

tained is to convince the Upper Creeks of the Justice and Reasonableness thereof, in order to which it is necessary to represent the Crimes for which he suffered in the Blakest Colours.

Accordingly a general Meeting was this Day held in the public Square of the said Town of the Tuckbatchee on the Talapauchee River in the Upper Creek Nation, composed of most of the Cheif Men of the Upper Creeks, and all the Master Traders and others that could be got together were present, when the following Oath was administered to Mr. Joseph [sic] Wright, Trader in the said Town, viz.,

You shall faithfully and truly interpret whatever is required of you to make known to this general Assembly of the Head Men of the Upper Creek Nation, and a true Interpretation give of their Answers to the best of your Knowledge without Fear, Favour or Effecton, so help you God.

JOHN [sic] WRIGHT

Sworn before me in the Public Square of the Tuccabatchee Town this 21st Day of September, 1752.

THOMAS BOSOMWORTH, Clerk

|51| Mr. Bosomworth first produced his Commission and explained to the Indians. He likewise produced his Instructions under the Seal of the Province, and gave the Indians to understand that he was thereby fully empowered to Talk with them in Behalf of the Governor and all the beloved Men of Carolina and that he now spoke to them, the Head Men, as if their whole Nation was present, and should understand the Talk they gave as the Talk of all their People, and expect the faithful Performance of what they said.

He then told them that he was ordered to complain of great Injuries and Wrongs done to the English by their People, and to demand Satisfaction for the same, and in order to make them the more sencible of the Reasonableness and Justice of their giving Satisfaction demanded, he first explained to them the Articles of Peace and Friendship, concluded with Carolina after the Indian War, hinted to them their sufferings at that Time whilst the Trade was drawn from them, accused them Article by Article of a most shameful Breach of their Promises and Engagements to the English, instanced the dayly Insults and Abuses the Traders received from them, breaking open their Houses, robbing their Houses, stealing their Horses and Cattle, and beating and threatening[sic] to kill the white People, particular Instances of which were given which they could not deny.

He then added that the English had long bore with such Insults and Injuries in Hopes they would not be guilty of the like for the Future, but that our Forebearance had only added to their Insolance, and that they had lately been guilty of such Crimes as Nothing but the Blood of some of the Offenders would make an Attonement. He then related to them at large the Murder of the Cherokees at Charles Town and expatiated very largely upon the Heinousness of the Crimes, and told them that it was to demand the Lives of some of the principal Offenders that he was sent up, but gave them to understand, |52| that the Satisfaction required, was not for killing the Cherokees, as their Enemies, but for staining the white beloved Town with the Blood of

our Freinds who were under the immediate Protection of the Government contrary to the ancient Leauge [*sic*] of Peace and Friendship with their Nations, contrary to the Promises of the offenders themselves, and contrary to the Laws of all Nations whatever, so there could be no Plea for Ignorance, which was such an Insult, and open Contempt, and breach of all former Engagements with the English as never could be suffered to be put up with, therefore if they thought the Friendship of the English worth preserving, they must give the Satisfaction demanded.

He then informed them that according to his Instructions that he had made the same Demands in the Lower Creeks, but that the Head Men their accused the Acron Whistler as the Cause of all the Mischief, that those young Fellows were going out to War against their Enemies and had no Intention of going to Charles Town, but that he persuaded them, and as he was the Head Man and received the Talk from the Governor, it was his Bussiness to have taken care that no Meschief was done. Therefore if Nothing but Blood would make Satisfaction, he was the Man that ought to suffer as he was told it would be equally resented as if they had killed so many white People.

Mrs. Bosomworth then added: The Acorn Whistler is killed, and their are various Reports, both by Indians and white People in Regard to the Cause of his Death. There is one Head Man here present (meaning the Offassee King) who knows the Truth, and he desired that he would declare what he knew of that Affair in the Presence of the whole Assembly.

The Offassee King, a Relative of the Acorn Whistler, then spoke and said, the Talk we have now heard is my King's (meaning the Governor of Carolina) Talk. I heard it before at the Cowetas, and as Nothing but the Blood of some of the Offenders would make all streight with the English, it was agreed at the Cusetaw Town by his own Relations [53] that the Blood of the Acron Whistler should be spilt for Satisfaction to the English and for the Good of our own Nation, and that a Messenger was sent for that Purpose, and the Execution done by his own Relation for no other Cause, but that all past Injuries might be forgiven and forgot, and that the Trade and Friendship of the English might continue for ever with our Nation.

Then spake the Oakfuskee Captain and said, that his own Relations and a very great Man had suffered Death for Satisfaction to the English, and that he was very well contented that he should suffer Death, in order to prevent those Tears that must have flowed in Case of a Breach of Friendship with the English which he hoped would never happen.

Then spoke Ispuffnee, a beloved Man of the Coweta Town, and a near Relation of the Acron Whistler, and said that one innocent Man suffered with the guilty, but that they were contented it rather should be so, than run the Resque of discovering that the Blood was spilt for Satisfaction to the English, as some of his Relations might in their Fury have killed some of the white People without considering the Consequences, and thereby have engaged the whole Nation in a War, with our best Friends. Therefore as the Talk was the Cause of two Lives being taken, he hoped the Governor would be satisfied therewith and that no further Satisfaction with be required.

Mr. Bosomworth then asked them if they were all satisfied as to the Reasonableness and Justice of the Acorn Whistler's Death to which they all answered Yes, and then shook Hands, and returned Thanks to those three Men, the Acorn Whistler's Relations (who were the only persons that had any Thing to say in the Affair) for the great Regard they had shown to their Nation by giving this Satisfaction to the English by which they hoped every Thing would be made streight.

Then spoke Huthlepohechoche, Puchnetallhehasse Captain, that now all the Head Men of the Upper Towns were round him that he would not tell any Lie to be put upon the beloved Paper, but that Mr. Bosomworth might acquaint the Governor that they were all |54| well wishers and steady Friends to the English, and he hoped would ever continue to the World's End.

Mr. Bosomworth then commended the Behaviour of the Upper Creeks, when last in Charles Town (excepting the Acorn Whistler) and told them that this last Instance of their Friendship for the English in giving the Satisfaction demanded, would confirm the high Opinion the Governor always entertained of their Wisdom and Justice, and convince the World of their sincere Inclination to be at a good Understanding with us. He then added that he would send an Express down with their Talk, and did not doubt but they would receive a very good Answer, and that the Governor would be very glad to see them either at Augusta or Charles Town in order to make a new Chain of Friendship with them, and confirm every Thing to them, they had heard from him but that when he received the Governor's Talk he would acquaint them further. At which they all expressed a good Deal of Joy and Satisfaction.

Then the Oakchoye Captain rose and made a very good Speech in Favour of the English setting forth the great Benefits and Advantages their Nation enjoyed by the Friendship of the English, the Consequences of the Loss of it, the great Wrongs and Insults offered to the English by their mad young People and exhorting them not to be guilty of the like for the Future. Then Huthlepochocho, the Pucknetallasssee Captain, made a Speech much to the same Purpose, and added that has [*sic*] they had agreed to every Thing the Governor requested that in case he should want to talk with them or see them he hoped he would meet them at Augusta since many of their People were affrayed to go to Charles Town for Fear of the Sickness.

Mr. Bosomworth told them that it was pritty late, and as he had something more in charge to communicate to them he desired they would meet him in the Square the next Morning which was agreed.

Tuesday [Friday?], September the 22. |55| This Morning according to Appointment all the Head Men of the Indians and the white People assembled in the public Square, and having drunk Black Drink according to their ancient Custom, Mr. Bosomworth informed them that he had three Things to inform them from the Government of Carolina, that the first two Articles he had communicated to them, viz.,

The Satisfaction demanded for staining the white beloved Town, with Blood which they had already granted. The second Article, to make Restitution to the English for all the Injuries and Wrongs done them in robbing them

of their Goods, and Horses, &c. which they likewise had faithfully promised to see performed, and he hoped they would not be guilty of telling him a Lye.

He then told them that the third and last Article he had in charge was to propose a Peace betwixt their Nation and the Cherokees, and informed them that the tender Regard and Love that the Governor bore for their Nation as well as other Indians in Friendship with the English, was his Motive for proposing of it, and that they themselves were very sensible of the great Pains and Trouble the Governor had taken to cultivate a perfect good Harmony with all Nations of Indians one with another, and that they should all live like Brothers together; but that his Heart was very sorry to find his good Intentions for their Wellfare so often frusterated by their being regardless of their Promises and Engagements to him and one another and immediately braking the Peace, particular Instance of which he mentioned. Mr. Bosomworth then expatiated largely upon the distructive Consequences of War and the Hardships and Sufferings that they their Woman and Children were dayly exposed to, that they could not hunt for Skins to buy them Cloths nor Victuals for them to eat, without being in continual Fear of their Lives and much to the same Purpose. He then added that the tender Regard they ought to bear to their Women and Children, and the Welfare of their own Nation would be Motive sufficient to induce them to agree to the Governor's [56] Proposition, made, which he hoped they would look upon as a Proof of the Governor's good Intentions to serve them, and of his sincere Friendship for them.

Mr. Bosomworth then told them that in Case they agreed to the Peace with the Cherokees and desired a Peace with the Northern Indians, that the Governor would immediately send among those Indians and use his good Offices to make a Peace betwixt them and the Northern Indians also. And after he had inforsed this Point with several Arguments he told them that as they had agreed to every Thing proposed he hoped they would give him a satisfactory Answer to this Proposition also.

Upon this, they paused a while and then told Mr. Bosomworth, that they would all consult about it, and return an Answer by and by, pursuant to which, all the Head Men assembled together, and after they had consulted, a considerable Time, they sent a Messenger to ask Mr. Bosomworth if the Peace was to be concluded from that Time or they were to wait till they heard from the Governor? To which Mr. Bosomworth returned for Answer that the Peace could not be concluded till he sent down to the Governor, and that if they agreed to it, the Governor would immediately sent to the Cherokees to acquaint all the Head Men of that Nation of it, and he believed he would send for the Heads of both Nations to meet together in order to confirm it, and that if any Thing should happen before this Notice given they must not look upon it as any Ways spoiling this Talk; but as he did not doubt but both Nations had Warriours out, some Meschief might probably be done on both Sides before the Peace could be concluded, but as that could not possibly be prevented till their Warriours returned he hoped that when they did come in that they would not send any more parties out till they heard the Governor's Answer.

[57] After some Hours Consultation, Huthlipohchocho, the Puckuatallapusee Captain in Behalf of the whole, returned the following Answer:

That they had often endeavoured to make a Peace with the Cherokees, but that they were such a treacherous People that there was no such Thing as keeping a Peace long with them. That the Cherokees have sent several Peace Talks in order to decoy them out of the Woods, fearing no Danger, and then they came upon them and kill them. But however, as this was a great Meeting of both Indians and white People, to remove all Obstructions to good Understanding, and that all past Injuries might be buried in Oblivion and a new Friendship made betwixt them, though several unforeseen Accidents might happen contrary to the expectation of both Parties, by which Means the good Intentions of both Sides might be frusterated, yet as they were assembled for the Good of each other they would not shew so much Disrespect to the Governor, or him that brought the Talk, as to throw it away. Therefore they declared to Mr. Bosomworth that the Peace Talk was very agreable to them all, and they for their Part readily consented to it, but as the Cawetas was the Great Town of both the Nations, and Malatchi the Great King and Son of the Emperor of both Nations, they could not give a final Answer to it till they heard his Resolution upon the Matter; but that what ever Malatchi agreed to, the whole Upper Creek Nation would ratify and confirm.

Mr. Bosomworth then told them that when he proposed this Affair to Malatchi he would acquaint them of his Resolutions upon this Head and expect the punctual Performance of their Promise which they gave the stronger Assurances off.

The Agent then told them that he expected every Head Man would give out Orders in his Town, for the Delivery of every white Man's Horses in the Nation without Exception, [58] and that they would appoint a Time and Place when and where they should be delivered, and he would appoint a white Man to receive them. Upon which Occasion the Wolf made an excellent Speech and told the Indians that had French Commissions, particularly pointing at them in the Square, that he hoped they too, as they enjoyed the Profits of the English Trade, would do their Duty by seeing the Horses restored that the French Indians had robbed the English off, particularly mentioning the Affair of Henry Elsley and the takeing of his Horses, &c. In Regard to the Complaint made by the Indians of the Traders' refusing them Trust for any Trifles they wanted, he made a very good Answer and told the Indians that it was in a great Measure their own Faults for not being more punctual in paying their Debts, and when they got a few Skins, they went to the French Fort and sold them for Liquor and even the Shirts and Cloths off their Backs, and your French Indians, meaning those who have got French Commissions too go cringing and beging of Rum, telling them they are their Friends, and then to come and sell it to our Indians for the Skins they should pay their Debts with, and the very Flaps that should cover their Nakedness.

The Wholf made several other very good Speeches much in Favour of the English which are too tedious to be inserted, particularly telling of them in Answers to their Complaints against the Traders, of their being cross, using

them worse, then they did formerly, refusing their Light and damaged Skins, &c., and that they had forgot their good old Customs as well as the white People, and that as this Meeting was to sett every Thing right, that both Sides should promise to behave better for the Future, and live like Brothers together.

Then after a short Consultation among themselves, Huthlipohocho, the Puckuchollahasse Captain [59] in Behalf of the whole, spoke and said, that he had one Talk more to give and then they had done, and that as they had agreed to every Thing that the Governor had desired of them, they hoped that he would not dispise or throw away their Talk away, that their was neither white Man or Indian living that could say, that ever any Indians either in Upper or Lower Creek Nation spilt the Blood of a white Man or were they ever accused or suspected of it. That it was well known by both white Men and Indians that the Chirokees had killed several, particularly the two white Men at the Coasaws who were killed by an Indian, Coweetawteechee, the Oakehoge King of the Great Tallaco, Brother to Oakehalpe, the English Captain, and that as they out of the great Love and Friendship they bore in their Hearts to the English and the Good of their own Nation, had taken the Life of as great a Man and Warriour as any in their Nation, to make Satisfaction for a Crime in their Opinion very small in Comparison of killing a white Man, they should think the Sentence very hard and severe unless the Governor demanded the Blood of that Cherokee which was but small Satisfaction for the Lives of two People.

To which the Wholf made answer that he hoped to see or hear of his being in Charles in Town [*sic*] before long.

Mr. Bosomworth then asked the Indians if they had any Thing more to say, to which they answered No! He then desired the Indians and white People to meet him in the Square Tomorrow, and informed them that the whole Proceedings should be drawn out fair, read, and interpreted to the whole Assembly.

Saturday, the 23d of September, 1752. The White Men and Indians being all assembled, the above Proceedings were read, and interpreted, Paragraph by Paragraph, and acknowledged and declared by all the Head Men to be the true Interest and Meaning of the Speeches made, and Answers given by them in Behalf of the whole Upper Creek Nation in Testimony whereof all the Head Men affixed their Marks in the Presence of the subscribing Witnessess. [60]

ISPOCOON MICO _____ his Mark
his

HINIA MICO _____ of the Tuckobatches
Mark

We whose Names are hereunto subscribed do hereby testify the Truth of the Facts above related, upon Oath.

JAMES WRIGHT, Sworn Interpreter

THOMAS DEVALL	LACHTAN McINTOSH
JOHN RUSSEL	WILLIAM FAUKINS
JAMES McQUNES	JAMES GEDDES
JOHN ALLEN	THOMAS PERRIMAN
	his
SIPHROUS HOBBS	PETER _____ CORTEE
	Mark
	THE WOLF KING _____ his Mark
	THE OAKEHAYE CAPTAIN _____ his Mark
	THE PUCKNELALLASSE CAPTAIN _____ his Mark
	THE TALLASSE KING _____ his Mark
	THE TUSSHALATCHEE KING _____ his Mark
	THE OFFASSE KING _____ his Mark
	EFFULUTCHEE, THE TUCCOBATCHEE CAPTAIN _____ his Mark
	THE TALLOPUTCHEE KING _____ his Mark
	THE NATCHEE KING _____ his Mark
	OPYIA MICCO of Tuccobatches _____ his Mark
	THE WARRIOURS' KING of the Tallassees _____ his Mark
	THE LONG LIEUTENANT of the Tallasses _____ his Mark
	THE WHITE GROUND KING of the Piglasses _____ his Mark

Sworn before me in the Publick Square of the Tuckabatchee Town on the Day and Date above mentioned.

