INDIAN RELATIONS
1782 - 1789

THROUGHOUT the war years, many Creeks cooperated with the British in fighting the Whigs, but the Cherokees had given little trouble after their defeat by Georgia and the Carolinas in 1776 and 1777. Georgia’s first Indian trouble after the British evacuation in 1782 came that fall when South Carolina and Georgia militia under General Andrew Pickens and Colonel Elijah Clarke went into the Cherokee country to eliminate a troublesome group of Tories. The Tories were driven into Florida, several Indian towns were destroyed, and at Long Swamp in October the Cherokees ceded to Georgia lands south and west of the Tugaloo and Savannah rivers. The next May Georgia commissioners met Cherokees at Augusta to make the first general settlement since the British evacuation. Here the Cherokees confirmed the Treaty of Long Swamp, giving to Georgia all their lands between the Savannah and Keowee rivers on the east and the Oconee River on the west. These lands were on the fringes of the nation and apparently were not highly prized by the Cherokees.

Relations between Georgia and the Creeks were good for a few months after the British evacuation. The British commander at St. Augustine and British Indian Superintendent Thomas Brown said that they tried to keep the Indians quiet, and the Creeks undoubtedly realized that little more British help could be expected. The British Indian Department in the South was closed in the summer of 1783, but Superintendent Brown remained in St. Augustine for several more months.
Georgia negotiated with the Cherokees at Augusta in May, 1783, and tried, unsuccessfully, to negotiate with the Creeks at the same time. Part of the Cherokee cession secured at this time was claimed by the Creeks, and Georgia was anxious to get the Creeks to cede all their lands east of the Oconee River, a strip of land forty to sixty miles in width and some 200 miles in length. The Creeks refused to come to Augusta probably because of promises of help from the British in St. Augustine and the bad treatment they had received from Georgians who violated their lands and stole their horses and cattle. 4

Another reason why the Creeks refused to treat with Georgia was Alexander McGillivray, who had recently risen to a position of leadership in the Creek Nation. McGillivray was the son of a Savannah Scottish Indian trader and a half-breed Creek woman of a chief's family. His natural ability was polished by education and business experience in Savannah and Charleston before the war. When his loyalist father returned to Britain, Alexander took up residence among the Creeks and nursed his hatred of Georgia and Georgians. His Indian blood and training, his ability, his knowledge of white men and their ways, and his hatred of Georgia and Georgians made him a leader among the Creeks in their bitter struggle with Georgia over the lands east of the Oconee River. McGillivray's power among his people was such that his influence and favor were sought by the British, the Spanish, and the Americans. He at various times held civil and military office under all three governments, sometimes from two at the same time. His influence among the Creeks is undeniable, despite the fact that he was a white in all his personal tastes, lived in a plantation house with Negro slaves in the midst of the Creek Nation, and never addressed a public Creek meeting except through an interpreter. McGillivray revived the old Creek policy of playing Georgia and the United States against Spain and of appealing to both without letting either know what the other had promised in hopes of thus getting more for the Creeks. 5

In the 1780s the Creek Indians occupied territory that is today approximately the lower half of Alabama and Georgia west of the Oconee River. The nation was divided into two major groups, the Upper and the Lower Creeks. The Lower Creeks' towns were located mostly along the Chattahoochee and Flint rivers with hunting lands as far east as the Oconee. The Upper Creeks were located along the Tombigbee and Alabama rivers with easy access
to Mobile and Pensacola. The Lower Creeks, especially some of their chiefs, tended to be friendlier to Georgia than the Upper Creeks and less under the influence of McGillivray, who lived among the Upper Creeks. The Creek government was a loose confederation that could seldom speak for the entire nation unless there was a general meeting of representatives from all the towns. Towns and individual Indians not present at meetings tended to repudiate any action taken that they did not approve.

In August, 1783, when the Georgians renewed their demands for the Creek lands to the Oconee, McGillivray demanded British assistance in return for Creek help during the late war. The British authorities in St. Augustine advised McGillivray not to begin hostilities but gave him some ammunition and told him to apply to the newly arrived Spanish authorities. However, a small group of Creeks, led by Tallasee King and Fat King, met the Georgia commissioners at Augusta in October and signed a treaty on November 1 that confirmed the Cherokee cession of May and ceded the lands east of the Oconee that the Georgians demanded.

