

Paper D.

Treaty of Alliance and Commerce, between
Great Britain and the Nation of the Cherokees
in America. September 20, 1730.

I. Forasmuch as you Scayagusta Outah, Chief of the City of Jastesta, you Scalilosken Kitagustah, you Jathitove, you Blogaittah, you Kollannah, and you Ukwanequa, were sent by Moytoy de Jelliquo, with the approbation of the whole Nation of the Cherokees, in an Assembly held at Nihossen the 14th of April 1730, to Sir Alexander Cuming, Bart. in Great Britain, where you have seen the Great King George, at whose feet the said Sir Alexander Cuming, by the express Order of Moytoy, and the whole Nation of the Cherokees, has laid the Crown of your Nation, the Skulls of your Enemies, and the Plumes of Honour, as a Mark of your Submission: The King of Great Britain, who has a tenderness for the powerful and great Nation of the Cherokees, his good children and subjects, has authorized us to treat with you; and in this character we confer with you, as if the whole Nation of the Cherokees, its old Men, its young Men, its Women and Children were here present: and you ought to look upon the words which we say to you, as if pronounced from the Lips of the Great King your Master, whom you have seen; and we will consider the Words which you shall speak to us, as the Words of ~~the~~ the whole Nation, delivered frankly and sincerely to the Great King. Whereupon we give you your Pieces of striped Serge.

II. Hear therefore the Words of the Great King, whom you have seen, and who has commanded us to tell you that the English in all Places, and on both sides the great Mountains, and great Lakes, are his People and Children whom he dearly loves; that their Friends are his Friends, and their Enemies his Enemies; that he is pleased that the Great Nation of the Cherokees has sent you hither, to polish the Chain of Friendship which is ~~between~~ betwixt

him and them, betwixt your People and his People; that the Chain of Friendship betwixt him and the Indians of the Cherokees, is like the Sun which gives light, both here and upon the high Mountains ^{that} which they inhabit, and which warms the Hearts both of the Indians and the English. And as we see no spots on the Sun, so there is no Rust nor Dirt on this Chain; and as the Great King hoods one end of it fastened to his Breast, 'tis his intention, that you should take up the other end of the Chain, and fix it to the Breast of Moytoy Jelliquo, and to those of your wise Old Men, your Captains, and your People, in such manner that it may never be broke nor los'd. And hereupon we give you two Pieces of Blue Cloth.

III. The Great King and the Indians of the Cherokees, being thus united by the Chain of Friendship, he has ordered his Children, the Indians of Carolina, to traffick with the Indians, and to furnish them with whatever Commodities they want, and to build Houses, and sow Corn with speed, all the way from Charles-Town to the Cherokees-Town, on the other side of the Great Mountains; for he would have the Indians and the English live together like Children of one and the same Family, whose Great King is their dear Father: and for as much as the Great King has given his Lands on both sides the great Mountains to the English his Children, he grants the Indians of the Cherokees the Privilege to live where they please. And upon this we give you a Piece of Red Cloth.

IV. The great Nation of the Cherokees being at present the Children of the Great King of Great Britain, and he being their Father, the Indians ought to consider the English as Brothers, of one and the same Family, and ought always to be ready at the Governour's Orders to fight against any Nation whatsoever, either Whites or Indians, that shall molest or attack the English. And hereupon we give you twenty Arbuskets.

V. The Cherokee Nation shall take care to keep the way of Commerce clear, and that there be no blood in the Road where the English white Men travel, even tho they happen to be accompanied by any other Nation at War with the Cherokees. Whereupon we give you two hundred weight of Gunpowder.

VI. That the Cherokee Nation shall not suffer any of its People to traffick with any other White Men besides the English, and shall grant leave to no other Nation to build any Fort or Habitation, or to sow Corn in their County, either near any Towns of the Indians, or on the Lands belonging to the Great King; and if any thing like it be undertaken, you must give advice of it to the English Governour, and act as he shall order you, for maintaining the Rights of the Great King over the Lands of Carolina. Whereupon we give you five hundred weight of Musket Bullets, and the same quantity of Cannon Ball.