THOMAS BOSOMWORTH, Clerk

After every Thing was finished, Old Brackey Face desired that we would wait the next Day as he had Something to say, particularly regarding his own Town which was agreed to, it being a Day of Rest.

Sunday, the 24th. Old Brackey Face made an excellent Speech to his People in Favour of the English, and likewise repeated to us his signal Services done in his Life Time for them, and that though he now was grown very old and poor, and was not able to serve us as he had formerly done, and yet he hoped the Governor would not be unmindful of what was past, and that he should still employ the small Remains of Life he had left for the Good of his old Friends, &c. which I promised to acquaint the Governor of.

[61] Monday, 25th. This Morning drank black Drink. Took Leave of the Indians, every Thing being concluded to their Satisfaction. About ten o'Clock sett off for the Cowetas. Camped about half Way.

Tuesday, the 26th. This Morning Mrs. Bosomworth fell from her Horse, and was very much hurt. Arrived at the Cowetas. No News extraordinary.

Wednesday, the 27th. This Day Mr. Nowley, Trader in the Cussitaws, came here and informed me, that he heard that some Captain of a Vessel had made Affidavit in Charles Town, that he had lately seen Malatchi in Augustine which is absolutely false for he never has been there, but once or twice, and that was with his Father when he was a Boy.

Thursday, the 28th. This Morning, Monday next was appointed for a general Meeting of the Headmen of the Lower Creek Nation. Writt a general

Letter to all the Traders, and dispatched a Messenger with it requiring their Attendance here at that Time.

Saturday, the 30th. Had a private Conferrence with Malatchi and Chig-gilli who have agreed to every Proposition I am ordered to make.

October, 1752

Monday, October the 2d. This Morning all the Master Traders, and a good many Hirelings came to the Coweta Town, few of them quite sober, brought Liquor with them, drank very freely and as liberally gave it to the Indians, with a design to prevent any Bussiness being done, and the Savannahs from Charles Town unluckily arriving at this very Juncture with three or four Caggs of Rum, the Indians and white People all got to drinking, and Nothing but an armed Force could prevent them, so it was impossible to do any Bussiness at this Time. I told Malatchi, as some of the Head Men were not come and others in Liquor, it would be best to appoint another Day which he agreed should be Wednesday following.

But that the World may judge what Aid and Assistance I have Reason to expect from those who are to answer the contrary at their Peril [62] I shall only give the following Instance, one Richard Sheets, pretending that he had heard some mighty Secrets from some of the Indians, and that all their Lives were in Danger, &c. I told him that if he knew any Thing that concerned the public Welfare, it was his Duty to let me know it, in Answer to which, he told me with a good Deal of Insolence that he would neither tell me nor any body else, that he did not know what he was sent here for, and swore he would go about his Bussiness. To which I replied that he should wait my Time, and tendered an Oath to him to discover any Secrets or Designs that he knew amongst the Indians against his Majesty's Subjects, which he absolutely refused and swore at the same time (see Declaration No. 5^d) that he was Subject to no King or Crown whatever. Upon which I charged them all to bear Witness of what he said, and ordered the white Men in the King's Name to secure him, which they refused to do, so that I was obliged to tie him myself in Presence of all the Indians, but he swore he would not go down till he thought his own Time, and as I had no Force to compel him, and none would give me any Aid or Assistance in this Affair. Upon his own Promice to be ready to go down to the Governor, to Answer what he did I set him at Liberty.

But in Vain, is it for me to expect Obedience to my Orders from those who deny his Majesty's Authority, but if such Things as have been acted and done in Opposition to lawfull Power, since I came here, are allowed to go unpunished, adiew then to all Government and Authority in this Nation for the future.

I must observe that, that ungrateful Villain, Ellick, who has received so many distinguishing Favours from the English has been one of the chief Instruments made Use of in opposing every thing I have done, and indeed with an Air of very great Importance gave it out that he did not think it worth [h]is while [63] to go to hear any Talks till a white Interpreter was sent from

* Below, p. 310.

the Government, which I am convinced has sprung from the same excellent Original with many other extravagant Fictions of that Kind. But Captain Ellick who is a very great Man in the Opinion of some People might let along giving himself those Airs, for the real Truth is, he is thought of so little Consequence in the Nation that he is never asked or consulted upon any public Affairs.

This mighty Secret that the white People were all so big with, and would not discover, Kennard when he was in Liquor, unhappily disclosed, which was, that they were told by a Cussitaw Fellow called Will Rum, one of their Agents, that I had sent for them all to the Cowetas to be killed, and that those Head Men (whom they had used all the Methods in their Power to prevent attending the Meeting in order to retard my Business had not agreed to it, thinking thereby to arrogate Merit to those very Men whom they had employed as Tools to oppose every Measure of the Government.

Tuesday, the 3d. Kennard still pursued his old Course, selling Blankets, Cloaths, and every Thing he could buy, beg, or borrow, to the Savannah Indians for Rum in order to keep the Head Men drunk, and brought several Bottles into the public Square to drink with them in Opposition to every Thing I could either say or do, till at last by Malatchi's Assistance who would not drink at all, I was obliged to take the Rum from the Savannahs partly by Force, at which, he was so enraged that he used all the Arguments in his Power to instigate the Indians to take it from me, and when he see that he could not obtain his Point, he took his Horse and rid into the Square, and told the Indians that I was going to tye him, but as he was their Friend, he hoped they would not suffer me to do it. He then rid away and swore he would not come any more.

Wednesday, the 4th. Pursuant to Orders, all the white Men and Indians excepting some few who sent Word that whatever [64] Malatchi should do in Regard to the publick Affairs they had before declared they would stand by and confirm were assembled in the Coweta Square, the Particulars of which are as follows.

PROCEEDINGS OF THE GENERAL ASSEMBLY OF ALL THE LOWER CREEK NATION,
AT A COUNCIL HELD ON THE COWETA SQUARE ON WEDNESDAY
THE 4TH DAY OF OCTOBER, 1752

PRESENT: The Reverend Thomas Bosomworth, appointed Agent by Commission from his Excellency James Glen, Esq., his Majesty's Governor of his Province of South Carolina by and with the Advice and Consent of His Majesty's Honorable Council of the said Province.

There were also present all the Lycenced Traders in the said Nation, when the following Oath was administred to John Kennard, Trader at the Hitchetaws, and Samuel Thomas, Hireling to Mr. Fitz, Trader in the Utchee Town, viz.

You shall faithfully and truly interpret whatever is required of you to make known to this General Assembly of the Head Men of the Lower Creek Nation and a true Interpretation give of their Answers to the Best of your

Knowledge and Skill in their Language without Fear or Favour or Affection, so help you God.

JOHN KENNARD _____ his Mark

Sworn before me in the Cowetas Square this 4th Day of October, 1752.

THOMAS BOSOMWORTH, Clerk

[65] The Agent then op[e]ned the Conference as follows:

Brethren, I am very glad to see you all here in this your great beloved House as I am charged with Matters of Consequence which I am ordered by the Governor and beloved Men of Carolina to speak with you about, who by this beloved Paper to which is made fast the Great Seal of the Province, have as fully empowered me to talk with you here as if they themselves were present, and accordingly I now speak to the Headmen as if your whole Nation was present, and shall understand, the Words you speak as the Words of all your People, and expect the Faithful Performance of what you say.

You are very sensible that amongst Friends and Bretheren, or any two Nations of People who are desirous to continue in strict Friendship together, the first and most prudent Step when they meet is to remove all Obstructions to a good Understanding, with this View from a Principal of Duty to his Majesty as by that Means I may have an Oppertunity of shewing my Friendship for your Nation, I excepted of a Commission as Agent at a Time when our own Business in England was very urgent, and the Delay therein in coming so long and fatiguing a Journey may be very prejudicial to our Healths and Interest.

Though the Injuries and Wrongs done to the English by your People were sufficient Reasons to have induced the Government of Carolina to have taken such Satisfaction as the Laws of all Nations direct without further Expostulation which must have engaged all our Confederate English Neighbours and Indians in Amity with us in the same Cause. Yet such was the Clemency of his Excellency, his Regard for your Nation, his sincere Inclinations that the Chain of Friendship should be stronger fastened together and all past Injuries buried in Oblivion, [66] that his appointing of me as an Agent ought to be looked upon as the strongest Proof of his hearty Concern for the Welfare of you and your Posterity as he was assured that my Wife, who by the Laws of God and Man is the same as myself, has many Friends and Relations among you, and that the Ties of Blood and Nature must lay us under Obligation sincerely to give our Advice as Friends and Relations in a Point in which the Welfare of your Nation was so nearly concerned, and I assure you it is to me Matter of great Joy, and I dare say will be to the Governor, that our Endeavours herein have not failed of producing that Effect which might so reasonably have been expected from them, as Nothing was thereby meant but what has a manifest Tendency for the Good of you all.

Though I have heard many Things related which the Government of Carolina had reason to be offended with, yet I have only three Things in charge to mention to you, and if Satisfaction was given on these three Articles, then all other Things would be forgiven and forever forgot, and the Chain of Friendship will then be as strong and bright as ever. Pursuant to my Instruc-

tions I privately communicated the first Article I had in charge to Malatchi and Chigeli, who immediately called a Council of the all the Head Men there upon, the Results of which was that they did not know what Answer to give in Regard to the Satisfaction demanded, but with a general Voice without one Negative, left the Management of the Affair entirely to Malatchi, and whatever he should act or do therein they all promised to ratify and confirm.

In farther Conformity to my Orders I have again called a general Meeting of all the Head Men of your Nation who I presume by the Laws thereof have full Power and Authority finally to determine all Things relating thereto, and as you are |67| all here present, I shall publickly declare to you the Matters I have in charge to communicate to you in Behalf of Carolina and its Government, and publicly receive your Answers in Behalf of your Nation.

The first Article I had in charge was to demand Satisfaction for staining the white beloved Town with the Blood of our Friends (though your Enemies) who were under the Protection of the Government contrary to the ancient Covenant of Peace and Friendship with your Nation, contrary to the Faith and Promises of the Offenders themselves (so there could be no Plea of Ignorance) and contrary to the Laws of all Nations whatever, which was such an insolent and open Contempt and Breach of all former Engagements with the English, as Nothing but the Blood of some of the principal Offenders could make an Attonement for. But as I have before repeated to you, the Headmen, the Whole of this black Affair, and you seem truly sensible of the Heinousness of the Crimes and the Reasonableness and Justice of the Satisfaction demanded, I shall not dwell any longer upon this disagreeable Subject, but receive your Answer there upon.

The second Article I had in charge was to demand Satisfaction and Restitution for all Injuries and Wrongs done to the white People in general, in stealing their Horses, Goods, &c, particularly for the Insults and Injuries offered to some of our Traders in the Cherokees, who have greatly suffered by your mad People going out to War, and taking away their Goods, and Horses, &c., of which I shall give you particular Instances.

As there are a great many wise People here, it is almost needless for me to acquaint you that all the white People upon this Continent towards the Sun rising are the Subjects and Children of the great King George to whom as a tender Father he is obliged to see equal Justice distributed. The Governor of Carolina who represents the great King George in all the southern Parts of his Domanions is under the strictest Obligation, to see equal |68| Justice done to all the great King's Subjects that are committed to his Care.

You know very well that the Traders sent to the Cherokee Nation, you likewise know that by the old Agreement of Peace and Friendship betwixt this Nation and Carolina, the Head Men promised for themselves and the People of their Towns, that if it should so happen, that any of your People should be mad and either kill or wound, beat or rob, disturb or molest any of the English Traders, their People sent to your Nation, or any other Nation of Indians in Friendship with the English, though your Enemies, then the Head Men of your Nation did engage and faithfully promise to have Justice done the English, and for that Purpose to deliver up any of your People that should be

guilty of the Crimes aforesaid, to be tryed by the English Laws, or the Laws of your own Nation as the English Governor should direct.

Now in open Breach of this solemn Treatie, and in Defience of the Peace with the English, contemptuously destroying and trampling under Foot their Friendship, upon the Continuance of which alone the Welfare of your Nation Depends, I shall give you the following Instances.

That on the first of May last, now five Months ago, about 40 Creeks came to the Town of Cheowee, which had been abandoned by the Cherokees some Time before, and there fell upon some of the English Traders, throwing some of them of their Horses and threatning to kill them. They took from one Man 3 Horses, 3 Saddles, a Gun, and Pist[ol], and from another 5 Horses, Bridles, Goods out of the Store to the Amount of 10 Lb., 5 Weight of Leather, and since that Time some of your People have carried from the Ranges belonging to the Traders in the Lower Cherokees near 30 Horses more. [69] Such Wrongs and Abuses as these are insufferable and call aloud for immediate Satisfaction, therefore I require that you the Head Men give immediate Orders to the People of your Towns who were guilty of those outrages quietly and peaceably to deliver up to me all the Horses and other Effects that have been taken and plundered from the English Traders in the Cherokees or any other Subjects of the Great King, and if any Part is made away with, that they make Restitution in Value thereof.

I am informed that a Part of those Horses taken from the Cherokees have been restored, but that those are many more in the Nation belonging to the white People which they have refused to deliver and treated those that demanded their own with a great Deal of Insolence which highly aggravate the Crime. Therefore I not only expect ample Restitution and Satisfaction for all the Wrongs and Injuries done to the white People in general, both in the Cherokees and this Nation, but I likewise require that you give a severe Repremand to the Offenders not to be guilty of the like for the Future, for Fear of worse Consequences, for suppose the white People had resisted in doing which, they would have been justified by the Laws of all Nations in such an open Invasion of their Properties, and they had killed one another, the Consequence might have been the spilling of a great Deal innocent Blood. The greatest Care therefore ought mutually to be taken on both Sides that the Roads betwixt us be kept perfectly clear and open, and that no Acts or the least Obstructions be suffered to stay in the Way in order to which I desire that you, the Headmen, would restrain your mad young People from behaving with so much Insolence to the Traders or their People of your own Nation as I am informed they have been guilty of, by threatning to beat them, braking open their Stores, and taking away their Goods and Horses by Force, and many such Insults and Injuries too tedious to mention. There are a great many wise Men here, and you must be convinced in your own Hearts that such is very hard and intolerable after they have been at so much Pains and Trouble to bring all convenient [70] Necessaries amongst you for the Good of your Selves, your Wives and Children, therefore I hope you'l treat them more kindly for the Future and give no just Cause of Complaint.

As you the Headmen have already promised to give full Satisfaction upon this Article I shall entirely rely upon the punctuall Performance thereof, and proceed to communicate to you the third Article I have in Charge which is to propose a Peace betwixt your Nation and the Cherokees.

You may have heard of the great Pains and Trouble that the Governor of Carolina has taken to cultivate a perfect good Harmony with all Nations of Indians, one with another. His Heart is very sorry that any Nation in Friendship with the English should be at War together, but wants them all to live like Brothers together and great King George's Children, and it has likewise given the Governor a good Deal of Concern that his good Intentions for their Welfare have been so often frustrated by their being regardless of their Promise to him and one another, and immediately break the Peace, particularly some Years ago when both Creeks and Cherokees expressed a Desire to be reconciled and to make Peace in the Presence of the Governor of Carolina. The Upper Creeks coming down by the Coweta Town were told by Chiggoli in the Absence of Malatchi, who was gone to Georgia, that whatever was transacted in Charles Town, by the Upper Creeks, should be agreed to by the Lower Creeks and be binding on the whole Nation, and a Peace having been solemnly made between the two Nations, yet the Lower Creeks forgetful of their Promises and Engagements soon after broke out War with the Cherokees, and carried a considerable Force into their Country when they expected no Attack from that Quarter, being as they apprehended at Peace with them.

[71] War, you know by Experience, is a wasteing Evil and one of your own Head Men wisely compared it to a Wood on Fire which devoured all before it, and will in Time reduce any Nation of People though never so numerous to Nothing. Therefore, the tender Regard and Love that the Governor bears in his Heart for the Welfare and Preservation of your Nation and all Indians in Friendship with the English are his sole Motives for his proposing a Peace as he would gladly extinguish that devouring Flame which so insensibly destroys your People.

