MESSAGE

From the President of the United States, transmitting a treaty of the limits between the United States of America and the Choctaw nation of Indians, which was referred to the committee of Ways and Means, January 30, 1808.

To the House of Representatives of the United States.

The Choctaws being indebted to their merchants beyond what could be discharged by the ordinary proceeds of their huntings, and pressed for payment, proposed to the United States, to cede lands to the amount of their debts, and designated them in two different portions of their country. These designations, not all suiting us, were declined. Still urged by their creditors, as well as by their own desire to be liberated from debt, they at length proposed to make a cession which should be to our convenience. By a treaty signed at Pooshapukanuk, on the sixteenth of November, one thousand eighteen hundred and five, they accordingly ceded all their land south of a line to be run from their and our boundary at the Omochita, eastwardly to their boundary with the Creeks on the ridge between the Tombigbee and Alibamama, as is more particularly described in the treaty, containing about five millions of Acres as is supposed, and uniting our possessions there from Adams to Washington county.

The location contemplated in the instructions to the commissioners was on the Mississippi. That in the treaty being entirely different, I was, at that time, disinclined to its ratification, and have suffered it to lie unacted on. But progressive difficulties in our foreign relations have brought into view considerations other than those which then prevailed. It is now perhaps as interesting to obtain footing for a strong settlement of militia along our southern frontier, eastward of the Mississippi, as on the west of that river, and more so than higher up the river itself. The consolidation of the Mississippi territory, and the establishment of a barrier of separation between the Indians and our southern neighbours, are also important objects; and the Choctaws and their creditors being still anxious that the sale should be made, I submitted the treaty to the Senate, who have advised and consented to its ratification. I therefore now lay it before both houses of Congress for the exercise of their constitutional powers as to the means of fulfilling it.

TH: JEFFERSON.

January 30, 1808.

A TREATY OF LIMITS.

Between the United States of America, and the Choctaw nation of Indians.

Thomas Jefferson, President of the United States of America, by James Robertson, of Tennessee, and Silas Dinsmoor, of New Hampshire, agents of the United States to the Choctaws, commissioners plenipotentiary of the United States on the one part, and the Mingoes chiefs and warriors of the Choctaw nation of Indians, in council assembled, on the other part, have entered into the following agreement, viz:

ARTICLE I.

The Mingoes, chiefs and warriors of the Choctaw nation of Indians in behalf of themselves and the said nation, do by these presents cede to the U. States of America, all the lands to which they now have, or ever had claim lying to the right of the following lines, to say: Beginning at a branch of the Hoocmacneeto, where the same is intersected by the present Choctaw boundary, and also by the path leading from Natchez to the county of Washington, usually called M'Clary's path; thence eastwardly along M'Clary's path, to the east or left bank of Pearl river; thence on such a direct line as would touch the lower end of a bluff on the left bank of Chickasawhy river, the first above the Hiyoowannee towns, called broken bluff, to a point within four miles of the broken bluff; thence in a direct line, nearly parallel with the river, to a point whence an east line of four miles in length will intersect the river below the lowest settlement at present occupied and improved in the Hiyoowannee town; thence still east 4 miles; thence in a direct line, nearly parallel with the river, to a point on a line to be run from the lower end of the broken bluff to Faluktabunnee on the Tombigbee river, four miles from the broken bluff—thence along the said line to Faluktabunnee; thence east to the boundary between the Creeks and Choctaws, on the ridge dividing the waters running into the Alabama, from those running into Tombigbee; thence southwardly along the said ridge and boundary, to the southern point of the Choctaw claim: reserving a tract of two miles square, running on meridians and parallels, so as to include the houses and improvements in the town of Fuketchepoonta, and reserving, also, a tract of five thousand one hundred and twenty acres, beginning at a post on the left bank of Tombigbee river, opposite the lower end of Hatchatigbee bluff; thence ascending the river four miles front and two back, one half for the use of Alzira, the other half for the use of Sophia, daughters of Samuel Mitchell, by Molly, a Choctaw woman. The latter reserve to be subject to the same laws and regulations as may be established in the circumjacent country; and the said Mingoes of the Choctaws request that the government of the United States may confirm the title of this reserve in the said Alzira and Sophia.

ARTICLE II.

For and in consideration of the foregoing cession on the part of the Choctaw nation, and in full satisfaction for the same, the commissioners of the United States do hereby covenant and agree with the said nation, in behalf of the United States, that the said states shall pay to the said nation fifty thousand five hundred dollars, for the following purposes, to wit: forty eight thousand dollars to enable the Mingoes to discharge the debt due to their merchants and traders, and also to pay for the depredations committed on stock, and other property, by evil disposed persons of the said Choctaw nation; two thousand five hundred dollars to be paid to John Pitchlynn, to compensate him for certain losses sustained in the Choctaw country, and as a grateful testimonial of the nation's esteem. And the said states shall also pay annually to the said Choctaws, for the use of the nation, three thousand dollars in such goods (at neat cost of Philadelphia) as the Mingoes may choose, they giving at least one year's notice of such choice.