No sooner had this treaty been signed than McGillivray and his party denied its validity. McGillivray said the Augusta meeting came at an inconvenient season, that the chiefs who signed the treaty did so only after they had been threatened with instant death if they did not sign, and that the Creek general council "severely censured" the two kings who signed and declared a cession valid only if made by unanimous consent of the entire nation. Fat King and Tallasee King did not repudiate the treaty, but they did maintain that the whites were taking more lands than the treaty allowed.

Georgia was determined to enforce the treaty as valid. The assembly, affirming that the state was acting in good faith in negotiating the treaty and that such small Indian representation was not unusual, voted to purchase gifts for the Indians who signed the treaty, and laid out two counties—Washington and Franklin—from the ceded territory. The same assembly hoped to improve Indian relations by specifying that all Indian trade must be carried on by licensed traders in stores instead of privately in the Indian country and that all private land purchases from the Indians were void. By July, 1784, there were murders of whites by Indians in the disputed Oconee lands, and Colonel Elijah Clarke was ordered to use militia to protect the white settlers.

Georgians had hoped that the removal of the British from the
Georgia-Florida area at the end of the Revolution would result in improved relations with the Creeks. Instead, Georgia-Creek relations were worse during the 1780s than they had ever been before. There were three main reasons: the insistent demand of the frontiersmen for more Indian lands, the excellent leadership of the Creeks by McGillivray and his hatred of Georgia, and the help that the Creeks got from the Spanish authorities and from Panton, Leslie & Company, a British Indian trading firm, which remained in the Floridas after they became Spanish in 1784.

The negotiation of the 1783 Treaty of Augusta and the attitude of both the Creeks and the whites toward it illustrate Georgia-Creek relations for the 1780s. There was always a pro-Georgia party among the Lower Creeks that was willing to negotiate land cessions with Georgia. The Upper Creeks, under the leadership of McGillivray, were always ready to repudiate any cession made, on the grounds that they had not agreed to it. Georgia always insisted that the cessions were valid and allowed whites to settle on the disputed lands. Often some of these whites were murdered by Indians who opposed the cession, and “satisfaction” was taken by frontier militia upon the first Indians that it could find, regardless of their connection with the murdered whites.

Of course, such actions often brought a threat of an all-out Creek war against Georgia, but such a war never came. The belligerence of the Creeks was always directly related to the amount of military supplies they thought they could get from the Spanish. Spanish backing, which came through Panton, Leslie and Company, was enough to encourage the Creeks to worry the Georgians but never enough to allow them to begin the all-out war to drive the whites off the disputed lands. Spain, like the Creeks, tried to play the friend to both the Creeks and the United States to her own advantage. McGillivray played a delaying game of promising future negotiations but refusing to negotiate at the specified time and threatening to fight but failing to do so. He was always trying to see if he could get more Spanish backing, and at the same time trying to find out just what sort of an attitude the United States would take and how much backing it would give to Georgia in Creek-Georgia disputes. He never got the support that he wanted from Spain and never was convinced that the United States was strong enough or was willing to back Georgia until Washington became president. Then he agreed to cede the disputed Oconee lands which Georgia had been claiming since 1783.
Georgia's situation was in several respects similar to that of the Creeks. She wanted the Oconee lands desperately but never felt strong enough to fight the entire Creek Nation to secure them. She kept hoping for help from the United States, from the State of Franklin, from South Carolina, and from her other Indian neighbors—help that never really came in sufficient amount to undertake the war from the Oconee lands. Georgia and the United States never knew how much backing the Creeks were getting from the Spanish and were never prepared for a full-scale war. The only troops available to fight the Creeks without Congressional help, which never came, were Georgia militiamen. Militiamen were good for raids into the Indian country but were undependable for a lengthy war. Hence Georgia always accepted any suggestions, even from McGillivray, to delay hostilities. Georgia was always anxious to negotiate but never could get McGillivray to a treaty session until 1788 and could not hold him then until a treaty was agreed to.