I need not represent to you the many Hardships that your Women and Children are dayly exposed to. You cannot go out to hunt to buy them Cloaths or Victuals for them to eat without being in Danger of your Lives. Therefore I hope the Love and Regard you ought to bear to your Women and Children, and the Preservation of your Nation in Conjunction with the Governor's Request will be Motives sufficient to induce you to agree to this Proposition which I hope you will look upon as a strong Proof of his good Intentions, to serve you and sincere Friendship for you.

As a further Instance of the Governor's strong Desire that every Thing may be made strieght in Case you agree to a Peace with the Cherokees and desire a Peace with the Northern Indians also, he has ordered me to acquaint you that he will immediately send amongst those Indians and use his good Offices to make a Peace betwixt your Nation and the Northern Indians also, and as I have already proposed this Peace to the Upper Creeks who are very well satisfied therewith, and have promised to stand by and confirm whatever shall be agreed upon by you, the Lower Creeks, I hope your Answer on this Head. The other Articles will be satisfactory to the Governor who is very

desirous that a lasting Peace should be made, and for that Purpose when I send your Answer he will send Nitice [*sic*] to the Heads of the Cherokees to call in their Warriours and all Hostilities to cease till your and their Headmen meet Face to Face, finally to conclude the same at the Time and Place the Governor shall think fit to appoint and all will be as streight as ever.

[72] Malatchi, Opia Mico, King of the Creek Indian Nation, then spoke and said,

That now all the white People were present, and that some of the Head Men of the Indians could not attend this Meeting but had before declared and sent Word that whatever he should act or do, in regard to public Business, that it should be looked upon as firm and valid, as if they, or the whole Nation, were personally present. Then,

Estepaichi, Tessikia Mico, King of the Cussitas Town and near Relation of the Acorn Whistler spoke and said,

That in Answer to the first Article he had heard the Demand before and as his own Relations, though a very great Man, was the Cause of all the Mischief, he himself consented upon hearing the Talk, that as Nothing but the Blood of some of the Offenders would make Attonement for the Crime that his Blood (meaning the Acorn Whistler's) should be spilt for Satisfaction for the English, and that a Messenger that was his own Relation, was sent up to have him killed. We thought at first that this Talk was very bad and that the English wanted to throw us away, but upon considering that it was our People that were mad and had thrown the Governor's Talk away and spoiled the Peace with the English, we thought it was good that his Life should be taken that was the Cause of all the Meschief in order to make all streight with them. That the Path to our Nation might be open and clear, and that we might continue in Peace and Friendship forever, and as they had killed one of their great Men for Satisfaction for a Crime that they thought very small in Comparison of killing of white Men, they hoped the Governor would demand the same Satisfaction of the Cherokee for killing our own People.

[73] Mr. Bosomworth then asked them for what Reasons the innocent Man was killed that killed the Acorn Whistler, to which Malatchi made Answer, that it was not for Satisfaction for the Acorn Whistler's Death, but for Fear that he being a young Man, and in order to take the Odium of the Action from himself, should be foolish enough to declare that he was sent on to kill the Acorn Whistler for Satisfaction to the English before there could be a Meeting of the Head Men and a proper Time to discover the Cause of his Death by which Means his Relations in their Fury without considering the Consequences might have took Satisfaction upon the white People. In order to prevent which, they thought it was good that an innocent Men should die in order to appease the Fury and Rage of his Relations till a proper Time to make them all sensible of the Justice and Reasonableness of his suffering Death so that as two Lives are lost upon that Account, and all his Friends and Relations be streight, and all past Injuries be forgiven and forgot, and a new Chain of Friendship made, which would continue forever.

In Regard to the second Article, Malatchi declared that as the bad Talk was now made good, a few Horses should never make it crooked again, and whatever Horses there were in their Nation belonging to the white People, every white Man should give him an Account of what Horses were in their different Towns and he would take care to see them restored.

In Regard to the third Article, Malatchi declared that since it was the Governor's Request that they should make a Peace with the Cherokees, and the Upper Creek Nation had entirely left it to his Determination, the whole Lower Creek Nation should comply with every Thing the Governor desired, but that as the hunting Season was now coming on and both Nations were soon going out, Mischief would be done on both Sides before Notice could be given unless the Governor [74] immediately sent up Notice to the Cherokees to call in their Warriours till the Headmen could meet to conclude the Peace before the Governor, that it might be lasting which they for their Part would Agree to at any Time and Place the Governor should appoint, and in the mean Time would prevent any of their Nation from going to War into the Enemies' Country, after they returned Home, that were out. And that as they had complied with every Request of the Governor he hoped he would not dispise their Talks but send them favourable Answeres in Testimony whereof Malatchi offered his Mark in Behalf of the Lower Nation in the Presence of the subscribing Witnesses.

his
 MALATCHI, OPIA MICO _____
 Mark
 and commanding King of the Creek
 Indian Nation

We whose Names are hereunto subscribed do testify upon Oath the Truth of the Facts above related to the best of our Knowledge.

JOHN BARK
 LACKLAND MCINTOSH
 THOS. BOSOMWORTH

Sworn to before me the Day and Year above written, James Huet, John Ladson, John Latter, Hohn Hallet, Charles Jordan, Samuel Thomas, sworn Interpreter, James Smith, William Lindier, George Mackay, Richard Streets, Acton Rowley, Alexr. McQueen, John Kennard, sworn Interpreter, Louis Fryer. Finis.

The Talk being ended it was to be observed, that most of the white People were so enraged to find all the Efforts of their Spite and Malice effectually disappointed, that as soon as they came out of the Square, they were all for immediately going away, and as I only then had rough Heads of what the Indians said in the Square which I wanted to draw out fair and then again interpret to them, for the white People to attest that it was the true Interest and Meaning of what was declared by them. They would not allow me Time to do it, so that rather than they [75] should go away without attesting any Thing the Truth of which I know they would absolutely deny I was obliged in the greatest Hurry and Confusion to draw up a very imperfect Account of what

was said by the Indians, but not one half of what they said and declared is there inserted which would have made Things appear in a much clearer Light which was the very Point they wanted to evade in order to make good their own Assertions.

Thursday, 5th, Friday, 6th, and Saturday 7th. Employed in preparing Dispatches to the Governor. Shall be obliged to send to the Lower Towns to borrow Paper.

Monday, the 9th. This Morning sent Mr. McIntoch for Forrest to prepare himself to go down in a Day or two's Time. He pleaded hard the great Inconvenience it would be to him and the entire Ruin of his private Affairs to go down at this Juncture, and begged I would excuse him till I went down myself and he would give any Secourity [*sic*] I required for his Appearance which Indullgence I granted him, and shall wait his Excellency's further Orders upon this Affair. But permit me to observe that if he is not sent for to come down, as I have declared to all the Indians, his Crime could not be pardoned, it will give them a very d[e]spicable Opinion of my Power, and consequently of the Authority of Government.

A Notion generally prevails here among the white People that the Government of Georgi[a] will not permit any Traders to [be] carried over Savannah River that have their Lycences from thence, which makes them conclude it a Matter of Indifferance to oppose any Authority from Carolina as an Instance of which I this Day sent Letters to Kennard, Ladson, and some other to come to the Coweta Town in order to attest some Fact, the Truth of which they cannot deny which they have not complied with.

Tuesday, 10th. My Dispatches being near finished, ordered Mr. McIntosh to get himself and Horse in Readiness for his Journey to Charles Town.

|76| Wednesday, the 11th. This Morning Malatchi and Chiggili came to me and asked if I had finished my Papers to the Governor, to which I answered I had, and was going to seal them up, which I should have done Yesterday, but I expected some of the white People from the Lower Towns with whom I had some Bussiness. But as they did not come I should send the Messenger away this Day, to which they replied they had some Thing more to say, and as the Papers were not sealed, desired that I would put it down, which was the following Purport.

That they were very sensible that their young People were very ungovernable and committed a great many mad Actions which they ought not to do, for which the Head Men particularly himself, Malatchi was unjustly blamed as the white People themselves were the cheif Cause of their Disobedience in making Captains and great Men by Commissions granted them who had no Right to command, which made great Confusion in their Nation, a particular Instance of which he mentioned. That above two Years ago the People of Savannah sent for the Head Men of the Lower Creeks, several of which went down, and they offered a Commission to an Indian called Wehoff-
hee, Long Warriour of the Oconies, to command the whole Nation, and told him that all Talks concerning the English should be sent to him for he (Malatchi) was a French Man and did not love the English which the said Wheffee did refuse to accept, telling them that he, Malatchi, was the King of

the whole Nation. That as the English had thrown him away and pitched upon another to act for them, why should he concern himself with any Thing relating to them, which had made hitherto the more indifferent in Matters that concerned them.

They likewise |77| added that our white People in their Nation were guilty of a great many mad Actions, as well as theirs, and that they had hitherto forbore to complain of them, but as they had punished their People with Death for Satisfaction to the English, they hoped the Governor would punish the white People for the Crimes that they were guilty off. And first they complained very heavily of the white People in general for debauching their Wives and mentioned several in Particular that were found guilty, and said if his Excellency would not punish them for it, the injured Persons would certainly put their own Laws in Execution.

Secondly they complained of the white People stealing of the Indians' Horses, which made the Indians steal the white People's in Return, particularly an Indian called Mulbery (by the English), a Cussetaw Fellow, complained that a white Man called John, that trades to the Chickesaws, was seen to carry off from Augusta a black Horse of his and he never could get him again. An Indian called Allfonis (by the English), a Cussetaw Fellow, likewise complains that Mr. Goodale of Augusta took away a gray Horse of his, which he never could get again. An Indian called the Scotchman, a Cussetaw Fellow, likewise complains that one Frank Underwood took away a Mare of his which was seen in his Possession which he never would return. The same Indian likewise complains that one Samuel Elssinore this Spring stole a very fine Horse from him, and carried down to Augusta with him. This last Complaint appears to be just and true by the Evidence of several Whites who went down in Company with the said Elsinore, and see the Horse in his Possession in the Company's Yard at Augusta, but what is since become of him can not be learnt.

Thirdly and lastly they complain of the white People for beating of them and ussing them very ill when they are in Liquor, particularly by one |78| Charles Jordan, Hireling to one Randel, Trader in the Utchees, who has made several of their People so very ill, and they him, that they are affrayed that some Mischief may be done on one Side or the Other. In order to prevent which, they desire that the said Jordan in Particular may be ordered out of their Nation.

They likewise desire that all the strowling white People that are not employed in the Indian Trade may be ordered out of their Nation, for they say that there are several that go out a hunting with the Indians and catching of Beaver, carrying Indian Wives out with them, decoying them from their Husbands, &c., which are liable to be killed by their Enemies, may die or parish in the Woods, or several other Accidents may happen to them, for which they may innocently be blamed, all which Complaints I promise to lay before the Governor and to inform them of his Answer thereto.

Deferred closing my Expresses Yesterday in Expectation that some white Men from the Lower Towns would have come up to attest some Papers, but they have got their Lycences from Georgia, and they imagine that is *Murus ahenius* [sufficient?].

John Ladson, Trader in the Utchees, who understands the Creek Language was present at the general Assembly of the Head Men on Thursday, the 11th Day of August, and heard it delivered in public Assembly that the Acorn Whistler was the Cause of that Meschief, for which Satisfaction was demanded, and that it was the general Opinion that he ought to suffer. The Truth of Mr. McIntoch can attest upon Oath he heard Ladson acknowledge to be true.

John Kennard was in Company with Mr. Bosomworth in his own House at the Hitchetaws the 19th Day when the Messenger came to Mr. Bosomworth in his own House and acquainted him that the Business was now finished, the Acorn Whistler was now killed for Satisfaction to the English, and he hoped the Governor's Heart would be now streight, the Truth of which Mr. McIntoch can declare upon Oath.

[79] Though the lasting Malice of my Enemies has so far abandoned them to all Sence of Truth and Justice that I am convinced all that Wit and Rancor to misrepresent every Thing that I have done, yet I do not doubt but the deserving Judgement of those to whom this plain Narritive of Facts without Art or Dress, or even Opportunity of takeing a fair Copy) is humbly submitted, will break of the Teeth of Prejudice and Defamation, and either make them ashamed of their Lies and extravagant Fictions, or dread the Effects of their important Efforts if in any Point I have done, or I have any Ways exceeded the Limits of my Authority, I hope the Government will put the more favourable Construction upon it, and impute it to the Necessity I was under of acting as I did as I had to deal with a Set of People who paid little Regard either to the Laws of God or Man.

As I was convinced that their Words were little to be regarded I thought it necessary to add the Sanction of an Oath which some perhaps may dispute the Legality of my Power to do, to try if that would be any Restraint upon them.

As to the Affair of Forrest, if I had not taken the desperate Step I did with him I should have been obliged to have left the Nation, than which Death would have been more Acceptable, nor is he the only one, for there are more that are equally criminal, if Proof could be come at, and in such a Case as this, where the Danger lyes in talking to Indians, their Evidence is certainly of some Weight. The only Remark that I shall remark upon the Behaviour of the white People in General (some few excepted) is that they all seemed to be united in the common Cause against me, and in order to give the greater Weight, and Air of Probability to what they said, they all agreed in telling much the same Stories, from which it is evident, that it was premeditated, concerted Scheme to frustrate the Intentions of the Government and if Example is not made of some of the most criminal [80] it is humbly offered as my Opinion, that it never will be safe for an Agent of the Future, to come to this Nation, that dare oppose my Measures. They shall please to dictate to them, *Magna est Veritas et [prevalebit cujus?] Vis est errare nullius [nici sepientis?] errore perseverare.*

THOS. BOSOMWORTH

In the Coweta Town in the Creek Nation
October the 11th, 1752

P. S. I have sent Forrest's Letter by which he partly acknowledges himself guilty, and pleads his being in Liquor, which is a poor Excuse. No. 7^b.

AFFIDAVITS TAKEN BY THOMAS BOSOMWORTH

The Affidavits referred to in the above Journal of the Proceedings of the Agent are as follows, viz.:

No. 1

Before me, Thos. Bosomworth, Clerk and Agent to the Creek Indian Nation by Commission from the Government of South Carolina, personally appeared John Ladson and Lachlan McInto[c]h, Traders in the Owseeche Town in the Lower Creek Nation, who being duly sworn declare upon Oath,

That on Monday Morning the 11th Day of August last they, the said Deponents, were personally present at a Private Conference held at the Coweta Town in the House of Malatchi betwixt the said Agent in Behalf of the Government of South Carolina, and all the Head Men of the Lower Creek Nation.

That the said Agent in the Presence of the said Deponents largely expatiate upon the Injuries and Wrongs done Carolina, in their mad People being guilty of a most flagrant and notorious Breach of the ancient League of Peace and Friendship with the English by staining the white beloved Town with Blood, which was particularly explained to them, and the Lives of the principal Offenders positively demanded for Satisfaction to the English, and all Arguments that could possibly be made Use of to convince them of the Justice, Reasonableness, and Necessity of giving the Satisfaction required were enforced by the Agent. [§1] To which the Indians made Answer that all the wise Men of their Nation had met together for Nothing, for they could not tell what Answer to make to the Demand that was made, and some of them going about to excuse the Crime they were told by the Agent that they ought well to weigh and consider the Matter and what Answer they gave, for they did not talk for themselves alone, but for their Wives and Children, nay, their whole Nation, and even their Posteraty, which might suffer for their rash Determination for the Insults and Injuries done to the English never could be put up with unless the Satisfaction demanded was given. Upon which and several more feeling and pathetic Arguments made Use of by Mrs. Bosomworth, it was resolved by the general Advice of the whole Assembly without one Negative, that the Management of this difficult and nice Affair should be entirely left to Malatchi, and they all declared that whatever he should act or do in this Affair for the Good of them all, the Whole would stand by, ratifie, and confirm, upon which Resolution, the Assembly was dismissed.

John Ladson does for himself declare that he has been twenty-five Years in the Creek Indian Nation, and that he understands the Creek Language.