VII. That in case any Negro Slave runs away from his English Master into the Woods, the Indians of the Cherokees shall do what they can to apprehend him, and bring him back to the Plantations from whence he fled, or to the Governour's House; and for every Negro which the Indians shall thus retake, they shall have a Musket, and a Sentinels suit of Cloths. Whereupon we give you a Box full of Vermilion, with 10000 flints, and 6 dozen of Hatchets.

VIII. That if an Englishman has the Misfortune to kill an Indian, the King or Chief of the Cherokees shall first of all make his Complaint to the English Governour, and the Person who committed the Murder shall be punished according to the Laws, as much as if he had killed an Englishman, and in like manner if an Indian kill an Englishman: the guilty

Indian shall be delivered up to the Governour, who shall punish him according to the English Laws, and as if he was an Englishman. Whereupon we give you twelve dozen of Glasp knives, four dozen of Kettles, and ten dozen of Bells.

X. You are to know, that every thing we have said to you are the Words of the Great King whom you have seen; and to show that his heart is open and sincere to his children and Friends the Cherokees, and their whole Nation, he put his Hand into this Bandler, which he demands may be received and shewn to your whole Nation, to their Children and Grand-Children, to confirm what has been said to you, and to perpetuate this Treaty of Peace and Friendship between the English and the Cherokees, as long as the Mountains and Rivers are in being, and as long as the Sun shall shine. Whereupon we give you this Bandler.

Signed,
Oukah Ulah.
Scalloskem Ketaqustah.
Jathoue.
Clogoittah.
Dollanmah.
Ukwanequa.

By Order of the Commissioners at Whitehall, the 20th of September
1730.

Alured Popple.

And underneath,

'Tis for the Security of Moytoy de Jelligus, that I have seen, examined and approved of all the Articles contained in the above Agreement, to which the said Indians have by my Advice given their consent.

Signed,
Alex. Curning.

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No. 5 (Paper Th.)
— 4 July 1763

Instructions to the American Governors by the King.

His Majesty's Instructions to all the Governors of his Provinces in America.

Whereas the peace and security of our Colonies and Plantations upon the Continent of North America does greatly depend upon a just and faithful observance of those treaties and compact which have been heretofore solemnly entered into with the Indians by our royal predecessors, Kings, and Queens of this realm. And Whereas notwithstanding the repeated instructions, which have been from time to time given by our late royal Grandfather to the Governors of our several Colonies upon this head, the said Indians have made and still continue to make great complaints that settlements have been made, and possessions illegally, fraudulently, and surreptitiously obtained of the said Indians. And Whereas it has likewise been represented unto us, that some of our Governors, or other chief officers of our said Colonies, regardless of the duty they owe to us, and of the welfare and security of our Colonies, have countenanced such unjust claims and pretensions by passing grants of the lands so pretended to have been purchased of the Indians.

We therefore taking this matter into our royal consideration, and being determined ~~upon~~ upon all occasions to support and protect the said Indians in their just right and possessions, and to keep inviolable the treaties and compact which have been made entered into with them, do hereby strictly enjoin and command that neither any Governor, nor any Lieutenant Governor, Presidents of the Council, or Commander in Chief of any of our said Provinces do, upon any pretence whatsoever upon pain of our highest displeasure, and of being forthwith removed from their or his office, pass any grant or grants to any persons whatsoever of any lands within or adjacent to the territories possessed or occupied by the said Indians, or the property or possession of which has, at any time, been reserved to or claimed by them. And it is our further will and pleasure, that our Governors publish Proclamations in our name strictly enjoining and requiring all persons whatever who may either wilfully or inadvertently have seated themselves upon any lands so reserved to, or claimed by the said Indians, without any lawful authority for so doing, forthwith to remove therefrom. And in case they shall find, upon strict enquiry to be made for that purpose, that any person or persons who shall do claim to hold or possess any lands within our said Provinces upon pretence of purchases made of the said Indians without a proper license first had and obtained either from us or any of our royal predecessors or any persons acting under our or their authority, they

