been committed.

For the correctness of our denial to that statement we will appeal to the United States Commissioners, Col. Campbell and Capt. Merriwether, and many other of our white friends who were present during the treaty—and we further appeal to our Agent who we believe will do us that justice as to give the lie to any such reports. It certainly would have been very inconsistent for Gen. McIntosh or any of us to have signed the treaty at the Mineral Springs had such a law as that come within our knowledge. And it is very droll too, that such a law as that should exist, and that the national clerk and none of us should have any knowledge of it. We have been in the habit of meeting all councils that concerns the nation, as much as any other chiefs of the nation, and if any such law had been made we should have known it. We understand that there was a decree of that kind passed by the Big Warrior and his friends at a place called the Pote Cat Springs, which is about fifty miles west of Broken Arrow. Broken Arrow is the capital of the nation, where all business of a public nature is transacted; therefore, as that meeting was one which was not ordered at the capital, and not a general one, it could only subject those who were present. It is right for us to state that our friend Tome Tustanuggee was present and signed the decree, but we have often heard him say that he did not know the contents when he made his mark, or he should not have done so; and as for Gen. McIntosh's ever signing or sanctioning any such law, we declare it to be false, for when he was told of it, he remonstrated severely against it, and declared that they were unauthorised to pass any such law, and that such a thing could not be a law, for it was impossible for Tuckabatchee and one or two other towns to meet and

pass a law for the destruction of his or any other chiefs who were not present, and particularly at a place where the national council should not have convened. When this meeting was ordered, there was no doubt in our minds that it was not intended for Gen. McIntosh or any of us to have known it, and it was ordered in consequence of the Cherokees sending the Big Warrior and his friends word that they must be mindful of Gen. McIntosh, or he would sell all their lands from them. The Little Prince who stood as fair as any other chief in the nation, could not have had any knowledge of this law, or at least he had no idea that such a law would be enforced, for the appointment which he then and now holds requires more honor and truth than to have written the following letter to one of our chiefs and one who signed the treaty, Col. Chilly McIntosh, who was amongst his white friends, in consequence of the severe threats which had been made against all who signed the treaty at the Mineral Springs.

March the 4th, 1825.

My Friend: I am very sorry to hear of so much fuss amongst my people; I wish to have peace amongst both my white and red brethren. I hope you will take my talk and come home and not be uneasy, for if any one had threatened your life I would have certainly heard it. There is some that will talk foolish when drunk; I consider you my son, and if I had heard any such talk I would let you know it. I wish you, and all of you to come home and live as brothers and friends, and trust to our great father for our protector and friend. I have heard of your negroes, and have given orders for them to be fetched home as soon as possible; this may assure you that I love you as a son, and wish you home to your family. They are all well at present.

LITTLE PRINCE, or Tustennuck Opoyow, his x mark.

John Owens, }
Lemuel B. Nichols, } Witnesses.

Although it is seen plainly that the Little Prince has and did pledge himself as our father that no hostilities were intended, and all property taken should be restored, he has, (although so pledging himself,) from good authority, ordered and decreed that our principal chiefs amongst us should be murdered, and that in a cruel manner, and our property all destroyed. Such treatment as this is not usual from the father to his children, at least it authorizes us not to acknowledge him as our father, and shall receive no more of his talks. We have received many other talks from him to the same amount—and that we were alarmed for nothing, and all the fuss which had been made was in consequence of an affray which had taken place with a few drunken Indians which acted foolish, that we should not be hurt or interrupted—peace was what he wanted, and nothing but harmony should exist, for us to come home to our families and plant our corn. Now like hogs and sheep tending to the slaughter pen, so we immediately repaired to our wives and children—and sure enough what was the consequence? Only a few days rest when we were awaked from our sleep with the cry of murder—McIntosh is killed, and how many

we dont know. Get up and clear yourselves for death is your portion—the woods are full of Indians—all will be killed who signed the treaty.