Signed, JOHN LADSON
LACHLAN MCINTOCH

^a Below, p. 310.

Sworn before me in the public Square of the Coweta Town this 4th Day of October, 1752.

THOMAS BOSOMWORTH, Clerk

In the Presence of James Hewit, George Masy, John Kennard, John Latter, Charles Jordan, James Smith, Acton Howley, John Hallet, John Banks, Lewis Frazor, Samuel Thomas, Richard Streets, Alexander Mackquin.

No. 2

Ausichee Town in the Creek Nation,
August the 26th, 1752

|82| Before me, Thomas Bosomworth, Agent to the Creek Nation by Commission from the Government of Carolina, personally appeared Charles Jordan and Samuel Thomas, the Former a Hireling to Peter Randal, Trader in the said Town, who both declared upon Oath,

That on Monday Morning the 24th Instant, these Deponents were present at the House of Mr. Stephen Forrest, Trader in the said Utchee Town. That there was likewise several Indians, but in Particular an Indian called Ellick, and another Indian called Wehanne, one of the Head Men of the Chehaws, who in Particular enquired of Mr. Forrest as he was lately come from Charles Town, if he had seen the Governor and what Talk he brought. To which the said Forrest answered that he had seen the Governor, and that the said Forrest said that he had heard a great many bad Talks was brought lately to the Nation, but that he, the said Forrest, had brought the good Talk from the Governor and should make all streight, and the said Forrest further added, that he was then in Drink but when he was sober the Talk was to be given, and the said Forrest talking in that Strain the said Samuel Thomas said he will get himself in Trouble, upon which one Richard Kicker, who had some Influence over him, advised him to hold his Tongue.

CHARLES JORDAN
SAMUEL THOMAS

Sworn before me the Date above mentioned.

THOMAS BOSOMWORTH, Clerk

No. 3

Before me, Thomas Bosomworth, the Agent of the Creek Nation by Commission of the Government of South Carolina, personally appeared John Kennard, Trader in the Hitchetaw Town in the said Nation, and declared upon Oath that he understands the Creek Indian Language.

That on the 26th of August by Order of the said Thomas Bosomworth, he, the said Deponent, proceeded with him to the Town of the Pallachuckelas, |83| and there in the public Square of the said Town, by order of the said Thomas Bosomworth, asked the King if all the Head Men were gone, to which he answered, Yes. The said Deponent by the order aforesaid then asked him if the Head Men had received the great white Talks they expected. To which the King answered, No. The said Deponent by order aforesaid then asked the

King from whom they expected to receive the white Talk. The King then answered from Forrest, and that was the Cause of their Meeting.

Sworn before me at the Hitchetaw Town this 26th of August, 1752.

THOMAS BOSOMWORTH

In the Presence of Lachland McIntoch, James Smith, Samuel Thomas, William Lindily.

No. 5

Coweta Town, Monday, October the 2nd, 1752

Richard Street publickly declared that he was subject to no Crown in the Presence of

LACKLAN MCINTOSH

JAMES HEWITT

JOHN LADSON

his

ACTON _____ ROWLEY

Mark

WILLIAM LINDIE

Letter from Stephen Forrest to the Agent of the Creek Nation

This August the 28th Day, 1752

SIR, This comes to acquaint you that I am very much troubled in Mind for my Misfortune in offending you, though not sensibly guilty of what is laid to my charge, but if I did speak them Words, I am not sensible of it |84| for Liquor was the Occasion of it, and now I lye at your Mercy either to drop it or not. But I hope you will be so good as to excuse me for I am very ready and willing either to ask your Pardon or make other Satisfaction as you shall think proper to lay on me for my Business lyes so wide that it will be a great Hurt to me to go down now at this Time, so no more at Present,

But remain your humble Servant to command by Night and by Day untill Death.

STEPHEN FORREST

SECOND JOURNAL OF THOMAS BOSOMWORTH

Journal and Proceedings of the Reverend Mr. Thomas Bosomworth, Agent for the Creek Nation, continued.

October, 1752

Coweta Town

Wednesday, October 11, 1752. After I had finished and sealed my Dispatches to his Excellency this Afternoon received a Letter from William [Sluthers?], dated from the Breed Camp near the Coosaw River in the Upper Creek Nation, the Purport of which was to acquaint me that on Friday the 6th Instant, one William Mackrachun (Hireling to John Pettygrovi [*sic*] Trader there) was fired at by a Chickasaw Indian called Noabbey, and received a Wound of which he died in about three Hours Time. The said Letter with

a Declaration of one George Cornall (who was present when this Affair happened) I inclosed to his Excellency with a few Lines from myself acquainting him with my Resolutions to proceed with all convenient Speed to the Upper Towns to demand Satisfaction for the said white Man's Death, and that Malatchi had promised to accompany me, with a Resolution that this Demand should be complied with. Mr. McKintosh not finding all his Horses till late this Evening was obliged to deferr his setting forward on his Journey to Charles Town till Tomorrow Morning.

Thursday, the 12[th]. This Morning Mr. McKintosh with two French Men from New Orleans, a run away Negro (by the best Information |85| belonging to one Dallee, Indian [Land?], South Carolina) set of from the Nation with my Dispatches to his Excellency; gave immediate Orders for my Horses to be got in Readiness to proceed to the Upper Towns to demand Satisfaction for the Murther of Macrackran.

In the Interim went over the River to the Cussitaw Town in Company with Acton Rowley, Trader there. One Barnard, his Hireling, acknowledged to me, that he had the Care of Samuel Elsonar's Horses last Spring at Augusta, that amongst his Gang, there was a large Bay Horse belonging to an Indian commonly called the Scotchman of the said Town. James Huoitt, Trader of the Owseechees, likewise declared that one Clark, a Hireling to him, the Time the Horse was conveyed from the Nation privately carried the said Indian's Horse by Elsonar's Orders to whom he delivered him at Augusta. My Servant returned without finding my Horses.

Friday, the 13th. This Morning sent out again in Quest of my Horses. My Servant returned without Success. Sent all over Town to borrow them but the Indians being many gone and Others preparing to go out a hunting, none to be hired. Malatchi finding I was likely to be disappointed, and the Necessity of Expedition offered to accommodate me with as many of his as he could spare tomorrow Morning. Fixt for our Departure.

Saturday, 14th. A very heavy Rain continued all Day.

Monday, the 16[th]. It is not necessary I presume to journalize the Day of our Departure from the Coweta Town, but this Day we arrived at the Tuckabatchers in the Upper Creeks, having traveled the whole Distance in very bad Weather without Intermission.

Tuesday, the 17th. This Morning the Headmen of the Tuckabatachees assembled to receive us in the Square with the usual Compliments of Black Drink, &c. I communicated to them the Purport of my Business in the Upper Creeks, viz., to demand Satisfaction for the Blood of the white Man. They all agreed to the Justice and Expediency of it. Malatchi offered it as his Oppinion that it would not be amiss to have a Meeting of all the |86| Headmen of the Upper Creek Nation, that they might unite their Endeavours with mine to see Justice done to their Friends the English, in Case I should meet with any Opposition in obtaining so just a Demand. This Proposal I accepted and pursuant thereto, Orders were immediately issued that on Monday following should be held a general Meeting of all the Headmen in the Upper Creeks at the Town of the Oakehoyis, and Messengers were accordingly dispatched to all the different Towns for that Purpose. Accepted an Invitation to dine with

Old Brachie at his Plantation, who entertains me with the highest Degree of Respect and Hospitality in his Power. Nothing worthy Notice during our Stay here, though I could not help remarking the extream Poverty and Nakedness of those Indians that are contiguous to the French Fort [where] they are supplied with Liquor for those Goods they purchase from our Traders. The fatal Effects of which the Indians themselves are very sensible off.

Saturday, the 21st. This Day sett off from the Tuckabatchees in Company with Malatchi and some Headmen of that Town to proceed to the General Meeting at the Oackchoy's.

Monday, the 23d. Arrived at the Oakchoyes where were assembled all the Headmen of the Upper Nation, or their Deputies excepting four Towns, the Savannahs, Abekers, Coosaws and Chickesaws.

Malatchi communicated to the Assembly all the Transactions of his in the Lower Creeks, particularly his agreeing to a Peace with the Cherokees, as the Head Men of the Upper Creeks at their Meeting at the Tuckabatchees, 21st, 22, and 23d of last Month had left that Point to his Determination. Malatchi further informed them that before the Peace was proposed to him at the Coweta Town, several Parties of the Lower Creeks were gone out to War and that he could not answer for any Breach thereof that they might be guilty off before their Return. That he had given strict Orders to all his People in the Lower Towns, to cease all Hostilities against the Cherokees till the Peace could be [87] finally concluded before his Excellency which he hoped would then last. That the like Orders should be given to the Parties that were out when they returned. This was approved off by the Upper Creeks and they promised to conform thereto; but made a Point how they should act in Case the Cherokees were the first Aggressors, in Answer to which I assured them that his Excellency upon the Receipt of my Letters, would immediately send Notice to the Cherokees to acquaint them of the Peace, and I hoped no such Accident would happen before it was firmly concluded before him. With which they were well satisfied.

I then proceeded to acquaint them of the Murther of our People committed by a Chickasaw and that it was to demand the Blood of the Offender I was come up. The Gun Merchant then made Answer that it was highly just and reasonable that Blood for Blood should be given, that it was the chief Intent of the Meeting of that Assembly, to be aiding and assisting in obtaining of it, which was but a Piece of common Justice due to their Friends the English. I told them that in Regard to Matters of Justice, the English were always capable to obtain it themselves, without the Aid and Assistance of any other Power, but that I was very glad to find such pregnant Proofs of their Wisdom, Justice and Friendship to the English, and that I should not fail to acquaint the Governor of it. The Gun Merchant then proceeded, that all the Head Men in the Upper Nation were there assembled, excepting the Headmen of the four Towns aforementioned, particularly the Chickesaws, as he had Cattle enough to kill if the Head Men would wait they should be welcome to the best Entertainment his House could afford, and that he would again send a Messenger to require the Attendance of those Upper Towns to conclude the

Affair at his Town. This Proposal was approved of and accordingly a Messenger dispatched for that Purpose.

Thursday, the 26th. This Evening the Messenger returned and brought for Answer from the Abekers, that as they understood the cheif Cause of their being summoned to the Meeting at the Oakchoyes was on Account of the white Man being killed by the [88] Chickesaws, [and] as the Head Men of that Town were gone out into the Woods, they thought their Attendance needless.

Friday, 27[th]. This Morning all the Head Men being assembled to come to a final Resolution in this Matter as I perceived some Uneasiness amongst them in Regard to their long Meeting, scarcity of Provisions in the Town for such a Number of Men &c. Though the Gun Merchant, who had the greatest Burthen, bore it very patiently, I addressed myself to them all, and told them I was very sorry for their long Detention, but as they could not do any Thing in this Affair without the Attendance of the Chickesaws, who I found were designedly gone off in the Woods to screen the Criminal from Justice, I equally accepted their good Intentions, and desired they would break up their Meeting, but at the same Time informed them that as I had given my Self some Trouble upon that Affair, to convince them that the Blood of a white Man was not to be shed without Satisfaction, I had come to a Resolution to order all the white Men to accompany me, in Pursuit of the Criminal provided any Indians there would go along with us as Guides. This Motion was approved off by Malatchi, the Gun Merchant, Devall's Landlord, and the Wolf, with whom I had privately consulted in this Affair before the Declaration made which was with a View to dismiss that Meeting as they became Burthersome to the Town and of no Use, as the abovementioned Indians has promised to proceed with me, which they publickly offered and I accepted.

Malatchi and the Gun Merchant requested that I would treat the Head Men with a Cagg of Rum to drink the Governor's Health, as they had waited several Days to give Proof of their good Intentions to serve the English, and were now returning Home without an Oppertunity in their Power to demonstrate the same. This Request I complied with.

About Noon set off from the Oakchoyes, accompanied by all the white Men that could be got [89] together, and the abovementioned Indians (excepting the Wolf who was quite overcome with Liquor). Slept this Night at the Wackacoyes.

Saturday, the 28th. This Morning drank Black Drink in the Square. A Speech was made by the Gun Merchant by Way of Exortation to the young Fellows to be good to the white People, recapitulating all the Business that was done in the Nation and what we were going upon, adding that he hoped none of them would ever give Occasion for the like just Demand to be made upon them.

About ten o'Clock, proceeded on our Journey; arrived at the Abbaconchees this Evening. The Head Men were assembled to receive us. Messengers were dispatched to summon the Head Men of the Savannahs and Coosaws, got advice that the Headmen of the Chickasaws were about 40 Miles distant in the Woods. Writt Letters to all the white Men in the neighbouring Parts as soon as possible to attend at the Abbacouchees. A Creek Indian was immediately

sent to the Breed Camp, with Orders to get a Chickasaw Fellow for his Guide to endeavour to find their Headmen who had been gone some Days in the Woods, and to deliver preremptory Message from me as Agent from Carolina, Malatchi and the Gun Merchant as Heads of the Creeks, that we expected their Attendance as soon as possible at a Meeting to be held at the Abbaconchees.

Sunday, the 29th. Mr. Pettygrove arrived at this Place from Augusta which gave me a good Deal of Satisfaction as his Hirelings seemed to be under a groundless Apprehension that the Demand would not be complied with, and in Consequence thereof, their Master's Interest would greatly suffer as an Instance of which one Randel, Mr. Pettygrove's Store Keeper, applied to Mr. Newberry to interceed with me not to demand Satisfaction, for he was sure that it would not be granted. This I communicated to Mr. Pettygrove and the Apprehensions his People were under in staying at the Breed Camp. I asked him his Reasons why he thought there would be any Danger in making a Demand which the Laws of all Indians allowed to be just. This Point could not be denied, but he still dwelt [90] upon the great Risque he in Particular should run as the Head Man of the Town was a near Relation of the Indian that committed the Murther, a Great Warriour, obstinate and ignorant, and would pride himself in doing Mischief.

Monday, the 30th. This Morning informed Mr. Pettygrove that I had maturely weighed his Reasons, but could not apprehend any such Danger as he thought off. That upon the Whole I thought it my Duty to make the Demand, and let the Consequence be what it would. However, I would so far take his Advice that in Case the white Men would agree to it we would proceed to the Breed Camp, and there make the Demand and endeavour to protect his Store or remove his Effects to the Abbacouchees. The first Proposal was approved of by Pettygrove, but objected to by several white Men. The Latter was disapproved by Pettygrove himself as too expensive, upon the whole it was concluded that the Ammunition at least should be brought away and that the Checkesaws should be summoned here to a Meeting till we see further what Disposition they were in. This Evening the Messenger that was sent in Quest of the Chickesaws returned, and brought for Answer that they would be here Tomorrow.

In the Night all the Ammunition from the Breed Camp was brought safee here.

Tuesday, the 31st. About Noon the King of the Chickesaws, his three Brothers, and the Notchee King came to the Abbacouchees all armed, which I could not help concluding to be a very great Insult and Indignity and biding Defyance to the English. This seemed to be the Language of their Countenances before they spoke, upon which I proposed to the white Men present to hold the Conference in my own Lodgings and in Case Arguements would not prevail, I would demand Satisfaction with my Pistols on the Table, provided they approved of this Motion and would stand by me. This was agreed upon without one Negative, in Consequence of which I had my Pistols fresh loaded and hid by me.

[91] The white Men, Creeks, and Chickisaws being assembled in the Room, I first acquainted them of my Power from the Government of Carolina; ex-

pressed my Concern for the Occasion of so long a Journey which was to demand the Life of that Indian that had murdered one of our white Men. To support the Reasonableness, Justice and Necessity of this Demand, many Arguments were produced too tedious to be here related as the Conference held near eight Hours. The only Answer that was give by the Chickasaw King worth repeating was that the Man that had done the Mischief was his own Flesh and Blood and that if he must die, he would die with him.

This was an Insult hardly to be bore, as for my own Part, I was resolved to have produced more forceable Arguments (to witt) my Pistols: as a Proof that the English always durst do themselves Justice, but finding that one white Man after another began to forsake the Room and no Appearance of performing their Promisses of standing by me in Case of Danger, I very abruptly ordered the Interpreter to tell the Chickesaw King that I would allow him till the Sun was at its Hight tomorrow to give me his final Answer and if he did not comply with the Demands I had made, I had already told him the Consequences.

