4th and 11th of June 1736

Orders and Instructions from Mr. Oglethorpe to Noble Jones and others.

To Noble Jones

Whereas I am informed that diverse Persons are preparing to go with Trading Goods into the Indian Nations inhabiting within the Province of Georgia, in order to trade with the Indians within the said Province; And whereas an Act has been lately passed by His most Gracious Majesty in His Privy Council intitled "An Act for maintaining the Peace with the Indians in the Province of Georgia," containing certain Regulations of Trade for the better maintaining the said Peace, therefore lest any unwary Person should through Inadvertency or Ignorance incur the Penalties of the said Act, I appoint You Noble Jones to acquaint the said Persons with the said Act, that they may conform to the Regulations of the same, as they shall answer it at their Peril.

Given this fourth day of June 1736

at Savannah

Instructions for Mr. Lacy

Whereas Information has been given before me that diverse Persons contrary to an Act intitled "An Act for maintaining the Peace with the Indians in the Province of Georgia," have without Licences duly obtained, directly or indirectly visited, frequented, haunted, traded to,
trafficked or barter'd with the Indians within this Province of Georgia, and do still continue the same; And whereas all and every such Offender or Offenders are for every such Offence to forfeit L 100 Sterling Money of Great Britain, and all and singular of the Goods, Wares, Merchandizes, Slaves, Wax, Furs and Skins either carried to, barter'd, sold to or brought from any such Indian or Indians by any Person or Persons not duly licenced shall and may be Seized and taken by a Warrant under the Hand and Seal of any Commissioner or Commissioners which shall by Virtue of this Act be appointed for the better regulating of the Indian (2) Trade; I therefore hereby appoint You Roger Lacy Gent. to take and Seize all and singular of the Goods, Wares, Merchandizes, Slaves, Furs, Wax and Skins either carried to, barter'd, sold to or brought from any Indian or Indians by any Person or Persons contrary to the said Act and to take Inventories thereof and send the said Goods &c down by the first safe occasion to this place to be applied as is in the Act directed. And This shall be Your Warrant for so doing.

Given at Savannah in Georgia under my Hand and Seal this 11th day of June 1736.

To Roger Lacy Gent.

Whereas I have sent up Notice to diverse Persons attempting to Trade with the Indians in Georgia contrary to an Act intituled "An Act for maintaining the Peace with the Indians in the Province of Georgia," and Proof having been made before me upon Oath that the said Orders have been served upon them, I therefore require you Roger Lacy Gent. to send
up a Constable and a Detachment of your men to take into Custody and
detain such Offender or Offenders; Which Constable I hereby empower to
command any Traders to what Number he shall find necessary to assist
him in apprehending such Offender or Offenders; and I hereby command
all Traders to assist him therein, as they shall answer the same at
their Peril.

Given at Savannah in Georgia under my
hand and Seal this 11th day of June 1736.

(3) To Samuel Brown, Gregory Haines, Thomas Booth, George Currie,
Lochtane Macbane, Cornelius Dochorty, Thomas Holmes, Jacob Morice,
Joseph Barker, James Beamor    All & each of them.

Whereas/ Information has been given before me that diverse
Persons contrary to an Act intitled "An Act for maintaining the Peace
"with the Indians in the Province of Georgia," have directly or in-
directly visited, frequented, haunted and are now actually trading to,
trafficking or bartering with the Indians within the Province of Georgia;
You are hereby willed and required to be aiding and assisting to Roger
Lacy Gent. in putting in Execution the said Act, and pursuant thereunto
in seizing and taking all and singular the Goods, Wares, Merchandizes,
Slaves, Furs, Wax and Skins either carried to, barter'd, sold to or
brought from any Indian or Indians contrary to the said Act. You are to
execute this Warrant as You will answer the same at your Peril.

Given at Savannah in Georgia under my
Hand and Seal this 11th day of June 1736.
To Noble Jones.

Mr. Jones

You are to lay out a Town (at such Place as to Mr. Lacy shall seem convenient on the Savannah River) to be called Augusta, to consist of 40 house Lots each of an Acre, the large Streets not narrower than 25 Yards. A Square in the Center and Lots for Publick Buildings on each Side the Square. All the Publick Lots together not to consist of less than 4 Acres. The Common must consist of 600 Acres. The Lots next the Town are to be 50 Acres each. Every house Lot to have a House built on it within a Year and an half, and no House in Town to be granted to any one with 50 Acres, but only to each of those who have 500.

You are to mark out a House in Town and a 500 Acre Lot for

Mr. Samuel Brown.

Do. . . . . . . . . . . for Mr. Gregory Haines

Do. . . . . . . . . . . for Mr. Lochtane Macbane

Do. . . . . . . . . . . for Mr. George Currie

Do. . . . . . . . . . . for Mr. Cornelius Dochorty

Do. . . . . . . . . . . for Mr. Joseph Pevy

Do. . . . . . . . . . . for Mr. Kenedy Obrien

And 50 Acre Lots to such Persons as Mr. Lacy shall think proper.

The whole under the same Conditions as the rest of the Colony of Georgia are.

Savannah in Georgia

14th June 1736.
Copy of a Letter from Mr. Von Reck to Mr. Vernon Dated at Ebenezer
24th June 1736.   (In French - so not copied)

(9) Copy of the Presentment of the Grand Jury of Savannah 14th June 1736.

We the Grand Jury of the Town of Savannah in the Province of Georgia having considered a Paper Entitled a Memorial of several Merchants in Charles Town and Sign'd by certain Persons therein mentioned & having examined upon Oath several Persons concerning the same we think it our Duty to present the same as containing many unjust Assertions unwarrantable Presumptions and Aspersions highly reflecting upon the King's most Sacred Majesty, the Honble. the Trustees for establishing the Colony of Georgia in America, the Magistrates and whole body of this Colony and that in the following Particulars.

It treateth the two Laws enacted by the King's most Sacred Majesty in Privy Council in a contemptuous and ludicrous manner terming and designating them by the Words certain By Laws made at London.

We cannot on this occasion omit that (notwithstanding the Contempt they put upon that Place) we are proud of being governed by Laws made at London (the Seat of the Legislative Power of Great Britain) and we are truly sensible of the Happiness we enjoy by having the Trustees for our Representatives and Guardians who under the immediate
influence of His Majesty's Presence are capable of providing Laws for our good without sacrificing us to the factious Schemes and corrupt Gain of particular Members who too frequently sway the Assembly of small Colonies and as we do not find the American Air hath tainted us with any notions of Independency on His Majesty and His Laws made at London we are like Dutiful Subjects ready to hazard our Lives in defence of them.

A great part of the said Memorial being taken up with a Complaint of Seizing and Steaving Rum pursuant to the Laws of this Colony being performed by Magistrates appointed by the Honble. Trustees and there being a particular Court for the Tryal of matters arising from thence it is not the business of the Grand Jury to enquire thereof.

That they have asserted that a By Law has been made by a Common Council in Georgia which we find to be entirely false there having been never any such thing as a Common Council held in Georgia.

That they assert the prohibiting Rum will throw the Indian Trade into the hands of the French by whom it may be easily supplied and that the Indians chuse to go without Cloathing rather than to be restrained the use of that Liquor; we find the said Fact to be false not only from the Chief Warrior of the Cherokee Indians examined before us, but also from the Traders, that whole Nation not buying any Rum; and by a Letter from new Orleans it appears that Monsr. Bienville Govr. of all the French Colonies in these parts, is taking effectual methods to prevent the vending of distill'd Liquors there; and it further appears to us that the said Liquors have been the occasion of great Disorders and murders amongst the Creek Indians, for which reason the vending of it
is more likely to draw on a (11) War than the Prohibition.

That it seems very much to derogate from the Royal Prerogative which has always been sufficient to constitute Colonys and Corporations with proper Power to ordain Laws in all the British Colonys & that it even goes so far as to mention that the Royal Sanction has been given to a Law which was never intended to Signify what the very Words of that Law \( \ddagger \) express'd.

That it seems plainly to oppose and object against the Royal Authority in making \& constituting Laws for the better Regulation of the Indian Trade, in order to preserve and maintain Peace and Amity with the Indians and prevent as much as possible an Indian War which has always proved so detrimental to the British Colonys, and which it seems to promote by several Expressions such as insinuating that it is intended here to use and exercise a Coercive Power over the Indians, desiring that the Creek Traders who are upon their way to this Town in order to take out their Licences according to Law should be Stop'd in their Journey, and they desire that the Traders may be directed to give no Obedience to any Compulsatory Orders that they may receive from the said James Oglethorpe Esqr. or any of his Officers or Ministers in the said Colony of Georgia; and if they should take the advice of disobeying (amongst the Indians in Georgia) the Laws and Magistrates of Georgia, the same would draw on a General Confusion and perhaps an universal Indian War towards which the way has been pav'd by various Aspersions spread amongst the Indians which indeed has been plainly prov'd to us by the Affidavits of several Traders who happen'd to be here present, men of long Experience in the (12) Indian Trade and of fair Characters.
That it falsely accuses the Honble. the Trustees for establishing the Colony of Georgia in America of monopolizing and engrossing the Indian Trade to themselves, and of explaining a Law enacted by the King's most Excellent Majesty in Privy Council in a quite different manner from what it intends, the contrary of both which appear plainly unto us.

That it falsely and unjustly reflects upon and grossly abuses the Honble. James Oglethorpe Esqr. in asserting that he is pursuing a particular Scheme or Schemes entirely different from the King's most Excellent Majesty's Intentions and the rest of the Honble. the Trustees, and we think and believe that this being so ungrateful and unjust a Reflection it deserves our highest Pestation; and it has been further proved by the Affidavits of several Traders before us that sundry Persons sought from Charles Town to Trade in the Indian Nations did not only insult and render despicable, in the Eyes of the Indians, the Traders for this Province and represent the whole Province in a most vile and scandalous manner; but did even there with a View of seducing and setting the Indians at variance with this Colony and of likewise defaming the Honble. James Oglethorpe Esqr. endeavour to persuade the Indians and make them believe that the Honble. James Oglethorpe Esqr. had come to steal away their Lands, and thereby strove as far as in them lay to stir up an Indian War: And we can the better certify the falsity of these assertions since all the Lands granted to His Majesty's Subjects in Georgia by the Trustees were purchased of the Indians who daily assist us upon all occasions and have given late instances of their affection to the said James Oglethorpe Esqr. by
putting him into possession of all (13) the Sea Coast as far as the Spanish Outguard and we also find that several thousand Indians have offered to assist him in this Colony should he be attacked; we find further that the permitting promiscuously all kind of men to Trade amongst the Indians without Licences or Security given would not only alienate their affections from us but would also probably occasion a War with them; for if an Indian should be injur'd or murder'd by such men as had given no Security and would of Course fly from Justice, the Indian or his Relations expecting Satisfaction and finding none would take their Revenge by killing the first English men they could conveniently come at; but if a Licenced Trader should commit such a Crime and even escape from Justice, yet his Security being answerable would be obliged to make a proper Satisfaction by which the Indians would be contented. And we have the further reason to suspect that these Outrages will be frequently committed this year since already a Trader sent from Charles Town without Licence from hence hath beat and abus'd the Brother of the Chief Warrior of the Cherokes for which this Province cannot obtain Reperation the Offender being now in Carolina.

We also find that the Insinuations made by the Memorialists (vizt.) that many Traders indebted to them will embrace this opportunity of entring into the Service of Georgia in order to defraud their Creditors is false and scandalous since the Traders who have taken up Licences in this Colony are such as are both willing and able to pay all Demands upon them and are all men of Experience in the Indian Trade and formerly licenced by Carolina, and in this Colony no such Persons as the Memorialists described are licenced, though they them-
selves allow that Licences are granted to men (14) of desperate fortunes in Carolina; and what makes the untruth of this Insinuation more apparent is that the People of Carolina have always had Liberty of Suining for their Debts by making Legal Application to the Courts here, and that even by Letters of Attorney which is not allowed to the Inhabitants of this Colony there whom they oblige to appear personally.

We find also that this Memorial is not the Sense of all the Memorialists and that it was not so much as read to or by all those who Sign'd the same, and that an incautious man was drawn in to sign it upon assurances of its containing matters of a quite different nature from what it did and who would never have Signed it had he known the Contents thereof; and the Names of other Persons are put to the said Petition who have not been at Charles Town since the Signing of the same nor for several months before.

We the Grand Jury being sensible of the many Advantages and benefits we enjoy under so happy a Constitution and Government think it our Duty to request the Honble. James Oglethorpe Esqr. that he would be pleased to continue strenuously to put in Execution those Laws which have already been or those which for the future shall be legally enacted by the King's most Excellent Majesty in Council with the Advice of the Trustees, and we beg Leave at the same time to assure him of our joint and ready Concurrence to whatever shall be required of us towards supporting the Government and enforcing and putting those Laws in Execution. And we here take this Opportunity of returning the Honble. James Oglethorpe Esqr. our most hearty & sincere Thanks for the great Troubles and Dangers he (15) has undergone in Settling this Colony and
for the Fatherly Care and Regard he has always shown for the People therein, and we are firmly persuaded that he will still go on to shew the same Regard & Care to curb and put a Stop to all means & methods that will be used or attempted to the Detriment or Hurt of this Colony.

P.S. Most part of the large Memorial was so notoriously false & frivolous & even full of Irony that we imagin'd it to be entirely unworthy of an Answer.

Roger Lacy
Wm. Woodrooffe
Dr. Douglass
Jo. Baillie
Pat. Tailfer
James Williams
And. Grant
Tho. Baillie
John West

James Cerwels
Austin Weddall
Wm. Rigden
Pat. Houstoun
Robert Potter
Edward Bush
Wm. Brownjohn
John Fallowfield
Wm. Gough

(17) 25 June 1736

Charlestown

Your Committee Report that having read & consider'd the Act of
the Trustees for Establishing the Colony of Georgia, approv'd by his
Majesty in Council, for preserving Peace with the Indians, are of
opinion that there is nothing in that Act that can be construed or
extended to abridge his Majesty's Subjects of this Province of the
natural Right & Liberty, wch. they have of carrying on an open & free
Trade with any Nations of free Indians under his Majesty's protection,
or that are in Friendship & Amity with his Majesty's Subjects; and
that the Act of the Trustees can only be construed to extend to the
regulating the Persons who shall go from the Province of Georgia, &
not to other Persons who shall go from any other of his Majesty's
Colonies. And your Committee are the rather of this opinion, for that
there is an Act of the general assembly of this Province still sub-
sisting & in Force, made & enacted by virtue of his Majesty's authority,
deriv'd under the Great Seal of Great Britain, by wch. all persons who
shall be licensed in the manner directed by that act have liberty &
power granted them to visit, frequent, & traffic with the Creeks,
Cherokee, & other nations of Indians, in amity & Friendship with his
Majesty's Subjects. And this Act of Assembly not being repeal'd by his
Majesty, either expressly, or by any non obstante in the Act (18) of
the Trustees against it, it is apprehended by your Committee that the
Trustee's Act was not intended to prohibit his Majesty's Subjects of
this Province from trading either with ye Creek or Cherokee Indians, or
to compell them to observe the Rules & Regulations prescrib'd in & by
the Said Trustees' Act.

And your Committee think that this opinion is the better founded,
as the Traders who go from this Province are obliged to observe all and the same Regulations, as those prescribed in the Trustee's Act; wh. seems to be chiefly a transcript from the Act of the general assembly of this Province for regulating the Indian trade; & therefore it can only be the intention of the Trustees that the People of Georgia should be under the same Rules & Orders in regard to the Indian trade, as the People of Carolina are.

But your Committee are further of opinion, that if it was ever so apparently the intention of the Trustees by that Act, to compel all his Majesty's Subjects of what Provinces so ever, to come down to Savannah in Georgia & take out Licences there, for trading with the Indians, it can only be extended to the trade with the Indians, living & residing within the limits & Bounds of Georgia, and not to any Indians living without those Bounds or Limits: And the Heads of the Rivers Savannah & Allatamaha not being certainly known, or the western lines from those Heads, (by which the Bounds of the Province of Georgia are limited) not having been run, and upon perusal & consideration (19) of several Plans & Maps of the Indian Countries, & by the Information of Persons who have visited those Countries, it is apprehended by your Committee, that but a small part of the Creek or Cherokee Nations of Indians are included within the Bounds of the Province of Georgia.

Wherefore your Committee are of opinion, upon the present occasion, & they in the warmest manner recommend it to the two Houses, that the several Indian Traders now in town, who heretofore have traded from this Province, be acquainted that they have full liberty & licence to visit & trade with the Creek, Cherokee & other nations of Indians in
amity with his Majesty's Subjects, observing & paying due obedience to such Rules, Regulations & Orders as are directed by the Laws of this Province, taking especial Care to preserve by their prudent behaviour & deportment, that Peace & Friendship with the Indians, towards all his Majesty's Subjects of what Colony so ever they are, wch. it becomes all faithful Subjects to do; & that as long as they shall continue so to do, they shall be under the Protection of this Province: And (as it is hoped the matters in difference between the two Provinces will be amicably settled by the method herein after propos'd) if in the mean time it shou'd happen that any of the said Traders shou'd be molested or Imprison'd, or their Goods or Effects seiz'd, under pretence of Breach of the Said Act of the Trustees, that their (20) losses & damages, as far as the amount or Value of 2000 Pound Sterl. shall be made good to them by this Province: The said Traders first taking care to observe such methods in giving an account of their several Goods as shall be directed them, as well in regard to the quantities as the qualities of what they shall carry with them.

And your Committee further recommend (as they doubt not but the Honble. Mr. Oglethorpe will be of their opinion in these matters, when they come to be fairly laid before him, & are by him maturely consider'd) that his Honour the Lieutenant Governor be address'd to desire Mr. Oglethorpe's presence in Town as soon as possible; if his majesty's service in the Settlement of the Colony of Georgia does not detain him there, in order to the settling these & all other matters in dispute between the two Colonies upon an amicable footing, & so as may best tend to his Majesty's service, & ye joynt Interest, Prosperity &
welfare of the two Provinces.

And that, a Bill be immediately brought in for removing such discouragements as the Indian trade of this Province at present lies under with regard as well to the Licence money as the duties imposed on the said Trade.

