

especially as the commanding Officer had declared, that "he would not agree to any Terms till he was in the Center of the Cherokee Nation, and that no Preliminaries should ever be signed by him but in one of their Towns-Houses." Had this been done by a speedy, and we may say, generally expected, March to the Valley, since the Army's Return to Keowee, we flatter ourselves we should not be reduced to this disagreeable Necessity, of advising your Honour to accept a Peace, upon Terms so precarious; and less honourable than we had Reason to expect: But notwithstanding these Expectations, we have Foundation to think, by Colonel Byrd's Letter to your Honour, dated only 17 Days after Colonel Grant's Return to Keowee, that a Peace was determined upon; for Colonel Byrd says, "My Orders were to co-operate with and assist Colonel Grant: That Gentleman writes me, he has completed his Work already; so that could I proceed, I should not answer that End." We dread the unhappy Consequences that may attend Col. Grant's depending too much on the Importance of destroying the Middle-Towns; a Thing he made light of last Year, for in the Letter your Honour then laid before this House, dated 31 July, 1760, he says, "destroying an Indian Town may be Creditable; but, in Fact, 'tis a Matter of no Consequence, when the Savages have Time to carry off their Effects." Again, "we could have gone to any Town in their Nation; but, we should have had a Brush to get at it, and then we should have found it, or indeed rather them, all abandoned," which was the Case this Year. We conceive, that the only Thing in a Cherokee War, that will have any Effect to bring those Savages to a firm and lasting Peace, is, to destroy as many of their People as we can, and when an Opportunity offers so to do, to miss it by no Means, which, we fear, has been too much the Case in the late Expedition and defensive Action; and we are not without our Apprehensions, that your Honour's Information, that "your young Men entertain no very respectable Opinion or Dread of the English Manner of fighting Indians, though our Numbers are formidable," may be too well grounded. From these Reasons, as the Province is already greatly loaded with Taxes, and as we have little Prospect of the War being carried on in a different, and what we conceive more effectual, Manner than hitherto has been done; or that the Colonel of the Provincial Regiment, though of great Influence, Merit, and Abilities, and well acquainted with the Interest of the Province, and the proper Manner of treating the Cherokees, will ever be consulted; we are reduced to the Necessity of advising your Honour, to agree to a Peace, upon the Terms proposed by your Honour, in your Letter to Col. Grant of the 14th April last, except as to the first and ninth Articles, adding in the second Article, after the Word "Prisoners," the Word "Negroes;" leaving out in the third Article, the Words "for Protection of our Traders there;" and adding at the latter Part of that Article, "and that the Head or Scalp of the Murderer be brought to the Commander of the next English Fort." And we beg Leave to recommend to your Honour another Article, to the following Effect: "That, to prevent, as much as may be, any Disturbances that may arise between the Cherokees and the White People on the Back-Settlements, no Cherokee Indians shall come down into this Province, within the Limits of Twenty-six Mile River, on any Pretence whatsoever, without some white Person in Company; or unless, by the Order or Permission of this Government; and that all white Men, whether French or English, who have been amongst the Cherokees, and have aided and assisted them during the late War, shall be delivered up." This House has resolved to make Provision for the Pay of four Companies of Rangers, upon the present Establishment, with a Major-Commandant, until the first Day of January next, if their Service should be thought so long Necessary; but we beg Leave to inform your Honour, that we will not make any Provision for garrisoning of Fort Loudoun, in Case it should be delivered up by the Indians.

By Order of the House,
BENJAMIN SMITH, Speaker.
In the Commons House of Assembly,
the 19th Day of Sept. 1761.

Attakullakulla, accompanied by eight other Cherokee Indians, among whom are Old Caesar, the Raven of Noockassee, the Raven of Toocksoy, &c. were, by order of the Governor, carried by Capt. Stuart, on Sunday the 13th, from Goose-Creek to Ashley-Ferry. Attakullakulla has full Powers from his Nation to treat of and conclude a Peace; and was pitched upon by them as the Indian this Government would pay most Attention to on Account of his inviolated Attachment: And fatal Experience having at last convinced them, that he knows their true Interest best, they implicitly confide in his Conduct. On Tuesday 15th he had a Conference with the Governor, when he produced his full Powers from the different Towns, which, as the Indians have not the Use of Letters, consisted of Belts of Wampum. On Monday last Attakullakulla came to Town, and Yesterday had a public Audience of the Governor in Council, when the following was agreed to:

The TERMS of PEACE to be Granted to the CHEROKEE INDIANS.