I then addressed myself to the Creeks and gave them to understand that as the Blood of one of our People was spilt in their Country, I had some Reason to expect from them, as Friends to the English, that they would see the Stain of their Nation washed away with the Blood of the Offender. Upon which Malatchi made a long and excellent Speech, shewing the Reasonableness and Necessity of their granting the Demand and the Consequences they might expect if they refused to comply therewith; this was seconded by the Gun Merchant with many Arguments much to the same Purpose, concluding with an Insinuation that in Case they continued obstinate and would act contrary to the Laws of all Nations of Indians whatever, it would necessarily create a Breach betwixt them and the [92] Creeks.

In Answer to which Arguments the King of the Chickesaws very insolently told them that he had seen the Day when the Creeks and Chickasaws had been at War and very probably might see it again, upon which Malatchi rose up and told him he was tired with talking to no Purpose, but should hear if he was of the same Mind Tomorrow and thereupon immediately left the Room, and the Assembly broke up.

November, 1752

Wednesday, November 1st. This Morning had a private Consultation with Malatchi and the Gun Merchant, and endeavoured to inflame their Resentment against the Chickesaws by representing to them the great Indignity that was offered to their Nation by a Parcell of lawless Rasscals who had fled from their own County to take Refuge in theirs and even had the Insolence to bid Defience to their Protectors. This had the desired Effect, and Malatchi and the Gun Merchant offered to compell them by Force of Arms to give Satisfaction in Case I desired it.

In Answer to which I informed them that it would not be prudent to proceed to any Extremities till we had their final Answer.

The Chickasaw King exceeded the appointed Time for giving his Answer which exasperated Malatchi and the Gun Merchant so very highly that they resolved immediately to gather Forces in Case of much longer Delay. About two a'Clock the Chickasaw King came and made an Apology for exceeding the appointed Time, but excused himself in the weighty Matters that they had under Consideration and gave for Answer that Satisfaction would be given. To which I replied that Nothing would be satisfactory but the Blood of the guilty Person to which he replied that the Life of him or his Uncle would be the Attonement. I then informed him that it was not our Laws that the Innocent should suffer for the Guilty, to which he replied that by the Laws of their Nation one of the same Blood was equally satisfactory, but in Case neither of them [93] was killed before he returned to the Breed Camp the guilty Person should suffer. That he did not come to tell me a Lye for tomorrow Morning I should see it was done.

Soon after the Chickasaw King's Departure from hence, arrived a Creek Fellow who had been at the Breed Camp all this Morning, heard their whole deposes [*sic*] and saw the Execution. The Account he gave was that they were almost at the Point of coming to a Resolution of standing by one another, and not granting the Satisfaction demanded when the Unckle of the Criminal started up and said.

I have heard all your Talks and find you are mad. The Blood of a white Man is spilt and by your own Laws Blood ought to be in Satisfaction. In Case you throw away the English, you, your Women, and Children must become misserable or be made Slaves to the French. The Man that has committed the Mischief is my own Flesh and Blood, and addressing himself to the King of the Chickasaws, told him immediately to come and acquaint me that if his Nephew was affraid to dye for the Good of his People and for Satisfaction to the English, he would sacrifice his own Life for him, upon which the King of the Chickasaws immediately came off for the Abbacouchees to bring the Message. The Uncle retired to a Conference with his Nephew and told him that the Day was come, that one or other of them must dye. He asked him the Question if he was willing to suffer Death, to which the Nephew made no Answer. Without further Hesitation the Uncle replied, I see you are affraid to dye, therefore I must dye for you. Upon which he immediately repaired to his own House to seek for his Gun which his Wife had hid from him, but finding a long French Knife, with that in one Hand and Paint in the other with which he besmeared himself, came out into the open Street and made a publick Declaration that as one of his Family had spilt the Blood of a white Man and was affrayd to dye for it, he was now going to pay the Debt for him for the Good of his People and for Satisfaction to the English, and with the greatest Undauntedness struck the Knife into the Gullet and immediately dyed with the Wound.

Thursday, the 2d. This Morning at Break of Day came a Messenger from the Breed Camp to inform me that the Satisfaction was given, and that the Headmen desired I and [94] all the white Men would come there to have a friendly Talk. I enquired into the particular Circumstances of the Fact as

narrowly as possible, the Messenger confirmed every Particular the Creek Indian had told us, only adding that the Uncle should say to the Nephew, I am now going to purchase your Life with mine. Take care you do no more Mischief to the white People, or you will have no Body to pay the Debt for you when I am gone.

This Morning about Sunrise being accompanied by all the white Men and several Creeks, sett off from the Abbacouchees for the Breed Camp. The Head Men received us with much Joy, and told me that Yesterday they all reckoned themselves dead but now were brought to Life again. To which I replied that I had heard by the Messenger that a Man was killed, but not the guilty one, which I was very sorry for. The King made Answer that if the Blood had not been spilt before he returned from the Abbacouchees, I should have been convinced that he was not a Lyar, and the guilty Person only should have suffered; but that as I had got the Blood of one of his Relations he now hoped that every Thing could be forgiven, and the white Men allowed to live amongst them as if no such Thing had happened.

In Answer to the first Point I observed to him that I had only his Word for my Belief that this Man was killed, which was not sufficient Grounds to me nor would it be satisfactory to the Governor. Therefore as a convincing Proof of the Truth thereof, I must insist that all the white Men shall see the dead Body. At last with much Reluctancy, the King ordered his Brother to go and open the Grave over which two Woman [*sic*] his Relations, were making doleful Cries and the Body was seen fresh in its Gore and handled by James Gaddes, sworn Interpreter (see his Affidavit No. 2).⁹ As this was all the Satisfaction that could be obtained, what remained on my Part to do was to make a proper Application thereof which I did by saying before them all the Consequences of their [95] former bad Behaviour which had often deserved exemplary Punishment; that spilling the Blood of a white Man was a Crime that never could be pardoned. Therefore I hoped this Instance would be a Warning to them for their future Behaviour. I concluded with an Exhortation that if they had any Regard for the Welfare of themselves, their Women and Children, they would be very circumspect in their future Actions. I likewise hinted to them that as the Life of this Man that committed the Murther was not his own, but purchased with the Blood of another, in Case he should ever be guilty of the least Insult or Injury whatever to any white Man, that he should suffer Death for it, as his Actions had already made it a Forfeiture. Those Points I enforced with all the Arguements I could use.

After I had finished, and they had agreed and faithfully promised to perform every Condition required of them, Malatchi then made a long Speech to the following Purport:

That he had come a long Way to give them his Advice as an elder Brother, that he was very glad they had consulted the Welfare of themselves, their Women and Children, and had given the Satisfaction demanded which he hoped would make every Thing streight with the English. That they knew very

⁹ The affidavit of James Gaddes [Geddes] on p. 342 is apparently the one referred to here, but it is not numbered in the original.

well that it was no more than they themselves and all Nations of Indians would have required if a white Man had killed one of their People. He gave them to understand that he had heard several Complaints of their young People behaving very madly, but hoped they would not be guilty of any Abuses to the white People for the Future. He likewise hinted to them that they were his younger Brothers, and settled by Permission in the Creeks' Country; that the English were the only Friends of them both, and in Case they should committ any Breaches inconsistant with their Engagements with the English, Satisfaction would be required at their Hands (the Creeks) as the Mischief would be done in their Country.

For Instances he told them, that in the present [96] Case as their Country was spoiled with the Blood of a white Man, if they had not taken the friendly Talk and given Satisfaction in Justice to their Friends the English, they must have been obliged to send for a Number of Warriors in order to compel them to it, concluding that he was very glad they had wisely considered of it, and hoped they should still continue like Brothers together. After I had concluded, the Chickasaws gave me the strongest Assurances of their good Behaviour for the Future, and a strict Opservation of their Engagements. This Evening returned to the Abbacouchees.

Friday, the 3d. This Morning drank Black Drink in the Square; made a Speech to them by way of Exhortation which was seconded by the Gun Merchant who largely expatiated upon the late Affair with which they seemed to be much affected.

About ten a'Clock sett forward on our Journey back again. Dined with the Head Men of the Savannahs who had provided a great Entertainment for us. Malatchi and the Gun Merchant gave the same good Advice to them. This Night slept at the Wackacoges about thirty Miles from the Abbacouchees.

Saturday, the 4th. This Morning drank Black Drink at the Wackacoyes. A Recapitulation was again made of all the Proceedings and proper Applications for use. About two o'Clock arrived at the Oakchoyees. Was kindly received by Mr. Sluthers, Trader there, at whose House I took up my Lodgings for this Night.

Sunday, the 5th. Proceeded to the Oakfusskee Town. Paid my Compliments to the Red Coat King, and acquainted him with all the Procaedings in the Upper Towns, which he highly approved, and made an excellent Speech to his People on the Subject.

I had a good Deal of Talk with him in Regard to the Peace with the Cherokees which he highly approved off, and said that the Governor of Carolina acted like a common Father to all Indians, and wanted them to live like [97] Brothers together, but that the young People were mad, and wanted War. For his Part, he was now an old Man and could do Nothing but talk which should always be for keeping of Peace. That now he hoped there was a Prospect of the Continuance of it, if none of their People were killed before it could be concluded before the Governor; but that in Case any of his Town's People should be killed he was afraid it would not be in his Power to restrain them from seeking Revenge.

In Answer to which I informed him that let any Nation of Indians be ever so numerous, a Continual War will soon reduce them to Nothing, and if for the Death of a single Man a War must be continued, there would be no such Thing as a Peace being concluded. Therefore I was very certain that his own Wisdom and good Sence must convince him that it was much better to put up with the Loss of one or two Men in Case such an Accident should happen which I hoped would not, then to continue the War; adding that I did not doubt but the Governor would see Justice done by the Agressors in some other Way more conducive to the Welfare of their Nation which Advice was approved of.

Monday, the 6th. Sett off from the Oakfusskees, but the Creeks or Rivulets were swelled so high with the late Rains, we could proceed no farther than the Cyallegices.

Tuesday, the 7th. Sett forward on our Journey. Arrived at the Tuckabatchees where we slept all night.

Wednesday, the 8th. Drank Black Drink in the Square. Malatchi related all our Proceedings in the Upper Town in consequence of which, Old Bracket made an excellent Speech to his People. Amongst other Things he told them that he had Nothing but the Use of his Tongue left him which as long as he lived he should employ in giving them good Advice, but he was sorry to find that they dispised his Talks, and that at Best they were all a Parcell of Madman, that when they [98] were drunk they were all Men and Warriors, and thought they shewed their Manhood in insulting, abusing, and threatning to kill the white People, upon the Continuance of whose Friendship the Welfare of them all depended.

I have heard some of you boast and bragg that it is Nothing to kill a white Man, that if they will not give you what you want you'l kill them, but now you now [feel] the Consequence of such Madness before your Eyes, and I fancy when it came to the Push the best of you would be like the Chickasaw, affraid to dye which you may be sure will be the Case, and let me tell you it is not every one of you that has got an Unkle that would pay the Debt for you. Therefore if you have any Regard for your own Lives, let this Instance be a Warning to you with much more to the same Purpose.

The rainy Weather continuing, the Creeks and Rivers being very high, at the Request of the Tuckabatche King our Journey we deffered till Tomorrow.

Thursday, the 9th. This Morning sett forward on our Journey for the Coweta Town, camped about half Way.

Friday, the 10th. This Evening arrived at the Cowetas. Received a Letter from Mr. Mackintosh dated at Augusta the 20th of October per Favour of Mr. Golphin, the Purport of which was that some People had been endeavouring to misrepresent every Thing done in the Nation. That the Negro I sent down by him, had run away from him. I was informed by Mrs. Bosomworth that the Negro returned to the Cowetas, but about four Days ago had made a second Escape, and taken a Horse belonging to Mr. Mackintosh along with him. That she had sent Notice to all the Towns in the Lower Nation to apprehend him but as yet no Intelligence could be got.

Saturday, the 11th. This Morning all the Head Men of the Cussitaw and Coweta Town assembled. Malatchi informed them of all our Proceedings in the Upper Creeks which were highly approved of, and a proper Application made by a long Speech made by old Chiggilli.

|99| Sunday the 12th, Monday the 13th, Tuesday the 14th, Wednesday the 15th. Nothing worthy Observation.

Thursday, the 16th. My Servant that I left behind at the Tuckabatchees to hunt for two Horses that could not be found returned to the Cowetas, but without Success.

Friday, the 17th. This Morning received Advice by a Runner that a Party of the [Fork?] Indians that went to War before the Peace was proposed in the Lower Creeks was returned. That they mett with a Gang of the Cherokees upon the Path betwixt their Nation and the Catawbaws, fell upon them at Camp, killed three, and brought four off Prisoners, two Women, a Girl and a Boy. One Woman they killed in making her Escape. The other got off clear. The Boy and Girl they brought into the Nation.

I talked a good Deal to Malatchi on this Subject and desired that in Case any other Parties that went to War before the Peace was proposed should bring in any Prisoners that he would not suffer them to be put to Death as they might be exchanged for some of their own People at the concluding of the Peace with the Cherokees.

Saturday, the 18th. The next Duty I thought incumbent upon me was to go through all the Lower Towns to demand the white People's Horses; which I could not proceed upon before my Servant returned from the Upper Towns. About Noon sett off from the Cowetas. Slept all Night at the Oakonyees.

Sunday, the 19th. Gave Notice to the head Men of the Town to have the Horses belonging to the white People in Readyness against my Return from the Eufalees.

Monday, the 20th. This Morning sett off for the Eufalees. Arrived there about three a'Clock; ordered a Meeting of the Head Men tomorrow Morning. This Town, which is the lowest in the Nation |100| but two, is about forty-five Miles from the Cowetas and as it is chiefly composed of Runagados from all other Towns in the Nation, it is reconed one of the most unrully, as they all command and none obey.

Tuesday, the 21st. All the Head Men being assembled as it was this Town's People in Particular that had behaved so ill in robbing the white People in the Cherokees, I thought it necessary to talk very sharply to them, and accordingly represented their Behaviour in general, and that Action in Particular in the blackest Colours I was capable, and made a preremptory Demand that every white Man's Horse in the Town should immediately be delivered. Seven Head were before received, and three more which they had absolutely refused to deliver on any Account whatever, they quietly and peaceably brought to me, though those that had them in Possession had declared that the Horses and their Scalps should go together. These three were all the Horses at this Time in the Town, but was informed by Mr. Cossens that about two or three

Years ago a Mare was brought in belonging to one Clark in the Cherokees which has since had two Colts, but that the Indian was gone out a hunting. The Mare and her Increase I positively demanded which they promised to deliver to Mr. Cossens at the Indian's Return. They are all the Creatures I could hear of in this Town.

This Afternoon sett forward on my Return to the Cowetas. Slept at the Swaglaes.

Wednesday, 22d. This Morning received two Horses with McDowell's Brand brought from the Cherokees which the Possessors with great Reluctancy delivered as they had purchased them from other Indians, but I told them they must recover their own again, and carried them off.

About Noon came to the Oakonyees, where and from Parts adjacent I received six Head. Two or three more that were gone out in the Woods, they promised to deliver to their Trader there when they returned.

Called at the Pallachuckalas. There was none there but three Head which were gone out into the Woods. I received two Head at the Hitchataws. Slept all Night at the Owseechees.

|101| Thursday, the 23d. This Morning had one Horse delivered to me, the Rest being gone out a'hunting, but promised to be delivered to Mr. Golphin when they returned. This Evening returned to the Cowetas having received in all fourteen Head of Horses, which I delivered to the Care of one John Bryant to bring down to the Settlements with Orders to advertize them at Augusta, that they might be restored to their proper Owners.

Friday, the 24[th]. This Morning received Advice by a Runner that a Party of the Oakony People that went to War before the Peace was proposed was returned, and brought in four Scalps.

Saturday the 25th, Sunday the 26th, no News worth Observation.