In the summer of 1784 the Spanish negotiated treaties with the Creeks, Choctaws, and Chickasaws at Pensacola by which these Indians acknowledged themselves to be under Spanish protection and promised to exclude from their nations all traders without Spanish licenses. Spain agreed to protect Indian lands that were within her territory. Although Spain was claiming lands as far north as the Tennessee and Ohio rivers, she did not claim the Oconee lands desired by Georgia; and Esteban Miro, the Spanish governor at New Orleans, refused to give the Creeks any official backing in the dispute over these lands.12

In the spring of 1785 the Continental Congress appointed commissioners to inform the Southern Indians of the terms of the peace treaty with Britain, to make a general peace with the Indians, and to determine the Indian-white boundary lines.13 Georgia was trying to survey the Indian-white boundary line agreed upon at Augusta in 1783 before the federal commissioners arrived in Georgia.14 While the pro-Georgia Creeks were promising to meet the Georgia commissioners, McGillivray was in St. Augustine attempting to get help from the Spanish governor, but he could get no definite promise out of him.15 When the invitation from the Continental commissioners arrived, before the Creek boundary line had been surveyed, Governor Elbert gave up any hopes of separate state action and informed the Creeks that the Congressional conference would be the occasion for surveying the new boundary line.16
Governor Elbert furnished the guard requested by the federal commissioners but informed them that only the assembly could vote the $2,000 they requested. McGillivray said that he was glad the Continental commissioners were finally coming to treat with the Creeks and that he would meet them.17 When the commissioners arrived at Galphinton on the Ogeechee on October 24 they found but few Indians there. After two weeks' wait, Indians from only two towns had arrived. The commissioners refused to treat with so few Indians, explained the purpose of the meeting, distributed presents, and left to meet the Cherokees.18

Various reasons were given why so few Creeks appeared at Galphinton. Governor Elbert's statement that the 1783 boundary lines would be run did not help. McGillivray had said before the meeting that the Creeks could not treat unless the whites removed from the Oconee lands, but after the meeting he did not refer to this condition as a reason for his non-attendance. The commissioners, even though they did not know that the Creeks had just gotten their first large supply of Spanish ammunition, suggested that Spanish intrigue kept the Indians away. Before the arrival of the Spanish ammunition made him change his mind, McGillivray had probably meant to attend. However, non-attendance was consistent with his policy of procrastination and delaying any real settlement until he could see clearer both Spanish and United States policy.19

After the Continental commissioners left Galphinton, Georgia's representatives, Elijah Clarke and John Twiggs, signed a treaty with the Indians present on November 12, 1785, confirming the 1783 Treaty of Augusta and making a new Indian cession of all lands between the Altamaha and St. Marys rivers. McGillivray immediately protested that this treaty was no more valid than the one signed at Augusta in 1783.20

The Continental commissioners went north from Galphinton to Hopewell on the Keowee River, where they negotiated treaties with the Cherokees in December, 1785, and with the Choctaws and Chickasaws in January, 1786. The Georgia-Cherokee frontier followed the one described in the Cherokee Treaty of Augusta in 1783. North Carolina and Georgia agents objected to the Cherokee treaty, contending that it violated the rights of the states; and North Carolina tried unsuccessfully to prevent Congressional approval of the Hopewell treaties. Both states declared that everything in the treaties conflicting with their territorial and political rights was null and void within their borders.21
Georgia accomplished no more by the Treaty of Galphinton than she had by the Treaty of Augusta, for the majority of the Creeks were determined not to abide by either. At a general meeting in the spring of 1786 the Creeks agreed to use force if necessary to drive Georgians off the disputed Oconee lands. McGillivray went to New Orleans to see what Spanish backing he could get; Creek attacks on white settlements in the disputed Oconee cession resulted in a number of deaths. Georgia's agent to the Creeks believed the majority of the nation favored war, to begin just as soon as the crops were gathered. Many of the settlers in the disputed lands withdrew across the Ogeechee.\(^{22}\)

Georgia began to prepare for war in earnest. Governor Telfair made application to South Carolina and Virginia for a loan of arms and ammunition, without much success. When the assembly met in July, Telfair recommended both preparations for war and a new peace effort. The assembly authorized the executive and eight special commissioners to hold a treaty to settle all differences with the Creeks. A guard of 1,500 militia was to attend the treaty to convince the Indians that Georgia could begin a war if they refused to agree to a satisfactory treaty. £2,000 for the purchase of arms and ammunition and the impressment of provisions and horses were authorized. The Cherokees, Choctaws, and Chickasaws were asked to side with Georgia or be neutral; and a real attempt was made to coordinate Georgia's war effort with 1,000 troops promised by the State of Franklin to help secure for Franklin certain lands near the Tennessee River. Georgia instructed her delegates to report the matter to Congress and to get approval for her action. Spies in the Creek Nation reported that the Spanish had promised the Creeks sufficient ammunition for the war and that McGillivray had actually secured 100 horseloads at Pensacola.\(^{23}\)