ARTICLE III.

The commissioners of the United States, on the part of the said states, engage to give to each of the three great Medal Mingoes, Pukshunubbee, Mingo Hoomastubbee and Pooshamattaba, five hundred dollars, in consideration of past services in their nation, and also to pay to each of them an annuity of one hundred and fifty dollars during their continuance in office. It is perfectly understood that neither of these great Medal Mingoes is to share any part of the general annuity of the nation.

ARTICLE IV.

The Mingoes, chiefs, and warriors of the Choctaws certify, that a tract of land, not exceeding fifteen hundred acres, situated between the Tombigbee river and Jackson's creek; the front, river line extending down the river, from a biazed white oak, standing on the left bank of the Tombigbee near the head of the shoal next above Hobeekenloopa, and claimed by John M'Grew was, in fact, granted to the said M'Grew by Opiomingo Hemitta, and others, many years ago, and they respectfully request the government of the United States to establish the claim of the said M'Grew to the said fifteen hundred acres.

ARTICLE V.

The two contracting parties covenant, and agree, that the boundary, as described in the second article, shall be ascertained and plainly marked in such way and manner, as the president of the United States may direct, in the presence, of three persons to be appointed by the said nation, one from each of the great Medal districts, each of whom shall receive for this service two dollars per day during his actual attendance, and the Choctaws shall have due and seasonable notice of the place where, and time when the operation shall commence.

ARTICLE VI.

The lease granted for establishments on the roads leading through the Choctaw country is hereby confirmed in all its conditions, and except in the alteration of boundary, nothing in this instrument shall affect or change any of the pre-existing obligations of the contracting parties.

ARTICLE VII.

This treaty shall take effect and become reciprocally obligatory, so soon as the same shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

Done on mount Dexter in Pooshapukanuk, in the Choctaw country, this sixteenth day of November, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States of America the thirtieth.

James Robertson, L. S.
Silas Dinsmoor, L. S.
Commissioners.

his
Pukshunnubbee, ✕ L. S.
mark.
Mingo Hoomastubbee, ✕ L. S.
Pooshamattaha, ✕ L. S.
Great Medal Mingoes.

Ookehummee, ✕ L. S.
Tuskaminbbe, ✕ L. S.
James Perry ✕ L. S.
Levi Perry ✕ L. S.
Isaac Perry, ✕ L. S.
William Turnbull, ✕ L. S.
John Carnes, ✕ L. S.
Tooteehooma, ✕ L. S.
Hoosheehooma, ✕ L. S.
Tooteehoomo, 2d, ✕ L. S.
George James, ✕ L. S.
Robert M'Clure, ✕ L. S.
Tuskeamingo, ✕ L. S.
Hattukubbeehooluhta ✕ L. S.
Tishoommastubbee, ✕ L. S.
Anoguaiah, ✕ L. S.
Lewis Luoas, L. S.
James Pitchlynn, ✕ L. S.
Panshee Enanhla, ✕ L. S.
Panshechoomubbee, ✕ L. S.
Chiefs and warriors.

Witnesses present at signing and sealing.
Thomas Agustine Claiborne,
Secretary to the commission.
John M'Kee,
Samuel Mitchell,
United States, agent to the Chickasaws.
his
William ✕ Colbert, of the Chickasaws.
mark
Lewis Ward,
Charles Juzan,
Garrard Nelson,
David Chot,
Nathaniel Tolsora,
Mde. Mackey,
Lewis Lesto,
John Pitchlynn,
United States, interpreter.
Will. Tyrrell,
Assistant interpreter.

OFFICIAL DOCUMENTS,

Accompanying the President's message of the 4th inst. as appeared in the last Star.

TRANSLATION.

Extract of a letter from the baron de Carondelet, dated New-Orleans, July 10, 1796.

I suppose, sir, that you are now at the Bluffs, and in possession of a command which requires firmness, vigilance, concilliation and prudence, as well with regard to the savages as to the Americans; for the evacuation of that important post is not yet so certain as not to admit of doubt, at least so long as the savages remain attached to us. Besides, it is proper to keep in view that the neighboring states, that is to say, Kentucky and Tennessee, are interested that it should remain in our power, for political reasons which cannot be trusted to paper. You must of consequence keep them in those sentiments, by treating their inhabitants, to whom the liberty of the navigation is granted, with kindness and regard. Let the friendship of the Chickasaws and the satisfaction of the Americans who navigate the river be the basis of your conduct; as for the rest I have not yet received any official news from the court concerning the treaty, which we know nothing of but through the American gazettes.