This was very unexpected news to us, and we had a right not to expect it, particularly from talks had at Broken Arrow to the Governor's Aid—by the Little Prince and the Big Warrior's chiefs declaring that we were in no danger and all statements to the contrary were lies; that they wanted peace and nothing else was intended; of course we expected nothing else, but we had to fly for refuge to our white neighbors, where we have been kindly received and treated as our situation requires. Every pledge has been forfeited by our father the Little Prince and his friends, therefore it is impossible for us to have any confidence in what he or any of his friends may hereafter talk.

We have lately received a talk from the Deputy Agent, Captain Triplett. We are sorry that his talk is so one sided—declares in the first place that we must go home and tend our farms; that we shall not be hurt. This talk was made in the presence of white men to Benjamin Marshall, who is one of our chiefs: murdering should cease, that McIntosh, Fome Tustennuggee and the two Hawkins was killed in compliance with the laws of the nation. If there was a law for them to be murdered, that law yet exists; and admitting we should take this talk and go home, we should receive the same fate, for we are guilty of the same breach, and should of course receive the same punishment. He further declares that the Indians were cheated out of their lands; that we were all fooled by the United States Commissioners, for that they had no lands west of the Mississippi, without they would hereafter buy it from the Indians who now reside there; that they, meaning the United States' Commissioners, had got our lands and they did not care what became of us, and would not get any assistance from the whites. Our chief, Benjamin Marshall, asked the Captain if this murder was a fulfillment of the laws of the nation, why did their council at Broken Arrow declare to the Governor's Aid, Col. Lamar, that there was no hostilities intended, and that they would protect McIntosh, for they had fought by his side and liked him. His reply was, that the Governor's Aid had made that talk himself, and had went home with a lie in his mouth to the Governor. We must believe from the talks we received ourselves that that the Governor's aid has spoken nothing but the truth. After the Captain found that we were not satisfied, he observed to a white man that the tree was only topped, and if we were not satisfied with it, the limbs would be taken off. It is impossible for us to be satisfied, when the Captain himself has declared in his talk to us that the Little Prince had never denied since the death of McIntosh and others, but what he had ordered it, and he would now acknowledge it, for it was perfectly right. If we are to be governed by this talk we are in a dreadful situation, without homes or friends, or even without means of subsistence, driven from our farms, and robbed of our property, and also the monies arising from our land taken and given to our enemies. We have too much confidence in our Father the President to believe any such talks. He has never deceived us yet; we have his promise in and through the United States Commissioners, and shall hold it sacred until we find out to the contrary. Our little fa-

ther, the Governor of Georgia, has given us a talk, of which we shall strictly obey until he may talk again.

We cannot help mentioning that we are fed by several white friends, who we hope will be remunerated at the Mineral Springs, when monies shall be received for our land. Nothing but justice is demanded, and nothing else will be expected; and we hope that our great Father who is above us all will cause us to obtain it.

We are now stationed at Newnan in Pike county, and shall remain until our rulers shall order otherwise.

We hope this our communication will be published in the news-papers for the satisfaction of the world.

Signed by us in council this day.

Joseph Marshall.

Rolly McIntosh, his x mark.

Col. Wm. Miller, his x mark.

Arpeka Tuskenuggee, of Broken Arrow, his x mark.

Oithlepyow Tustunnuggee, his x mark.

James Island, his x mark.

Benjamin Marshall.

Conape Marlow, his x mark.

Charles Miller, his x mark.

Hogey McIntosh, (brother to Gen. McIntosh) his x mark.

Dickey, (interpreter to Cherokees for the Creeks,) his x mark.

Foursatche Emarlow, his x mark.

John Carr, his x mark.

Otulkee Marlow, his x mark.

Espoko Emarlo, his x mark.

Captain Samuel Miller, his x mark.

Andrew Lovett, his x mark.

Opothle Hadjo, his x mark.

Tulsa Haijo, his x mark.

Tucktelustee Emarlo, his x mark.

Tucktelustee Chopko, his x mark.

John Harrad, his x mark.

Nokoorylee Tustenuggee, his x mark.

Warcoochee Emarlo, his x mark.