Preparations for the new Creek treaty went forward also. While the Upper Creeks generally sided with McGillivray, the Lower Creeks were reported to be opposed to the war, and if properly wooed, friendly to Georgia. The Cherokees were said to be generally friendly to Georgia, but not sufficiently so to fight on her side.\(^{24}\) The Georgia commissioners made preparations to meet the Creeks at Shoulderbone Creek on the Oconee River and pledged that no harm would come to the Indians attending. A special invitation was sent to McGillivray with a denial of the rumor that the state was trying to have him assassinated. McGillivray answered that most of the Creeks desired peace, but added
that before any negotiations could take place the whites must withdraw from the Oconee lands. He was sure that if the whites withdrew beyond the Ogeechee there would be peace until a general treaty could be held in April. The desire of the Lower Creeks for peace was responsible for their sending a considerable delegation to Shoulderbone, but McGillivray kept most Upper Creeks away.25

Negotiations began at Shoulderbone on October 21, 1786, with a demand of the Georgia commissioners that the Creeks give satisfaction for recent murders of whites, return all stolen property, and adhere to the treaties of Augusta and Galphinton. The Indians replied that they were willing to give satisfaction for the murders, that McGillivray was the main reason for Creek opposition to Georgia but did not speak for the entire nation, and that the lower towns represented wanted peace and would do what they could to preserve it. The demand of the commissioners for five hostages as a guarantee that the treaty would be carried out and the insistence that the new Indian line be marked without delay almost broke up the conference, but in the end the Indians furnished the hostages. On November 3, presents were distributed and the treaty signed. Of the fifteen towns represented, only three were from the Upper Creeks, but the Indians present insisted that they were authorized to speak for the other towns.

In the treaty, the Indians promised that six individuals from the parties that had murdered the six whites would be put to death in the presence of white representatives—the usual method of giving satisfaction for the murder of whites by Indians. All stolen property and all prisoners in the nation would be returned. Whites who attempted to settle on the Indian lands were to be apprehended by the Indians and turned over to the governor for punishment according to law. Indiscriminate retaliation of one race for evils committed by the other would be stopped. The cessions of Augusta and Galphinton were confirmed, and the boundary lines were to be marked as soon as it was convenient for the Indians. Once the boundary line was marked, nobody was to cross it without a special license.26

The Georgia agent to the Creeks was instructed to use his influence to have the treaty fully ratified and signed by as many additional headmen as possible and to see to the release of the whites and Negroes held prisoner by the Indians.27 Georgians now breathed sighs of relief and were sure that a major Creek war had
been averted. Governor Telfair informed Congress, Governor Sevier of Franklin, the Cherokees, the Choctaws, and the Chickasaws that the Creek troubles had been terminated and that no further action on their part was necessary. 28

McGillivray did not intend to abide by the new treaty and used his influence against it. He later reported that force and intimidation were used to secure the treaty, although the minutes of the commissioners do not so indicate. He did not mention that the Creeks at Shoulderbone were from the part of the nation not friendly to him. 29

While Georgia was preparing for war and trying to preserve peace with the Creeks in the summer and fall of 1786, Congress was also concerned with Indian relations. In the summer it created an Indian Department and appointed superintendents with powers to negotiate directly with all Indian tribes. North Carolina and Georgia sought unsuccessfully to limit the powers of the federal superintendents in dealings with Indians who lived within the boundaries of any state, but they did secure Congressional instructions that negotiations with such Indians should be carried on in conjunction with the states concerned. James White, a former North Carolina delegate to Congress, was elected superintendent of the district south of the Ohio River. 30

The treaty of Shoulderbone prevented the expected Creek war during the winter of 1786-87 and brought relative peace to the Creek frontier. 18 The 1787 assembly went into Indian relations fully and conferred with Superintendent White, who had just arrived in Georgia. White seemed generally to approve of Georgia's actions toward the Creeks and agreed to be one of the state commissioners for surveying the Indian line agreed upon at Shoulderbone. 32 Then White sent to the Creek Nation to get the other side of the story. In the nation White insisted that both sides must be willing to compromise and said that he thought Georgia had all the territory she would need for settlement for some time to come. He attempted to get a general Creek meeting to confirm the treaties of Augusta, Galphinton, and Shoulderbone; but the Creeks felt sure of Spanish backing and refused to attend such a meeting. 33