Thus far the Report. And on the day following, an ordinance of the General assembly was pass'd "For asserting & maintaining the "Rights & Liberty's of his Majesty's subjects of the (21) Province of "South Carolina to a free, open, & uninterrupted trade with the Creek, "Cherokee & other Indians in amity & Friendship with his Majesty's "Subjects & for the better preserving those Indians in the Interest of "Great Britain." Which ordinance is publish'd at length with the Laws pass'd the last Sessions & Ratified May the 29th last.

About 6 weeks ago 14 of the Cutaboes having been inform'd of the Premium to be given by this Government for bringing Tuscarora Indians dead or alive, went out in quest of them, & meeting a Party of 100 Men, they laid down in a Swamp to let them pass by, & seeing three of that Party following at a distance, they fired upon them, kill'd two on the spot, & wounded the third. The noise of the guns allarming the others, they went to surround the Place, suspecting Enemies, but the Cutaboes having Sculp'd the two men they had kill'd, escap'd, & came to town on Tuesday last with the rest of their Party, 31 in number.

On the same day one of the head men with two warriours of the upper Creek Indians arriv'd here to renew their Friendship with this Province.
26 June 1736

Ordinance of the Council and Assembly of South Carolina relating to the Indian Trade.

Whereas it is the undoubted Right and Privilege of His Majesty's Subjects to have & enjoy an open free and well regulated Trade with all Nations of Indians that are in friendship and amity with His Majesty's said Subjects And whereas nothing can better conduce to the preserving the several Nations of Indians Surrounding His Majesty's Province of South Carolina and Georgia in their friendship to His Majesty's Subjects then to prevent their falling into the Interest of the French and Spaniards, than the keeping a free & open Trade and Commerce which for these many years last past have been to the great Advantage and Benefit of His Majesty's Subjects of this Province and the very considerable Consumption of the Woollen and other Manufactures of Great Britain carried on and negotiated by His Majesty's said Subjects of this Province to and with the several Nations of Creeks Cherokees and other Indians in amity and friendship with His Majesty's Subjects of this Province We humbly pray Your most Sacred Majesty that it may be ordained and be it ordained by the Honble. Thomas Broughton Esqr. His Majesty's Lieutenant Governor Captain General and Commander in Chief in & over His Majesty's Province of South Carolina, by & with the Advice and Consent of His Majesty's Honourable Council and the Commons House of Assembly of this Province and by the Authority of the same that it shall and may be lawful and it is hereby declared & ordained to be lawful to and for all such His Majesty's Subjects as shall be approved of and duly obtain a Licence to visit, frequent, haunt, trade, traffick and barter to and with the several Nations of Creeks Cherokee and other
Indians in amity & (26) friendship with His Majesty's Subjects they observing and paying due Obedience to such Rules Regulations and orders as are directed by the Laws of this Province special Care to preserve by their prudent behaviour and deportment that Peace and friendship which at present Subsists between the said Indians and all His Majesty's said Subjects of what Province or Colony soever they are or may be, and that as long as such of His Majesty's Subjects as shall so visit, trade or traffick with the said Nations of Indians or any of them shall so do, they and every of them shall be & they are hereby declared to be under the Protection of His Majesty's Authority as lawfully exercised in this Province.

And be it further Ordained and Declared that in case it should so happen that any of His Majesty's Subjects so peaceably and well behaving as aforesaid having or obtaining Licences from the Commissioner of the Indian Trade of this Province to trade with any of the Nations of Indians aforesaid shall happen to be molested or imprisoned, or their Goods or Effects Seized or taken away, by Virtue or under pretence of Breach of any Act or Acts of the Trustees for establishing the Colony of Georgia in America such Person or Persons shall have their said Damages and Losses (Provided they do not in the whole exceed the Amount or Value of the Sum of Two thousand Pounds Sterling Money of Great Britain) made good to them by the Publick of this Province, to be raised paid and levied in the next General Tax Act after such Loss shall happen Provided always that such Trader and Traders to whom such Loss and Damage shall happen shall before they depart from the Indian Nation lay before the Governor or Commander in Chief for the time being or such of His
Majesty's Honourable Council as live and reside in Charles Town a List of the (27) several Goods, Wares and Merchandize they shall carry with them into the Indian Nation and do carry none other than such as they shall expressly obtain Licence for under the hands of the said Governor and Commander in Chief or of His Majesty's said Council.

And be it further ordained by the Authority aforesaid that all additional Dutys not heretofore paid which have been laid on or imposed upon any Indian Dress'd Deer Skins or other Skins or furs since the 25th day of March in the year of our Lord 1730 by Virtue of any Laws of this Province be and they are hereby remitted and forgiven Any Law Statute or usage to the contrary in any ways notwithstanding.

And be it further ordained by the Authority aforesaid that no more than the Sum of Ten shillings Sterling shall at any time or times hereafter during the Continuance of this Ordinance be paid for obtaining a Licence to trade with the Indians any Law Statute or Ordinance to the Contrary notwithstanding.

And be it further ordained by the Authority aforesaid that this Ordinance and every thing herein contained shall continue and be in force for the Term of Two Years from the ordaining hereof and from thence to the end of the next Session of the General Assembly and no longer.

In the Council Chamber Charles Town
26th June 1736.

Assented to

Thomas Broughton.

Paul Jenys Speaker.
Creek Indian Talk 27th June 1736.

1st Audience

At an Audience of several of the Chiefs of the Lower Creeks at Savannah in Georgia the 27th day of June 1736.

Present

James Oglethorpe Esqr.

Thomas Causton

Bailiffs.

Thos. Christie Recorder.

Henry Parker

Mary Musgrove

Interpreter.

N.B. The Chiefs of Seven Towns with about 60 Indians being at Musgrove's Cowpen Mr. Oglethorpe ordered a Boat to bring them down to Town where the Militia being all under Arms received them at the Landing under the discharge of our great Guns Drums beating and Colours flying and conducted them to the Town House.

The Indians being all seated Mr. Oglethorpe told them he was glad to see them.

That he had long wanted to see Chigillee of whose fame he had heard.

Bid Mallachi welcome and was glad to see him.

N.B. Mallachi is a Son of the deceas'd Emperor Brim who is to succeed Chigillee.

That they had come a great way and he loved them all from his heart.
Tomo Chachi was present and sat next to Chigillee but as Mr. Oglethorpe sees him daily he said less to him.

Then the young Indian men brought a large quantity of Deer Skins and laid them at Mr. Oglethorpe's feet.

Tomo Chachi said those were the poor Indians' Presents in Remembrance of King George.

And was glad to see the Chiefs were not unmindful of their Allegiance and respect to him and hoped that he would know that all the Chief men came down on Mr. Oglethorpe's Arrival to shew their Attachment and that it will be taken notice off.

And that the Talk which says All their Children shall be as One may ever continue.

Tomo Chachi further added that that was his Talk. To which Mr. Oglethorpe made answer. That his Talk was good.

Chigillee the Chief of the Lower Creeks then spoke and said that Tomo Chachi was the first man that received the English here and went to England and brought word from the great King to them.

That it was a mad Sett of People that begun the last War by running up in so many Crowds to them. But that he will endeavour to keep the People in Order whilst he live and that the Man that sits by him would govern after him (Pointing to Mallachi).

That Tomo Chachi had told them the English King declared Care should be taken of their Children. And their Children & his Children should be all one.

The Indian Chiefs presented several Commissions and Papers with the
Prices of Goods & Regulations of the Traders which they had formerly received from the English which Mr. Oglethorpe returned to them again and said he hoped his People had minded the first Talk contained in those Papers. Mr. Oglethorpe added that those Words were all (31) good and he would keep to them.

Pipes Tobacco and Wine was then handed to them and Mr. Oglethorpe drank to the Chiefs.

After he had called over their Names by a List which he had in his hand, Mr. Oglethorpe told them they had come far and therefore his Men would show them where they should eat lye down and refresh themselves and they should have the Talk to morrow, he likewise returned them thanks for their Skins and said he would then see them again Then gave Orders that a Bale of Strouds and a dozen of Kettles should be given them, a Steer killed and a Dinner prepared them and all to be Lodged in Mr. Brownfield's new Buildings.

Mr. Oglethorpe invited Tomo Chachi and Chigillee to his house in the afternoon.

They then broke up and were reconducted by the Militia under Arms to the appointed Lodgings where they gave them a Volley of small Arms and retired.

(33) Letter from Paul Jenys Esqr. at Charles Town to Mr. Oglethorpe dated 28th June 1736.

Sir

Since my last of the 24th Instant, a Committee of both Houses
have had under Consideration your Letters to his Honour the Lieut. Governor relating to the Indian Trade &c. Two Reports have been made thereon which the Lower House have desired his Honour to communicate to You forthwith.

The second Report was debated on Saturday morning in a thin House which consisted of Twenty Members only, and after many Speeches on both sides, The Question was put whether the Report should be agreed to, which was carried in the Affirmative (vizt.) 10 for and 9 against it.

In the afternoon of the same day an Ordinance was offer'd to the House founded on the Report which being read a first time and put to a Passing was carried by one Vote, and sent up to the Council, before it came down from the Upper House the Members (who were very desirous of a Conference with your self in Expectation that an Expedient might be found out to accommodate this Affair) determined to put off a second Reading of it for 3 weeks and proposed that a Conference with you should be desired on the Subject of the Indian Trade in the mean time. In this Attempt the Members succeeded and (I believe) the Ordinance would have been thrown out, had not Mr. Rutledge gone to his Plantation that afternoon, having carried it for postponing reading the Ordinance a second time; a Message was sent to his Honour to desire his Leave to adjourn for 3 Weeks &c. In answer to which he replied in Substance that as the important Affairs for which the General Assembly had been conven'd were not brought to an Issue he could not permit us to adjourn longer than till Monday morning. Upon this the former Debate was renewed and a (34) Motion made for reading the Ordinance a Second time immediately
and the Question being again insisted on, 'Twas carried for the Reading of it and accordingly read a 2d and a 3d time and past and at about 9 of the Clock that evening 'twas ordered to be ingross'd and the same night assented to by his Honour the Lieut. Governor. I should by this same Conveyance send You a Copy of this Ordinance, but Col. Fenwicke informing me that the Lieut. Governor will send it with the Report before mentioned, I apprehend it will be altogether unnecessary: The Account I have now given You of the Proceedings in the lower House You may depend on is exactly as it was there transacted. I have only to remark on this thin occasion that the House was/xxx and never more equally divided, and many who were for the Ordinance said an Accommodation with You on this Affair would be much more agreable. The Expedient proposed by some of your Friends is that the Agent for Indian Affairs shall be of your Nomination and our Traders subject to his Directions, and their Conduct under his Inspection. I have some reason to believe that if something like this will be to Your Content, This Government will on a Conference fall into it: It gives me a great Concern to hear xxx how free the rude unthinking People treat Your Character, but 'tis to me some Satisfaction to observe, that Your Enemies are of this despicable Rank, except a few Bigots, Male Contents, Indian Traders and a Set of men who think themselves injur'd by the Opposition You gave them at Court.

'Tis a pleasure to me to know that by far a Majority of the Assembly have an affectionate Regard for You and I believe the best Sort of the People whom they represent also. I can assure You that one of our Members informed me that those he represents would rejoice to see You at the Helm of Affairs in South Carolina, and I could wish that the
whole Legislature of this Province could give as convincing Proofs of their (35) Zeal and Concern for the Prosperity and well Settlemt. of this Colony as You are daily giving of yours to Strengthen and secure all North America. If the Affairs of your Colony would but permit You to take a short Tour into this tho' no further than to Port Royal, I make no doubt but on signifying your Inclination to confer there, a Committee of both Houses would cheerfully meet You for that Purpose at Beaufort. I've drawn this Letter to so great a length that I have scarce Room to acquaint You of the Reason of my writing a Letter to Mr. Causton in favour of Mr. Henry Bedon. I knew nothing of his Design to go to Purysburgh & Savannah till his Boat was loaden and that morning he came to my house to take his Leave of his Sister; At which time I took an Occasion to ask him if he had any Rum on board, on his replying that he had I advised him to tarry a few days in hope that we should see You in Town or know what Resolution You would come to with respect to the Navigation of the Savannah River, but he said Mr. Wragg and others told him there was no Danger, and that he might go with Safety if he did not stop at Your Port. I further ask'd him if he had any Licence or Certificate from this Government and finding that he had not I advised him to go to Col. Fenwicke, the Governor being absent, which he afterwards did and from him he obtained a Certificate. I ask'd him further if he was willing to enter into Bond at your Colony not to Run or Smuggle any Rum, he replied he was; Upon this I told him as 'twas probable You would not be at Savannah, I would write a few Lines to Mr. Causton which I did in Expectation that as the Method I proposed to remove any Jealousy of his Running it into your Colony carried with it
the Face of Honesty, the Magistrates would shew him all the Indulgence they could. I should have said nothing on this Head had I not been informed that 'twas Suggested 'twas I that put him upon the Voyage. I am Sir &c.

(41) Letter from Mr. Oglethorpe to the Duke of Newcastle dated 1st July 1736.

My Lord,

The Importance of the Subject makes me trouble Your Grace with this long Letter. The French upon the Mississippi River under the command of Monsr. De Bienville in October last received Advices from Europe to prepare for a War with the English this Spring; which bore date about the time that His Majesty declared his Intention of sending a Fleet to Lisbon. They spent the Winter in drawing together a body of 2500 French, and would only take 800 chosen Indian Warriors. They in vain attempted to gain over to their Interest the Creek Indians through whose Country their Road to Charles Town lies. They provided Pack horses, sufficient to carry 70 days Provision, made Magazines upon the Mobile River at a Fort there called Albamas, or Fort Tholouse, which is the nearest they possess to Carolina, and to which the Pack horses from Charles Town go in 27 days. They were to rendezvous at Mobile in January end to take the field in March. In January Monsr. De Bienville arrived there, and on the 10th of that month Vessels from Europe brought him Advice that His Britannick Majesty's Measures had been so successful as to procure a General Pacification. On this the Troops were ordered
all back, and Monsr. De Bienville gave out that the Expedition was intended against the Chickesaws, a Nation of Indians in Alliance with the English, & nearer by some 100° of miles to the Quarters the Troops came from than the Mobile. The advanced Guard of Monsr. De Bienville consisting of 200 French and 700 Indians on the 8th of March attacked one of the Chickesaw Towns, but being repulsed, were pursued by the Chickesaws into the Indian Corn Fields, and after an Hours hot (42) Engagement, the French retired in tolerable Order for 3 quarters of a mile; but then being entirely broke, they left 25 French dead upon the Spot, and 23 French and 2 Indians Prisoners. 19 of the French were immediately burnt, Two English Traders who had carried up Goods to sell to the Chickesaws persuaded them not to burn the French Prisoners, which their War Captain would have consented to, but unfortunately one of the French spoke English, and the Trader answering him, the Chickesaw General cried out "This is a Traitor, he speaks the same Tongue as they "do, and he speaks for them, therefore burn him also." It was with much ado that the Elders of the Nation saved him. The Chickesaws pursued and 3 days after met with another body of some hundreds of French who guarded their Boats on the Mississippi River, but no Indians. The Engagement was very short, the French immediately taking to the Stream, where most of them were drowned, their Boats having been in the beginning of the Action sunk or burnt by the Indians. We have no Advice yet of what is become of Monsr. De Bienville, but the Trader who escaped burning, seeing the Indians with a Packet of Letters procured and delivered them to me.

I have apprized Your Grace that the Creek Indians pursuant to the
Treaty they made with His Majesty in England, carried me down to the Frontiers of his Dominions in America, which are divided from the Spanish by the River of St. Johns, and of which the English, or their Allies the Creeks have been in quiet possession before the Treaty of Utrecht. Since my last, the Governor and Council of War at Augustine, have disputed over Right to St. Simons and the Aletamaha, but at last offer'd to leave all Differences concerning the Limits of the two Provinces to the Determination of the Courts (43) in Europe, provided I would deliver up the Fort at St. George's Point, on the North Side of St. John's River, over against their Garrison; which I shall not do, without His Majesty's Orders, if I am able to defend it. I have forbore all Hostilities, tho' greatly provoked, and have fortified in such a manner that they do not care to begin.

I have not been yet able to go to Charles Town. I sent up some of Your Grace's Letters, others I kept to carry up my self. The People seem very unwilling to comply with any of His Majesty's Orders. I was a Favourite with them when I was here before a private man, but now they are angry because I insist upon their paying obedience to the King's Commands, particularly to That regulating the Treaty with the Indians. Some of their Merchants carrying on a clandestine Trade with the French and Spaniards are very zealous against every thing that settles the Indians in His Majesty's Interest; for if the Indians go to the French and Spaniards those Merchants gain by it, because they sell to these Nations at vast prices, Goods to present and trade to those Indians. By this Act no Person can go into the Indian Country without giving Security for his behaviour and obtaining a Licence thereupon, a
Precaution absolutely necessary; since if men, without Security given, went into Countries where are no Magistrates to do Justice to the Indians, they would be apt to commit all sorts of Offences. If we suffer'd the Indians to destroy them for such Offences, we should give them the Government from the King; and if we did not, they would take a National Revenge on us all, and be therein (44) ¶ underhand supported by the French & Spaniards, who are labouring all they can to promote such an Action. I thank God there are enough honest and faithful Subjects to His Majesty, both here and in Carolina to execute the King's Orders, notwithstanding the Glamours of the men, who can bear no kind of Government, but would rather assist Foreigners to draw Slavery upon themselves and their Posterity, than they will obey Laws made by the best of Princes for their Benefit. Excusing my being tedious is only making my Letter more so, and therefore I shall only add that I am

My Lord

Savannah

1st July 1736.

Your Grace's most Obedt. and most humble Servt.

(45) Letter from Mr. Kennedy O'Brien to Mr. Oglethorpe dated 2d July 1736.

Honourable Sir

Being informed by Mr. Lacy, Mr. Brown and some other Gentlemen That my Name was Signed to a certain Memorial Exhibited by some Merchants and others of Charles Town complaining (among other things) of
the Hardships they were liable to by being deprived of the Benefits of the Indian Trade for the time to come. I take this opportunity to assure Your Honour that I never knew of any such Memorial until I was informed of it by the Gentlemen above mentioned nor was I ever consulted upon it, neither had any Person any Commission from me to do so. Indeed there is a Gentleman in Charles Town that I owe a large Sum of Money to, who I believe made bold to Sign my name imagining (as I suppose) that it might be of some Advantage to me. I humbly thank Your Honour for ordering me a Lot in Augusta, and am

Honble. Sir

Savannah Town

2d July 1736.