are forthwith to cause a prosecution to be carried on against such
persons, whose names shall have made such fraudulent purchases
to the end that the Land may be recovered by a due course of Law.
And Whereas the wholesome Laws which have at different times
been passed in several of our said Colonies, and the instructions
which have been given by our Royal predecessors for restraining
persons from purchasing Lands of the Indians without a license
for that purpose, and for regulating the proceedings upon such pur-
chases, have not been duly observed, It is therefore our express will
and pleasure, that when any application shall be made to any
Governor for license to purchase Lands of the Indians, they do forbear
to grant such license until they have first transmitted to us, by our
Commissioners for trade and plantations, the particulars of such
application, as well in respect of the situation as the extent of the
Lands so proposed to be purchased, and shall have received our further
directions therein. And it is our further will and pleasure, that they
do forthwith cause these our instructions to them to be made public,
not only within all parts of said Provinces inhabited by our subjects,
but also amongst the several Tribes of Indians, to the end that our
royal will and pleasure in the premises may be known, and that
the Indians may be apprized of our determined resolution to support
them in their just rights and invariably to observe our engagements
with them.

Signed George Rex.

By John Stuart, Esq. his Majesty's Agent and super-
intendent of the Southern District of America

The Great King's most gracious intentions towards all the Indians
his children, contained in the above instructions being sent from London
in a letter signed by his own hand, and sealed with his own seal, are
pursuant to his Majesty's express commands, communicated to all the
nations of Indians.

Given under my hand and seal at arms at Charles-
town, this fourth day of July in the year of our Lord one thousand seven
hundred and sixty three, and of his Majesty's reign the third

John Stuart
S^r




This Sketch is traced from

"An Accurate Map of North America. Describing and distinguishing the British and Spanish Dominions on this great Continent; according to the Definitive Treaty concluded at Paris 10th Feb'y 1763. Also all the West India Islands, Belonging to and possessed by the several European Princes and States. The whole laid down according to the latest and most authentick Improvements, by Coman Bowen, Geog^r to His Majesty and John Gibson, Engraver." London. Printed for Robert Sayer, N^o 55. Fleet Street as the Act direct 2^d July 1775.

Where do you find this?

REPORT and MANIFEST of the LADING of the Schooner *Dolphin* burthen *Forty Eight and Thirteen 95th* Tons, American built, from *Place Force Africa* being the Port from whence she last sailed, *Gilbert Fuller* Master during the Voyage and still remains the present Master, and is owned by *Cyprian Sterry and Edward Mitchell* of *Providence State of Rhode Island*

Marks.	Numbers.	Contents of each Package, &c. or Quantity, if stowed loose.	By whom shipped.	Where destined.	To whom consigned.	Port or Place where laden.
SD.	1 to 44.	Slaves forty four Male & female . . .	Gilbert Fuller	Savannah Georgia	Robert Watts	Isle Gore
RSP.	1 to 2.	Two Slaves one Man other Girl	<i>D^o - D^o</i>	<i>D^o - D^o</i>	Gilbert Fuller	<i>D^o - D^o</i>
IB.	1 to 3.	Three Slaves two Woman & one girl	James Brown	<i>D^o - D^o</i>	James Brown	<i>D^o - D^o</i>
BM.	N ^o 1.	one Man Slave	Benjamin Manchester	<i>D^o - D^o</i>	Bury ^{ing} Manchester	<i>D^o - D^o</i>
BM.	N ^o 1.	one Girl Slave	Bennet Munro	<i>D^o - D^o</i>	Bennet Munro.	<i>D^o - D^o</i>
EP.	N ^o 1	one Boy Slave	James Pool.	<i>D^o - D^o</i>	James Pool.	<i>D^o - D^o</i>
		As to three of the above Slaves Dead on the Passage				
1794 August 21		Landed by Me A. Tower				
Sworn to before James Habersham Collector		 Gilbert Fuller				
				Ship Stores 2 Barrels of Beef one of Pork about five Gallons of Rum and one Barrel of Ship Bread		

Department of State

Washington 30th Oct. 1800.

Sir,

I enclose a list of men, who alledge they are American
Citizens born in the state of ^{Georgia} ~~New Jersey~~ and who are
detained on board of British Ships of War, for want
of proof of their being such. I request you therefore to
take such measures as you may deem most practicable
and effectual to discover their relations or friends, and
in communicating to them respectively the cause of
the detention of the men, to acquaint them, that this
Department will receive the proofs of their being citizens,
and pursue the means proper to produce their liberation.
Proof of citizenship should be in every case accompanied
with a description of the man's person to whom it
relates.

I am Sir, very respectfully

Your most Obed^t. Serv^t.

To the Collector of the Customs
at Savannah

J. Marshall