EXECUTIVE DEPARTMENT, GEORGIA, }
Milledgeville, 21st May, 1825. }

My Friends: I have this moment received your letter with the paper which it enclosed, and will as you request, cause them to be published in the next papers. I hope now that the worst is over—'Tis true that M'Intosh and his friends who have been so cruelly murdered, cannot be restored to life—but the Great Spirit, who is also good and merciful, will look down upon your sufferings with pity and compassion—he will wipe the tears from your eyes and soften the hearts of even your enemies among the whites—so that if your Great Father

would turn his ear from your complaints, or shall fail to punish the white men who in his name have disturbed your peace and brought the heaviest afflictions upon you, he will have to answer for it both to his white children, and the Great Spirit. It cannot be doubted therefore, that all will yet be right. In the meantime continue to do as I have advised you, and until you hear from me. My officers every where are ordered to take care of you, and make you comfortable.—As soon as Chilly returns you shall know it.

Your friend,

G. M. TROUP,

The Chiefs and Headmen of the Friendly Creeks,

No. 4.

DOCUMENTS

On the subject of the claims of the State of Georgia upon the United States, under the compact of 1802, in reference to the Lands occupied by the Cherokees within the State of Georgia, &c.—accompanying the Governor's Message at the opening of the Extra Session.

GEORGETOWN, March 24th, 1825.

His Excellency G. M. TROUP, Governor of Georgia.

SIR: I have the honor to enclose to you the copy of a letter written to the Secretary of War since the adjournment of Congress, on the subject of the execution of the recent treaty with the Creek Indians, and the formation of a treaty with the Cherokees for the complete fulfilment of the obligations of the United States to the state of Georgia under the compact of 1802, with his answer and several papers marked A, B, and C, received with it. As I hope to have soon a personal conference with you on this subject, I forbear to make any remarks upon the correspondence enclosed.

I am, sir, with perfect respect,

Your obedient servant,

(Signed)

JOHN FORSYTH.

GEORGETOWN, *March 9th, 1825.*

HON. JAMES BARBOUR,
Secretary of the Dep't. of War.

Sir: By the request of Governor Troup, I had the honor this morning to ask the attention of the President to the claims of the state of Georgia upon the United States under the compact of 1802. The President desired that I should address myself to you, that the suggestions made on the part of the state might be duly considered: Complying with this desire, I invite your attention, first to the execution of the treaty lately concluded at the Indian Springs, and secondly, to the formation of a new treaty with the Cherokees.

By the 8th article of the treaty of the Indian Springs, the Creeks must remove from the land occupied by them prior to the first of September, 1826. To cover the first payments due under this treaty, and to provide a fund for the purchase of a permanent residence for the Creeks beyond the Mississippi, a contingent appropriation of 250,000 dollars has been made by Congress. The interest and convenience of Georgia will be best consulted by an immediate removal of the Indians, and no doubt is entertained that the necessary measures will be immediately taken for that purpose. The conduct of the Creek Agent who has spared no pains to prevent the formation and ratification of the treaty, justifies an apprehension that he will not fail to obstruct as far as in his power the accomplishment of the wishes of the state. Under this conviction a request that the conduct of the Agent may be watched and that no confidence shall be reposed in him, that can be consistently withheld, is dictated by the interests of Georgia, the wishes of the Creek tribe and the honor of the Federal Government. While anxious that no artifices shall be used to revent an early removal of the Indians, I pray you to be assured that we have no desire that the Creeks should suffer for our accommodation. We shall complain of no delays that are necessary for their comfort on their journey, and to their permanent security and prosperity in their new homes.