WHEREAS War has subsisted for some Time past between the Cherokee Indians, and his Majesty's Subjects, particularly of the Provinces of Virginia, North and South-Carolina: And whereas the said Cherokee Indians have applied to me for Peace, by Attakullakulla, one of their principal Headmen, specially deputed and authorized for that Purpose, and they having by their said Deputy expressed their earnest Desire that an End may be put to the War, and Peace restored; which Application I having duly considered, and being desirous to deliver the said Indians from the Hardships and Distresses which the said War has brought upon them, as well as to remove the Inconveniences which attend his Majesty's Subjects, whilst they are engaged in such a War; I have therefore thought proper to grant them a Peace on the Conditions contained in the several Articles hereafter set down. And,

It is hereby stipulated between me the Honourable William Bull, Esq; Lieutenant-Governor and Commander in Chief of his Majesty's Province of South-Carolina, on Behalf of his Majesty, and the said Attakullakulla, on Behalf of the Cherokee Indians, that Peace shall be restored, confirmed and established between his Majesty's Subjects and the Cherokee Indians—which Peace, it is intended, shall endure as long as the Sun shall shine, and Rivers continue to run into the Sea.

ARTICLE I. All English Prisoners, Negroes, Horses and Cattle, in their Possession, to be delivered up immediately to Col. Grant.

II. Fort Loudoun, and the Cannon belonging thereto, now lying at Chote, to be delivered up to any Persons sent to take Charge of them; and any Forts shall be built hereafter, in the Cherokee Nation, when the same is thought necessary by the English.

III. The Cherokees shall not admit any Frenchmen into their Nation, and if any should come, the Cherokees shall assist us, at least shall not pretend to interpose their Protection, to prevent us, when we think proper, to apprehend the Frenchmen.

IV. Any Indian who Murders any of his Majesty's Subjects, shall be immediately put to Death by the Cherokees, as soon as the Murder and Murderer are known in the Cherokee Nation, and that the Head or Scalp of the Murderer be brought to the Commander of the next English Fort.

V. The Cherokees shall not Hunt to the Eastward of 26 Mile River, nor the English to the Westward of it, to prevent any Quarrels or Mischief that may be occasioned from the Hunting Parties meeting in the Woods.

VI. That to prevent, as much as may be, any Disturbances that may arise between the Cherokees and the White People on the back Settlements, no Cherokee Indian shall come down into this Province, within the Limits of Twenty-six Mile River, on any pretence whatsoever, without some white Person in Company, or unless by the Order or Permission of this Government; and that all white Men, whether French or English, who have been amongst the Cherokees, and have aided and assisted them, during the late War, shall be delivered up.

VII. The Cherokees shall not molest the Creatures belonging to, nor trespass on the Grounds necessary for Planting and Pasturage for the Use of the Garrison of Forts built, or to be built, in their Nation.

VIII. The Catawbias and Chickefaws to be comprehended in this Peace.

IX. That all the Cherokee Prisoners we have taken, shall be restored.

X. Our Friendship shall be granted to them; a firm Peace shall be made and finally ratified in Charlestown; Trade shall be renewed, and plenty of Goods sent up to be exchanged for their Skins, to supply their Wants.

XI. And as equal Justice is the surest Foundation of a lasting Peace, it shall be agreed, that when an Englishman Murders a Cherokee, the Cherokees shall not put him to Death, but he shall be delivered to the Officer of the Fort, sent Prisoner to Charlestown, and there tried according to our Laws; and if found Guilty, to be executed in Presence of some Cherokees, if they desire to be present: And when the Cherokees think they are injured by the English in their Nation, the Cherokees are not to take Revenge themselves, but shall make Complaint to the Commander of the next English Fort, to be from thence transmitted to the English Governor, who will right them therein, according to our Laws: And when the Cherokees injure any English among them, on Complaint thereof, the Cherokees shall Right the Injured; thus the Guilty will only be punished on both Sides; thus Friendship, Peace, and Trade will be preserved; but when they cease to observe this Treaty, Friendship, Peace, and Trade will also cease.