Your most Obedt. humble Servt.

(49) Creek Indian Talk 3d July 1736.

2d Audience. 1st Part.

Savannah in Georgia

3d July 1736.

At an Audience the Upper and Lower Creek Indians had of Mr. Oglethorpe. Mrs. Musgrove Mr. Alexander Wood and Mr. Thomas Wiggin Interpreters.

Tomo Chachi said, That before he went to England, he left Capt. Watson Partner with Mrs. Musgrove, but on his Return found things contrary to what he expected.

Mr. Oglethorpe ask'd What he complain'd of?

Tomo Chachi. He ill used Mrs. Musgrove and the Indians.
Mr. Oglethorpe. What did he do to the Indians?

Talohomi. He took their Pistols and Guns from them.

Mr. Oglethorpe. Why did he take them? Did they abuse him?

a Talohomi. While I was going up the River, Watson took my Gun away from me, for what reason I know not. I was drunk, the other Indians were sober and lost all theirs.

b Stechi says, his Gun too was taken, he being absent.

Here Watson was brought in.

Mr. Oglethorpe. I am sorry Mr. Watson to see you here. The Indians confirm their former Complaints against You. I sent for You that You may hear what they say.

Watson. Am I allowed to have a Copy of my Accusation that I may consider of it?

Mr. Oglethorpe. You will hear what is said.

c Tomo Chachi says, That on his Return from England, he heard Watson had killed one of his People, that the Indians he feared would kill him, and therefore desired he might be sent out of the way.

Mr. Oglethorpe. He has been tried for that by our own Laws.

a Tomo Chachi. It was only for his own Sake I desired it that he might come to no Harm, & therefore I was glad that he was confined.

The rest of Tomo Chachi's Words Wiggin Interpreter says he understands as shewing an Inclination in Tomo Chachi to interceed for Watson.

b Watson. The Indians came to me desiring a horse to carry some Leather to Purry'sburg. I refused them it, being unwilling the Leather
should go thither. They then would have my Canoo, which I still refusing, they loaded their Leather in it by force. I represented the Injustice of it to them in vain, and sent immediately to Town to Mr. Vanderplank (now in Court and who cannot deny it) for Advice what to do. He bad me not let them take it away. Mr. Causton prepared Arms and men, came down, and himself disarm'd the Indians. He sent them their Arms again the next day, I thought in a wrong manner, by a boy; and that he ought rather to have made them a Speech and excuse'd disarming them from the necessity of so doing.

Tomo Chachi says. The Indians, like the English, were willing to try several Places, & therefore would carry their Leather to Purrysburg.

Stechi. That Watson was cross, and used them roughly, therefore they were willing to sell elsewhere.

Watson. Stechi had no Property at all in the Skins.

Tomo Chachi ) Say, The Boat was not Watson's (j1) but one of their & the Indians ) own, belonging to Tomy Jones.

Watson. It was his, but in my Charge, he owing me money. To satisfy the Indians for refusing my horse I afterwards bought one and let them have it.

Mr. Causton says. That on notice of a disturbance among the Indians he went down himself, found Watson drunk, Talophelechi and the Indians exceeding angry. That Skee in particular was much enraged at seeing him draw up the English, and coming offered to take away their Arms. One man advised them to deliver them,
and himself did so; which Mr. Causton immediately retook from Talophelechi; but returned them their own Arms shortly after.

Mr. Oglethorpe. Why then Mr. Causton I find You were to blame. You did not know the Consequences of such an Action. A less thing than this might have cost You all your Lives.

2d. Fact.

Stechi Says, That he left his Coat, Brícle, Saddle, Girth and Gun in Watson's House, who, upon his going to take them again, beat him.

Mr. Oglethorpe/ here had the Indians observe he was always ready to do them Justice, and they free to complain of any Injuries; which he afterwards repeated, telling them withal that neither must they do any harm to our People.

Watson. I know nothing of his Gun and other things and am sure they were not left in my house. My Servants likewise have deposed upon Oath, that they knew nothing of their being left there.

I heard my Servant and Stechi quarrelling; went and found Shoes and other of my Goods with him. I told him he must not have them without paying for them. He laid hold of me and tore my Shirt. Blows (52) followed. We talked the matter over, drank together, and came to a good Agreement; None Present.

He had upwards of £ 40 Currency of me by order of the Court as Satisfaction; nor would he ever have complained had he not been put upon it.
3d. Fact.

Talohomi says, He had another Brother died at the Point that Skee came to him and said he was sick and going to his Grave.

That Watson said Skee was going to the Cowpen to be buried; and that he (Watson) was the Cause of his Death. That several who spoke English told Talohomi Watson said so, particularly a Slave Wench of Mrs. Musgrove's.

Mr. Oglethorpe. Was there any Malice betwixt Skee & Watson?

Talohomi says No. He knows not of any.

Watson says. The Words he used concerning Skee was a rash Proverbial Saying "That he had drank him to Death."

Talohomi says something which Wood (Interpreter) understands as if Talohomi should say. He apprehends Watson put something in Skee's Victuals or Drink.

Mr. Oglethorpe desires he would bid him say it over again that he may be sure. Talohomi repeats it, and Wood says the Words do not bear that Sense.

Wiggin (another Sworn Interpreter) says the meaning of Talohomi's words are That Skee used to eat Victuals with Watson, & he (Talohomi) thinks the Victuals did him harm.

§ (53) Creek Indian Talk 3d. July 1736.

2d. Audience. 2d. Part.

At an Audience given by Mr. Oglethorpe to the Upper and Lower Creek Indians at Savannah in Georgia

3d. July 1736.
Mrs. Musgrove Sole Interpreter in the beginning of the Conference afterwards Alex. Wood and Thos. Wiggin.

Mr. Oglethorpe. Began by telling them They should tell their own People what they had heard and seen here. That he loved them and their Children and came over a great Sea from England because he heard the Spaniards had killed some of them. That he had gone down to the Spaniards & spoke strongly to them to forbear, and make the Indians Satisfaction; and carried with him some great Guns to speak to them if he should not speak loud enough. But that the Spaniards promised them Justice against the Pohoia King.

Chigillee ) and the rest express'd the greatest Content and Satisfaction. Tomo Chachi coming to the Court tho' he had then a Fever upon him.

Chigillee. Said They had been told in their own Nation that they should all have their Heads cut off here, for which reason many of their men were afraid to come. But that their Children he saw (shewing them in the Court) were not afraid to come; and he should tell the men so when he went back.

Wiggin. Says The Spaniards told them Mr. Oglethorpe would cut off their Heads. The Carolina People, that he was come to steal their Lands.

Mr. Oglethorpe. Frequently encouraged them if they had been ill used, or had heard any other Stories they should declare it, that his Ears were open to hear, and himself ready to do them right.
They said they were thoroughly convinced of the falseness of the Reports they had heard and would convince their People; but did not mention any new Stories they had heard only Chigillee said Tony Jones would tell him lies when drunk and say he threw him away.

Mr. Oglethorpe. Then You see what an Evil it is to get drunk since it makes men tell such Lies.

Chigillee. Complains that while his Creeks and the Cherokee Indians are at War. The Cherokee Traders come out on Horseback. That he has called to them, but they immediately ride back and alarm the Cherikes. He desires the Traders may not intermeddle, but leave the Indians to one another, and stay in their own Houses; that the Creeks would not hurt them. He begs Mr. Oglethorpe would send up to the English and forbid their helping the Cherikes, as they the Creeks would not let their own English Traders help them.

Mr. Oglethorpe. Before the Cherokee Traders went away I ordered them in presence of the Head Warrior never to go out against the Indians. If they did, I should look upon it as going against the English. If any man hurt any Indian let me know it.

To prevent their fomenting your Divisions I do not suffer any white man to go up to the Nation but whom I approve. I have forbid their meddling at all in your Quarrels, If they disobey I shall know what to do.

Chigillee. We have often endeavoured to intercept the Traders that would discover us and keep them till our fight was over and
then let them go or bring them safe to You.

Mr. Oglethorpe. That I fear could not so easily be done, for the
English won't be taken alive, tho' the Spaniards and French
will.

Wiggin. Says there is a Virginia Trader one Wm. Burlew who always goes
out with the Indians (55) to War and boasts that he always will
do so.

Mr. Oglethorpe )
) This Trader, tell us who it is helps your Enemies.
to Chigillee )
) He is not one of our People, I will send orders to
have him removed. Will your People hurt the Uchees?

Chigillee. No. The Uchees and we are friends, but if we meet with any
of the Cherikees we or they must die.

Mr. Oglethorpe. But We must desire the Path may be safe, for they are
coming to me. There are days enough in the Woods for blood.

Chigillee. We must kill them whenever we meet them.

Mr. Oglethorpe. The Cherikee King said to Tomo Chachi You are weak
and we are strong therefore we will not come down to the Rivers
to hurt You.

Chigillee. We made Peace with the Cherikees but they afterwards killed
our Women and Children & we can have Peace with them no more.
They talk well to Tomo Chachi but they will kill me if they
can. They are mad.

Mr. Oglethorpe. New men are come up now, and all the Mad men are
dead.

We ought all to love one another. I wish the Indians did so,
but I shall not intermeddle; and if the Indians do not love one
another, the white men shall not intermeddle.

The Traders Say. The French are fortifying the Albatams, enlarging the Fort last Autumn. Yet they promised the Indians, if they would not pull it down they would never repair it again, but instead of that had made it much stronger.

Mr. Oglethorpe. Said he should have a good man (56) Robt. Perriman in his Stead.

Mr. Oglethorpe. Told them he gave them those Shott &c. in consideration of his not abating in the Price of the Shott they had from the Traders, & added your young People will all take notice that you had a Talk at this time about my settling upon the Islands of the Sea. We give You these Presents in token of this Agreement.

Chigillee. Replied He should think of it when they got up to the Nation, but how to get up there with so many Presents he did not
not know. He should consider within himself All he had seen & heard when he got into the Woods and say a great deal when he came home & satisfy them all.

Mr. Oglethorpe. For the last thing Chigillee that You may not forget me I will give you the Coat off my own Back that You may wear it and that young Man after You. Here Mr. Oglethorpe pull'd off his Coat and gave it to Chigillee.

Chigillee. Then I will put it on immediately before your face. All I have seen and heard is fair and good. For our Women and Children I shall take Care they shall all think of it as I do. All shall be straight between us always. I was never to well pleased in my Life as with this Talk.

(57) 6 July 1736

By the Hon. Thomas Broughton, Esqr. Lieutenant Governor and Commander in Chief in and over his Majestys Province of South Carolina,

A Proclamation.

Whereas I have now received fresh advices from the Hon. James Oglethorpe Esqr. of great importance, which require the immediate consideration of the general Assembly which now stands adjourned to the first Tuesday of Sepbr. next ensuing.

I have therefore, by and with the advice and Consent of his Majesty's Honble. Council, thought fit to issue this my Proclamation, requiring all and every of the Members of the General Assembly of this Province,
a to meet at the usual place in Charlestown on Tuesday next the 13th Inst. then and there to consult and determine what may be thought necessary to be done at that time.

Given under my hand and the Great Seal of this Province the 6th day of July in the tenth year of his Majesty's Reign,

Anno Dom. 1736    God Save the King

Thomas Broughton

By his Honour's Command

James Michie Dep. Seer.

Charleston in South Carolina, July 10 1736

On Saturday last in the afternoon King Opayhatchoo of the Upper Creeks, and one of the 9 beloved Men from the Abecoes, and one head Warrior of the Cusatoes, of the lower Creek Indians, were Sent for to Come to the Governor in Council; where the said King began his Speech, which was interpreted by Mr. Thomas Wright, to the following purpose:

"That when the Commissioners had told him to come down, tho it was a great way, he resolved to come very willingly, and was arrived here in a good day, not expecting a bad day; that he was heartily glad to See the Governor and all his brothers the white people here; and as he came with one heart and one Mouth, he wished that the Traders might go abroad in peace amongst them from this place as they did before; for the white people were all one to him, he not knowing nor expecting any difference betwixt them. he did not come here for any fee, nor expected he any thing that is bad; but as he did not talk for himself,
"but for all his people, he would not have the river yt goes round to
be stopped for the carriage of Rum: that he Saw there (at Georgia)
was a Chief, and here was a Chief, all white people and all alike to
him; but that he chooses this place to deal with as his friends; That
he is a red Man, and the ground did belong to them but they had parted
with the land on this side ye River, and had no Pretention to it:
but that on the (60) other side was for the red people and their
land: That Mr. McKay had built a fort there by his consent and had
out done him; but that whoever shall build another fort on his land,
shall be a better Man than he, and that his words shall be the same
there as here, and he not be found a Liar.

(65) A Conference between Mr. John Wesley &c and the Chickessaws in
Georgia. Anno 1736.

10 July 1736 Monday July 10, five of the Chickessaw Indians came to us, & Mr.
Andrews their Interpreter. They were all Warricurs, four of them Head
Men of the Nation, & two Chiefs, Postubee & Mingomawtaw, the substance
of our Conference was as follows.

Quest. Do You believe there is one above who is over all?
Postubee answer'd, We believe there are four beloved things above, The
Clouds, \textbf{thx} The Sun, The Clear Sky, & he that lives in the Clear Sky.

Q. Do you believe there is but one lives in the Clear Sky?
A. We believe there are two with him, three in all.

Q. Do You think he made the Sun & the other beloved things?
A. We can not tell; who has seen?
Q. Do You think he made You?
A. We think he made all men at first out of the Ground.

Q. Do You believe he loves You?
A. I don't know, I can't see him?

Q. But has he not often saved your life?
A. He has; I have had many Bullets gone on this Side, & this Side, but he would not let them hurt me; & these Young Men have had many Bulletts that went into them, but still they are alive.

Q. Then he can save you from your Enemies now?
A. Yes! but who knows if he will have Mercy? We have So many Enemies now all round about us, that I think of nothing but Death; & if I am to die, (66) I shall die, & I will die like a man; But if he will have me live, I shall live tho' I have ever so many Enemies: He can destroy them all.

Q. How do you know that?
A. From what he has done, when our Enemies have come against us, before, then the beloved Clouds came for Us, and often Much Rain, & some times Hail has come upon them, & that in a very hot day. And I saw when many French & Checktaws & other Indians came against one of our Towns, and the beloved Ground made a Noise under them, & the beloved ones in the Air behind them, & they were afraid & all went away, & left their Meat & Drink & their Guns; I tell no Lie; all these saw it too.

Q. Have you ever heard such noises as other times?
A. Yes, often; before & after almost every Battle. (here Mr. Andrews said he had often heard them himself, & so had all the Traders.)
Q. What sort of noises were they?
A. Like the Noise of Drums, & Guns & Shouting.

Q. Have you heard any such lately?
A. Yes; four days after our last battle with the French.

Q. And then You heard nothing before it?
A. The Night before I dream'd I hear'd many Drums beating up there, & many Trumpets there, with much stamping of Feet & shouting: till then I thought we should all die; but then I believed the beloved ones were come to take our part: And ye (67) next day I hear'd about 100 Guns go off, before the Battle began, (as did the said Mr. Andrews) And I said when the Sun is there, the beloved ones will help us, & we shall conquer our Enemies & we did so.

Q. Do you often think & talk of the beloved ones?
A. We think of them always, wherever we are, we talk of them & to them, at home, abroad, in peace, in War, before & after fight, & indeed whenever & wherever we meet together.

Q. Where do you think your Souls go after death?
A. We believe the Souls of Red Men (that is Indians) walk up & down near the place where they die, or where their Bodies lie; for we have often heard Cries & Noises near the place where any Prisoners had been burnt.

Q. Where do the Souls of White Men go after death?
A. We can not tell, we have not seen.

Q. Our (viz. the white Men's) belief is, that the Souls of bad men only walk up & down, but that the Souls of good men go up.
A. I believe so too, but I told you ye talk of the Nation.
Mr. Andrews. — You know what they (the Indians) said at the Burying of Mrs. Boocy, viz. that they knew what you was doing; you was speaking to the beloved ones above to take up the Spirit of the Young Woman.

Q. We have a Book which tells us many things of the beloved ones above, which you don't know; would you be glad to know? (68)

A. Our Enemies are all about us, we have no time now but to Fight; if we should ever be at peace, we should be glad to know.

Q. Do you expect ever to know what the white men know?

Mr. Andrews — They told Mr. Oglethorpe they believe the time will come, when the Red & white men will be one.

Q. What do the French teach you?

A. The French Black Kings (The Jesuites) never go out; we see you walk about; we like that, that is good.

Q. How came your Nation to ye knowledge it has?

A. As soon as the Ground was sound & fit to stand upon, it came to us & has been with us ever since; but we are Young men; if our Old Men were here they could tell you more of these things. There are only a few, whom the beloved one chuses from a Child, & is in them, & takes care of them; & teaches them & they know these things; & our Old Men practice, therefore they know; but I do not practice, therefore I know little.
Charlestown

The Speech of the Honourable Thomas
Broughton Esqr. Lieutenant Governor &c.
To the Honourable the Common's House
in General Assembly met July 12. 1736.

Mr. Speaker & Gentlemen,

I Flatter'd my self, there would have been no occasion to call you again together, so soon in so inclement a Season, & after so late an Adjournment, but the Letter & Papers I have lately receiv'd from the Hon. James Oglethorpe Esqr. are in the opinion of his Majesty's Council & mine, of such Importance, as to make the sitting of the General Assembly, absolutely necessary at this time.

The several matters contain'd in those dispatches shall be forthwith laid before you, for your consideration.

I earnestly entreat, you will, when you deliberate on the same, let all your proceedings be mild & becoming the Representatives of this Province, whose Rights & Properties are at this time in a great measure under your Care, the Preservation of which ought to be inviolable, nothing being so truly valuable to British Subjects, as the free Enjoyment of their Birth Right, which I am persuaded will induce you to proceed with Unanimity & Dispatch, & am assured nothing can more justly recommend you to his Majesty's Favour, than the due support & maintenance of the Laws in Force, by wch. Rule only his Majesty is pleas'd to be guided, & wch. alone can make this Province happy.

A convincing argument that our most gracious Sovereign's Paternal Care & Affection, extends equally to all his Subjects.