As to the formation of a treaty with the Cherokees—the present moment appears to be peculiarly favorable for a complete performance of the obligations of the compact of 1802. Nothing remains to the accomplishment of these objects but to induce the Cherokees to remove from the lands occupied by them within the limits of Georgia. A number of the Cherokee chiefs, the most influential in the nation, are in Washington. The recent determination of the Creeks to go to the west in spite of the persuasions and artifices of the Cherokees, must have satisfied the latter that the United States will sooner or later insist upon the surrender of the lands in Georgia to that state. Once convinced that their title to the land *must* be extinguished, it will be easy to satisfy them that their own interest will be most effectually consulted by an immediate arrangement. The records of the War Department shew that many of the Cherokees since 1819, have continued to express a desire to go beyond the Mississippi, and have complained of the injustice of their chiefs who deprived them by the treaty of that year of the privilege of selling their lands for

last purpose. In 1821 the Path Killer applied through Gen. Jackson to government to purchase his claims. My own opinion is, that the President may without injustice to the Indians, without violating either principle or usage, cause a purchase to be made of the Cherokees remaining in Georgia of the lands lying in Georgia. Without attempting to demonstrate the soundness of this opinion, I suggest with great deference that if the Cherokees are found now unwilling to treat, their unwillingness would probably be overcome if they were informed that the President would if the whole tribe could not be induced to treat, take into serious consideration the proposals made by the Path Killer, and any other proposals which may be hereafter made by all or any portion of the Cherokees in Georgia for the sale of the lands they may occupy lying within the limits of that state.

With the hope that a new effort with the Cherokees will have as fortunate a termination as the recent effort with the Creeks, I have the honor to be sir, with great respect your obedient servant,

(Signed)

JOHN FORSYTH.

DEPARTMENT OF WAR,
23d March, 1825.

To the Hon. John Forsyth.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th inst, conveying the information, that you had by the request of Governor Troup asked the attention of the President to the claims of the state of Georgia upon the United States under the compact of 1802, and the desire of the President that you should address yourself to me that the suggestions made on the part of the state might be duly considered also, and in compliance with this desire inviting my attention, first, to the execution of the treaty lately concluded with the Creeks at the Indian Springs—and secondly, to the formation of a new treaty with the Cherokees.

The treaty of the Indian Springs having been ratified will be carried into effect, measures having been already taken in conformity to its provisions.

Upon the second subject referred to in yours, I have the honor to state, in reply, that the President, as well from inclination as a sense of duty, is disposed to carry into effect the conditions of the compact with Georgia whenever that can be done consistently with its provisions. In this spirit, and in conformity to your suggestion a letter was addressed from the Department to the delegation of the Cherokees in this place, a copy of which, marked A, is herewith enclosed; also a copy of their answer, marked B, to which is added a copy of a communication marked C, addressed by the Cherokee chiefs to the President. You will readily perceive from this correspondence the determined opposition of the Cherokees, at this time to the cession of their lands.

I am directed by the President to state that he entirely accords in the policy recommended by Mr. Monroe to Congress at their last ses-

tion, on the subject of the general removal of the Indians to the west of the Mississippi—A policy believed to be alike advantageous to the citizens of the United States in their neighborhood and the Indians themselves. This object as far as lies within the sphere of his power will be promoted and on every suitable occasion its beneficent effects will be particularly inculcated on the Cherokee nation.

I have the honor to be,

Very respectfully,

Your obedient servant,

JAMES BARBOUR.

(Signed)

(A.)

DEPARTMENT OF WAR,
Office of Indian Affairs, 12th March, 1825.

To JOHN ROSE,
GEO. LOWREY & } Cherokee Delegation.
ELIJAH HICKS, }

Friends and Brothers: I am directed by the Secretary of War to enquire if you have authority to negotiate with the Government for a sale of your lands; and especially for that portion of them lying within the limits of Georgia.

I am respectfully, your friend and brother,

THOMAS L. MCKENNY.

(B.)

Extract of a letter from the Cherokee Delegation to Thomas L. McKenny, dated

WASHINGTON, 14th March, 1825.

"Yours of the 12th inst. is received. You state that you are directed by the Secretary of War to enquire if we have authority to negotiate with the Government for a sale of our lands; and especially for that portion of them lying within the limits of Georgia." It would seem from the enquiry that the Secretary of War is impressed with a belief that our nation may be disposed to make a cession of our lands, and that we as its representatives may have been instructed accordingly. In order that the Secretary of War may have full information of the true sentiments and disposition of our nation in relation to our lands, we would refer him to the communication which we had the honor to address to the Hon. John C. Calhoun on the 11th February, 1824, in reply to certain propositions made by the President through him, to us for our lands. We have full authority in saying that those sentiments remain the same, and are unchangeable."