XII. That Attakullakulla communicate these Stipulations to the Nation on his Return, and acquaint them, that in order to have these Articles of Peace finally ratified and confirmed, so that our old Friendship may be renewed, and last as long as the Sun shines, and Rivers run; some of the Headmen from the Upper, the Valley, the Middle and Lower Settlements, shall come down to Charlestown, and confirm these Stipulations, and then settle such Matters as concern the Trade to be carried on with their Nation.

In Testimony whereof, both Parties have hereunto interchangeably set their Hands; and I, the said William Bull, have caused the great Seal of this his Majesty's said Province to be hereunto affixed, this 23d Day

of Sept. in the Year of our Lord 1761, and in the first Year of his Majesty's Reign,
WILLIAM BULL,
I ATTAKULLAKULLA do accept of the foregoing Terms of Peace, on Behalf of the Cherokee Nation.

ATTAKULLAKULLA.
Mark.

This Day Attakullakulla had his last public Audience, when he Signed the Terms of Peace, and received an authenticated Copy under the great Seal, and Signed by the Governor. He earnestly requested that Capt. John Stuart might be made Chief White Man in their Nation; he said all the Indians love him, and there would never be any Uneasiness if he were there: He promised to return in six Weeks with other Headmen. This faithful Indian afterwards dined with his Honour the Governor, and To-morrow sets out for his own Country. He has received several Presents, as a Mark of the Regard this Government has for him in particular, for his unaltered Fidelity and Attachment: The other Indians received only some necessary Cloathing for themselves, of which they were in great Want.

BOSTON, October 19.
About a Fortnight ago a melancholy Affair happened at the Eastward. Mr. Small, an ingenious and approved Surveyor, being employed by the Government to reconnoitre and explore that Part of the Country which lies between Fort Halifax on Kennebeck River, and the River Chaudre, and so on to Quebec; he was attended by Captain Howard, and a Party of Nine Men, and set out from the Fort upon that Business; but when they had got about 120 Miles distance, one Day, about 12 o'Clock, Mr. Small being within some Boats taking an Observation, one of the Men perceived a rattling, and something move, apprehended it to be some wild Beast, unhappily fired, and shot him dead upon the Spot.

NEW-YORK, October 22.
Since our last arrived his Majesty's Ship the Alcide, Capt. —, of 64 Guns, on board of which came Passengers, the Right Hon. William Alexander, Earl of Stirling; his Excellency Josiah Hardy, Esq; Governor of New-Jersey, with his Lady and Family; Jared Ingersol, Esq; late Agent at London, from the Colony of Connecticut; Temple, Esq; Surveyor-General of his Majesty's Customs of Boston, and other Gentlemen.

Two Regiments of the Regulars came down from Albany on Sunday and Monday last, and most of them immediately embarked on board the Transports.

We hear that Messieurs EDES and GILL, Printers in Boston, have drawn the 3500 Dollars in the Prince-Town College Lottery.

One of the Officers who fought a Duel about ten Days ago near this City, is since dead of his Wound; but before he died, acknowledged himself the Aggressor.

Since our last his Majesty's 17th Regiment arrived here from Albany, and immediately encamped on Nutten-Island.

ANNAPOLIS, November 5.
On Monday last came on the Election of Representatives for this (Anne-Arundel) County, and on Tuesday Afternoon the Poll was closed, when the Four following Gentlemen were Declared duly Elected, viz. Messieurs Brice Thomas Beale Worthington, John Hammond, Henry Hall, and Thomas Johnson, junior.

The following Gentlemen are chosen for Queen-Anne's County; Messieurs Robert Lloyd, Edward Tilghman, James Hollyday, and Thomas Wright.

For Talbot; Messrs. John Goldsborough, Pollard Edmondson, William Thomas, and James Tilghman.

For Dorchester; Col. Henry Hooper, Messieurs Daniel Sullivan, Joseph Cox Gray, and Charles Goldsborough.