Thomas Broughton
To the Hon. Thomas Broughton Esqr.
Lieutenant Governor, Captain General, &
Commander in Chief in & over His Majesty's
Province of South Carolina.

May it please your Honour

We his Majesty's dutifull Subjects the Commons met in General
Assembly in Obedience to your Honour's Proclamation for that Purpose,
return your Honour our most hearty Thanks for your kind Speech to us on
this Occasion, & we take leave to assure your Honour, that notwithstanding
the Inclemency of the Season, as well as the Inconveniency of being
absent from our several Habitations at this time of the Year, we are
now met with Hearts well disposed to joyn with your Honour & his
Majesty's Council, in promoting any Measures that may testifie our
disposition to act as most faithfull Subjects to his most sacred
Majesty, & that always with the inviolable Regard wch. on every Occasion
we ought to exert, to preserve the Enjoyment of the just Rights &
Priviledges of British Subjects, in which as we are always assured of
his Majesty's most gracious Protection, so we can make no question of
your Honour's Countenance & Concurrence, & also the same from his
Majestys Honourable Council.

Paul Jenys, Speaker.

(73) Copy of a Letter from Mr. Paul Amatis to the Trustees Dated at
Savannah 12th July 1736. (Written in French, so not copied.)
Chickesaws Indian Talk 13 July 1736.

1st. Audience.

At an Audience of the Chickesaws at Savannah in Georgia July 1736.

Present

James Oglethorpe Esqr,

Andrews and T. Jones

Interpreters.

The Chickesaws first produced their Commissions whereby it appeared they had been declared Subjects to the King of Great Britain by the Governors of Carolina and were as such intituled to the Help and Protection they sought for.

Postubee ) We are come a great way to see You. The Sun was very hot and burnt our Heads, and we wanted Water, yet we would come. We have many Enemies, and beg Powder and Shot.

Chief of the Chics. )

Another Chic. Chief ) My Brother my Chief, your Powder and Bullets are Mingo bemingo ) Warriors, they kill their Enemies.

We walk about very poor, we want Guns.

Postubee. We are come a long way to see our Elder Brothers, the Beloved men, the Scotch Warriors, and the Black Kings. So the French teach them to call the Clergy.

I have seen Charles Town before, but I now come to see You, and like this Place exceedingly.
Mingo bemingo. We heard You was a Red Woman's Child; Tonny Craig, Tomee Wright, Billy Greg, and Kilkenny told me so, but now I have seen you, I believe you have as white a body as any in Charles Town. (78) They told us many Talks, but You see we did not believe them.

Mr. Oglethorpe. I am a Red man, an Indian in my heart, that is I love them; do they love me the worse for that?

Postubee. We believe You are a Red man in your heart. We have brought our Wives and Children to see you too.

Mr. Oglethorpe. Is there any thing You want to see or to have?

Chickesaws. We are come and have seen You. Our Horses are at Savannah Town, and for ought we know may be lost; yet we will not go till 2 or 3 days hence. We must first have another Talk.

Having shewn an Inclination to see the Light house at Tybee, they were asked whether they chose to go today; they doubted whether they should have time till Mr. Oglethorpe proposing it.

Chickesaw ) Said, Why then we will go to see the great House and
Mingo bemingo ) the great Water. Nay, if You bid us, we will go

over it.

Mr. Oglethorpe. I wish some of your young Men would have gone over then
with me; for they might have had help against their
Enemies.

Mingo bemingo. We are come into our own Town and our own People, and
had we not so many Enemies we would stay here till Winter. But
I have an old woman to my Wife, and I believe every man would take Care of his Wife, and therefore I would go as soon as possible.

The People of Savannah Town said I was going to a French Town and a French man. I told them if they were such, I should die quickly. That I was an old man, and it was time for me to die. The Creeks, Chickesaws, Obehatchee and the white men all told us so. That we should be tied, and never return. But we have seen You and are Satisfied.

The great Talk is given out, we have a great many smaller Talks.

Mr. Oglethorpe. Tomorrow by break of day I will be with You and hear them.

Mingo bemingo. We heard of Georgia in our own Country. They have a great many Talks at Savannah Town, They told us You were French, the Abeenchee King said so; but we were resolved to take your Talk & we have taken it. My Heart is glad as Yours. You shall have the rest of our Talk tomorrow.

(81) Chickesaws Indian Talk 13th July 1736.

2d. Audience.

Savannah in Georgia

13th July 1736.

Andrews & T. Jones

Interpreters.
Chickesaws. We are come a great way thro' deserts without water in the hot Sun. We are glad to see you and all the beloved men here together. We rec'd a great Letter from the great Mico. We come to You our Mico for Assistance. We have had Ammunition from the French but have none now. We want Powder and Bullets. 'Twas the English first came to our Nation, not the French. We can't tell You the Names of all our Enemies, there are so many of them.

The Choctaws, Tomassaws, Movilles and Tomos (these not concerned in the late Invasion).

The Yungusees, Tomolohaws (commonly called Ilonois) Newtowee and Wrawtonoo; these with the French that have just now fallen upon us.

700 men came into our Towns twice, but have not killed us all, for some You see are alive yet. The French have Forts in all of these Nations and keep them always in readiness to send against us.

A long time ago we heard from the great Mico. They promised us white men & Arms and to send us white men and writings. (82) The People of Carolina promised them too, but never sent them. We ask nothing besides Powder & Bullets, but You have a Heart.

Mr. Oglethorpe. Have You any Friends?

Chickesaws. None but what are here. But \(\text{ what were we to tell You all our Enemies, that Paper (pointing to him that took down Notes) would not hold them all.} \)

The French say your Powder makes no Noise, your Balls drop down
as soon as they come out of the Guns.

Mr. Oglethorpe. As to that, let some of your young men try and see whether the Powder we give You is good. Take the good and leave the bad.

Chickesaws. We know it will be good if you give it us. We will not look upon it. The French told us so, but we did not believe them.

Mr. Oglethorpe. But You had better look upon it, lest it should be damaged by coming over the great Water.

Chickesaws. Then we will.

Mr. Oglethorpe. This was needfull to talk of. If You have any thing else say it.

Chickesaws. We are but so big (making a small Circle with his Fingers)
You English are so big (making a larger) but the French are quite round us all (stretching out his Arms) and kill us like Hogs or Fowls.

a Mr. Oglethorpe. Are the Cherikees your Friends?

Chickesaws. They and they only. The Creeks are almost our Friends, the Alhamas Indians are entirely French. (83)

b Mr. Oglethorpe. Are the Chocktaws as much your Enemies as ever?

a Chickesaws. No. The Chocktaws came not against us in the late Invasion, except some Straglers.

Mr. Oglethorpe. Till I can get You more Help can any come to You from the Cherikees?

Chickesaws. We do not know. They are Red People. You know what You can do.
Mr. Oglethorpe. Which of the Cheroke-Towns were most friendly to You?

Chickesaws. Tannasee and Great Talliguoc were our beloved Towns, till the Creeks killed their Chief Warrior.

We are told the French will bring great Guns to us, but we do not believe they can.

Mr. Oglethorpe. They can't bring them, but they can bring something like them (Granados here described) Therefore it is dangerous to keep within Pallisadoes. I was bred to War, and know these things. I will throw one of them before You. In our Wars with them, we have come so near the French as this Room is wide, and yet could not come quite close. Then we threw these things. I have taken them up and thrown them back again.

Chickesaws. But the French tell us You have none of them.

Mr. Oglethorpe. That You shall see. They are dreadful if a few men get into a little Place. Then, if they are thrown, the men can't help themselves.

Chickesaws. We say the same.

Mr. Oglethorpe. 'Twas thus the French caught the Notches in a House, and then they (84) could make no Resistance. Keep in the open Fields, a good Tree these things can't get through.

(85) 17 July 1736

To the King's Most Excellent Majesty.

The humble Petition and Representation of the Council and Assembly of Your Majesty's Province of South Carolina.
May it please Your Majesty

We Your Majesty's most Dutifull and Loyal Subjects the Council and Assembly of Your Majesty's Province of South Carolina now met in General Assembly at Charles Town in all Humility beg Leave to approach Your Sacred Person and to return our humblest Thanks for the many Instances of Your Majesty's Paternal Care and Goodness extended to us Your Majesty's faithfull Subjects and to repeat the Assurances of our sincere and inviolable Attachment to Your Most Sacred Majesty's Person and Government and that of Your Majesty's Illustrious House and at the same time humbly to implore the Continuance of Your Majesty's Royal Favour and Protection.

Your Majesty's Subjects the Inhabitants of this Province with Hearts full of Gratitude being highly sensible of the many Instances of Your Princely Care and Concern for the Safety and Happiness of all Your People think themselves under the greatest Obligations to acknowledge the just Sense they have of Your Majesty's Goodness in establishing the Colony of Georgia by Your Royal Charter for the Relief of many of Your Majesty's poor and indigent Subjects for the Security and Defence of the Frontiers of Your Majesty's Dominions in North America and for the increasing & extending of the British Commerce. In furtherance of which Your Majesty's most Gracious Intentions the People of this Province excited by Your Majesty's great Example exerted their utmost Ability in assisting of that new Settlement with Supplies of Men and Money and in performing all other Offices of Friendship and Humanity In Consideration whereof Your Petitioners had the greatest Reason to expect that the Inhabitants of Georgia would on all occasions
have testified their good Disposition to have lied in Friendship and to have preserved a good Understanding with Your Majesty's Subjects in South Carolina. But it is with the greatest Grief and Concern that Your Petitioners find themselves constrained from the repeated Injuries received from the Magistrates and People of Georgia to make their Conduct known to Your Majesty, a Conduct which if pursued in all appearance will endanger not only the Peace and Tranquility of Your Majesty's Subjects in this Province but also of other Parts of North America.

It is upwards of Seventy Years since our Ancestors faithfull Subjects of Your Majesty's Royal Predecessors moved with a pious and laudable Zeal for the propagating the Christian Faith and Knowledge and enlarging the British Empire and Dominions (at their no small Expence and hazard and without any Burthen or Charge to the Crown or Kingdom) undertook the planting a Colony of British Subjects in this Province, in which thro' the Blessing of Almighty God and the favour and Indulgence of Your Majesty and Your Royal Predecessors & their Industry Care and Economy they formed an Establishment from whence they have grown and become a People of no inconsiderable Trade and Commerce and as they humbly hope of some advantage to Great Britain not only in the Consumption of their Woollen and other Manufactures but also in the Extention of the British Trade and Empire several hundred miles among the Native Indians.

We humbly pray Leave to add that the Security and Wellfare of this Province (next under God and the Wisdom and Goodness of Your Majesty) hath been owing to nothing more than the Regulations which from
time to time have been established by the Legislative Authority of this Province derived under the Crown of Great Britain with regard to the Trade and Commerce carried on from hence with the several Nations of Indians almost surrounding us and that it is by these means alone that we have been able to preserve a General Peace and Friendship with them for upwards of these twenty years past.

That before these Regulations took place Your Majesty's Subjects of this Province were under great difficulty to preserve at best but a precarious Peace and Friendship with the Indians and this alone has had the principal attention of the Legislature of this Province as they have ever found that to cultivate a Harmony and good Understanding with the Indians was a matter of the last consequence to the Province. To this end have all our counsels been directed and having at length by the experience of many years found it necessary we established these Regulations which at present subsist for carrying on an open and free Trade and Commerce with those Indians as best conducive to preserve Peace and Friendship with them.

We humbly beg leave further to represent to Your Majesty that we had good reason to hope and expect that agreeable to Your Majesty's Royal Intentions the Settlement of the Colony of Georgia would have tended as well to the further security of Your Majesty's Subjects of this Province against the Indians as to the private advantage & Emolument of that Colony by their acting in concert with Your Majesty's Subjects of this Province in all affairs with the Indians and this we judged the more reasonable as we humbly conceived that from a long and careful observation of events we might be supposed to be better
acquainted with the nature Customs Dispositions and Views of the Indians than Your Majesty's Subjects of that Colony from their short standing could possibly be at least we expected they would never act in such a manner as to exclude Your Majesty's Subjects of this Province from any Commerce with the Indians nor offer to impose upon us such Terms as would be too grievous a Burthen to be born and which would in effect amount to an Exclusion not only from the Trade but in consequence of it from all manner of Correspondence with the Indians and of all means of treating or negociating with them for the Common Safety.

But instead of finding these reasonable Expectations answered a very different Conduct is observed by the Gentlemen who have the Administration of Affairs at Georgia which will effectually exclude Your Majesty's Subjects of this Province from any sort of Commerce with the Indians tho' without such a Commerce 'tis impossible to secure our Interest amongst them or to provide for the Safety of the Province.

For We beg Leave to acquaint Your Majesty that the Magistrates or those who are in the Exercise of Power at Georgia assume an Authority of obliging all Persons whatever tho' residing in other Colonys to go thither and to take out Licences to Trade with the Indians and of threatening to imprison such of Your Majesty's Subjects of this Province And to Seize and Confiscate such of their Goods as shall be found in the Indian Nations without Licence first Obtained from Georgia notwithstanding such Persons are or may be Licenced from this Province and have given Bond here for the Observation of all the necessary Regulations which the Laws of this Province require which Laws were previously made and are the same in Substance with those the Traders from Georgia are
obliged to observe contrary as we humbly conceive to your Majesty's
gracious Intentions and the Rights and Liberties of their fellow Subjects. And the better to accomplish their Designs they have sent an
armed force into the Indian Country to be employed against your
Majesty's Subjects of this Province a proceeding which unless speedily
prevented by your Majesty's most gracious interposition may be of the
most fatal consequence and may give such umbrage to the Indians by
nature jealous that this Province as well as Georgia may soon be in-
volved in Blood and Confusion.

Permit us most gracious Sovereign further to lay before your
Majesty that in this your Province are near fifteen thousand souls of
the white Inhabitants Subjects to your Majesty whose safety in a great
measure depends on the well conducting and management of Affairs with
the Indians. But under colour of the Act past by the Trustees of Georgia
for preserving Peace and friendship with the Indians and which your
Majesty has been pleased to confirm an Authority has been assumed under
the sanction of your Royal Name and matters have been so ordered by the
Magistrates and those who are in the exercise of power in Georgia that
the lives and Fortunes of many of your Majesty's good Subjects will be
endangered than which we are assured nothing could be more distant from
your Majesty's gracious Intentions when you was pleased to confirm that
Act and we beg leave in all humility to say that we cannot conceive that
the Act so confirmed by your Majesty can give any countenance to the
People of Georgia to take upon themselves the sole management of Indian
Affairs for several of your Majesty's Colonies in North America.
A task to which a People so lately settled in America and so little
acquainted with the Customs and Manners of the Indians cannot reasonably be supposed to be equal and who have very lately given by the ill management and conduct of their agents & officers too flagrant proofs of their insufficiency in matters of so great importance to the peace & security of your majesty's subjects.

We doubt not that your majesty in your great wisdom will consider that a rash or imprudent step taken in any one of your majesty's colonies with respect to the indians may embarrass all the rest. the indians possess the inland parts throughout the whole continent of north america and 'tis a known and avowed principle amongst them that an injury done by one man of any nation is to be revenged on the whole. from these considerations and from your majesty's known justice and repeated assurances of preserving all your majesty's subjects in the uninterrupted enjoyment of all their rights & privileges we are encouraged to think that the above mentioned law was only intended by your majesty to regulate the persons who should trade with the indians from your majesty's colony of georgia and was not designed to prohibit your majesty's subjects of this province from trading with the creek cherokee and other nations of indians in friendship with them without their being obliged to take licences from georgia when they were before under the same regulations by the authority of the laws of this province and this we are further induced to believe as your most sacred majesty was graciously pleased by the right honourable the lords commissioners for trade and plantations to enter into a treaty of friendship and commerce with the heads of the creek indians at london (21) on the seventh day of december in the fourth year of your majesty's most auspicious
Reign and thereby to declare "That Your Majesty had ordered Your People and Children the English in Carolina to Trade with the Indians and to furnish them with all manner of Goods they should want/to make haste to build Houses from Charles Town towards the Towns of the Cherokees behind the great Mountains, and that that Treaty of Peace and Friendship between the English and Cherokees should continue as long as the Mountains or Rivers should last or the Sun should shine." And also from a Treaty of Friendship and Commerce of the same Import made and entered into by his Excellency Robert Johnson Esqr. late Governor of this Your Majesty's Province soon after his Arrival in this Province in the name of Your most Sacred Majesty with the Kings and Headmen of the Upper and Lower Nation of Creek Indians which Treatys are as We humbly apprehend hitherto Subsisting and in their full force and are so understood to be by those Indians. As the preserving the Peace and Friendship with the Indians towards all Your Majesty's Subjects and thereby an exclusion of all Foreign Powers from any Interest among them is as it ever has been Ours so it ought to be the Principal Aim and Intention of all Your Majesty's Provinces from which any Trade is carried on among them And as it was not necessary to the obtaining these good Ends so it seems not to have been Your Majesty's Royal Intentions that Your Subjects of one Colony should be laid under the very great hardship of travelling two three or four hundred miles (for so much and more are some of Your Majesty's Subjects who Trade among the Indians distant from (92) the Town of Savannah in Georgia) to take out a Licence and Enter into Obligations to Observe the Rules and Regulations prescribed in another Province when the same may be as effectually done and with much more
ease to Your Majesty's Subjects in the respective Provinces from which the Trade is negoiciated and for which with regard to this Province effectual Care for many Years past hath been taken and is by the Laws now in being enacted and passed by Virtue of Your Majesty's Royal Authority.