(C.)

To His Excellency JOHN Q. ADAMS, President of the United States.

RESPECTED SIR: Be pleased to accept our congratulation for the great trust confided to your care as President of the United States. The various tribes of Indians emphatically call the President *Father*, and to him, they as children look for protection and preservation.—Therefore we consider it a duty as well as a privilege to address you. A retrospective view of the history and true causes in the downfall, degradation and extinction of certain tribes exhibits a solemn and imposing lesson, which may be profitable in administering justice to those few, who at this day breathe the vital air on the land of their fathers. The crisis seems to be at hand which must forever seal their doom—civilization and preservation, or dispersion and extinction awaits them, and this Government is the tribunal which must pass the sentence. We therefore solicit your attention to a few remarks which we deem to be our implicit duty to make in relation to the Cherokee people whom we represent. The arts of civilized life has been successfully introduced among them; they consider themselves permanently settled, and no inducement can ever prompt them to abandon their habitations for a distant, wild and strange clime. They are well aware of the earnest solicitude of the state of Georgia for their removal, and also are apprized of the desire of the Government to gratify the wishes of Georgia, if their consent could be obtained. And whilst the Cherokees are ever ready to comply with the views and wishes of the Government, they cannot consent to yield another foot of land. Unceasing exertions has from time to time been used to purchase from the Cherokees their lands for Georgia; but we have never as yet witnessed a single attempt made on the part of the Government to bring the compact of 1802 with Georgia to a close, by compromise, or in any manner other than by trying to purchase our lands. For the peace and tranquility of our nation, we do sincerely hope that measures may be adopted by the United States and the state of Georgia so as to close their compact without teasing the Cherokees any more for the lands. The Cherokees have repeatedly declared their sentiments respecting their lands to the Government; those sentiments have been matured in soberness and expressed in sincerity.

The idea of concentrating the various tribes of Indians for the object of civilizing and preserving them west of the Mississippi, is a subject of great magnitude, and may perhaps contribute to better the condition of those tribes who have been removed from their lands and are now wandering over the wild and extended plains of the west. But if Indian civilization and preservation is sincerely desired, and is considered worthy the serious attention of the United States, never urge the removal of those tribes who are now successfully embracing the habits of civilized man within their own limits. A removal of the Cherokees can never be effected with their consent, consequently if removed at all it must be effected by such means as would engender irreconcilable prejudices, and their dispersion and ultimate extinction would inevitably follow. The Cherokees if per-

mitted to remain peaceably and quietly in the enjoyment of their rights, the day would arrive when a distinction between their race and the American family would be imperceptible; of such a change the nation can have no objection. Complexion is a subject not worthy consideration in the effectuation of this great object. For the sake of civilization and preservation of existence, we would willingly see the habits and customs of the aboriginal man extinguished.—The sooner this takes place the great stumbling block *prejudice* will be removed.

May the power of Heaven direct your steps for the good of all under your administration, is the sincere prayer of Sir,

Your unworthy, but most obedient servants,

JOHN ROSS,
GEO. LOWREY,
ELIJAH HICKS.

WASHINGTON CITY, 12th March, 1825.

EXECUTIVE DEPARTMENT, GEO. }
Milledgeville, 6th April, 1825. }

SIR: Your letter of the 24th ult. covering a correspondence between yourself and the Secretary of War, and other papers connected with the fulfilment of the stipulations of the articles of Agreement and Cession, was received yesterday—accept my thanks for your unremitting attention to the interest of the State; they are due from the people to you and the rest of the Delegation, for your generous and patriotic devotion to their rights and for the firmness and dignity with which on every occasion you have supported them. On the opening of a new administration of the General Government, soon after one important concession had been made to our just demands, it is scarcely necessary to inform you how eagerly I sought repose from the painful altercation which it had been my imperious duty to wage with the constituted authorities of the Union, and with how much of hope and anxiety I looked forward to the future, trusting that in better and improved relations, we would find a kindly and conciliatory spirit succeeded to troubled feelings—the sense of wrong on either side consigned to forgetfulness, and the claims of Georgia, recognized in all the extent which reason, justice and good faith would warrant. I trust that for these, more has not been asked—that less will not be received.

