

From a Clipping  
unidentified and not dated,  
furnished by Mr. W. B. Powell  
Indian Springs, Georgia

MANY TREATIES NECESSARY BEFORE ALL GEORGIA  
WAS FINALLY CEDED TO WHITES BY INDIANS

The state of Georgia gradually acquires her present territory by numerous treaties with the Indians.

James Edward Oglethorpe had been enabled through the friendship of the aged Yamacraw chief, Tomochichi, and their interpreter, Coosapouakesee (Mary Musgrove), to secure a treaty on May 21, 1733. Eight chiefs of the Creek nation had come to Yamacraw Bluff at the request of Tomochichi to meet Oglethorpe and sign the agreement which allowed the little Georgia colony to remain on the south side of the Savannah river. There had been an ancient agreement between the English and the Indians that the Savannah would be the dividing line of their settlements.

Six years later Oglethorpe visited the principal town of the Creek nation to clear up some misunderstandings

and secure a confirmation of their previous grant of territory.

The controlling influence among the Indians in Georgia was the Creek Confederacy and this was practically controlled by the Muscogees. In order to further insure the safety of the colony a treaty was concluded at Coweta Town August 21, 1739.

Other treaties were made and later confirmations throughout the years had to be secured in order to keep any semblance of dignity, for there were ever disturbing influences at work between the Indians and the Georgians.

These agreements are of particular interest, for the men who gave their sessions of territory as well as those who received them are known to the students of history for their daring courage and achievement.

One of the most famous of these great men was William McIntosh, whose name is honored and revered by every true and loyal Georgian.

#### WILLIAM McIntosh

William McIntosh was born near "Kasihta," in

the present Chattoahoochee county of Georgia.

His father was Captain William McIntosh, who came to the valley of the Chattahoochee river and married a daughter of the chieftain of the "Kasihta" tribe.

The McIntoshes were among the early settlers of Georgia and their name is associated with almost every event in the history of the state from the arrival of Oglethorpe up to the present time. These sturdy Scotchmen had sailed from Inverness for the colony of Georgia, October 18, 1735, when 130 Highlanders with 50 women and children came across the sea to make a new home. They settled on the banks of the Altamaha river and established a town which they called New Inverness, giving the district the name of Darien.

The McIntoshes have acquired great distinction in the various wars but they were also strong advocates for peace. They were great statesmen as well as gallant soldiers and have in each instance proved their heroism, their wise judgment and patriotism.

William McIntosh had two first cousins who played important parts in Georgia.

Catherine McIntosh, a sister of Captain William McIntosh, married an English army officer by the name of Troupe. Their son was Georgia's governor, George Michael Troupe. He was born in 1780 and when 21 years old became a member of the legislature, then a member of congress, a member of the United States senate and governor of Georgia in 1823. He was again elected in 1825, being the first governor elected by popular vote under the changed constitution instead of by the legislature, as was originally done.

Another first cousin of William McIntosh was Noble Kennard, who lived eight miles above Coweta Town on the Chattahoochee, and also established a settlement on Kitchofoonee creek in the present Lee county, Georgia, "Kennard's Trail" was one of the famous routes or trading paths of early Georgia.

William McIntosh was given an education with his relatives. He grew up to be a person finely formed and of graceful and commanding manners. He was a man of great force of character, with the clear foresight of a statesman.

The mother of William McIntosh was a full-

blood Creek Indian and through her lineage he inherited the chieftianship of her tribe -- the Kasihta.

The two dominant peoples of the Lower Creeks were the Kawita (Coweta) and the Kasihta. The Kawita headed the red or war towns of the Creek nation while the Kasihta were the head of the white or peace towns.

The Lower Creeks lived along the Flint and Chattahoochee rivers after the Yemassee war in 1715, and the Upper Creeks resided near the Coosa, Tallapoosa and Alabama rivers. These belonged to the people known as the Muscogee (Muskogee) and were first known as the Muskhogean, the white men having given them the name of Creek.