For Baltimore; Messieurs John Poca, Thomas Cockey Deye, John Hammond Dorsey, and Corbin Lee.

For Frederick; Messieurs Thomas Cresap, Thomas Beatty, Nathan Magruder, and Joseph Chapline.

The Election in Prince-George's County, is to be on Tuesday next.

We have not yet heard from Cecil.

Prince-George's County, October 30, 1761.
WANTED.

A MAN, who can be well Recommended for Honesty, Sobriety, and Diligence, and who can Write, and keep a common Account, and is fit to take the Charge of a FERRY and PUBLIC HOUSE, where every Thing necessary will be found by the Employer: Such an one will meet with very good Encouragement by applying to the Subscriber on Patowmack River.

Lordsburg, (Loudoun Co. VA.)

WHEREAS THOMAS COLVILL, Executor in Trust of JOHN COLVILL, of Fairfax County, has without Information to me, given MARYLAND GAZETTE, and in other Places in the Colony of Virginia Lands Dev'ed from the late JOHN COLVILL, the Right Honourable CHARLES KEARVILLE, are yet subject to some Therefore, as Agent for the said CHARLES KEARVILLE, the Subscriber hereof gives notice to all whom it may concern, not to gain with the said THOMAS COLVILL, private or public, otherwise to be the Law shall direct for such Injury this further gives Notice, that the COLVILL is now served with a Writ of Virginia, to exhibit a mon of his Management; so that this is to advise all Persons whatsoever, any Purchase of those Lands mentioned, from THOMAS COLVILL, other to the bad Consequence, which entangle them in Difficulties with the JOHN PATTERSON

On Wednesday the 25th Instant, will be at PUBLIC SALE, at the Benjamin Brooke, at UPPER MARLBOROUGH, the following Parcels of LAND, in Prince-George's County, viz.

One Tract called Burbridge, containing 320 1/2 Acres; and Part of a Tract called containing 320 1/2 Acres. The Title, and Terms of Sale, may be seen at any Time, by applying to WM. TURNOR

STOLEN out of the Dock at ANNE ARUNDEL, 31st of October at Night, a Row Boat of 15 Feet Keel, 5 1/2 Feet wide, Bottom, and one new Thought.

Whoever will return her to the Sheriff of West-River, shall have Fifteen Shillings Reward.

THOMAS

RAN away last Saturday Night, from Neptune, James Cooper, Commandant in the North West Branch of Patowmack River, viz.

Daniel Ferguson, about 25 Years of Age, 10 Inches high, wears his own Hair which is black, and stoups in his Walk.

John Bellam, about 30 Years of Age, well-set Fellow, about 5 Feet 8 Inches high, his own Hair which is Black, and has upon his left Cheek. Had on when away, a green Jacket, and the rest of his like a Sailor's.

Thomas Woodbridge, about 40 Years of Age, 6 Feet 9 Inches high, stutters in his Speech, talks very broad Scotch, has strait short hair, and a Mole upon one of his Cheeks.

Thomas Graves, about 22 Years of Age, 8 Inches high, wears his own black Hair mark'd with the Small-Pox. They were all in Sailors Dress, and on Ship's Yawl with them.

Whoever brings back or secures the said Persons, so that the Subscriber can have them again, receive TEN PISTOLES Reward, and reasonable Charges, from JAMES COOPER

THERE is at the Plantation of Peter near the Katocton Mountain, in Prince-George's County, taken up as a Stray, a middle-sized Horse, Branded on the Right Shoulder with the Letter I, has much white in his Face, 3 white spots on his Neck, and a bob Tail, and some Saddle Spots on his Property, and paying Charges.

THERE is in the Possession of Valentiner, living in Frederick County, about 10 Miles from the Town, taken up as a Stray, an old Bay Gelding, a natural Pacer, has a white Face, and no perceivable Brand. The Owner may have him again, on proof of Property, and paying Charges.

THERE is at the Plantation of John Davis, in Frederick County, taken up as a Stray, a middle sized white Mare, a natural Pacer, Branded on the off Thigh C, shod Beside with a good Leather Collar and a large Bell with R G and a V underneath. The Owner may have her again, on proof of Property, and paying Charges.