It cannot be dissembled however, that in the answer given by the Secretary of War to your communication of the 9th ult. presupposing the best disposition to do right, a course of policy is indicated which must infallibly terminate in wrong. It is of kindred spirit, with that which for a time kept us in abeyance with the Creeks, and held the State suspended between the most fearful alternatives. On the 12th of March, the Delegation of Cherokees at Washington, laid before the President their customary annual protest against a cession of lands on any terms, now or hereafter. On the same day they are as-

ked by order of the Secretary of War if they will sell lands—they answer no, and this answer is echoed by the Secretary of War to you. I hope it is not considered, as it purports to be, *final*. Should the proposition be renewed, another and very different character must be given to it. The Cherokees must be told in plain language, that the lands they occupy belong to Georgia; that sooner or later the Georgians must have them—that every day, nay every hour of postponement of the rights of Georgia, makes the more strongly for Georgia, and against both the United States and the Cherokees.—Why conceal from this misguided race, the destiny which is *fixed* and *unchangeable*? Why conceal from them the fact, that every advance in the improvement of the country is to enure to the benefit of Georgia; that every fixture will pass with the soil into our hands sooner or later, for which the United States must pay an equivalent or not, to the Indians according to their discretion. The United States are bound in justice to themselves instantly to arrest the progress of improvement in the Cherokee country—it is the reason constantly assigned by the Cherokees for their refusal to abandon the country. The force of the argument, therefore, if good now, increases with the progress of improvement—the progress of improvement will be accelerated by the irresistible force of the argument. Thus by a double ratio of geometrical progression, known only to the logicians of modern times, Georgia will find herself in a predicament in which whatever may have been the aggravation of her wrongs, she never before stood—disseized of both the argument and the lands. Why not therefore in common honesty and plain dealing, say to the Indians, remove now or stay the hand of improvement forever—now we will give you the full value of improvement; hereafter we will give nothing, because we cannot afford to pay for improvements from which no benefit will result to us, which will belong to the Georgians, and which you were forewarned in good time not to make. Let them say, now is the appointed time—we offer you acre for acre, and we change your tenancy at will into a fee simple, which will descend to your posterity forever—if you accept, well and good—if you refuse, we are not bound to make you the same offer again. You were once without a country, you sought refuge among the Creeks; they received you with open arms, and gave you the lands you now occupy; take care that you are not without a country again—You may find no more Creeks, no more lands.

Is it to be conceived that such an argument would be wasted on the Cherokees?—What motive would be left them to continue in a state so precarious, when every incentive to human industry being destroyed, the barn, the dwelling, the out houses, the fencing falling into decay and ruin, the wretched Indian scatters upon an impoverished and exhausted soil, the seed from which it is even doubtful if he is permitted by the impatient whiteman to reap the scanty harvest.

Is it forbidden to speak the language of truth and frankness? It may be that all will avail nothing—if all should, it will be because the Cherokees distrust the sincerity of the United States. That they have reason for distrust, even in the conduct of the U. States toward themselves is undoubted. When they were willing to cede lands, the U. States would not take them. In the conduct of the U. States to-