Your Majesty will be graciously pleased further to give us Leave on the reiterated Complaints of Your Majesty's Subjects of this Province to the Legislative Powers thereof humbly to lay before Your Majesty the violent and as We humbly conceive unjustifiable Proceedings of the Magistrates of Savannah in Georgia in infringing the natural Rights and Liberties of Your Majesty's Subjects of this Province by Stopping their free and open Navigation of the River Savannah and preventing their carrying their Goods and Merchandize up the same into other Parts of this Province Your Majesty hath indeed been graciously pleased by Your Royal Charter for establishing the Colony of Georgia in America "To give and grant to that Corporation and their Successors (under the Reservations Limitations and Declarations thereinafter expressed) Seven undivided parts the whole into eight equal parts to be divided of all those Lands Countries and Territories Scituate lying and being in that part of South Carolina in America which lie from the most Northern Stream of a River there commonly called the Savannah all along the Sea Coast to the Southward unto the most Southern Stream of a certain other great Water or River (93) called the Alatamaha and Westward from the Heads of the said Rivers respectively in direct Lines to the South Seas and all that Space Circuit and Precinct of Land lying within the said Boundaries with the Islands in the Sea lying opposite to
"the Eastern Coast of the said Lands within twenty Leagues of the same
which are not already Inhabited or Settled by any Authority derived
from the Crown of Great Britain Together with all the Soils Grounds
Havens Ports Gulphs and Bays &c. Rivers Waters Fishings &c. Jurisdictions Royaltys Franchises Privileges & Preheminences within the said
Territories and the Precincts thereof and thereof in any sort
belonging or appertaining." By which We humbly apprehend Your Majesty's
Royal Intention was that the River Savannah should be the natural
Boundary between the two Provinces without ever intending to debar Your
Majesty's Subjects of this Your Ancient Colony from the free and open
Navigation thereof into all Ports and Places within this Province lying
on the North side of the said River since Your Majesty by Your Royal
Charter hath only been pleased to Grant to the said Corporation the
Lands Territories Rivers Ports &c. lying from the most Northern Stream
of the River Savannah along the Sea Coast to the most Southern Stream
of the River Alatamaha which we humbly conceive does not amount to a
Grant of the Sole Navigation of the River Savannah to the said Corpora-
tion in exclusion of all other Your Majesty's Subjects or that it was
ever so intended by Your Majesty and more especially since the Naviga-
tion of that River is so absolutely necessary to the well being of all
the Southern Parts of this Your Province and particularly to Your
Majesty's (24) two Townships of Savannah Old Town and Purrysburgh laid
out on the North Side of the said River in the first of which is a Fort
and Garrison built upwards of twenty Years ago, near three hundred
miles back from the said River's mouth and maintained at the Sole Expence
and Charge of the Inhabitants of this Province for Securing that part of
Your Majesty's Dominions & protecting the Out Settlements of this Province and in which there are now living about one hundred Inhabitants and in the other namely Pursyshurgh reside upwards of one hundred Familys of poor Swiss and other Protestants in settling and maintaining of whom pursuant to Your Majesty's Instructions has been already expended by this Province upwards of thirty thousand Pounds of this money.

Notwithstanding which the said Magistrates and Officers at Savannah in Georgia have assumed under Colour and pretence of an Act of the Trustees for establishing the said Colony of Georgia intituled "An Act to prevent the Importation of Rum and Brandy's in the Province of Georgia" and approved by Your most Excellent Majesty in Council a Power of Staving and destroying all Rum found in boats and Pettiaugusas passing on the said River to the other parts of this Province And under pretence of Search for such Rum Stop and detain the said Boats and Pettiaugusas when in truth such Boats and Pettiaugusas to which such Violence has been used were not bound for Georgia nor was the said Rum intended to be imported into the same but was bound up the said River with other Goods and Merchandizes to the said Savannah Old Town and Fort Moore and had the Lieut. Governor's Licence and Permit for that purpose for the use (95) of Your Majesty's Garrison and other Inhabitants within this Province And that it was known and acknowledged by the said Magistrates that the said Boats and Pettiaugusas were bound into this Province Yet nevertheless the said Magistrates regardless of their Duty to Your Majesty the Obligations they were under to this Province and the natural Rights and Privileges of their Fellow Subjects with force compelled several Boats belonging to the Inhabitants of this Province
passing up the said River to Your Majesty's Forts and Towns within this Province about their lawful Employments to Stop and bring to at the said Town of Savannah in Georgia and there under pretence that such Boats and Rum were found in the Waters of Georgia Stave and Destroy the said Rum and compel the Masters of the said Boats to enter into Security to appear at their next Court altho' the River on which the said Boats were Siozed is the only Water Passage to the said Savannah Garrison and the Town of Parrisburgh And is one of the Boundaries of Georgia and consequently not within the Precincts or Limits of Georgia To the very great Injury Loss and Damage of Your Majesty's said Subjects of this Province and in manifest Violation of their Rights and Privileges and in Breach of the Laws of their Country as well of those of Nature and Nations And for which notwithstanding repeated Applications have been made by this Government to the Magistrates in Georgia no Reparation has been had or obtained from whence We have been necessitated humbly to represent these Proceedings to Your Majesty for Relief and Redress therein.

(96) And for the preserving and maintaining the Indians in Your Majesty's Interest We further humbly beg Leave to represent to Your most Sacred Majesty that altho' Your Majesty in Your Royal Wisdom has been pleased to confirm a Law of the Trustees of Georgia to prohibit the Importation and Use of Rum and Brandys in the said Province of Georgia yet we are not apprehensive it was your Majesty's Intention that the moderate use of Rum should be inhibited Your Majesty's Subjects in this Your Majesty's Province of South Carolina or among any Nations of free Indians with whom we carry on any Trade or Commerce since such a General Inhibition would tend to the great prejudice of Your Majesty's
Subjects of this Province as a moderate use thereof we have found by many years Experience to be of great Advantage to the Healths of Your Majesty's Subjects and should Your Majesty's Subjects of this Province trading with the said Indians be forbid to carry any Rum among these Indians much the greater Number of whom are desirous to have Spirits brought among them We humbly take Leave to acquaint Your Majesty that We apprehend it would put the Indians upon seeking it from the French and Spaniards who can very easily Supply them with the same than which nothing would prove more effectual to carry those Nations of Indians with whom we now Trade into the French or Spanish Interest. And this We can with the greater Certainty lay before Your Majesty as this Province did several Years ago by an Act of Assembly then passed prohibit the use of Rum among the Indians But after some Years Trial it was found expedient (97) to let that Law expire which hath never since been revived lest it should give the French and Spaniards an opportunity to Supply them with the Liquor We had prohibited and so much desired by them.

Thus may it Please Your Majesty We have presumed in all Humility to represent the State and Grievances of this Your Majesty's Province with regard to the Colony of Georgia humbly to implore Redress therein Beseeching Your most Sacred Majesty that You will be graciously Pleased to Declare the Rights and Liberties of Your faithful Subjects of this Your Province to an open and free Trade with all the Nations of Indians in Amity & Friendship with Your Majesty's Subjects according to the Regulations for the
same by the Laws of this Province without being Subjected to the Laws or Regulations of Georgia And that the Passage of the River Savannah may be Declared to be free and open to all Your Majesty's Subjects of this Province And that the Magistrates of Savannah in Georgia may be Ordered to make Reparation to Your Majesty's Subjects of this Province for the Injuries they have done in Seizing and destroying their Goods And that Your Majesty will be graciously pleased to give such Orders and Directions to the Trustees for establishing the Colony of Georgia that (98) Violences of the like Sort may not be committed for the future or take such other measures as to Your Majesty in Your great Wisdom shall seem meet.

And Your Petitioners as in Duty bound shall ever Pray &c.

In the Council Chamber 17th July 1736.

By Order of the Board

Wm. Bull.

In the Commons House of Assembly 17th July 1736.

By Order of the House

Paul Jenys Speaker.

Sir

After a man's Duty to God almighty are performed, I think his next Grand Obligations are to his king & Country, wch. Consideration induces me to lay my thoughts before you, on a Rumour lately brought from Cha. Town, in regard to ye Importance yt. I apprehend ye Settlement of ye Chateluchee River may be of to these parts of his Majy.'s dominions.

We hear in ye Country yt. there is like to be some Difficulties between ye two Crowns of Gr. Britain & Spain, in Settling ye boundarys between us & ye Spaniard, a matter wch. howsoever it might be thought of elsewhere is in my opinion of vast importance to ye British Interest in America, and therefore should be well considerd, lest by bringing ye Boundary line too far to ye Northward, we should lose those advantages wch. is now in our power to obtain, & wch. if we now omit, it will almost be impossible for us ever to regain hereafter.

'Tis rumourd yt. ye Alatamaha River is to be ye Boundary as far ye as/head thereof, and from thence by a West line to be struck to ye South Seas, but this I hope is only rumour, I am Sure it can only be So wth. those who are unacquainted wth. ye Situation and importance of those Countryes that lie Southward West of ye Alatamaha, and ye Claim and pretentions the English have to them. By ye Charter of King Charles 2d to ye Lords proprietors of Carolina, the latitude of 29° dep. was fixd as the Southern Boundary (103) wch. you very well know includes ye Settlement of St. Augustine itself, and if you please to look in
Capt. Nairn's map of Carolina wch. I here enclose to you, (least you should not have one by you) you'll perceive that it also includ the mouths and Entrances of ye Apalachee, Catahuchee, and almost all ye other Rivers yt. empty themselves into ye Gulf of Mexico to ye Eastward of ye Mississippi River, whereas should ye Alatamaha be Settled as a Boundary we Shou'd thereby lose at least one hundred Miles extent of Dominion; this atlantick Sea, & wt. wod. in process of time be of infinite worse consequence to us we Shou'd be excluded from the Mouths of those Rivers aforement'd wch. would effectually hinder the Settlement of the Inland Shores, of those Rivers by ye English; for if ye Alatamaha must be ye boundary to ye head thereof, and a west line to lee Struck from thence to ye South Sea, it will certainly (104) render those parts of ye Chatahuchee wch. lie to ye North of that line, of no manner of Consequence to us. Since it will be in ye power of ye possessor of the mouth of that River, wholly to command ye Navigation of it: and you very well know yt. wth. out trade & navigation no English Colony on ye River cod. Subsist, or maintain themselves for any considerable time in any tolerable degree of Reputation among the Native Indians; therefore I can never imagine there is any Grounds for ye report of ye Alatamaha's being ye boundary. But if there is any inevitable necessity hanging over us to oblige us to submit to it; if from ye head of ye most Southern branch of that River, instead of ye lines being run west into ye South Sea, it shou'd be run due Sough into ye Gulf of Mexico, it wod. leave us ye Navigation of ye Chatahuchees free & undusturbd; but I had much rather see ye Spaniard wholly excluded (105) from ye Florida Shore, than that ye English shou'd consent to give up one foot of their
Claim to this part of ye world.

T'is a policy I conceive should be readily adhered to by ye English not to give up to any other European Nation any Port on this Eastern Sea; & should we leave any considerable Port or even an indifferent one on this shoar, in ye hand of any other European prince, they wou'd not only have it in their power in case of a war, with greater facility to invade us from thence, but wou'd also in time, were they so minded, distress our trade from Jamaica & ye Bahamas, & wholly command ye Navigation thro' ye Gulf of Florida. And when they are once masters of these Seas, it is easy to foresee they will extend their views, & in time make themselves masters of ye Land also. T'is for these reasons we shou'd never consent to ye Spaniards encroachments any way to ye North or west of St. Augustine, and ye same reasons will hold good for our making ourselves masters of all the Ports and Rivers in ye Gulf of Mexico yt. lie to ye East of the Missipi; but if it shou'd be objected that these Rivers lie at present much out of ye way, and yt. ye danger is too far distant to justifie the running any considerable expence to prevent it, let it be remembred yt. not a Century & half ago, America itself was not accounted of much Consequence, and the possession thereof to ye European princes was lookd upon as a very trifling Acquisition to their power & Dominion, tho' at this day it is viewd in a quite different light; and tho' it lay long neglected, t'is now it wou'd be a cheap purchase if the French king cou'd obtain a considerable port or two on ye Eastern Sea, even at ye Expence of a whole year's revenue of all their Dominions.

The last year I had ye honour to be appointed by this Governmts.
as Commr. of ye Indian trade to p.form an agency to ye Creek Nation, and during my stay among ye Creeks, I took care to inform my self in ye best manner I cod. of whatever I thought might concern ye British Interest in those parts. In my Journey thither I crossed 5 or 6 Rivers, before I came to ye Nation, and rode thro' a Body of good rich Lands for near two hundred Miles in length, among wch. there was hardly any intermixture of that wch. cod. be call'd Bad, & after a journey of about four hundred Miles from Cha. Town I came to ye Catahuchee River, wch. I have before mentiond, a place & Country by far ye pleasantest I have seen in America, altho' I have been in Sevl. other parts besides Carolina; but ye pleasantness and agreeableness of the Situation, is ye least part of its value, it's exceeding richness & fertility of Soil, & it's being capable to produce every necessary of life, is wt. makes it's value inestimable. (108)

Upon this River, wch. is navigable, as I am inform'd to ye upper Creeks, live ye lower Creek Nation, & from whence ye Indians sometimes go down to ye Sea, and as I was informd from some of ye Indian Chiefs, who had been down ye River, it takes them up a whole month to return in their Canoes, from whence I conclude, that from ye Catahuchee, where I receivd this information, it was 200 or 250 Miles down to ye Sea.

This River after watering a fine Country emptys itself into ye Bay of St. Josephs in ye Gulf of Mexico, as I have already observed, & is, in my opinion, by much ye most deserving consideration of any River yt. falls into that Gulf; not ye Mississippi itself, tho' it leads into a much greater extent of Country, excepted. For ye Mississippi is (as I am inform'd by one Capt. Hen. Isaac an English man, but who had
lived many years among ye French on the Mississipi, & who I found among the (109) Creeks) so very shallow & full of Flats at it's mouth, & it's stream is so exceedingly rapid, yt. it's navigation is rendred very difficult. But ye Catahuchee River (as I am told) has 10 or 12 fathom water at it's mouth, & carries it's depth a considerable way up in ye Country, & is adorned wth. Several Noble & beautiful Islands, wch. it Surrounds, & is not now, at least was not when I was there in ye Year 1735, possessed by any Europeans from one end of it to ye other: So yt. there is no obstacle to hinder us if we were (as I hope we shall be so minded) to take possession of it.

Now some of ye advantages wch. wod. accrue to ye English by possessing themselves of this River, among many others, are these; we shoud be immediately in possession of a fine port & Harbour in this Gulf, where now we have not an inch of Territory, & here such ships as wod. use the Same, wod. lie in a Fresh water River free from ye worm, wch. so much injures ye Shipping at Jamaica & ye West Indies, & here they might be very easily Supplyd wth. masts, & all other (110) Naval Stores, & ye Country wod. very Soon abundantly supply them wth. all Sorts of provisions. And as in that Country I was informd by ye Indians they have no Hurricanes or hard Gales of wind, that even blew down their Trees, I wod. Submit it to ye Navigators, whether it wou'd not be by far a more safe & convenient receptacle for our West India Squadron than Jamaica, and whether from thence they cod. not as easily protect our Trade & obstruct ye Spanish Flats in their Voyage to Old Spain, as from Jamaica. But wt. may hereafter prove of more consequence to us by our possessing our Selves of this noble River and ye Countries adjacent is
this, it wod. render ye French settlement at Moville of little use to them, it wod. effectually prevent their encrease & spreading in those Countries, but above all it wod. be the best barrier we can possibly have agst. ye Encroachmts. of ye French on ye Missisipi; And of this the French are So Sensible, that Capt. Isaac, before mentiond, told me, yt. whilst he was at New Orleans, when (ill) the Settlement of Georgia was first begun, the French were then under a good deal of Concern about it, but as they did not know particularly where ye Settlement was intended, they concluded it must be on ye Catahuchee River, and Monsr. Bienville, ye French Genll. Sent a vessel from thence to ye mouth of ye Catahuchee to learn ye certainty of it, wth. a design, no doubt, to give wt. obstruction he possibly cou'd to it. we know by daily experience that ye unite French are endeavouring to/join their Strength, & joyn their hands from all their Settlements from Canada & ye Bay of St. Lawrence in ye North, thro' ye Missisipi & ye Gulf of Mexico in ye South, by wch. means they will in time either gain all ye Indians from St. Lawrence to ye Missisipi to their Interest, or destroy & root out all those Indians who will not come into their Interest, as they are now attempting, & t'is feared, wth. too much probability of succeeding agst. ye Chikesaws; from wch. a very possible Consequence is to be feared, that in process of (112) time, they will be able to push ye English in North America into ye Seas, unless proper Stands & Barriers be in time (even now when they are to be had) made agst. them. Another good effect wch. I apprehend wod. ensue from our making Strong Settlements on this River, wod. be, that in case of a war, we might from thence & ye Settlement at Georgia wth. ease Dispossess ye Spaniard of St. Augustine, and all ye point of Florida
which would prove of double service to us; first it would take away
that relief wch. St. Augustine sometimes affords to their plate fleet
in their passage thro' the Gulf of Florida to Old Spain, consequently
render his Catholic Majesty, less secure in his riches, and in the next
place it would effectually prevent or save us from those depredations,
which in case of a war, and even in times of peace are too frequently
made from thence on ye British subjects. (113)

In my return from the Creek Nation, I lay one night at old
Capt. Rawlins's on Edisto, he seem'd to be a man of near 70 years of
age, and had served formerly as a soldier under King William of Glorious
memory in Flanders; in my discoursing about my journey to ye Creeks, he
informed me, yt. about 30 odd years ago he lived in that nation, &
on my informing him wt. Isaac had acquainted me wth. as above, he told
me, he believed it was very true, & added yt. he was wth. Collo. Moore
in ye year 1703 in his Expedition agst. ye Apalachea, and yt. he was
down tow'd. ye mouth of ye Chatuchee, as yt. he had never before seen
so rich a Country as that was, excepting Flanders, and yt. it was a
Country in his opinion, by all means deserving of ye attention of ye
English.

I shall not fear tiring you as long as I am upon any subject wch.
I apprehend may be of service to our Country; I therefore shall not ask
pardon for detaining you (114) a moment longer on this affair, wch. I
judge of such importance, not only to this province in particular, but
to ye British interest in general in this part of America, that it
might ought to be duly considered by all those that sincerely have that
interest at heart.
If it be asked whether the English have to possess themselves of this Country, I answer, "we are not lawyers enough to determine it, but I apprehend it is sufficient for us, as it is within the bounds and limits of the Charter granted by his late Majesty King Charles 2d. to the Lords proprietors; and if King Charles had power sufficient to grant it, which I shall not take upon my Self to judge of, surely his present Majesty has right and power sufficient to possess it, his Royal predecessor had before granted, and which by his late Act of Parliament has vested in the Crown. And further as the Subjects of his Britannick Majesty did in open war under the Command of Col. Moore in the Year 1703 actually conquer the Apaches, who were the Inhabitants of that Country; and as it has never since been, nor is now possessed by any other European Nation, surely no dispute can arise, whether we have not by conquest, acquisition, or some other way, the best right to it. But alas, this right, I am afraid, will stand us in little stead, unless we exert it, and by settling a numerous Colony there of English Subjects, take actual possession of that Country, which as a true Englishman, and a hearty lover of my Country, I should extremely regret seeing in the hands of any other European power; and as the French at New Orleans have got it into their heads, we will one time or other take possession of it, I am really afraid yt. if ye English Ministry shall not think fit to do it soon, we shall be prevented by the French being before hand wth. us therein; and from whence all those Evils I have just hinted at, and many more which I have not time to enumerate, will (I pray God avert it) like a Torrent pour in upon us. (115)

I am
37

Santee July 20
1736

A True Copy
J. Bradenhop. C. C.