Monday, the 27th. Received Advice by a Runner that a Party of the Pallachuckalas People was returned from War, and brought in one Scalp.

Thursday, the 30th. News brought in by a Runner that a Party of the Cherokee has been discovered in the Woods near Flint River, which gave them a little Uneasiness as they were not certain that the Cherokees had yet received Advice of the Peace.

December, 1752

Fryday, December the 1st. Saturday the 2d, Sunday the 3d, Monday the 4th, no News worthy Observation, only a great Uneasiness amongst them at the long Delay of the Governor's Answer as several of the Head Men had deffered going out a hunting till they should hear News and as I found they owed a good Deal of Debt, and that the Cause of their Murmuring was that they had great Expectations in receiving large Presents from the Government for loosing their Winter Hunts. To prevent any such Claim or Expectation I consulted with Malatchi and informed him that as the Time of the Governor's Answer coming would be uncertain I could set no Necessity for all the Head Men's Staying at Home, as his Approbation would be equally the same, but as I found he was a little uneasy as well |102| as the Rest, I told him that as

to what he owed to Mr. Golphin I would pay it for him, and that the Rest of the Head Men might go out as soon as they pleased.

This he approved of and went into the Square and acquainted the Head Men that as the hunting Season was wasting very fast, he would have them to go out, and he would wait himself to hear the Answer.

Thursday, the 7th. Nothing yet worthy Observation. The Head Men though in a very great Hurry to go out a hunting still find some Excuse for Delays. This Day a Chickasaw that came from Augusta created some Uneasiness amongst them by informing of them that a great Party of the Cherokees had lately been down in Charles Town and received very great Presents, that in their Return to their own Country, they killed great Numbers of the white People's Cattle and no Notice taken of it. That the Chickasaws were drove away from their Habitations near Savannah Town, and their Provisions taken from them by the white People, which I convinced them was Nothing but a Parcell of Lies of their own Invention.

Friday, the 8th. Last Night came Advice that two of the Upper Towns People were killed by the Cherokees at which they seemed very uneasy, but I endeavoured to mollifye the Matter as much as possible and told them that if they were to proceed in seeking of Revenge and not put up with what Injuries might be done in Time of Treaty till both Partys were apprized of the Intentions of the Government, it would be impossible that ever a Peace should be concluded.

This Day Mr. McKintosh arrived at the Coweta Town to the great Joy and Satisfaction of all the Indians as well as myself. I gave Notice to Malatchi and Chiggilli to let their People know that I had received the Governor's Answer to their Talks and desired they |103| would call a Meeting of all the Head Men that could be got together tomorrow Morning pursuant to which a Runner was immediately sent over to Cussetaw Town to give Notice thereof, but in order to pay the greater Complement to them (with Mrs. Bosomworth's Advice) I privately communicated the Contents thereof to those two great Men, with which they were highly satisfied.

Saturday, the 9th. The Head Men of Coweatas and the Head Men of the Cussitaws being assembled in the Coweta Square pursuant to his Excellency's Orders, I communicated the Contents of the Letter which were interpreted Parragraph by Parragraph in the Presence of Mr. George Golphin. They expressed their entire Satisfaction and great Joy at the same, but Malatchi told me he would deferr giving an Answer till such Time as he had appointed proper Persons to communicate the same to the Rest of the Lower Creeks who were not present pursuant to which Resolution he ordered the Cussetaw King to call a Meeting at the Town of the Parachucklaws and to acquaint them with the Talk the Governor had sent. A Messenger was immediately dispatched to call a Meeting in the Upper Towns, and acquaint all the Head Men there, what Answer the Governor had given.

Monday, December the 11th. Yesterday received a Letter from Mr. Beamer, Trader in the Cherokees, by one Lucas his Hireling, who carried fifteen Horses out of the Creek Nation in September last and was returned by Beamar's Orders to receive those of his Horses that were left behind. I

find by Beamer's Letter to me, Lucas had very much imposed upon him in Regard to the Number of his Horses in the Creek Nation. The Indians were very willing to deliver up every Horse that is any white Man's Property whatever, though they thought it very hard that they should be charged with all the Horses missing from the Cherokees. And that Demand should be made upon them for all the Horses in Particular that had got Mr. Beamer's Brand as it plainly appeared by the Evidence of several Indians that this Lucas had claimed Horses |104| as the Property of Mr. Beamer's which the Indians had actually purchased from him. In order to exonerate myself and the Indians in Regard to the Number of Horses left in the Lower Creek Nation, at the Request of Malatchi I sent Lucas with an Interpreter to every Town in the Lower Nation with the following Letter directed to all the lyncenced Traders in the Creek Nation, as follows:

Coweta Town, Monday, December 11, 1752

GENTLEMEN, Whereas Complaint has been made to me by Mr. Beamer, Trader in the Cherokee Nation, that he lost by the Southern Indians (by which I presume he means the Creek Nation) at least a hundred Head of Creatures, little and big, and whereas Information has been given by Henry Lucas the Bearer hereof, that great Numbers of the said Creatures are now in the Possession of the Indians of the Lower Creeks, and that the white People will not give Information in whose Possession the said Horses &c. are, so that they may be recovered for the proper Owners, you are therefore all of you ordered and required to make me a true and faithfull Return of the Number of Horses in your respective Towns which you know or suspect to be the Property of any white Person whatsoever, together with the Names of the Indians in whose Possession they are, and the best Description of the Horses and their respective Brands you can possibly learn which you are to certifie under your Hands, and be ready to attest the same upon Oath if Occasion should require.

Fail not as you will answer the Contrary at your Peril.

THOMAS BOSOMWORTH, Agent

To all lyncenced Traders in the Lower Creek Nation.

It appears to me by the Returns of the Traders that there is not above four Horses in the Lower Creek Nation having Mr. Beamer's Brand, or to which he (this Lucas) can prove a Property in his Behalf and those carried out by the Indians in the Woods, so that at present they could not possibly come at and had I returned from the Upper Towns before these Indians went out |105| a hunting, I dare presume to say that every one of them would have been delivered.

An Account of Horses sent out of the Nation since my Agency:

Delivered to Lucas	- - - - -	15 Head
Sent down by Mr. McKintosh	- - - - -	2 Do.
Sent down by Mr. Richard Streets	- - - - -	3 Do.
Taken from the Indians and delivered to Mr. Cassens	- - - - -	1 Do.
To Mr. Golphins' Storekeeper	- - - - -	1 Do.
Delivered to the Care of John Bryant in the Nation	- - - - -	14

36 Head

N. B. Some of these Creatures were lost in the Nation after they were delivered.

By the Return of the Traders it appears there still remains 15 Head more in the Possession of the Indians of the Lower Creeks, supposed to be the Property of some white Person or other.

Wednesday, the 13th. Some of the Creeks Indians mett with one of their own Nation in the Woods who [has] for some Years been amongst the Cherkees [*sic*]. He acquainted them that the Peace Talk was sent up to the Cherokees, and that they (the Cherokees) had sent him to acquaint the Creeks that they would bring their Women and Children, and meet them at a certain Place in the Wood to conclude it. I desired Malatchi to send for Answer, that as he had sent his Talk to the Governor, he thought it best to conclude it before him, that he might be a Witness of what passed betwixt them, and by that Means be able to judge who were the first Agressors but in the mean Time he expected that they would not committ any Hostilities and he would give the like Orders to his People.

Thursday, the 14th. This Day was held a Meeting of all the Lower Towns of the Creek Nation to hear the Governor's Answer Malatchi had sent to be communicated to them by the King of the Cussitaws.

[106] Saturday, the 16th. The Cussitaw King returned from the Parachucklaws, and brought for Answer that all the Head Men were well satisfied, and returned Thanks to the Governor, and were heartily glad that all past Injuries were buried in Oblivion and a new Chain of Friendship made betwixt them and the English, which was concluded with a Request that as Mrs. Bosomworth was one of themselves I would allow her to continue in the Nation till the Head Men were sent for down. When I asked them the Reason of this Request the Reply was that as she had been instrumental in promoting their Happiness they request that she might see it compleated, when every Thing was confirmed before the Governor. Their Request I complied with, not for any private Reasons of my own, but as I thought it would be a very great Hardship upon her to undertake so long a Journey in this bad Season of the Year, thought not without Hopes at the same Time that her staying there might be of some Service to the Publick.

I then told them that as every Thing was now finished that I had in charge, which was to be finally ratified before the Governor himself in the Spring, I intended in a few Days to leave their Nation to proceed for Charles Town.

Monday, the 18th. The white People finding I was preparing for my Journey were resolved to create me some fresh Troubles by some lying Reports which were sett on Foot in Regard to the Death of the Indian called the Acorn Whistler, which occasioned me in Hight of Passion to undertake a Journey to the Upper Towns, but as upon cooler Judgement I have Reason to believe that every unprejudiced Man of Sence must be convinced by my Reason already assigned, as to the Cause of the said Indian's Death, I shall pass over in Silence my Journey and Proceedings till I returned to the Cowetas which was Thursday Evening the 21st.

|107| Friday, 22d. Ordered every Thing to be got in Readiness for my Journey to Charles Town. Our Horses were got about two o'Clock. My Servant with Luggage crossed the River this Evening.

Saturday, the 23d. This Morning before I sett off was informed by Mr. Golphin that one Elsinor who had formerly tradded [*sic*] in the Cussitaw Town, but had sole his Right to trade there, was arrived in the Nation with sundry Kinds of Goods and a large Quantity of Liquor without any Authority or Permitt to dispose of the same in the said Nation, which he (Mr. Golphin) declared would be very prejudicial to the licenced Traders, and in Case he did not traffick with the Indians, the setting up a Tipling House and disposing of Liquor to the Pack Horse Men, &c. would be very dangerous Consequences, upon which Information I wrote the following Letter:

Coweta Town, December 23, 1752

MR. ELSINOR, Whereas it appears to me by credible Information that you have brought into this Nation sundry Kinds of Goods, and a large Quantity of Rum without a Licence, Permitt or any Authority whatever, to dispose of the said Goods or Liquor in the said Nation greatly to the Prejudice of the lycenced Traders, and by such illegal Proceedings may thereby endanger the general Peace and Tranquility thereof, you are therefore hereby ordered and required with all convenient Speed quietly and peacably to withdraw yourself and Effects out of the said Nation, and in the mean Time not to trade, traffick or barter therein with any Indian or Indians, white Person or Persons whatever to the Prejudice of the licenced Traders and contrary to the Peace of the Nation as you shall answer the Contrary at your Peril.

And whereas Proof has been made before me that you privately conveyed away or caused to be conveyed from this Nation to Augusta a bay Horse, the Property of an Indian in the Town of the Cussitaws, commonly known |108| by the Name of the Scotchman, which said Horse I am informed is now in your Possession; you are therefore hereby ordered and required to restore the said Horse to the said Indian, and to make him a reasonable Satisfaction for the Use thereof, or you may depend upon being prosecuted as the Law directs.

THOMAS BOSOMWORTH, Agent

This Day sett away from the Coweta Town, and proceeded for Charles Town. Travelled forty-odd Miles.

Sunday, the 24th. Crossed Flint River.

Monday, the 25th. Crossed the Oakonys River.

Tuesday, the 26th. Crossed the Oakonye River.

Wednesday, 27[th]. This Night slept at a Place called Dancing Hill.

Thursday, 28[th]. Arrived at Augusta.

Fryday the 29th, and Saturday the 30th, were obliged to wait at Augusta till our Luggage, Horses arrived.

January, 1753

Monday, January the 1st, 1753. Mr. McKintosh having fresh Horses to procure could not possibly sett off this Day. Accepted of an Invitation to

dine with Capt. Cadogan; I learnt at Augusta that this Elsinore aforementioned has had his Instructions before he proceeded to the Creek Nation, that he dares any Man to touch his Goods or Effects there. That his Goods are his own Property, and asketh the Question wether he can't dispose of them to any British Subject without incurring any Guilt, that he would be glad any Man would presume to seize his Effects.

Tuesday, January the 2d. [109] Sett off from Augusta. Travelled about 90 Miles.

Wednesday, 3d. Camped at a Place called Ford's Devidings.

Thursday, the 4th. Slept at Edistoe.

Fryday, the 5th. Slept at Mr. Knott's, the Road and Weather being very bad.

Saturday, the 6th. Arrived.

Monday, the 8th. Waited on his Excellency.

For Conclusion must observe that during all Transactions in the Upper Towns relating to the Satisfaction obtained for the Murther of the white Man, that James Gaddes, Store Keeper to Mr. Patrick Brown, and James Germany, Storekeeper for Mr. Barksdale, were the Creek Interpreters. Messrs. Pettygrove, Thompson, and others present understood the Chickesaw Language, and that the Matters contained in this Narrative are the true Sence and Meaning of what was interpreted to me, by the different Linguists I am ready to testifie on Oath.

THOMAS BOSOMWORTH, Agent

Charles Town
January the 12th, 1753

AFFIDAVIT OF JAMES GERMANY

Seventh Day of November, 1752

Before me Thomas Bosomworth, Agent to the Creek Nation from the Government of South Carolina, personally appeared James Germany, Hyrling to Mr. Isaac Barksdell, Indian Trader in the Upper Creek Nation, who being duly sworn, declareth that on the 16th Day of August, one of the Oakfusky Indians had been at the Lower Creeks, and on his Return to the Oakfuskeys the said Indian came by Way of the Tuckebatchees where he was informed by the Indians of the aforesaid Town that the Acorn Whistler was killed. This was the first News that was heard by the said Deponent at the Tuckebatchees which is 40 Miles distant from the Oakfuskeys.

JAMES GERMANY

Sworn before me at the Oakfuskeys this seventh Day of November, 1752.

THOS. BOSOMWORTH, Clerk

APPENDIX TO THE JOURNAL AND PROCEEDINGS OF
THOMAS BOSOMWORTH

[110] To his Excellency, James Glen, Esq., Captain General, Governor and Commander in Cheif in and over His Majesty's Province of South Carolina, and to the Honorable Members of His Majesty's Council of the said Province.

This Appendix to my Journal and Proceedings as Agent to the Creek Nation is most humbly submitted for Consideration by, Sir and Gentlemen, your Excellency's and Honours' most devoted, humble Servant, Thomas Bosomworth.

SIR AND GENTLEMEN, I am not much surprized at the Dissatisfaction of some Persons in Regard to my Proceedings in the Creek Nation when I consider that such is the Diversity of Opinions, Parties and Interests that reign at present in the World, that it is next to an Impossibility even for the most exalted Wisdom and most upright Integrity to give universal Content.

The Sound of another Man's Fame is so grating to some Men's Ears and so displeasing to their Humours; that they will put their Inocutions to the Stretch and leave no Stratagen untryed that may either lessen or destroy it, to effect which even surmise or Suspicion are called Facts, and as such industriously spread abroad with loud Clamour whilst the World, fond of having its Appetite to Defamation indulged, receives for granted what few give themselves the Pain or Trouble to enquire the Foundation of, and thus the most innocent Man's Reputation may fall a Sacrifice to false Lips and a naughty Tongue which like Arrows, that fly in the Dark, no man upon the Face of the Earth can possibly gaurd against. Though to his Innocence should be joined the most consummate Prudence, let a Man's Virtues or good Qualities be never so many they are sure to be passed over with some witty Comment that carries an Invective with it. Whilst the common Foibles of humane Nature are canvassed as the most enormous [III] Crimes, and uncharitably made the favorite Topic of most Conversations of such Slanderers it may too truly be said the Poison of Asps is under their Lips.

The fatal Effects of Prejudices of this Kind I have already too sensibly experienced, and in a neighbouring Province have undergone many Years' Prosecutions hardly to be paralleled under a British Government.

Beseiged with Difficulties and Distresses on every Side at last after many fruitless Attempts, I arrived in Charles Town in May last with an Intention to have proceeded directly for England in hopes there to have obtained that Justice that I had long in Vain sought for in Georgia.

I did myself the Honour to wait upon your Excellency who then informed me that it was thought expedient, nay, absolutely necessary that an Agent should be immediately sent to the Creek Nation to negotiate some Matters of great Consequence to the Publick Welfare, and if my Memory fails me not, your Excellency likewise further informed me that a Commission for that Purpose had been offered to some Gentlemen in this Province who declined accepting it either from the Scruples they raised in Regard to the Justice and Legality of the Demands of the Government, the Suspicion of not being paid for the said Service, or the personal Danger they apprehended in the Execution thereof.