ward the Creeks, they think they see abundant proof of the lukewarmness and indifference of the General Government in carrying into practical effect, so far as concerns Georgia the plans which they devised for the removal of the Indians. It is of no consequence that the Indians are deceived by appearances—the appearances would deceive any body. They see the Agent for the Creeks well knowing the officially expressed will of the Government, opposing himself to that will, holding councils of the Indians for the very purpose of anticipating and forestalling the Commissioners of the U. States, by inconsiderate and violent resolves, the same as those of the Cherokees themselves. When the treaty is holden at Broken Arrow, the Cherokees are present by their emissaries under the eye of the Agent, busied to defeat by the most wily machinations and contrivances the objects of the treaty. They witness the failure of the treaty and by these means. Is such a case explicable before the Indians? The servant setting at naught the will of the master, and the master countenancing the servant in defying that will: the Government itself when asked for the resolution of these mysterious things, resolves them into a misconception of duty. On the renewal of the treaty at the Indian Springs, the like scenes are presented both to whites and Indians.—The Agent professedly aiding the Commissioners, secretly undermining them, dismissing in the dead of night the Chiefs who had agreed to sign the treaty, protesting the treaty after having affixed his own signature to it as a witness, on the ground that these very same Chiefs did not subscribe to it, announcing to his Government that the treaty was in direct violation of its own instructions, insinuating very strongly that improper means had been adopted to procure it, and denouncing the hostility of the Indians in the event of its ratification.

The poor Cherokees knew as well as the most enlightened member of the Cabinet, that if a foreign Minister of the first grade had dared the one half of this, he would have been dismissed with disgrace.—Yet the Agent opposing himself to his government as it would seem certainly opposing himself to the Commissioners appointed by that Government, passing on to Washington for the avowed purpose of preventing the ratification of the treaty, meets a cordial greeting of his employers there, and when the President discrediting every word of the Agent had submitted the treaty to the Senate—when the Senate in like manner, trusting nothing to the Agent, and reposing confidence in the declarations of the commissioners, had ratified it, he is permitted to depart for his Agency, if not with new demonstrations of affection, without so far as I know the slightest reprehension or blame; and what is worse than all, after having placed himself at the head of a party adverse to that which is now dominant, and which had recently ceded the country to us, he is appointed the guardian of the whole to conduct to their new and distant home, this hapless race, to command their destinies through untried and chequered scenes, and to make his distance from the controlling power an absolute security against all scrutiny and responsibility. The only apology attempted by the Agent for any allegation of misconduct or aberration from duty in these respects has been—'twas not I, 'twas the sub-Agent—'twas not I, 'twas the Interpreter. The U. States might possibly be the vol-

of such shallow pretences—certainly not the Cherokees or Georgians. Ask the commissioners if but for the interference of Agent there would have been serious difficulty at Broken Arrow. Ask them if at the Indian Springs an almost unanimous concurrence of the chiefs might not have been commanded, but for the counterplots and underworkings of the Agent—Ask any member of the Cabinet, notwithstanding the farrago of resolves and protestations to the contrary, if he may not command a treaty on a given day, upon just and reasonable terms for a cession of all the lands claimed by the Cherokees.

Be pleased to present a copy of this note to the Secretary of War. Upon the general subject, every thing has been heretofore said which it was proper or becoming to say, and I had resolved not to resume it unless invited on the part of the Federal Government, or commanded by the Legislature of the State. The more recent events may not have been portrayed before the present Cabinet in the same light in which you and myself cannot fail to regard them. The gentlemen who have recently come into it, I know personally, and will be very much deceived if they are not deserving our highest confidence as intelligent, upright and patriotic men. If they understand this matter correctly they will see that it is not a question about some five or six millions of acres of land; it is one of principle, and of character, connected with the honor of the government, and therefore above all price.

The people of the United States content with their political Institutions, ask nothing of their rulers but purity in the administration of their affairs—disinterestedness, singleness of purpose for the public weal, sincerity and plain dealing on the part of all the functionaries from the highest to the lowest, fidelity to every trust and strict accountability in the fulfilment of every duty, to the exclusion of selfishness, intrigues, tricks and devices of low cunning to gratify party passions and subserve sordid interests, hucksterings and barterings, and all the rest, which they will cheerfully leave to the mountebanks and jugglers to whom they appropriately belong.

With great consideration, and respect,

G. M. TROUP.

The Hon. JOHN FORSYTH, *Washington City.*

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