Charles Pinkney Esqr.

(137) August 2d. 1736. Propositions offered to the Honble. James Oglethorpe Esqr. by the Committee for the two Houses of Assembly in the Province of South Carolina; appointed to confer with him on the present State of Affairs with Georgia pursuant to the Direction of the Report of the Committee of the said two Houses of Assembly on the 17th day of July last.

As the carrying on an open and well regulated Trade with the Indians, surrounding the two Provinces of Carolina and Georgia, has by many year's Experience been found absolutely necessary to the maintaining a Peace and Friendship with them, for the Continuance thereof and for the better preserving Harmony and a good Understanding between the two Provinces the Committee propose.

1. That a certain Number of His Majesty's Subjects as shall be thought sufficient for carrying on the Trade & Commerce of the two Provinces with the Indians be licenced from both the Provinces pursuant
to the Laws thereof to Trade with the Creek Cherookee and other Nations of Indians in Friendship and Amity with His Majesty and His Subjects, and that such Traders observing the Rules and Instructions to be given them pursuant to the Laws of both Provinces, do pass and repass through the said Provinces equally unmolested.

2. For observing Decorum and good Order by the said Traders and that there be no Distinction or Difference between them, one certain Set of Instructions be agreed on by the two Provinces for the Regulation of the Traders of both.

3. That if any Agent or Commissioner is thought necessary to be sent, either to the Creeks or Cherokees or both or any other Nations of Indians from either of the said Provinces, that one certain Form of the Instructions for such Agents shall also be agreed upon by both Governments in which he shall be particularly directed in all his Talks and Discourses with the Indians and Traders from either Provinces who shall make no Distinction between the Traders, and (138) that all such Discourses shall be in the Name and on the behalf of His Majesty and for the Benefit of all His Subjects without Distinction of Provinces.

4. That such Agent or Commissioner shall be directed in all Cases and in all Complaints made to him against any Trader or Indians to act with equal and impartial Justice, as well to the Traders of one Government as the other, and that if any Trader shall commit any Irregularities or be guilty of any Breach of their Instructions such Trader shall be punished according to the Laws of that Province from which he was licenced.

5. That for the better obliging the Agent to act as is above
directed, that such Agent or Agents shall be obliged to enter into Bonds with His Majesty & take an Oath for the faithfull and due Execution of all such matters as shall be committed to his Charge, agreeable thereto.

6. That any Traders who have well behaved & who have been here¬tofore licenced to Trade with the Indians from the Province of Carolina shall on Application to the Government of Carolina have Liberty to Trade with the Indians under the Regulations herein before mentioned, and that if it be desired in the particular Town or Towns to which they have been heretofore licenced; and if it should so happen that any Trader from Georgia should be licenced for such particular Towns that such Trader be ordered to withdraw himself and his Effects within a convenient time from such Town provided that the Number of Traders licenced or to be licenced from do not amount to more in Number than the one half of all the Traders which have been usually licenced to Trade with the Indians.

7. That Orders be immediately dispatched to the Agents lately sent from Georgia into the Indian Countries directing them not to molest any of the Traders licenced from Carolina lest otherwise Quarrels should arise in the Nations, the Consequences of which may not only defeat the Design of the Georgian as the Carolina Law calculated for preserving Peace and (139) regulating Trade but also greatly endanger both Provinces by bringing on an Indian War.

8. That the Use and Navigation of the Savannah River be left open and free to all His Majesty's Subjects of Carolina to all Parts and Places within the Province of Carolina without any Interruption, Molestation or Hindrance whatsoever, and lastly, that an Agreement
pursuant to the above Propositions be drawn up and entered into by the Honble. James Oglethorpe Esqr. on the behalf of the Colony of Georgia and the Committee of the two Houses on the behalf of the Province of Carolina to subsist till His Majesty's Pleasure be declared on the Petition and Representation of the said two Houses to his most Sacred Majesty, and that the said Agreement be mutually exchanged.

J. Hamerton.
Ch: Pinkney.
Oth. Beet.

(141) Mr. Oglethorpe's letter Augst.

To the Honble. the Committee appointed by the two Houses of Assembly in South Carolina to confer upon the present State of Affairs with Georgia, pursuant to the Directions of the Reports of the said Committee of the said Houses of Assembly on the 17th of July 1736.

Gentlemen

'Twas with Joy I received the News of Your Coming up, and stayed to have the Pleasure of a Personal Conference with You; and as I have nothing more at heart than the Welfare of, and good Understanding between the two Provinces, I shall concur in all measures that tend to attain those Ends, and which are not inconsistent with the Laws of this Province. I hope the Answers I give to Your Proposals will be agreeable to both Houses, and if any Point should require farther Explanation, I should be willing to enter into it, and if it shall appear to me, that
I can proceed farther without disobeying the Laws of this Province, I shall be glad to gratify the Desires of the General Assembly.

His Majesty and the Trustees agree in opinion with You that the Carrying on a well regulated Trade with the Indians in the Province of Georgia is absolutely necessary for maintaining Peace and Friendship with them, and therefore they passed the enclosed Act, and pursuant thereto I have licenced certain of His Majesty's Subjects to trade with the Indians. I did refuse none of the Carolina Traders, who conformed to the Act; I granted Licences to none but those who had been employed by Carolina, and I gave to those Traders the same Rules and Instructions, as have been given to them by the Province of Carolina, and at your Desire shall give such farther Instructions as are necessary upon the present Emergency.

I desire that the Names of such Persons as have been licenced by Carolina may be sent up to me & then if it is proved that any Indians do live beyond, or without the Limits of Georgia, with whom these Persons shall be licenced to Trade, I will, upon the same appearing unto me, give Orders to the Officers of Georgia, not to molest those Traders in their Passage backward or forward, but to give them all proper Aid, to behave themselves in an orderly manner.

2. In answer to your second Article, I have and shall continue to give such Instructions to the Georgia Traders, as have formerly been given by the Province of Carolina to theirs: And in case any new Instructions given by the Province of Carolina to their Traders shall be imparted, and appear to me for the Benefit of the two Provinces, I will add them to the Instructions of the Georgia Traders.
3. In answer to your third, you will find in the Act the manner in which every Commissioner or Agent, that can act within Georgia, must be appointed; and it is not in my Power to repeal, or dispense with any Act made by the King and the Trustees. I shall pursuant to your Desire give Instructions to all our Officers and Traders among the Indians, in their Talks and Discourses, to make no Distinction between the two Provinces, but to speak in the name and behalf of all his Majesty's Subjects.

4. In answer to your fourth, you may depend upon it, that if any Complaints are made against any Trader or Indian, I shall act with equal & impartial Justice. And that if any Trader shall commit any Irregularity, or be guilty of any Breach of his Instructions, such Trader shall be punished according to the Laws of the Province in which such Irregularity is committed.

5. In answer to your fifth, you will find in the Act the Obligations under which the Commissioners or Agents to this Province are to lie, and the Power whereby they are constituted, as abovementioned.

6. In order to answer your sixth, it is necessary for me to know the Number and Names of (143) the Traders which the Government of Carolina have licenced, and to what Towns they are licenced.

7. In answer to your seventh, All the Traders licenced in Georgia have given Security for their good Behaviour, and there are also in Georgia proper Officers appointed, to preserve the King's Peace in this Province, and to prevent any Quarrels that may arise. And with regard to the Traders sent up by Carolina to the Indians that are not in Georgia, I doubt not but the Commissioner of Carolina takes good
Securities, which will be answerable for their behaviour. And I doubt not but he will take care to prevent any trader licenced by him from disturbing the peace of this province, by entering the same in defiance of the laws thereof. But as the western lines from the heads of the Savannah and Alatamaha rivers have not yet been run, whereby the bounds of the province of Georgia to the westward of the heads of those rivers are yet unknown; and that no dispute may arise in the Indian nations which lie beyond the same, between the traders of the two provinces, concerning the same, or the jurisdiction of either of the provinces be brought in contest, I shall dispatch orders to the agents sent up into the said Indian nations, that they do not molest the traders in those nations, already there and licenced from Carolina, until the boundary lines are settled, or His Majesty's pleasure known concerning the same.

8. The Assembly of Carolina having represented the matters relating to the navigation of the river Savannah to His Majesty it would be presumption in me to determine finally any thing concerning it; but the officers of this province must continue to act according to the laws of this province, within this province till His Majesty's pleasure be known. However till that be known there, I shall suffer all boats and Fettiauggas (144) from Carolina to pass up the same, they delivering a manifest of their cargo and of the place or places to which they are bound in Carolina, upon oath, to the proper officer or officers of Savannah, and at the expense of the trustees putting an officer on board such boats, to see the same delivered at the place or places expressed in the manifest.
London

The following advices are from the Carolina Gazette which we received by the way of Bristoll.

Frederica in Georgia, Augt. 30. 1736

The Governor of Augustine having acquainted Mr. Oglethorpe that Don Antonio de Arrodondo was arrived at Augustine, sent up Commissioner from the Governor of Havana to make certain demands and Propositions to him, he sent out a Sloop to bring Don Antonio by Sea into this place. There are three Companies of Foot arrived at Augustine from Havana, under the command of Don Philip. Don Antonio appeared off this Bar last Wednesday, in a Spanish Vessel with six guns in Company with the Sloop, and was premitted to come into Jekyl Sound, but not up to the Town. We hear that he Solemnly demands that the English should evacuate all to the South of St. Helena's Sound; and in case he does not agree with Mr. Oglethorpe, he is to go to Charlestown with that Message. Mr. Oglethorpe and he have had several Conferences on board the Hawk Sloop. Don Antonio has been entertained in a very handsom Manner, and his whole Company have been provided with Refreshments and Garden Stuff, of which we have great plenty; and they are Surprised thereat, considering how new the Settlement is (N.B. they have three fourths of all their Garden Stuff &c. from Parrisburg, and could not maintain themselves one month in the year on what they produce) None of the Spaniards have been up at Town, or any where else, except on shore over against where the Sloop lies, Mr. Oglethorpe having there set up tents and beds for their Reception, and every thing necessary is Sent down to them.
Copy of a Letter from the Revd. Mr. John Wesley to Mr. Vernon dated Savannah the 11th of September 1736.

Sir

You have a just Claim to my repeated acknowledgements not only for Continuance of your Regard to my Mother, but for your Strengthening hands and encouraging me not to look back from the work wherein I am engaged. I know that if it shall please our Great God to give it his Blessing, the God of this World will oppose in Vain: And that therefore the whole depends on our approving our Hearts before him and placing all our Confidence in His Power and Mercy.

Mr. Ingham has made some progress in the Creek language. But a Short Conversation I had with the Chiefs of the Chickasaws (which my Brother I presume has informed You of) moves me to desire rather, to learn their Language, if God shall give me opportunity. The Generality of that despised and almost unheard of Nation, if one may judge from the accots. given either by their own Country Men or Strangers are not only humble and Teachable (Qualities scarce to be found among any other of, the Indian Nations) but have so firm a Reliance on Providence and so Settled a Habit of looking up to Superior being in all the Occurrances of Life that they appear the most likely of all the Americans, to receive and rejoice in the Glorious Gospell of Christ.

What will become of This Poor People a few of whom now see the Light and Bless God for it, when I am Called from among them I know not. Nor indeed what (158) will become of them while I am here; for the Work is too weighty for me. A Parish of above Two Hundred Miles in Length laughs at the Labour of One Man. Savannah alone would give Constant
Employment for five or Six to Instruct, rebuke and exhort as need requires. Neither durst I advise any single Person to take Charge of Frederica or indeed, to Exercise his Ministry there at all. Unless he was an experienced Soldier of Jesus Christ, that could rejoice in Reproaches, Persecutions, Distresses for Christ's Sake. I bless God for what little of them I have mett with there, and doubt not but they were sent for my Souls Health. My Hearts Desire for this Place is, Not that it may be a Famous or a Rich, but that it may a Religious Colony; And then I am Sure it cannot fail of the Blessing of God, which includes all Real Goods, Temporal and Eternal.

I am Sir.

Your much Obliged and Obedient Servant

(161) 15 Sept, 1736 - Copy of the Revd. Mr. Benjamin Ingham's Letter to Sir John Phillipps.

Hond. Sir

Notwithstanding all the Opposition of Men and Devils, I trust there is a Door now opening for the Conversion of the Indians. There is already a School almost built amongst them. The House 60 foot long and 15 wide; it will be divided into 3 Rooms, one at each End consisting of 15 foot square, and the School Room in the middle as large as both the other. Under one of the End Rooms they have dug a Cellar. The Foreside of the House faces the Rising Sun, and the two Ends are due North and South. It stands on a little Hill which we call Irene, by a Brook Side,
about half a Quarter of a Mile above Tomo Chachee's Town, where the River Savannah divides itself into 3 Streams. This Hill has been made some hundred years ago, for what Reason I can't tell; perhaps to perpetuate the memory of some illustrious Hero or famous Action. In digging the Cellar they found abundance of Oyster Shells, and some Bones and Buck Horns. When I fixed upon this Place the Indians ask'd me if I was not afraid to live upon a Hill, I answered no. They said the Indians were, because they believed that Fairies haunted Hills. The Moravian Brethren out of their Zeal for the Work undertook the Building at a low Price: As soon as it's finished, which will be within a few days one of them with his Wife is to live there with me. I believe in a little time we shall have a good Number of Scholars. The Indians, though at first they would hardly be persuaded to let one Child learn, yet they now are very willing to have them taught, and even some of the Men seem to have a Desire to learn.

When the Head Men came down this Summer to see Mr. Oglethorpe, Chickillee, the Chief of them, (162) was well pleased when he saw the Children say their Lessons, and he said perhaps the time is now come when all our Children are to be taught Learning. And Molatchee, who is next him said, if he had 20 Children he would have them all taught. At another time Chickillee said, white Peoples Children behave themselves like Men; we Indians that are Men behave our selves like Dogs. Upon all Occasions they are ready to acknowledge their Ignorance, which makes me hope they will the more readily believe the Mysteries of Christianity.

Tomo Chachee is lately recovered from a dangerous Sickness, wherein their own Doctors gave him up, but it pleased God to restore
him by the Care of Mr. Oglethorpe, through the Prayers of several Christians for him. I hope he will live to hear the glad Tidings of the Glorious Gospel, he has been very earnest to promote the School. I don't despair of acquiring their Language, I begin to understand a little of it, and I hope through the Prayers of my good Friends in England, I shall be enabled to make a daily Progress in it. I have three Boys that I think will be able to read and write their Language as soon as I shall be able to speak it.

If Mr. Oglethorpe was in England he would undertake to collect Charities towards founding and maintaining Schools amongst the Indians; he says he will subscribe £200 himself, but as his Affairs here will not permit him to return immediately, that Work must be deferred, unless it would please Almighty God to stir up the Hearts of some zealous Christians to set forward so good a Work in his Stead. What I wish for at present is one or more of my dear Oxford Friends to come over and help me. I cannot indeed say that I am alone because the Moravian Brethren join heartily with me, and from such Helpers one may expect good Success. As your worthy Society has sent over two Transports of Saltzburgers I heartily wish they would contribute towards bringing over (163) some more of the Moravian Brethren from Herrnhuth, for they are not only the most usefull People in the Colony, but also they are certainly the holiest Society of Men in the whole World. They would be very willing to come hither because they are persecuted at home, not only by the Papists, but also, and that very bitterly, by the Lutherans. Remember me kindly to dear Mr. Thorold, and all our good Friends at London. Forget not to exhort and provoke one another to Love and good
Works, and be the more earnest, as You see the Day approaching. Watch, Strive and Pray, and especially for

Your very weak yet Affectionate Savannah
Brother in Jesus Christ.
15th. Sept. 1736.

Charlestown, Sept. 18 1736

A few days since arrived in this town John Gardner, Indian Trader, lawfully licensed by this Government for to trade in the Town of Tunasea, upon the Mississippi River, (being one of the most Northernmost Towns in the upper Cherokees, and accounted above 100 Miles North of any part of the Georgia Colony) who on Oath informs that on the 7th of August last as he was at his store at the said Town, he had his Store broke open, his Goods and Skins ransacked, Seized, and taken from him, and sent away, by one Roger Lacy, who with ten men armed with Swords and guns, and as many Whites and Indians as he could gather, came upon him the said Gardner, and by force and violence carried away his Good and Skins to the value of above 3000 £ at the same time ordering and commanding him the said Gardner to depart out of the Cherokee Nation in four days, or else he should be carryd Prisoner down to Georgia, producing a Commission under the hand & Seal of the Honble. James Oglethorp Esq. for so doing; the 11th of August he accordingly left Tunasea, and arrived at New Windsor (alias Savana Town on Savana river) the 26, left that the 28 of the said month, and arriv'd in Charlestown the 3d of September 1736. By further advices of letters dated the 2d inst, at the Cherokee,
from Joseph Griffin another Trader lawfully licensed from the Government, we are informed that he with a Cargo of about the Same Value, hath undergone the Same fate, and lost every thing he had, by the said Georgia People who threatened to bind him, & carry him Prisoner to Georgia, because he would not Consent to sell his horses or go with them.