White tried to see both sides of the Georgia-Creek argument and sent a complete report on it to Secretary at War Henry Knox. White said that he secured the release of the Shoulderbone hostages because he thought their remaining prisoners of the whites
only created ill-will among the Creeks who tended to be friendly. He blamed the friendship of McGillivray and the Creeks toward Spain on the fact that the United States had waited so long to approach them, and he was sure that the Creeks had delayed fighting Georgia to see what Congress would do. McGillivray proposed to White that a separate state should be created south of the Altamaha for the Indians, who would then give up the Oconee lands that Georgia so ardently desired. McGillivray said he would then take the oath of allegiance to the United States, and apparently hoped to continue his influence among the Creeks in the new state without interference from Georgia. White referred this matter to Congress, not because he thought it would be acted upon favorably, but because he thought consideration of it would help to maintain peace on the Georgia frontier. White did not know it, but McGillivray probably was convinced that he could not get enough help from Spain to drive the Georgians off the Oconee lands.

White listed three main causes of the Creek trouble: (1) the natural reluctance of the Indians to give up their lands; (2) the fact that the cessions so far had been obtained from so few Indians and with some coercion; and (3) the continual encroachments of the whites upon Indian lands. White was sure that much of the Indian trouble was instigated by McGillivray, whose attitude stemmed from his personal resentment against Georgia and his being in the pay of Spain. The Creeks were favorably located for their war against Georgia, because they could retreat into Spanish territory if hard pressed. This report was a good analysis of the Creek situation, but it suggested no solution. It was White’s main work as Indian superintendent, and his reputation must rest upon it. He had brought Georgia and the Creeks no closer together but had perhaps delayed hostilities which seemed imminent when he arrived in the state.

By April, 1787, there were renewed reports of Creek outrages and predictions of Indian war for which Governor Mathews urged both Georgia and Congress to prepare. In the summer a number of whites were killed in the disputed Oconee lands. After one Indian raid in which a few whites were killed, militia crossed the Oconee and killed twelve of the first Indians encountered; these were later identified as friendly Lower Creeks who had nothing to do with the murders the whites were trying to avenge. The Lower Creeks resented this indiscriminate “taking of satisfaction” con-
trary to the Treaty of Shoulderbone, and demanded a white life, including the leader of the militia party, for each of the twelve Indian lives lost—something that no Georgia authorities could agree to.\textsuperscript{37}

This uneasy situation and loss of life on both sides continued throughout the summer. Georgia made renewed overtures for help to the Chickasaws and Choctaws, and to Franklin. On the other side, Governor Mathews suggested that if McGillivray would petition for it he could be granted Georgia citizenship and that the confiscated property of his father might be given to him. In September there was more trouble in the Oconee lands, especially in Greene County, and many thought a real Creek war was beginning.\textsuperscript{38}

On July 3, 1787, Governor Mathews called the assembly into special session to deal with the Indian situation, but no quorum assembled. On September 20, Mathews tried again and after repeated efforts by the governor and speaker, a quorum assembled in Augusta by October 18. A two-weeks session concerned itself almost entirely with Indian troubles and a South Carolina boundary dispute. A committee reviewed state and federal Indian relations for the previous four years and came to the conclusion that the real cause of the Creek troubles was the too sudden interference of Congress with the state treaties. This interference gave the Indians the opinion that if they fought Georgia she would get no help from Congress and that Congress, rather than Georgia, might make final disposition of the disputed Oconee lands.\textsuperscript{39} The militia law was revised, and from 1,500 to 3,000 state troops were authorized to fight the Creeks in the expected war. Land bounties beginning with 640 acres for privates were offered to spur enlistments.\textsuperscript{40} A special tax payable in foodstuffs was imposed to obtain provisions for the troops, and needed military supplies were ordered secured.\textsuperscript{41} New tries for Choctaw, Chickasaw, and Franklin help were made; and Franklin promised from 1,000 to 1,500 men. The governor, at the direction of the assembly, wrote the Spanish governors at St. Augustine and Pensacola requesting that "agreeable to the Law of Nations" they prevent any munitions going to the Creeks during their fighting with Georgia.\textsuperscript{42}

Governor Mathews reported to Congress in November that the Indians had killed thirty-one whites since August and had destroyed the town and courthouse at Greensboro and many houses on the frontier. Mathews asked Congress to provide arms for the
state troops recently authorized and suggested that the Congress should protest to Spain against her furnishing arms to the Creeks.43