All the appearances of an approaching peace in Europe have vanished; but it is probable that we shall not have war with the English. Fourteen French ships of the line, with ten thousand men, are actually to take possession of the Spanish part of St. Domingo, and France and Spain appear more united than ever. The Spanish inhabitants have lost their slaves.

(TRANSLATON.)

Extract of a letter from the baron de Carondelet, dated New-Orleans, 12th September, 1796.

In answer, sir, to your private letter of the 10th of last month, I will acknowledge to you that I was under the belief that the fort of St. Ferdinand was badly constructed, but not to the degree that you point out to me. You must, however, without augmenting the expences which its evacuation would render useless, put it in a state to maintain yourself there until I receive new instructions from the court. Should the court think proper, as may very well happen, not to evacuate our posts on the Messissippi, I will dispatch a courier to you in all haste, that you may change the situation of the fort, which ought to be done with all diligence, and so as that it again be sufficiently intrenched to prevent its being surprised or attacked before it is in a state of defence: for this purpose, I will send immediate and secret orders to New Madrid and to St. Genevieve, that carpenters, masons, &c. should instantly be sent to you, and you may also count on a reinforcement of troops, which I will send you by the galley Philapa, which I am causing to be rebuilt, without noise: all these dispositions, I repeat it to you, ought to be prompt and secret. I expect the answer of the court in ———.

If his majesty, on the contrary, should persist in it that the evacuation of the forts must take place, it will be done in the most simple mode towards the commencement of January. In the mean time you must prepare the minds of the Chickasaws, and of the inhabitants of Kentucky and Tennessee, for the one or the other of the events. You ought to make the latter understand that their natural interest leading them to separate at some day (un jour) from the Atlantic states, the occupation of our posts on the Mississippi by the troops of the latter could not but be disastrous to them, since they would cut off all communication between them and us, from whom alone they could, in that case, hope to receive assistance.

Extract of a lettet from Daniel Clark, to the secretary of state, dated New Orleans, March 8, 1803.

As a proof that expectations of assistance from ourselves against our own government have been always relied on by the Spaniards, and that they have constantly looked to a divulsion of our western states from the general government, I now forward you an order to receive from Washington Morton, esq. of New York, a sealed packet which I left in his possession when I set out for Europe, and which I then mentioned I would shew you at my return, not thinking at that time that circumstances would occur so soon as to render the disclosure a measure of immediate necessity. Among other papers of less importance in this packet is a small part of the correspondence of the baron de Carondelet with the officer commanding fort St. Ferdinand at the Chickasaw bluffs, in which he suffers his plans and views to be clearly perceived, and which were solely aimed at our destruction: the remainder are, as well as I recollect, copies of talks and letters to and from the Chickasaw Indians; and, by the baron de Carondelet's letter to the officer you will perceive that the fact I advised you of, respecting the annual pension of five hundred dollars to Uguluycabe cannot be disputed.

Should you think these documents of sufficient importance to require my presence in Washington, to elucidate any part of them, I shall immediately sacrifice all private business of my own, and hasten there; and, in the mean time, will endeavor to collect from undoubted sources such other information relative to this subject as may be acceptable.

Although four or five years past I had a perfect conviction that the intrigues of the Spaniards with the western country were not for the time dangerous, on account of the incapacity of the governors of this province, and their want of pecuniary means; yet fearful of what might happen in future, should more enlightened and ambitious chiefs preside over it, I could not last year resist the temptation of hinting my suspicions of what had been *formerly* done in this way to the president at an interview with which he honored me, and I even went so far as to assert that a person supposed to be an agent from the state of Kentucky, had been here in the end of 1795 and beginning of 1796, to negotiate on the part of that state, independent of the general government, for the navigation of the Mississippi, before the result of the treaty of St. Lorenzo was known, wishing that this hint might induce the president to cause inquiry to be made into the circumstance, which he could easily find the means of investigating; but as he made no other inquiry of me respecting it than merely in what year the thing happened, it then struck me that he must have had other information on the subject, and that he tho't it needless to hear any thing more about it. By great accident I have lately learned something which induces me to suppose that any information he may have received respecting the measure alluded to, has been incorrect and given with the view of misleading him, and I request you will mention the subject anew to him, that you may know how far I am right in my suspicions. The information I possessed on the subject, could not, from the way in which it was obtained, be accompanied with what would be proof to convict the person concerned, or I should have openly accused him in the face of the world; but to me it amounts to a moral certainty of his guilt, and my conduct to him, shewed on all occasions how much I detested his object and his person. The same want of proof positive, sufficient to convict him, prevents me at present from naming him; but if inquiry is diligently made about the influential character from Kentucky, who at that period was so long in Natchez, and afterwards here; what his business was, and what was the idea entertained of him, enough will doubtless be discovered, to put our government on its guard against him and others of his stamp, and against all foreign machinations in that quarter in future.