(170) Copy of an Anonymous Letter dated the 20 Septr. 1736

Don Antonio de Arredondo the Spanish Commissary demanded of Mr. Oglethorpe that the English should evacuate all they stand possesst of as far as St. Helena Sound the Spaniards having formerly had Forts there. Mr. Oglethorpe demanded of him that the Spaniards should evacuate as far as the 29th degree of North Latitude conformable to King Charles the Seconds Charter the English having formerly had possession as far as that Latitude Sir Francis Drake having be Queen Elizabeths orders taken Augustine after many Conferences Don Antonio de Arredondo agreed that on the withdrawing the Garrison from the Island St. George, the said Island should remain unpossesst by either Party till advices should arrive from Europe. And that no Hostilities should be committed on either side till the determination of the English and Spanish Courts should be known and all other Claims be deferred till their determination Don Antonio and the other Spanish Gentlemen with him took leave of Mr. Oglethorpe making great acknowledgements to him for the Civilities they are received and Sailed from Jekyl Sound in the Spanish Vessel on the 3d. of this Month after which Mr. Oglethorpe went up the River Alatamaha Several days Journey. He returned by the Darien & marked out
the Fortifications for that Place, and ordered a Church School house and Guard House to be built. Whilst he was there Capt'n. Mackperson arrived with a Drove of Cattel which he had brought all the way over Land from South Carolina. This has Caused great Joy in all our Settlements to find (171) the Communication for Cattel by Land opened, whereby these Southern Settlements will be Supplied with Milk and fresh Provisions of which they have hitherto stood in great need.


London 2. Octr. 1736

My Lord

The King my Master had the greatest Reason to expect, from what I had the honour of hearing insinuated by His Britannick Majesty's Ministers in September 1735 before Mr. Oglethorpe's Departure, that his Voyage to the Province called Carolina, would have been so far from being able to produce any Effect contrary to the Treatys subsisting between the two Crowns, that it might rather serve to settle the most perfect and best Intelligence between the Government of the above said Province and That of Florida, which belongs to His Majesty; But contrary to these Expectations the Governour of St. Augustin, the Capital City of the abovesaid Province of Florida, soon after the Receipt of the Letters which I directed to him by the said Mr. Oglethorpe, in order that he might contribute on his part to so jusefull a Design, had the
Mortification to see a Fortress (situated in the Territory of His Majesty eight Leagues distant from St. Augustin) attacked by the Inhabitants of the new Colony called Georgia on the 3d. of March last, and that after they had killed a Soldier belonging to the Spaniards, who defended it, they cut his Head off, and carried it away with them in triumph; After which the said Inhabitants of Georgia had built a Fort upon the Territory of the Sovereignty of Florida, 25 Leagues to the Northward of St. Augustin at the Entrance of the River of St. Simon, in which they had put a Garrison for its Defence; notwithstanding that formerly the Inhabitants of Carolina, who had built a Fort in the same place, caused it to be demolished by Order of the Court of England at the Request of That of Spain.

The Governor of St. Augustin having given the King an Account of the aforesaid Encroachments, has likewise mentioned, that he had just received Advices from his Lieutenant, who resides in the Fort of St. Mark in the Province of Apalache, that the Indians of the Provinces of Uchisses and Talapuzes, Subjects of His Majesty, had complained, that the English were then employed in building a Fort on the Territory of His Majesty, which are inhabited by the aforesaid Uchissese Indians, and that they had even given out, that they intended to build another on the Territory of the Talapuze Indians to the North West of St. Augustin, and that another Party of 300 English had appeared on the Frontiers of the said Province, and that having set up a Standard of War in a Town of Indians called Apalachicola, they had summoned the chief Town of the aforesaid Province called Caveta, to join them in order to make War against the Spaniards, acquainting them at the same time, that they
were resolved to demolish the Fort of St. Mark, and afterwards to besiege St. Augustin, to which the Governor did not scruple to give Credit, since the English of Georgia made continual Incursions into the Country of Florida, and molested the Inhabitants likewise.

The King has ordered me to represent to His Britannick Majesty, that such a Behaviour in the Inhabitants of Georgia looks rather like an Inclination to interrupt the Peace & [175] good Intelligence happily subsisting between the two Crowns than to settle their Duration. And as the Facts are glaring of themselves, and can't fail to strike the Mind of His Britannick Majesty, which is so equitable and full of Justice, I thought I could not execute His Majesty's Orders better than by submitting them to the Consideration of His Britannick Majesty, according to the Accot. given by the Governor of St. Augustin; To which I must add, that the Colony of Carolina being situated in 32 Degrees of Latitude and 29\(^\frac{41}{3}\) of Longitude, and that the Colony of Georgia being to the Southward of the other, That of Georgia is without dispute on the Territories of the King my Master; And even the former, according to the Treaty of Peace in 1670 by the 7th Article of which, the Limits were settled precisely for the said Province and That of Florida at 33 Degrees and 50 Minutes of Latitude and 339 Degrees and 20 Minutes of Longitude, tho' the Town called Carolina was tolerated, because it was built before the making the said Treaty; And as by the 8th Article of the Treaty of Utrecht in 1713 it is agreed that the Limits and Demarcations of the West Indies should remain on the same foot as they were in the Reign of Charles the second of glorious memory, the King my Master hopes, and does not doubt but that His Britannick
His Majesty, by an effect of His Uprightness and Justice, upon his being informed of what I have the honour to communicate to Your Excellency, will immediately give Orders to cause the Inhabitants of Georgia to be punished, who shall appear to have been guilty of interrupting the Peace between the two Nations, and that Observance (176) be paid to the Limits which have been settled between the two Crowns, and that the Forts which have been built on the Territories in the Demarcation of Florida be immediately demolished. This is what I beg Your Excellency to represent to His Britannick Majesty, and to let me know His Royal Resolution.

I have the Honour to be &c.

Thomas Geraldino.

(177) Letter from his Grace the Duke of Newcastle to the Trustees.

Whitehall Sept. 27th. 1736.

Gentlemen

I herewith send You, by Her Majesty’s Command, a Copy of a Letter which I have received from Monseur. Geraldino Agent for the King of Spain, containing several Complaints against the Inhabitants of the new Colony of Georgia; And I am to acquaint You with Her Majesty’s Pleasure, that You should enquire into this matter, and send me a State of it, to be laid before the Queen for Her Majesty’s Commands thereupon.
(179) Letter from the Lords Commissioners for Trade and Plantations to the Trustees.

Gentlemen

Her Majesty having been pleased to refer to my Lords Commissioners for Trade and Plantations a Letter to the Duke of Newcastle from Monsr. Geraldino Agent for the King of Spain here, containing several Complaints against the Inhabitants of the Colony of Georgia; I am commanded by their Lordships to send you the inclosed Copy of the said Letter, and to acquaint you, that my Lords are desirous of speaking with you upon this Subject, on Wednesday morning next at Eleven o’Clock.

I am

Gentlemen

Your most humble Servant

Alured Popple.

(193) Trustees Meml. to the Queen. 20 Oct. 736

To the Queen's Most Excellent Majesty Guardian of Great Britain; and His Majesty's Lieutenant within the same.
May it please Your Majesty

In Obedience to Your Majesty's Pleasure signified to us by his Grace the Duke of Newcastle the 27th of last month We the Trustees for establishing the Colony of Georgia in America have enquired into the Complaints against the Inhabitants of the Colony of Georgia, contained in a Letter which his Grace the Duke of Newcastle received from Monsr. Geraldino Agent for the King of Spain.

And as to the first matter of Complaint mentioned in Monsr. Geraldino's Letter relating to the Fortress (situated in the Territory of the King of Spain eight Leagues distant from St. Augustine) said to be attacked by the Inhabitants of Georgia the 3d. of March last; and that after they had killed a Soldier belonging to the Spaniards, who defended it, they cut his Head off and carried it away with them in triumph.

The Trustees on examining the Accounts transmitted to them, do not find that any, either English or Indians inhabiting the Province of Georgia, had been concerned in the Outrage complained of; But that the same was committed by some Neighbouring Indians, in Revenge for a most unheard of and Outrageous Injury acted by some Spaniards or Spanish Indians; who had killed some Indian Women and Children & two Men, and after most wickedly abusing another Indian Woman, had burnt her alive.

As to the next Complaint in Monsr. Geraldino's Letter of rebuilding a Fort which he alleged had been formerly demolished by Order of the Court (194) of England, at the Request of the Court of Spain.

The Trustees most humbly Observe to Your Majesty; That the Spanish Minister has been very much misinformed; For that the said Fort having
been left by the Independent Company, without the Consent or Knowledge of His Majesty, was ordered to be rebuilt by an Instruction from His Majesty to the late Governor Johnson.

As to the Advices in Monsr. Geraldino's Letter mentioned to have been received from the Lieutenant of the Fort of St. Mark in the Province of Apalache, that the Indians of the Provinces of Uchisses and Talapuzes Subjects of the King of Spain, had complained, that the English were then employed in building a Fort on the Territories of His Majesty of Spain, which are inhabited by the Uchisses Indians, and that they had even given out, that they intended to build another on the Territories of the Talapuze Indians to the North West of St. Augustin.

The Trustees most Humbly represent to your Majesty That they never gave any Directions for any Settlement to be made or Fort to be built but within the Limits of the Province of Georgia, as described by His Majesty's Most Gracious Charter. And That if the said Uchisses or Talapuze Indians inhabit within the same; they undoubtedly are within His Majesty's Dominions, and ought by no means to be Stiled Subjects of the King of Spain.

And as to the further Complaint That another Party of 300 English had appeared on the Frontiers of the Province of Apalache, and that having set up a Standard of War in a Town of Indians called Apalachicolo, they had Summoned the chief Town of the abovesaid Province, called Cavete, to join them in order to make War against the Spaniards; acquainting them at the same time, that they were resolved to demolish the Fort of St. Mark, & afterwards to besiege St. Augustin.

The Trustees Most Humbly represent to Your Majesty, That they
have always had it at heart in the making their several Settlements, to
avoid all occasions of Contest with the Neighbouring Nations in Alliance
with the Crown of Great Britain. And do not believe that any of their
People can have acted so contrary to the designs and intentions of the
Trustees, & cannot but think that on a further Examination it will
evidently appear, That these Reports have been spread without any
proper foundation; And that none of the People of Georgia have made any
Incursions into the King of Spain's Dominions, or in any wise molested
his Subjects. The Trustees having in all their Actions confined them¬
selves to the Limite which by His Majesty's Charter are given to the
Province of Georgia; to which they make no question but His Majesty
has a most Undoubted Right and Title, nor do they observe in the Treatys
referred to by Monr. Geraldino, any thing contrary thereunto.

All which is Most Humbly Submitted by Your Majesty's
Most Dutifull and Obedient Subjects and Servants, the
Trustees for establishing the Colony of Georgia in
America.

Signed by Order of the said Trustees this 20th
day of October 1736.

Benjamin Martyn Sectary.

(197) 22 Oct. 1736 Treaty concluded wth. the Govr. of Fort Augustin
To Charles Dempsey Esqr.

I having am impowered You by Procuration dated the 23d. of June
1736 to Treat and Conclude concerning certain matters of Importance relating to these Provinces with His Excellency Don Francisco del Moral Sanches Captain General of Florida and Governor of St. Augustine and the Council of War of the said Garrison and having since the Dates of these Letters received Advice from the Governor of St. Augustine as also a Message from His Excellency Don Juan Francisco Geumes de Horcasitas Major General in His Catholic Majesty's Service Captain General of the Island of Cuba and Governor of Havana by Don Antonio de Arredondo, they both empowering him to Treat concerning the said matters, I do hereby empower, constitute and appoint You to Treat, Conclude and Sign the following Articles and deliver the same unto the Governor & Council of St. Augustine; they Signing, Sealing and Interchanging the said Articles.

First that his Excellency the Governor of St. Augustine shall restrain his Indians, Subjects to the King of Spain, from Committing any hostilities upon the Subjects of the King of Great Britain. I will restrain the Indians, Subjects to the King of Great Britain in this Province, from Committing any hostilities upon the Subjects of His Catholic Majesty.

Secondly that in respect of the Nations of Free Indians called Creeks I will use my utmost amicable Endeavours upon any reasonable Satisfaction given them, to prevail with them to Abstain from any hostilities whatsoever with the Subjects of His Catholic Majesty.

Thirdly That with respect to the Fort built on the Island of St. George, I will draw off that Garrison together with the Artillery and all other things by me posted there Provided that none of His
Catholic Majesty's Subjects nor any other Person shall inhabit People or fortify the said Island Provided also that no Prejudice shall arise to the Right of the King my Master to the said Island nor to any other Dominions or Claim that His Britainick Majesty hath upon this Continent, but that His Right (198) shall remain to the said Island and to all other Places whatsoever as if the said Garrison had never been withdrawn, and the said Garrison shall withdraw within 14 days after the Ratification of these Articles.

Fourthly I will agree with His Excellency the Governour of St. Augustine and the Council of War That His Britainick Majesty's Subjects under my Command, shall not molest in any manner whatsoever any of his Catholic Majesty's Subjects Provided that his Catholic Majesty's Subjects do not molest any of his Britainick Majesty's Subjects nor his Allies.

Fifthly that concerning any Differences that have or shall arise concerning the Limits of the respective Government and Dominions of the two Crowns, such Differences shall remain undecided till the Determination of the respective Courts & that the Subjects of each Crown here shall remain in profound Peace and not in any manner molest each other until the Determination of the respective Courts on this Subject.

Lastly that no Person shall be received by any Garrison in either Government without a Passport from the Governour to whom such Persons belong.

Given under my Hand and Seal at Frederica in Georgia the 27th. day of September 1736.
By the Power to me Given by His Excellency James Oglethorpe Esqr. Governor and Director General of the new Colony of Georgia, by his Excellency's Procuration bearing Date the Twenty seventh day of September in the tenth year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c and in the Year of our Lord 1736.

I do hereby Confirm and Ratify the above Articles with his Excellency Don Francisco del Moral Sanches Villegas Captain General and Governor of St. Augustine of Florida, and with the Council of War of said Garrison of St. Augustine, as witness my Hand and Seal this Twenty sixth day of October 1736. (199)

In the City of St. Augustine in Florida the Eighteenth day of October of this Year One Thousand Seven Hundred and thirty six, in this Royal Dwelling House of His Excellency the Captain of Spanish Infantry, Don Francisco del Moral Sanches Villegas Governour and Captain General of the said City and the Provinces thereof and Present the Council of War met for to Determine the Articles of good Friendship and Correspondency, which with sufficient Power brought by Charles Dempsey Esqr. from His Excellency James Oglethorpe Esqr. and the said Articles have been heard and understood seperately and the said Council of War have Agreed & Determin'd, it being at present convenient for the good Correspondence of the English Subjects of His Britainick Majesty in the Province of Georgia and all others under the Command of His Excellency James Oglethorpe Esqr., as well as for the Quiet and Safety of the Province inhabited by Indians, Infidels and Savages which continually doth offend
not only the Government or Governments of the English but also this of
St. Augustine in Florida and the Spanish Provinces thereof wherefore to
avoid all inconveniences it hath appeared at this present Assembly of
the Council of War to be most Essential and convenient that for the
present and without Prejudice to His Catholick Majesty our Master and
the Antiquated Dominions and true Right he hath to the Lands & Dominions
which are this day peopled and fortified by His Excellency James Ogle-
 thorpe Esqr. alleging that they do belong to the most Serene King of
Great Britain his Master and that by no means whatsoever there shall be
nor caused to be any Rupture between the two respective Governments, of
Georgia & St. Augustine, Compos'd of English, and Spaniards, and
Indians, of all Nations for the better Strength and Security of the
Proposals made by His Excellency James Oglethorpe Esqr. in his five
Articles, we Give for Answer and Agree to them as follows.

First. That I the Governour and Captain General of St. Augustine
in Florida and the Provinces thereof will Subordinate and Restrain the
Subjects and Vassale of the King my Master, as well Spaniards as
Indians, from committing any Hostilities against (200) the Subjects of
the King of Great Britain and that the same shall be reciprocally
practis'd by His Excellency James Oglethorpe Esqr. with the English and
Indians Subjects to the King of Great Britain against those belonging
to this Government.

Secondly. That as to what regards the Nations of Free Indians
called Creeks they have already had Satisfaction once twice and thrice
insomuch that the Cassique Pojoy were Banished from hence for having
used them ill and been the first Agressors and Eomicides.
Thirdly. That is further agreed in this Ratification as proposed that the Island of St. George which we call St. John shall be depopulated in the Space of fourteen days and the Fort built thereon destroyed with the Ditches and Pallisadoes leaving it entirely in the same Form as it was before its Fortification, withdrawing the said Garrison, its Artillery and every thing else that have been put there. His Majesty's Subjects nor any other Person whatsoever shall reside, people or fortify the said Island of St. John, since we will oblige the Vassals of His Catholic Majesty reciprocally thereto and without any Prejudice to the Rights of the King our Master to the said Island and also to all others and the main Land that Your Excellency has peopled which shall not on any Cause whatsoever be taken from us as well Islands as the main Land held by the Catholic King our Master without for this Reason they be taken from him If the Serene King of Great Britain hath any Right thereto, and that there may not arise any Grievances or Complaints at any time. It is declared that if by Accident or by bad Weather there should chance to arrive at the said Island any Troop or Spanish Vessel for the Traffick which we have in the said River of St. John and they have not time to Get to any other place it is not to be understood any Fault or Breach of the said Articles And in this manner We do agree to all the aforesaid Express'd in this and the foregoing Articles.

Fourthly. That all this Assembly doth likewise Agree in Conformity That the Subjects of His Catholic Majesty shall not molest the Subjects of His Britannick Majesty which are under the Government of His Excellency James Oglethorpe Esqr. who is also to
Restrain the Subjects of His Britainick Majesty from molesting enraged
and abusing the Subjects of his Catholick Majesty & his Allies to which
and in the same manner We oblige our Selves.

Fifthly. That as to what regards any Differences that are or
may arise concerning the Limits of the two respective Governments and
Dominions of the two Crowns the said Differences shall not be touch’d
upon but rather be lain aside to be Decided and Determined till the two
respective Courts shall resolve and Determine them and by this means the
Subjects of the one and the other Crown with this Equal Balance will
remain in a profound Peace and a Loving & amicable Correspondence and
without molesting each other in any ways or manner whatsoever till the
two Respective Courts shall have Determin’d this matter.