When I had learnt from your Excellency what Demands the Government had to make, and what Services were expected to be performed I then told you that it was too weighty an Affair for me solely to undertake, but that if Mrs. Bosomworth could conceive the Matter in the same just Light that I did,

and would cooperate with me, I had no other Objections to the accepting a Commission as Agent to that Nation. When I first proposed this Affair to Mrs. Bosomworth, she started some Objections as to the Justice of that Demand, viz., wither any of the Creeks deserved to suffer Death for killing the Cherokees near the Town? We both waited upon your Excellency, |112| and the Reasons you were pleased to assign in Support of the Legality of the Demand was to me very clear and convincing and made a very deep Impression upon Mrs. Bosomworth, but for further Satisfaction at your Excellency's Desire we went to the late Chief Justice Greime [*sic*] who entirely satisfied Mrs. Bosomworth in Regard to this Point.

I then was honoured with a Commission from this Government which in common Justice to my own Character and Deputation as well as the Publick, I humbly presume it is my Duty to make appear that I have faithfully executed.

But I must confess it is with real Concern and Greif of Heart that I understand from common Fame that several false and envidious Stories in Regard to the Discharge of my Trust in the Creek Nation have been so wickedly projected and industriously published as to gain some Credit with the Generality of this Province greatly at the Expence of Truth and Justice, and to the utter Ruin of my Character and Interest in the World, as I am not acquainted from whose Hands those Malicious Accounts have been received, which have determined the Judgements of some without ever having had an Oppertunity of coming at the Knowledge of the Merits of the Cause or the Facts and Evidence I have Produced, I cannot say how far they may be allowed to be of any Weight in the present Case, even allowing they were actuated with no private Spirit of Picque or Resentment against me, but this I must say in my own Defence, let their Characters be never so great and unexceptionable that have been abused by Misrepresentations, from what Motive soever arising that makes Nothing in this Affair since their Weight and Authority therein, must be estimated by the Varacity and Evidence of those who first propogated such infamous Reports.

Though the known Wisdom and discerning Judgement of your Excellency and Honours I |113| humbly presume, renders any further Vindication needless, yet as there is a Complication of Facts and Evidence produced in different Parts of my Journals which may not appear so clearly at one View, I humbly beg Leave briefly to state the principal Facts and sum up the Evidence in Support of them which will more clearly obviate the malicious Tendency of those groundless Calumnies which owe their Birth to popular Rumour, a personal Prejudice against me, or a much more dangerous Motive.

I beg Leave with all Difference to your Excellency and Honours previously to observe that before I received a Commission from this Government as Agent to the Creek Nation, there were not wanting Persons who used all the Arguements in their Power to dissuade, and deterr me from this Undertaking. Others again let loose the Rains of Malice and Envy, invented many Slanders and absolute Falshoods, and then propogated them with all the Industry they were able to the Prejudice of my Character in order to prevent my being honoured with that Commission, one particular Instance of which I beg Leave to mention which I was informed was asserted before your Excellency and Hon-

ours in Council, viz., that the Acorn Whistler after his Return from Charles Town came to our House in Georgia, and that Mrs. Bosomworth instead of cooling, heightened his Resentment against the Government by dangerous Speeches which she sent by him to the Nation. Upon this Information I writ a Letter to your Excellency before I left Charles Town declaring our Innocence therein, and that for many Years past neither of us had seen the Acorn Whistler which we offered to attest upon Oath. Though this was satisfactory to your Excellency, yet as I found such a Confederacy against me and what groundless Calumnies they were capable of raising, in order to make my Accuser's Guilt and my own Innocence appear the more conspicuous, I thought it not amiss to produce more pregnant Proofs, as appears by the Certificate of Moses Nunis, Trader in the Tuckabatchees, the Certificate of Bark in the Lower Nation, |114| and the Affidavit of Mr. Spencer, No. 1, 2, 3.⁷

After this Obstacle was removed and there was a Probability of my being appointed Agent some Days before I received my Commission, Mr. Brown went from hence for Augusta where there are the strongest Presumptive Arguments to believe he set to work all the Engines of this Policy as much as possible to frustrate the Ends of my Agency. My Reasons are these: Mr. Brown was the only Person that went from Hence to Augusta or could possibly carry any News of this Affair. Another corroborating Circumstance, several particular Expressions, Arguments, and Insinuations which Mr. McKintosh heard Brown make use of in this Place, were current in the Mouths of every Pack Horse Man at Augusta upon our Arrival there; not only to the Prejudice of my Character, but also highly derogatory to the Wisdom and Justice of this Government, viz., that sending up an Agent to make such Demands, and particularly Mrs. Bosomworth going there, would be the Destruction of the Country and what would your Excellency care if every Trader in the Nation was killed, if you only gained your own End? That the making such unreasonable Demands which were impossible to be obtained was contrary to the advice and Opinion of every Man in the Province who knew any Thing of Indian Affairs; so that we may reasonably conclude that these Topics which were publicly talked must have proceeded from that Fountain, as he alone could be supposed to know any Thing of this Matter, and consequently in Support of those Opinions it was necessary for the Authors to throw every Obstacle in my Way to prevent the Success of my Negotiations, and for the same Reason still continue to mislead the Publick with false Representations thereof.

From what Observation I was capable of making it appeared to me that the powerful Company at Augusta seem to look upon the whole Trade of the Creek Nation as their undoubted Right and whatever Part they are deprived of they are apt to imagine an Encroachment |115| upon their Property, and that in all Matters regarding the said Nation, their Advice and Opinions ought to be decesive. And as the greatest Part of the Traders in that Nation are under their Influences and Authority and obliged implicitly to obey the Dictates of their Masters, hence in some Measure may be accounted for that Torrent of

⁷ Below, pp. 337-38, for numbers 1 and 3; number 2, the "Certificate of Bark," is apparently missing.

Opposition I had to struggle with nor is it to be doubted that those Persons who are capable of such infamous Characters as being Tools to Others are certainly more industrious to carry that which is grateful than that which is true: and too often let their private Passions into those their clandestine Information, and work their particular Spite and Malice against the Person they are sett to destroy.

If in any Thing I have said I may seem to derogate from the Character of any Man living it is my very great Misfortune that it is in my Power to do it with Justice, and not to omitt it without being unjust to myself; the Duty I owe to my own Character and Reputation as well as the Publick, loudly call upon me to vindicate my own Proceedings, and I should think myself greatly wanting in the Discharge thereof, both to God and Man to pretend to abuse your Excellency and Honours with the least Untruths whatever which I seriously declare never has had or ever shall have any Place in any Thing I lay before you, and though my own Affermation be no legal Evidence yet I hope it will be of equal Weight with my Adversarys when it is considered from what Source their Information take their Rise.

I humbly beg Leave to produce a few Instances of those Prejudices which were preconceived against us, and the determined Combination to oppose us before I proceeded on my Agency.

July, 1752

Monday, the 6th. At a Place called Brier's Creek mett one Harvey, late Indian Trader, on his Way to Town who informed me that such a Sperit of Opposition was raised against us at Augusta, |116| by those who had Power and Influence to gratifie their Revenge, that was he in my Situation he should not think it safe to proceed to the Nation.

Thursday, the 9th. This Morning about ten o'Clock came to a Place called the Town Creek where a publick House was kept by one Sullivan who declared in the Presence of Mr. McKintosh that from what he had heard concerning my Agency he did not think it safe for us to proceed any further without a good Guard.

Saturday, the 11th. Such dangerous Insinuations were spread abroad at Augusta, and so far had their desired Effect that it was with the greatest Difficulty that Mr. McKintosh could procure (for ready Money) a pack Horse Man there to proceed with us to the Nation for Fear of being killed upon the Path, as several of them publicly declared.

Sunday, the 12th. An Express was sent from Augusta to Mr. Golphin in the Coweta Town.

Tuesday, the 14th. Found a bloody Hatchett sticking in the Path with some light coloured white Person's Hair in the Prong of it. Though this a little intimidated Mrs. Bosomworth, I was still determined to proceed, and that Nothing but Death itself should prevent my endeavouring to discharge the Trust reposed in me.

Sunday, the 19th. Met Mr. Golphin at the Oakmulge River who seemed much surprized to see us, and said that he heard an Agent was coming up, but

never was informed who it was, though the Messenger that brought him the News from Augusta was then in Company with him. He confirmed the News before received, that Malatchi was out at War.

Friday, the 24th. Arrived at the Coweta Town. It may not be improper here to observe that the first Report set on foot was [117] that the Acorn Whistler was killed three Days before I arrived in the Nation, which must have happened on or before the 21st of July. Though this Piece of News was eagerly caught at, and propogated by those who wished it to be true, yet I cannot find that one Tittle of Evidence was ever produced in Support of it. On the Contrary it appears to be absolutely false by the Affidavits of Joseph Wright, Trader in the Tuckabatchees, and Richard Blake, Hireling to Timothy Mellan, who at that Time left the Upper Towns, and brought a Message from the Acorn Whistler to Mellan at Augusta about building some Houses for him in the Nation, which Mellan declared to me in the Presence of Mr. McKintosh. See No. 4, 5, 6.⁸

Wednesday, the 29th. The Ottassee King in two Days from the Upper Towns very near where the Acorn Whistler lived, arrived at the Coweta Town. He brought no News of the Acorn Whistler's Death.

I must here remark that one Richard Anderson who left the Coweta Town some Days after our Arrival there carried a Message from Mrs. Bosomworth to some of her Relations in the Tuckabatchees. Stayed there some Time, and from thence proceeded to Augusta. Brought no News of the said Indian's Death.

Mr. Cousings, Trader at the Eufales, likewise left the Nation some Time after our Arrival there, and the first News he heard of that Indian's Death was at Augusta by one Lucas that left the Nation aboutt the 10th or 12th of September.

August 1752

Sunday, the 2d of August. Joseph Wright, Trader in the Tuckabatchees, came to the Coweta Town, returned to the Upper Towns, heard no News of the Acorn Whistler's Death till some Time after his Return thither, and the News was brought to the Tuckabatchees to the best of his Knowledge the very Day it happened, which is but about fifteen Miles Distance. See his Affidavit No. 5.⁹

[118] Monday, the 3d. Malatchi returned from War.

Thursday, the 6th. Pursuant to my Instructions privately communicated my Business to Malatchi and Chiggilli in the Presence of Mr. McKintosh. They deferr giving an Answer till a Consultation was held with all the Head Men.

Monday, the 10th. All the Head Men were assembled in the Coweta Square. Malatchi and Chiggilli acquainted them with the Purport of what I had communicated to them the 6th Instant upon which they satt in Council all Day and Night. Several of the twenty-six Lower Creeks who murdered

⁸ Below, pp. 338-40.

⁹ Below, pp. 338-39.

the Cherokees in Charles Town were strictly examined, touching the particular Circumstances of that Affair.

Tuesday, the 11th. This Morning all the Head Men came to wait upon me and Mrs. Bosomworth at our Lodgings to return their Answer. Mr. McKintosh, and Mr. Ladson, the only Trader at that Time in the Lower Creek Nation and understands the Language, being present.

That the Acorn Whistler was then, and there publickly accused as the Author of that Meschief done in Charles Town for which the Blood of some of the principal Offenders was demanded for Satisfaction, and that it was the Opinion of that Assembly that he ought to suffer for it appears by Ladson's Affidavit, No. 7.¹⁰

And that the Management or Execution thereof entirely left to Malatchi by the general Voice of all the Head Men appears by the Affidavit of Ladson and McKintosh sworn in the Publick Square of the Coweta Town in the Presence of many Witnesses. See the Papers relating to the first Journal, No. 1.¹¹

As Matters were brought to such a Crisis and all the Evidence that could possibly be got to prove [119] that the Acorn Whistler was publickly accused as the principal Offender, and condemned as such to suffer for it, what remained on my Part to do was immediately to press Malatchi to a speedy Execution as the least News of this Kind reaching the Acorn Whistler's Ears might have endangered the general Peace and Tranquility of the Nation and the Lives of every white Man in it.

Malatchi thinking this too weighty an Affair to take the Burthen entirely upon himself consults with the Cussetaw King and the King of the Ottasses, near Relations of the Acorn Whistler's, as to the Manner of Execution. Mrs. Bosomworth and I were personally present at this Consultation, and they were unanimously of Opinion that not only Expedition but Secrecy also was absolutely necessary which they strictly enjoined us! And another prudent Precaution they likewise further took was to attribute his Death to another Cause that in Case any Misconduct should happen in the Execution they might by that Means take the Blame upon themselves, and prevent those dangerous Consequences that might be justly apprehended in Case the true Cause was publickly declared.

And as my Instructions positively were to leave the Execution to the Indians it was not in my Power to have given any further Proofs in this Case unless I had sent a Person to see the Execution which for the Reasons before assigned (as the Success of this Affair evidently depended upon Secrecy and Expedition) neither the Indian would have allowed or any Man undertaken. And suppose that contrary to the Advice of the Indians in whose Hand the executive Power was lodged, I had made a publick Declaration that in so many Days the Acorn Whistler was to suffer Death? Whatever ill Consequences had from thence arose (as many might be feared) they would certainly have been justly chargeable to my Account for Breech of my Instructions.

¹⁰ Below, p. 340.

¹¹ Above, pp. 308-09.

|120| I must have take Notice of another wicked Report which I understand has gained some Credit with many Persons in this Province, viz., that the Acorn Whistler was killed before Malatchi returned from War or any Conference held or Satisfaction demanded.

In Support of which I humbly presume it is incumbent upon the Authors to prove, that he was killed before the 3[rd], 6th, or 11th of August on which Day the final Consultation was held at the Coweta Town, and that the Acorn Whistler was then and there publickly accused as the principal Offender, and that he ought to suffer for it appears by Ladson's Affidavit. And to imagine that a dead Man should be either accused or condemned to suffer carries its own Consulation along with it, and to suppose there was any Possibility of concealing the Death of a Man of so much Note, which upon its happening was immediately spread all over the Nation, still more weak and absurd. Another corroborating Proof that this Report is absolutely false and groundless is that the Death of the Acorn Whistler was never heard of in the Lower Towns by any white Man or Indian whatever till the nineteenth of August, that the Messenger came to Mrs. Bosomworth at the Hitchetaw Town (about fifteen Miles from the Coweta) appears by the Affidavits of Hewitt, Kennard, and Ladson, to which Reference may be had. No. 8, 9.¹² Hence I think it evidently appears that his Death was concerted previous to its happening, and in Consequence of the Demand I had made for Satisfaction. Though the Contrary has industriously been spread abroad, but with what Shadow of Reason is humbly submitted to the Consideration of your Excellency and Honours.

Wednesday, the 12th. |121| This Morning the Cussitaw King came over to the Cowetas, and informed Malatchi and Chiggilli that he and the Ottasse King in Consequence of the Consultation Yesterday held, had immediately dispatched a Messenger with Instructions to a young Fellow, Nephew to the Acorn Whistler, to do the Execution. The Reasons the Indians assigned for this young Fellow's being pitched upon for that Purpose, and the Instruction given him may be seen at Large in the Transactions of this Day.

Sunday, the 16th. Went from the Cowetas to the Town of the Hitchetaws to endeavour to put a stop to some dangerous Reports that were sett on Foot by the white People lately arrived from Augusta.

Tuesday, the 18th. Malatchi, Chiggilli and several of the Head Men of the Cowetas camped this Evening by the Town of the Hitchetaws in order to be received the next Morning with the usual Ceremonies to attend the Busk. An Indian called Thlackpallakee, as Head Man of the Cowetas and a Relation of the Acorn Whistler's, received the first News of his Death which was communicated to him to bring down to the Hitchetaws. Whether the Messenger first came to the Cussitaw King or to the Cowetas, I am not very positive, and as I found the Indians were very industrious to conceal those Persons who where [*sic*] any Ways instrumental in this Man's Death for Fear of their own Lives, I did not think it material, or a Part of my Duty, to extort any Secrets from them in regard to the Manner of Execution as that Power was by my Orders entirely vested in them. That the Acorn Whistler was killed in Conse-

¹² Below, pp. 340-41.

quence of the Demand I made in Behalf of this Government, and the Consultation held the eleventh Day of August I humbly presumed was a sufficient Discharge of my Trust and must have been satisfactory to every unprejudiced |122| Man of Sence which will evidently appear by the concurrent Testimonies of undeniable Facts supported by the [strongest] Evidence as the Case was circumstanced, that was possible to be obtained.