#### TREATIES VIOLATED

The treaties which had been made up to the War of 1812 were violated when the Upper Creeks became the allies of the British; the Lower Creeks, however, were loyal to the Georgians.

During the boyhood of William McIntosh there had been a constant warfare between the unfriendly

Indians and the white people of Georgia.

In 1805 William McIntosh at the head of a Creek delegation arranged for the United States government to have "horse path" rights to aid in the communication between the state of Georgia and the territory of Alabama.

In 1811 this "horse path" was enlarged so that it would accommodate vehicles. Shortly afterward the Indians along the route were persuaded to provide shelter and transportation across the streams. In 1813 the "horse path" was used as a military road to aid in the movement of the troops to Fort Mitchell, the head agency for the Creeks. (This fort was built in 1813 during the administration of Governor David Mitchell, for whom it was named.)

William McIntosh joined the American forces in the War of 1812, and distinguished himself as a leader and fighter.

In September, 1813, congress called for troops and Georgia ordered 3,600 men to assemble at Camp Hope near Fort Hawkins' on the Ocmulgee river. The command of this force was given to General John Floyd.

The massacre at Fort Mims, on the Chattahoochee river, had occurred on August 30, 1813, so General

Floyd began building a line of forts and block houses from the Ocmulgee to the Alabama river.

In November of the same year General Floyd arranged to attack Autosee and Tallasee on the Tallapoosa river. He was accompanied by William McIntosh, who led 400 friendly Creeks. The report made by General Floyd is quoted: "William McIntosh and his Indian forces fought with an intrepidity worthy of any troops."

General Andrew Jackson refers to William as Major M'Intosh in his report of the famous Battle of Horseshoe Bend, saying: "Major M'Intosh greatly distinguished himself."

William McIntosh also took a prominent part in the Florida campaign and for his bravery was commissioned "Brigadier General William McIntosh."

#### DISSENSION GROWS

The enlargement of the horse path into the "federal road," as it was now called, increased the dissension between the upper and lower Creeks. William McIntosh, chief of the Lower Creeks, never had the animosity for the Georgians that the Upper

Creeks developed, inspired by their leaders, who were still faithful to the teachings of Alexander McGillivary -- long since dead, but whose spectre still ruled the forest, Napothlehatchie, termed the big warrior, was chief of the Upper Creeks.

1821<sup>2</sup>  
In 1811 the Creeks had become alarmed over the rapid advance of the white man's settlements and had held a council at Broken Arrow forbidding the sale of any more of their lands. Broken Arrow -- "Li-i-katska," the home of "Little Prince," was 12 miles south of Coweta, a few miles south of Uchee creek in Alabama. Here the decree of the Creek nation was written to the effect that no native should, without the unanimous consent of all, agree to a cession of land.

However, treaties continued to be made, and in 1821 the United States made at the Indian Springs a treaty with the Creeks by which their remaining lands between the Flint and Ocmulgee as far north as the Chattahoochee were acquired for Georgia. About 2,000 acres of this territory was withheld for Indian reservations, but the other land was divided into five large counties: Dooley, Fayette, Henry, Houston

and Monroe.

In 1823 Governor Troup protested against the Indian reservations of 1821, and in 1824 commissioners were appointed by President Monroe to negotiate with the Creek Indians.

These Indians reaffirmed the decision of their council of 1811 at Broken Arrow in 1824 at the Pole Cat Springs.

The first attempted negotiations failed, but they were reopened early in 1825.

The lower Creeks, headed by General William McIntosh, recognized that it was inevitable that they must soon move further westward and were favorable to a treaty whereby their lands in Georgia should be exchanged, but the Upper Creeks were bitterly opposed.