Sixthly. That as to what Concerns this Government and Captain
General and all his Jurisdictions It shall be Practised That no Person
whatsoever shall pass from those of His Excellency James Oglethorpe
Esqr. unless they bring a Licence or Passport, and the same Correspond¬
dence we hope will be observed by His Excellency or the Person that may
Succeed him, and in this last Article We do Confirm and Ratify anew the
five foregoing Articles compleat as they in the Clauses and Expressions
shall be for the warranting and better Security thereof We the
Assembly and every one for himself of which it Consists do Confirm Oblige
and Ratify the foregoing Contents and as President of the said Assembly
Governour and Captain General of this Government of St. Augustine in
Florida and the Provinces thereof His Excellency Don Francisco del
Moral Sanches Villegas doth Affirm and Ratify as it is Affirmed and
Ratified and with the aforesaid Assembly he Signed and Sealed the same,

In the City of St. Augustine in Florida the twenty second day of the month of October of this Year of One thousand seven Hundred and Thirty six before me the present Notary Publick to the Government and War, the Ensign Barttolomi Nietto, His Excellency the Governour and Captain General Don Francisco del Moral Sanches Villegas and Charles Dempsey Esqr. impowred in due form by His Excellency James Oglethorpe Esqr. to Act in his Stead as if he was present himself at the Signing of the Articles which by the hands of the said Charles Dempsey Esqr. he remitted to the said Governour on the Twenty second of May of the same Year & others of the same Tenour and Purport on the Twenty third of June relating thereto and all by the hands of the aforesaid Esqr. Dempsey Solliciting and Procuring a good Harmony, Friendship and Correspondence with the said Governour of St. Augustine in Florida and the Council of War who with His Excellency the Governour upon sight of the last Articles given and Sealed by His Excellency James Oglethorpe Esqr. at Frederica in Georgia the Twenty seventh of September in the aforesaid Year with his full Power as lawfully required to the aforesaid Charles Dempsey Esqr. & as in the same form as before he had the
said Power Given Sign'd and Sealed to Confer Treat and Adjust by virtue thereof the Articles of good Harmony, Friendship and Correspondence between the Subjects and Vassalls as Allies of His most Serene Britannick Majesty with the Subjects and Vassalls of His Catholick Majesty King of the two Spains my Master. We have Agreed and Determin'd to Sign and Ratify the Covenant of good Harmony, Friendship and Correspondence propos'd on the one part His Excellency James Oglethorpe Esqr. and on the other this Council of War being already Determined as having seen the Articles propos'd on the one and the other Side, the said Charles Dempsey Esqr. said That He obliged and did oblige himself in the same manner and under the same Articles propos'd for the said Governor and Council of War That He will Comply with what is Expressed therein within the limited time Assign'd by His Excellency James Oglethorpe Esqr. as well as by His Excellency the Governour and the Assembly which he confirms and obliges himself by his word of Honour Provided no unforeseen Accident or Death do hinder him & the said Governour Don Francisco del Moral under the same Circumstances and on his Word of Honour and Faith obliges himself reciprocally to agree to the same and in pursuance thereof the aforesaid two Gentlemen Don Carlos Dempsey and Don Francisco del Moral hath Signed before me which I attest. Don Francisco del Moral Sanches, Don Carlos Dempsey, before me Barttolome Nietto Notary Publick to the Government and War.

It agrees with the Assembly of War & Acceptation of the Articles of good Friendship and Correspondency aforesaid mentioned Which Originals before me passed, were delivered to His Excellency the Govr. and Captain General That the same may appear By his Command I grant this Present in
St. Augustine of Florida on the 26th of October of this year One thousand Seven hundred & thirty six written in nine Pages with this I underwrite, in Truth whereof I do Sign.

In Testimony of Truth

Barne. Nietto Notary Publick of the Governmt. and War

(205) 1 Nov. 1736 From the American Weekly Mercury.

Philadelphia.

The Sloop Frederica, John Goodwin Master, lately arrived here from Frederica in Georgia, brings an Account, that Mr. Oglethorpe has settled all matters with the Governor of Augustine; and that there is a very good understanding between the Spaniards and the English: That the furthest English Settlement lies in the Latitude of 30 deg. 30 min. the Town of Frederica in 31 deg. 00 min. that of Savannah in 32 deg. 00 min. The Governor of Augustine (as Capt. Goodwin heard) had agreed with Mr. Oglethorpe, that neither Party should be molested in their present Possessions, till the Determination of the two Crowns; and that they would mutually represent the Affair to the two Courts of Great Britain and Spain, that the Limits of each might be fix'd accordingly.

Capt. Goodwin informs us, that he found three Fathom and an half Water upon the Bar of Frederica; and that he went in without a Pilot: That there are several Clapboard Houses built, and two Brick Houses one Story above Ground, and preparation for a great many more. There is a Fort with 4 Bastions; one large Store House three Stories high, &
another Building, the Timber being all ready on the Spot for that purpose.

By a Letter to a Gentleman in this City from one in Georgia, dated Frederica Octor. 29., we have the following Paragraph, vizt. "Mr. Oglethorpe has finish'd his Affairs with the Spaniards with great Reputation on his own part, every Article of his proposing being sign'd at Augustine by a General Council of War; in short he has met with more Success than his Expectation would admit, being no ways short of what he could have wished. He is now returning to England, having fix'd his People, and secur'd them against both Want and enemies; he sails in a Fortnight.


Frederica in Georgia

November 8th. 1736.

This Island is about as big as the Isle of Wight, it lies about 60 Leagues So. from Charles Town, and about 30 from Savannah, and about 30 Leagues No. from St. Augustine, which is a Spanish Settlement. Here are about 15 or 16 Settlements in this Colony already. This Town lies very well situated, it is Settled on the West Side of this Island on a fine River where a Ship of 300 Tuns may come up. On the South End is a fine Inlet of the Sea, where His Majesty's Sloop the Hawk lies, and on the Point of this Island is a Garrison of 100 men. On the East Side is the Sea; On the No. End is another fine Inlet of the Sea. Here are
about 50 Families in this Town, the Town is laid out for 500 Families. The Island is pretty thick of Wood, and there are a great many Deer on this Island, but we seldom get any of them, the Wood being very thick, but the Indians very often bring us 10 or 12 Deer at a time, and a whole Buffalo at a time. Here are a great many Wild fowl here such as Turkeys, Geese, Ducks & other Wild fowl and abundance of fine Fish but we having no time at present for want of getting an House over our Heads that we seldom get any of them. We have no Stone or Chalk here, and all our Lime we make of very fine Oysters, we burn 2 or 3 hundred Bushels at a time. My Father and about half the People of this Town here agreed to build themselves Brick Houses; The first two are almost covered in 3 Stories high. When first we came here we built us little Huts and covered them with Palmeto Leaves. We have built us a little Room with some Boards that we Saved, and built us a Chimney in it with Clay. We have clear'd our Acre Lot about half a mile out of the Town, and our Lot in Town as soon as we knew which it was, which was April first, We clear'd it and fenced it round with a hedge and Sowed it with almost all sorts of English Garden Seeds, which grow very well so that we are the forwardest of any Person in this Place, and live as happy and as well contented, and hope so to continue if it please God we have our health. My Father was talking of getting 10 Men with himself to agree to fence round their great Lots which are laid out in Tythlings and he and 9 more have agreed to do the same, and to put some Cattle in, and to begin the 1st of Janry. And the Esqr. has given them a Grant for the same.
My Lord

I return Your Lordship Thanks for the Account of Caroline which You favour'd me with sometime since. I look'd it over soon after I receiv'd it. Many Things are true in it, and many false. I am not at present likely to have much acquaintance with that Province, more than what depends upon the Relation of Others. But if I have sufficient Evidence of any thing worth notice concerning it, I shall not fail to set it down as Your Lordship desires.

Savannah is already much too large for my Care. I wish we had fewer Men so we had more Christians in it; And yet there are more who desire and Endeavour to be Christians than I ever found in any Town of the same size in England. May the Good God, who hath so wonderfully prosper'd Your Undertakings hitherto, give to You and all who joyn with You in this Glorious Work a constant Care to advance (whatever else be advanced or hindred) the Knowledge & love of him and of his Christ!

I am

My Lord

Your Lordship's most Obedt. Servt.

Savannah

Novr. 12. 1736.

John Wesley

(225) 25 March 1737

Extract of a letter from Mr. Samuel Eveleigh, Mercht. at Charles Town in South Carolina, to his Correspondent in London, dat. at Charles-town ye 25 March 1737.
A Sloop arriv'd here from Providence, & brought a large pacquet from that Governor to ours, after having been read they were sent to Capt. Wyndham who commands his Majesty's Ships here; together with five affidavids made before Govr. Fitzwilliams at Providence by five English men, who had been lately prisoners at ye Havannah, & were newly arrived there. These letters confirmed ye accounts of ye preparations of ye Spaniards, at ye Havannah against this Province.

Capt. Dunbar three days since came to town from Georgia, where he had been at ye Towns of darien, (226) Frederica, & Savannah, & gives an account that they are at all those places very well prepared, & seem to be very resolute to defend themselves; at ye first place there is a good strong Fort, at ye Second ye Fortifications are very regular and compleated, and at ye third they have made very great progress, & in a short time will be finish'd.

Last night arrived Capt. Colcock in 15 days from ye French town of Moville, & brings an Acct. that a French man of War was arrived there, & that two more were expected with 1200 Soldiers. They brought with them several warlike necessaries, particularly some small mortars; That they have a design to make a third attack upon ye Chickesaws, with 2000 white men, & 4000 Chocktaws. An Acct. of (227) this design has been given to ye Chickesaws, & they have sent down an old Chocktaw to acquaint ye French Governor, that they need not put themselves to ye trouble of coming to them, for that they would meet them half way, if they would let them know of their coming.

Chickesahs have for a long time past been going to war constantly against ye Chocktaws, and have killed vast numbers of them wch.
very little loss on their side. Insomuch that not only ye Indians, but
ye French themselves are very much afraid of them, & do acknowledge
them to be the stoutest Indians upon the Main. The officers amongst
ye French dread ye going to war against them; & say they dont under-
stand Bush-(228)fighting.

The Soldiers that are now arrived & expected, are all Roman-
Catholicks, & ye few Switzers that are there, that are Protestants, are
order'd home, & there to be discharged.

A Gentleman whose name is Terascoe, & a friend to ye English,
is xxxxxx clapt into Prison & in Irons; & it is said will be sent home,
& put into ye Gallies.

The Chocktaws took 2 Chickessaws, and carried them down in great
Triumph to ye French town of Moville, where they were burnt after a
cruel & barbarous manner. One of them was a boy, of about 10 or 11
years old.

(229) 27 March 1737  Extract of a letter from Andrew Ruthlige Esqr.
one of ye Members of ye Council of South
Carolina, to his Correspondent in London, dat.
at Charles-town ye 27 of March 1737.

The account we had of ye descent here intended by ye Spaniards
from Cuba is farther confirm'd by letters from thence, wch. were sent
to his Excellency Govr. Fitzwilliams, at Providence and forwarded by
him to our Lieutenant Govr.; so that we soon expect them.
The Traders to Carolina have for a considerable Time been under uneasiness occasion'd by Rumours of an intended Invasion, or Attack on Georgia and that Province, by the Spaniards of St. Augustines, the Havanah &c but as nothing thereof was attempted to the middle of March, it was hoped that if the Spaniards in those parts ever had such a design, it was laid aside; and that the people of Georgia and Carolina had nothing to fear: But by Advices from Carolina to the 20 of March there is too much reason to think that the design did still subsist as may appear by the following extract of a letter just arriv'd from Carolina to a Merchant of this City.

(234) The certain Advices from the Havanah, by the way of Providence made me hurry away 100 barrels of Rice short of my Cargo, for fear of an Embargo, which I had reason to beleive would be laid on in a few days. The advice which was a few days before I seild, confirm'd the former of the Spaniards arming at the Havanah, & that they only waited for the Barlo Vento Squadron, to strengthen their Naval force with two or three men of War: they are to carry six hundred Troops from thence to joyn an equal number at St. Augustines, besides Volunteers. &c. And on Receipt of those said Advices, there were Expresses dispatchd by the Governour and Council, to their Agents in the Creek and other Indian Nations (235) to endeavour to raise of them: 500 to be sent to Georgia, and orders to others to buy Rice and Corn for Provisions for them.

Notwithstanding the Indifferency the Generality of the Inhabitants of Carolina affect, yet I am well assured that the Thinking part
of them are very much concerned at their present situation in several Respects; and they have Reason to believe, that the Spaniards' views are not confined to Georgia, but extend to Carolina, where they have neither Forts nor Castles, worth mentioning, to secure their Stores, Provisions, Women, or Children in: but must leave them exposed to a more dreadful Enemy than the Spaniards, viz. their Slaves, to whom the Spaniards are to give their Freedom; and I am (236) jealous that some of them know it; for a few days before I sail'd, which was the 23d. of March, they robb'd a Store at Dorchester of Arms and ammunition: so that the Carolinians have only to depend on their own Courage and strength in the field, and if they come to engage, God only knows the Event; and you may easily guess what a fright the sight of a Formidable Enemy would put them in. Pray let me know what Notice our Government have taken of this intended descent.


May 21. 1737.

Memorandum — of an accident yt. happen'd in ye Cursitaw's Town between a Mare yt. was ty'd in a Rope, having got young Colts following her belonging to Tho. Wiggan; the Colt being laid down, a boy coming, as we suppose, to pla' with. it, ye Colt rise up & kik'd ye boy on ye Stomach; upon wch. ye Father took his Gun, & shot the said Colt. I hearing of ye Gun thought some of ye people had been firing shooting
at a Mark, when some boys cry'd out, yt. a man had shot a Horse: My
self, Mr. Allen, & John Hart, being in my Harde a worming of Skins,
knowg. nothing of ye Accident yt. had happen'd, still ye boys crying
out; I tell you some Body ha's shot a Horse; wch. I goes out to see, I
seeing ye man yt. had discharged his Gun coming up to me, loading of his
Gun, we all 3 stood still 'till he came up to us; he seized me on ye
hand, & told me, yt. my Colt had kill'd his Child, & yt. he would kill
me, wch. in his passion, we had reason to think he would: he telling
me soften yt. his Child was not quite dead, but if it did die, he would
have satisfaction of me; I held his Gun, & argued wth. him, wth.
all the reason I could, 'till I got him in the house; there I took his
Gun from him, & told him yt. my mare was ty'd far enough from any of
ye houses, & I could not help wt. the Colt had done: arguing wth.
him about Several other things to pacifie him; he seemd to be some-
what reconciled, & took his Gun, & went home, & told me to stay in ye
house till night; but I knowing better, goes over to ye Cowitaws, &
told Scrowney ye whole Story, upon wch. he desired the Two to go to
this man, wch. he denied, & said how could I help wt. ye Colt did, &
yt. he was a head man; & shou'd know better than to hold me, & threaten
me of my life for wt. ye Colt did, after he had kill'd ye Colt. Scrowney
returning back to me told me he could not be Satisfied, 'till he had
sent his Son to know ye truth of it, wch. I staying wth. Scrowney till
his Son came back, he told as he had talkd wth. ye man, & he told him
yt. he had talkd a great deal wth. me in his passion, but he hoped his
Child was better, & yt. I would not think of wt. he had said. Scrowney
made answer to his Son, & told him, yt. he should not have talked so
me as he did, wch. he thinking it had been over & ye people going to
play at Ball, he asked me to go wth. him, wch. I told him nobody went to
see Ball plays but when their Hearts was streight; he said it was very
true, & told me to do as I would. I went home, I had not got into
my house, but some women came running to ye house & told me ye Child was
dead. I thought it not proper to stay there, takes my Gun, & Shott
pouch, & sets off for the lower town. I had got about 2 Miles
from ye house, & a white boy overtaking me belonging to my house, &
told me yt. he Seed ye man wth. his Gun, & women told him to make haste
out of ye town; I being informed afterwards yt. he & his Brother came to
ye House wth. their Guns, I came to ye Shihaws ye same day, where I
soon heard ye head man had a meeting here about some Cherokees Scollups,
where one of ye head men call'd the Cowkeeper. Hearing I was come, & he
came to see me, wch. I relating ye Story to him, he made answer to me &
said, I cou'd not help wt. ye Colt had done, but it happen'd very well
yt. ye head men of ye lower town was here, & he would go & let 'em
know of it. Ellick being in ye Cursitaws, knowing ye man & his brother
to be great men, & very cross, (238) people, came to me in ye Night, &
told me to make ye best of my way I could over the River, & that he wod.
go wth. me throu' ye woods out of the path, & he told me to come up to
his house that night, & he woud get me provisions to go, wch. I told
him I would; but I was very willing to hear wt. these head men had to
say about it; he told me he shou'd be very sorry to hear I shou'd die
by sickness, much more to be kill'd in their Nation, he knowing the
so
Govr. & head men valued me/xm much yt. it woud be ye dreadfullist
thing yt. ever he Seed. While we was a talking, ye head men of
several towns came to ye house, and I relate ye whole Story over to
them, wch. Ellick went home, & said yt. he would be at ye Cursitaws ye
next day. They dispatchd one head man in the night to this man yt.
lost ye Child, to hear wt. he said about it, wch. he spoke to several
of his Relations, & they cou'd not find where I was to blame about it,
but ye man himself could not say much for grief. The next morning about
9 o Clock, ye man returnd to ye Square, where the Head man was, & they
sent for me to hear what they said. They told me that (239) the Head
man of the Cursitaws & Cursitaws was under the same concern as they
was, and yt. ye men had spoke wth. ye Relations of ye Child, & yt. they
told him that they could not see where I was in to blame, and they
said the people lay under a great many accidents, & that ye Child was
born to die by that Colt; and the Head Men will never have it as they
shall say that they ever did any thing to make them miserable; the man
himself did not say very much, but that his Child was out of his Sight,
& he hoped he should forget it. The head Men that was there, said,
they should go up themselves the next day, & make an end of it, after
they had receivd the Cherokees's Scollupts. Next morning Ellick was
down, & told us he had been wth. ye man & talkd wth. him concerning
of the affair, & he seemd to be pretty well satisfyd; but was sorry he
shoud talk to me so as he did, thro' Grief & passion he did not know
wt. he had said, wch. he hoped in a few days he shou'd See me, & smoke
wth. me. The next day, Ellick & ye rest of ye head Men is going up to
the Cursitaws to receive the man into ye Square out of moring; the Head
men of several towns says that they have not forgot (240) ye articles
of concarning, yt. if any white man shou'd do any mischiefs to any red
man, or any red man to us; they said it woud be a dreadfull thing to
them if so be I had been killd, wch. they told me they woud not leave
me 'till all was made safe, wch. they thought was, & so we took
leave.