

ART. 1st declares, "that the said treaty of Holston is, to all intents and purposes, in full force, and binding upon the said parties, as well in respect to the boundaries therein mentioned, as in all other respects whatever."

ART. 2d stipulates, that the boundaries shall be ascertained and marked, whenever the Cherokees shall have ninety days' notice.

ART. 3. "The United States, to evince their justice by amply compensating the said Cherokee Nation of Indians for relinquishments of land," made by the treaty of Hopewell and the treaty of Holston, agree to give to the Cherokees, in lieu of former annual payments, \$5,000 a year in goods.

ART. 4. The Cherokees agree that \$50 shall be deducted from their annuity for every horse stolen by any of their people from the neighbouring whites.

ART. 5. These articles to be permanent additions to the treaty of Holston, as soon as ratified. They were soon after ratified by President Washington and the Senate.

It has appeared, in the course of this discussion, that the treaty with the Creeks, in 1790, was the basis of the treaty of Holston in 1791. This was confirmed in 1792, and again, expressly and solemnly, in 1794. Thus we have four distinct documents, which received the approbation of General Washington, and his cabinet, all agreeing in the same principles, and all ratified by the senate of the United States. Several other treaties, in which the same principles were involved, were formed with other tribes of Indians, during the same administration. In one of these, the United States engage, that they *will never claim* the lands reserved to the Indians; but that the Indians shall have the free use and enjoyment thereof, until they choose to sell the same to the people of the United States.

FIFTH TREATY, OR TREATY OF TELLICO.

This treaty was signed "near Tellico, on Cherokee Ground," Oct. 2, 1798, by Thomas Butler and George Walton, commissioners of the United States, and thirty-nine Cherokee chiefs and warriors, in the presence of Silas Dinsmoor, Agent of the United States among the Cherokees, and thirteen other witnesses, among whom was the late Mr. Charles Hicks, who acted as interpreter on the occasion.

The treaty begins with a long preamble, stating the reasons why it was necessary to make another treaty; and among the reasons are these two clauses; viz. "for the purpose of doing justice to the Cherokee Nation of Indians;" and "in order to promote the interest and safety of the States."

ART. 1. Peace renewed and declared perpetual.

ART. 2. The treaties subsisting between the parties in full force; "together with the construction and usage under the respective articles; and so to continue."

ART. 3. Limits to remain the same, "where not altered by the present treaty."

ART. 4. The Cherokee Nation "do hereby relinquish and cede to the United States all the lands within the following points and lines:" [Here follows a boundary, by which a considerable district of land, now in East Tennessee, was ceded to the United States.]

ART. 5. The line described in the treaty to be marked immediately, "which said line shall form a part of the boundary between the United States and the Cherokee Nation."

ART. 6. In consideration of the preceding cession, the United States agree to pay \$5,000 on signing, and \$1,000 annually, in addition to previous stipulations of this kind; "and will continue the GUARANTY OF THE REMAINDER OF THEIR COUNTRY FOREVER, as made and contained in former treaties."

ART. 7. A road granted by "the Cherokee nation," across a small corner of their country, to the citizens of the United States; and in consideration of this grant, the Cherokees are to be permitted "to hunt and take game upon the lands