There was a gathering of the chiefs, accustomed to transact the business of the nation, at the Indian Springs on February 7, 1825, three days later the commissioners explained to them the object of the meeting. On the following day, O-potti-le-yoholo, as speaker of the Upper Creeks, on behalf of Big Warrior head chief, made an impassioned speech in

reply to the commissioners, Messrs. Campbell and Meriwether, declaring that no treaty could be made for a cession of lands. He invited them to meet at Broken Arrow (the seat of the general Council) three months later. He and his followers then went home.

Menawa, the "Great Warrior," was commissioned by the hostile chiefs to execute the judgment of their law on McIntosh on his own hearthstone; so with 100 of his Oakfuskee braves, and after a rapid march arrived at the home of McIntosh before day on the morning of the first of May, 1825. McIntosh was living near the present town of Carrollton, Georgia.

#### THE DEATH OF McINTOSH

The house having been surrounded Menawa spoke: "Let the white people come out; Also the women and children . . . ." This summons was obeyed and McIntosh's son, Chilli, enabled by his light complexion, was able to escape. The house was set on fire and McIntosh and his comrades were shot, dragged out and scalped.

"McIntosh died as he had lived, bravely. He met death like an Indian warrior and a gentleman.

He was both, having acquired the manners and much polish from the officers with whom he had been associated in the wars on our southern borders. He had lived in great comfort and possessed many slaves whom he treated kindly."

Sam Hawkins, a son-in-law of McIntosh, was hanged, but his brother Ben, though wounded, escaped.

Chilli McIntosh headed the party in the nation who were intent on immediate removal to the west.

"Chilli McIntosh lived at Fann, Oklahoma, and had a general store there. He had many slaves who lived in small houses on his vast estate. He married soon after coming to Oklahoma. During the War Between the States while Chilli was fighting for the south, northern men came from Kansas and burned all he had. For years after coming to Oklahoma his life was threatened because his father, William McIntosh had signed that removal treaty. Once he had to swim a large river to escape his pursuers. He is buried at Fann. I am now assistant school social worker among the Indians of the Creek country."

This is signed by Frances McIntosh, of Bristow, Okla., November 18, 1935, (She is the great-granddaughter of William McIntosh.)

## TREATIES OF 1826 and 1827

After the death of William McIntosh the federal government tried to pacify the Indians and in January 1826, the Creek chiefs were summoned to Washington by John Quincy Adams who declared they were relieved from the treaty of 1825 and it was cancelled.

A new treaty was made in which these Indians relinquished their claims to the lands between the Flint and Chattahoochee except a large tract of 300,000 acres on the Alabama line.

The Georgia representatives in congress -- Thomas W. Cobb, John MacPherson Berrien, senators, and George Cary, Alfred Cuthbert, John Forsyth, Charles E. Haynes, James Meriwether, Edward Tattnall and Wiley Thompson -- entered a protest, and Governor Troup refused to recognize the new treaty and ordered the surveyors to proceed, declaring the vested rights of Georgia could not be taken from her.

The secretary of war threatened that military force would be used unless the governor stopped the survey.

Governor Troup refused and ordered the 6th and 7th divisions of the Georgia militia to repel any

invasion into the state.

Congress was guided by conservative counsels and recommended the acquirement of all the lands held by the Creeks in Georgia so danger of an armed clash was averted. The Chiefs agreed.

However, two officers of the government in Washington, Major Andrews and General Gaines, conferred with Colonel Crowell, the Indian agent.

Governor Troup was not intimidated and in this controversy sounded his famous note of defiance, "The argument is exhausted. We must stand by our arms."

The final treaty of November 15, 1827, was concluded at the old agency on the Flint. Eighty-four chiefs and head men were parties to this surrender. Governor Troup had carried his point and President Adams was forced to compromise by persuading the Creeks to cede the last strip of land which they in turn agreed to do upon payment by the government of a suitable sum. This marked the final removal of the Creeks.

John Cromwell and Thomas L. McKinney signed the compact on behalf of the United States government.