Wednesday, the 19th. This Indian above mentioned called Thlachpallache came to Mrs. Bosomworth at the House of John Kennard at the Hichetaws in very great Hurry and immediately addressing himself to her as soon as he entered the Room in the Presence of Hewit, Kennard, McKintosh and Self, told Mrs. Bosomworth the Bussiness was done. The Life of a great Man was taken for Satisfaction, and he hoped the Governor's Heart would be streight. Mrs. Bosomworth, understanding his Meaning, checked him for it, and told him not to speak any more about it as the Indians were then in Liquor, and if acquainted with the News in that abrupt Manner perhaps they might do Mischief. But Mrs. Bosomworth acquainted Mr. McKintosh and Kennard with the News the Indian brought, and the Cause of the Acorn Whistler's Death as appears by Kennard's Affidavit No. 9.¹³

In Regard to the Manner of this Message being delivered I must first observe, that this Thalackpallachee was present at the Meeting of all the Head Men at the Cowetas the 10th and 11th of August, and there heard the Acorn Whistler condemned as the principal Offender, and that he ought to suffer for it, and the very form in which he expressed himself in delivering the Message to Mrs. Bosomworth evidently implies that the Acorn Whistler's Death was preconcerted; and for that very Cause and that she (Mrs. Bosomworth) was privy to it, or with what Propriety or Meaning could this Indian address himself to her and inform her *That the Bussiness was done*, and *he hoped the Governor's Heart would be streight* or how should she understand his Meaning |123| unless she had previously known *What Bussiness was to be done*. There was no Time, Oppertunity or Possibility of concerting any Schemes as some would wickedly insinuate to impose upon the Publick in this Manner, for Mrs. Bosomworth never spoke to the Indian till the Message was delivered nor did any white Man or Indian whatever, in the Lower Creeks (except the Messenger that brought the News) know the least Word of the Acorn Whistler's Death till the News was brought to Mrs. Bosomworth at that Time. These are undeniable Facts which will evidently appear by the Affidavits of Hewitt, Kennard, and Ladson, and Mr. McKintosh could have attested the same upon Oath if it had been required. No. 7, 8, 9.¹⁴

Thursday, September 1st. In our Way to the Upper Towns, met the Acorn Whistler's Son. His Relation, a Head Man of the Cowetas, that was in Company with us talked as much as was thought necessary at that Time to him, upon the Subject of his Father's Death but as a coroberating Proof that the Son was sensible that his Father's Death was conserted in the Lower Towns, he proceeded on his Way to the Cussitaws and there accused the King of that

¹³ Below, p. 341.

¹⁴ Below, pp. 340-41.

Town as the *Author* of it, and demanded the life of a Cussitaw Fellow, an adopted Relation of the King's, for Satisfaction, but with the Reasons assigned by the Cussitaw King in Regard to the Justice and absolute Necessity of his Father's Death, and some Present made him by the King he was satisfied. This Information I received from one James Smith, Store Keeper to Mr. Rowley, who was present at their Debates September 21st, 22d, and 23d.

To the general Meeting then held at the Tuckabatches, I summoned all the Traders and Hirelings that could possibly be spared, that were at that Time in the Upper Creek Nation. I swore an indifferent Person (a Trader in that Town) as Interpreter least any Objections should be made to Mrs. Bosomworth in Regard to the faithful Interpretation of |124| what the Indians said and to make the Matter still more clear, I left it to his own Relation (the Otasse King) who was present at the Coweta Town when his Death was consented to declare the Cause. It was then and there publicly declared by his own Relations that he died for Satisfaction for the Meschief done in Charles Town, and no other Cause with the Justice of which Sentence the whole Assembly was highly satisfied, and all shook Hands and returned Thanks to the Relations of the Acorn Whistler for the great Regard they had shewn to the Welfare of their Nation in suffering the Blood of their own Relation to be spilt to wash away all past Offences given to their Friends. See Proceedings No. 4, Journal the 1st.¹⁵

These are undeniable Facts attested upon Oath by many Witnesses who could alone be supposed to know any Thing of this Affair as they were then present in the Nation, and if the *Ipsa Dixit* of any Man whatever who had no Oppertunity of knowing the Truth must be admitted to counter ballance the solemn Attestations of a Number of Men that could only be the proper Judges in this Case it must be supposed that those Men were guilty of Perjury if all or any of them knew any other Cause of the Acorn Whistler's Death, upon which Supposition all Facts and Evidence whatever may easily be sett aside, and private Opinion constituted in their Place.

October the 4th. At the general Meeting held at the Coweta Town the principal Facts above related were again publicly declared and attested upon Oath by (see Journal 1st, No. [6?])¹⁶ sixteen white Men most of which were my professed Enemies and certainly if they had known or suspected any other Cause of the Acorn Whistler's Death, they *then* and *there* would have made their Objections. The contrary Belief must be founded upon a Supposition they would be guilty of Perjury to serve my sinister Ends in imposing on the Publick when the Actions and Behaviour |125| of the Majority of them plainly demonstrated that they were entered into a Confederacy to destroy me or prevent the Success of my Negotiations.

The fourth Day after the Council held at the Coweta Town which was the eleventh of August, the Satisfaction was given; but whether the Indians included the eleventh Day or not I am not positive, but the fourteenth or

¹⁵There are no proceedings in the journal which are identified by the number 4, but the reference is probably to those on pp. 289-96.

¹⁶There is no affidavit number 6 in the journal, but the reference is probably to the one on p. 304.

fifteenth of August was the Day the Acorn Whistler suffered Death. This appears by the following Fact: that on the thirteenth Day of August an Oakfuskee Indian left the Coweta Town, and carried a Letter from Mr. McKintosh directed to Messrs. Ross and Germany at the Oakfuskees. Whilst this Indian was at the Tuckabatchees, either the fifteenth Day at Night or the sixteenth in the Morning, the first News was brought to this Place of the Death of the Acorn Whistler, which the said Indian gave the first Account of, at the Oakfuskees. The sixteenth Day of August as appears by James Germany's Affidavit, see No. 10)¹⁷ which might likewise have been further corroborated by the Deposition of Mr. Ross whom I expected to have seen at Augusta but was gone for the Upper Nation some Day[s] before I arrived there.

In regard to the principal Fact contained in my second Journal, viz., the Death of the Chickasaw for Satisfaction for the Murther of the white Man, I shall only add that could I have thought or imagined that any Person could have been so incredulous as not to believe the Truth of any Fact without ocular Demonstration, I might easily have produced many more Proofs in this Case as I believe there were near twenty white Men present with me during the whole Proceedings at the Abbacouchees, and accompanied me to the Breed Camp, who might all have been Spectators of the dead Body fresh in its Gore, had not they declined it from an intire Conviction of the Truth of the Fact, and the Insult they imagined it would be to the Indians to doubt thereof, by going in Numbers to the Grave to be Eyewitnesses of so shocking a Scene. [126] As I was then in Conference with the Head Men I did not think it consistant with my Character to go myself and have the Grave opened to view the Body, but I sent the Interpreter for that Purpose who has made Affidavit to the Truth thereof.

And though I neither saw the execution nor the dead Body, yet from Facts and Circumstances and the Testimony of Others, I can no more doubt of the Truth thereof than I can of the Exsistance of every Man living of which I have not ocular Demonstration; and I can not help complaining of a Piece of very great Injustice done me by the white People, particularly by Pettygrove who acknowledged himself to be under great Obligations and faithfully promised me to represent this Affair to your Excellency in a true Light, upon which Subject as far as I can learn, he has hitherto been intirely silent. As the preceding Pages contain a distinct Narration of the principal Facts and Evidence contained in my Journals, I doubt not but from thence it will evidently appear to your Excellency and Honours that I am most grossly abused and greatly injured, and my Character and Reputation most ignominiously struck at by the groundless and malicious Reports of my Enemies which if maturely weighed and considered, carry a sufficient Antidote with them to the Venom they endeavour to diffuse. For to imagine or entertain the most distant Thoughts that a whole Nation of People should enter into a Confederacy to tell a Falshood, and that it should be attested upon a solemn Oath of twenty-seven white Men who were all in the Nation at the same Time, and that None of them

¹⁷ Above, p. 326.

should make the least Objection as to the Truth thereof is a Supposition as weak as ridiculous, and carries its own Confutation along with it.

Though an ingenious Gentlemen observes that Falshood is Folly, and Lyars and Caluminators at last hurt None but themselves |127| even in this World and in the Next, it is Charity to say Lord have Mercy upon them, yet daily Experience teaches us that Mallice and Injustice will have their Day, and too, too often triumph over the Innocent and Unwary who depend upon the Justice of their Cause alone, and neglect to arm themselves against every sinister Art, which a lame and wicked Cause may suggest especially when supported by those who have Instruments of Vice ready at Hand to finish what they begin.

To the candid Consideration of your Excellency and Honours, I humbly submitt the Merits of the Cause, and what Satisfaction ought to be made for the Wound given to my Character and Reputation which now lies bleeding and unjustly exposed to the World for the Gratification of the Malice or Envy of those who I doubt not but will be ashamed of their Lies and Ignorance, or made to dread the Effects of their impotent Efforts.

I am, Sir and Gentlemen, your Excellency's and Honours' most devoted and humble Servant.

THOMAS BOSOMWORTH

Charles Town, January the 24th, 1753

AFFIDAVITS TAKEN BY THOMAS BOSOMWORTH

No. 1

I do hereby certifie that some Time after the Indian called the Acorn Whistler arrived in the Upper Towns of the Creek Nation after his last Return from Charles Town; I happened to be upon some Business of my own at the House of John Spencer, Trader in the said Nation, were [*sic*] accidentally the said Acorn Whistler came, upon which the said Spencer and I [charged?] the said Acorn Whistler upon some Reports which were said to be brought by him, the said Acorn Whistler, from Mrs. Bosomworth which the said Acorn Whistler affirmed to be absolutely false, and declared that the said bad Reports were Lies of the Indians own making for that he, the said Acorn Whistler, came by the Way of Pallachuckalas, and never came near |128| Mrs. Bosomworth's House or spoke to her. The Truth of this I am ready to attest upon Oath when required.

Given under my Hand at the Tuckabatchee. To this 9th Day of November, 1752.

MOSES NUNES

Test [*sic*].

JAMES WRIGHT
THOMAS PERRIMAN

No. 3¹⁸

Before me, Thos. Bosomworth, Clerk, Agent to the Creek Nation from the Government of South Carolina, personally appeared John Spencer, Trader

¹⁸In the original, there is no number 2.

in the Town of the Mucklassies in the Upper Creek Nation who being duly sworn declareth upon Oath that he, the said Deponent, asked the Indian called the Acorn Whistler after his last Return from Charles Town if he, the said Acorn Whistler, had seen or spoke with Mary (meaning Mrs. Bosomworth) since his Return from thence, or last Departure from the Nation, and this Deponent doth declare that the said Indian called the Acorn Whistler absolutely denied, that he had seen the said Mary Bosomworth or spoke to her since his last Departure from the Creek Nation, and that the bad Reports which the said Mary Bosomworth was accused of being the Author of by delivering them to, [to?] the said Acorn Whistler must be absolutely false, as the said Acorn Whistler declared that he did not see or hear from the said Mary Bosomworth, and lastly this Deponent doth declare that he and Mr. McGilvery have declared to the same Purpose to the Governor of South Carolina.

JOHN SPENCER

Sworn before me at the Town of the Tuplatchees in the Upper Creek Nation this 20th Day of December, 1752.

THOMAS BOSOMWORTH, Clerk

Test. LACHLAND MCKINTOSH

|129|

No. 4

December 18, 1752

Before me, Thomas Bosomworth, Clerk, Agent to the Creek Indian Nation by Commission from the Government of South Carolina, personally appeared Henry Lucas who being duly sworn declareth upon Oath that some Days after the Agent went to the Upper Creek Nation which was the first of September last, he, this Deponent, went to the Town of the Utchees in the Lower Creek Nation, and there in the House of Peter [Rundor?] did see one Richard Blacke of the Upper Towns and some Discourse arising [*sic*] about the Death of the Indian called the Acorn Whistler this Deponent declareth, that he heard the said Richard Blacke affirm as a Matter of Fact that the said Indian called the Acorn Whistler was killed three Days before the said Blacke left the Upper Towns, and that the said Blacke got to the Lower Towns three Days before the Agent Mr. Bosomworth arrived in the Lower Nation, which was the 24th Day of July, last past.

HENRY LUCAS

Sworn before me this 18th Day of December, 1752.

THOS. BOSOMWORTH, Clerk

No. 5

December 19, 1752

Before me, Thos. Bosomworth, Clerk, Agent to the Creek Indian Nation from the Government of South Carolina, personally appeared Joseph Wright, Trader in the Town of the Tuckabatchees in the Upper Creek Nation, who being duly sworn, declareth upon Oath that in the Beginning of August last past he, the said Deponent, was down in the Lower Towns that he see and spoke

with Mr. Thomas Bosomworth at the Coweta Town, who had then been some Time in the Nation. That after he, the said Deponent, returned from thence to the Town of the Tuckabatchees, he heard no News of the Acorn Whistler's Death till some Time afterwards, and that to the best of this Deponent's Knowledge the News was brought to the Tuckabatchees the same Day the Acorn Whistler was killed, the Distance from the Place where the said Indian was killed being 15 or 16 Miles. The particular Day of the Month the News of the said Indian's Death came to the Tuckabatchees, he, this Deponent, cannot recollect, |130| but that the said Indian was killed long after Mr. Thomas Bosomworth arrived in the Nation. The Deponent doth positively declare upon his own Knowledge to be Matter of Fact, and that the said Deponent heard the Head Men of the Upper Creek Nation declare at their general Meeting held at the Tuckabatchees, in September last, that the said Indian called the Acorn Whistler was killed for Satisfaction to the English for the Meschief done in Charles Town and no other Cause.

JOSEPH WRIGHT

Sworn before me this 19th Day of December, 1752.

THOMAS BOSOMWORTH, Clerk

In the Presence of Lachlan Mackintosh
Moses Nunes

No. 6

December 19, 1752

Before me, Thomas Bosomworth, Clerk, Agent to the Creek Indian Nation from the Government of South Carolina, personally appeared Richard Blake, Hireling to Timothy Mellan, Trader in the Town of the Tusshatchees in the Upper Creek Nation, who being duly sworn, declareth upon Oath that on the 24th Day of July last (by their Account and reconing [*sic*] though as to being right he, this Deponent, cannot affirm to be true as they often mistake both the Day of the Month and the Week, and widely differ in their Accounts of Time) he, this Deponent, left the Town of the Tusshatchees in the Upper Creeks to proceed to Augusta. That at the Time of his leaving the said Town and Nation, the Indian called the Acorn Whistler was alive and well, and this Deponent never heard any News or the least Talks or Suspicion of his being to be killed. That on the Day, this Deponent was informed by an Indian called Rogery belonging to the Cussitaws, that was sent in as a Runner to inform of Mr. Thomas Bosomworth, Agent, his Arrival in the Nation, he this Deponent set off from the Uchee Town in the Lower Nation to proceed for Augusta. That on the 17th Day of August to the Best of this Deponent's Knowledge, he arrived back from Augusta at the Town of the Uchees in Company |131| with Messrs. Mackay and Hewitt. And this Deponent doth solemnly declare that he never heard the least Word of the Death of the Indian called the Acorn Whistler till some Days after his Arrival at the Uchees from Augusta, and to the best of this Deponent's Knowledge he heard the first News of it from one Charles Jordon which might be about the 20[th] or 21[st] Day of August last. This Deponent doth likewise further declare that he was personally present at a general Meeting of all the Head Men in the Upper Creek Nation