NORFOLK, January 30.

Yesterday his Britannick majesty's ship Triumph, sir, Thomas Hardy, went to sea, and with an intention as we have understood of quitting this station.

New-York, February 1.

Capt. Thompson, of the ship Henry, left Ramsgate on the 18th of December, but was not able to procure any newspapers. Capt. T. informs, that the markets were getting up very high: and that nothing new had transpired.

February 2.

A file of French papers to the 2d December was received yesterday at the office of the Mercantile Adveatiser by the ship Lorenzo, captain Dill, from Bourdeaux. They furnish very few articles of political or commercial importance.

The Lorenzo left Bourdeaux on the 5th of December, the embargo having been taken off on the day preceding.

The English blockading decree had been received in France. No idea was entertained that a war between her and the United States would take place unless the latter should succumb to the measures of the cabinet of G. Britain.

Mr. Lee, the American consul, informed captain Dill that war had been declared against this country by the Dey of Algiers. This intelligencer is confirmed by private letters, which say that the schooner Mariana, capt. Sheffield, from New-York for Leghorn, was captured by the Algerines; but the captain retook her, threw four Turks overboard, put four ashore, and carried his schooner and the prizemaster safely into Naples.

Two hundred thousand French troops had marched towards Spain and Portugal.

Louisville, January 5.

Mr. H. Blannerhasset arrived at Jeffersonville [I. T.] on Saturday evening last. It being suspected that he was fleeing from justice, was arrested and held to bail, to appear before an examining court this morning.

WASHINGTON, February 8.

The monument, to be erected to the memory of the officers who fell in the Mediterranean, has arrived, and is now at the Navy Yard.

The Circuit Court for the district of Ohio, convened at Chillicothe, have adjourned. Neither Burr or Blannerhasset made their appearance, and both have forfeited their recognizance. Bills of misdemeanor were found against both of them, on which if apprehended, they will take their trial at the ensuing term.

It is said that eleven of the Grand Jury voted for a bill against John Smith for misdemeanor. Twenty-one members were present. Our readers know that it requires the concurrence of twelve to make a presentment.

What will the apologists, the friends of Aaron Burr, say to his non-appearance, to his flight from justice? Does this manifest conscious innocence, or betray conscious guilt?

Free Ships—Free Goods.

As it is possible that a proposition may soon be made public, having for its object a written Law of Nations for the government of their maritime intercourse, in which a leading feature will be, that *free ships shall make free goods*; it will not be uninteresting to see how this important subject has been heretofore viewed by the American government, and more especially by the WASHINGTON and ADAMS administrations. This principle has heretofore been considered, not only as standing on the broad ground of right and justice, but also on the ground of interest as it regards the American nation; notwithstanding it is now so highly reprobated by our Anglo-American Tories.

The treaty of amity and commerce between the king of Prussia and the United States of America, signed at Berlin, 11th July, 1799, by J. Q. Adams, and ratified by John Adams, the President, June 22d, 1800, article 12, is in these words:—"Experience having proved, that the principle adopted in the twelfth article of the treaty of 1785, according to which *free ships make free goods*, has not been sufficient respected during the the two last wars, and especially in that which still continues; the two contracting parties propose, after the return of a general peace, to agree either separately between themselves, or jointly with the great maritime powers of Europe, to such arrangements and such permanent principles, as may serve to consolidate the liberty and the safety of the neutral navigation and commerce in future wars. And if in the interval, either of the contracting parties should be engaged in a war, to which the other should remain neutral, the ships of war and privateers of the belligerent power shall conduct themselves towards the merchant vessels of the neutral power, as favorably as the course of the war then existing may permit, observing the principles and rules of the law of nations, generally acknowledged."

Bost. Chron.

From Colvin's Weekly Register.

In order to give the reader some idea of the general reputation of this *T. Power*, I now insert the following extract of a letter from William Wilson, lieutenant of artillery in the army of the United States, to his friend, another officer * high in rank in the same army:

"*New-Orleans, Sept. 8th*, 1807.

"SIR

Since your departure, Powers and *party* have sailed. He has publicly declared he will ruin the General. Indeed, I have no doubt in my mind but that *he has been bribed.* He is a RASCAL, *who can be baught and sold to answer any purpose.* It will be well to keep a good watch over him; I think, with proper management, he can be made to discover his own villainy and that of his party. The governor arrived a few days age. I have had a conversation with him respecting Powers, and his disclosures. He informed me he had it in his power to defeat any thing which he might say respecting the General, as, he had made to him (the governor) a solemn declaration that he knew not one single fact against the General.

"WILLIAM WILSON."

* Not General Wilkinson.