Secretary at War Henry Knox made an able report to Congress on the Southern Indian situation in the summer of 1787. He pointed out the necessity for a decision of who—Congress or the states—had the right to deal with the Indians and suggested that Congress must declare its superiority in this field or get Georgia to cede her western lands to the United States. Knox thought a land cession an easier and better solution. Then Congress itself could deal with the Creeks with no interference from Georgia. Otherwise Knox expected a general Indian war.44 While this report was being considered in committee, William Few of Georgia made two unsuccessful attempts to have the Indian Superintendent instructed to hold a new treaty with the Creeks that would confirm Georgia’s treaties. Congress took no stand on Knox’s or Few’s suggestions but directed that the three Southern states each appoint a commissioner to act with the Indian Superintendent in negotiating with the Southern Indians.45

Throughout the winter of 1787-88 and the spring of 1788, Creek attacks on the Georgia frontiers continued. Most of the raids resulted in cattle and Negro stealing instead of death, but several whites and Indians were killed each month, and the militia and state troops were kept continually on the alert.46 By spring Indian troubles had increased, and it looked as if a real war was on the way. At any rate, the state again began preparations in earnest. To help recruiting of state troops, a complete suit of clothing was added to the land bounty already authorized for enlistment.47

George Whitefield, an agent of the federal commissioners, and McGillivray toured the Creek country together in April; and McGillivray urged peace, often against the inclination of the Indians. McGillivray even considered making application to Georgia for citizenship and receiving his father’s confiscated property, as Governor Mathews had suggested earlier.48 The Spanish minister to the United States insisted that Spain was trying to persuade the Creeks to maintain peace.49 Insufficient Spanish backing and the fact that Richard Winn, the new federal Indian Superintendent, had just arrived in Georgia probably accounted for McGillivray’s peaceful attitude. By July the Creeks agreed to meet the superintendent and federal commissioners in September, and Georgia ordered all hostilities suspended.50
Now, when it seemed that everything was arranged for a treaty, McGillivray demanded as a preliminary to any meeting that all settlers retire from the disputed Oconee lands. Both Georgia and the federal commissioners refused to agree to this, but McGillivray said he was sure the chiefs would not agree to treat otherwise. Governor Handley called the assembly to meet on July 15, but a quorum never assembled. There were insufficient funds for a treaty, and the executive could raise no more. Handley suggested the treaty be postponed and thought that McGillivray might accept, if the impending change in the federal government were given as the reason. McGillivray accepted the postponement and promised a suspension of hostilities if Georgia reciprocated. Handley tried to prevent the whites beginning any trouble, and there were only a few minor reports of trouble in the fall.

The winter of 1788-89 was fairly quiet on the Georgia-Creek frontier. There were a few small raids, but no deaths were reported. Late in March the state was more worried by a mutiny of state troops raised to fight Indians than it was by Indian troubles. Governor George Walton and Superintendent Winn agreed to hold a treaty at Rock Landing on the Oconee (a few miles from the site of the future town of Milledgeville) on June 8.

Just when it seemed that everything was in readiness for the treaty, Indian outrages broke out in Liberty and Wilkes counties. A general council of the Creeks was reported to have decided to resume hostilities and clear the Oconee lands of white settlers, apparently because of new supplies of ammunition from Spain. State militia, state troops, and South Carolina were called upon for help; and the federal commissioners were urged to rush to Georgia to negotiate. No sooner had all this been done than word was received from the Creek country that the treaty would be held as scheduled, and the warlike preparations were cancelled. The commissioners went to Rock Landing, where McGillivray persuaded them to postpone the treaty until September 15, despite the objections of Governor Walton.

By September 15, the new United States government was in operation. President Washington felt that the United States commissioners should not be local men. He therefore appointed new commissioners from New England and Virginia—Benjamin Lincoln, Cyrus Griffin, and David Humphreys—and instructed them to try to get the Creeks to cede the lands included in the treaties of Augusta, Galphinton, and Shoulderbone. Otherwise
he was afraid that Georgia would not remain loyal to the new central government. In return for this cession the commissioners were authorized to grant, if necessary, a port of entry into the Creek country below the Altamaha; to bestow gifts of goods and money, and military distinction upon Creek leaders (obviously McGillivray); and to give a promise of United States guarantee of further territorial integrity of the Creek Nation.\textsuperscript{58}

The new federal commissioners arrived in Augusta on September 17, dined with Governor Walton, and set out for Rock Landing the next day. After four days of negotiations, a draft treaty was read that confirmed the cessions of Augusta, Galphinton, and Shoulderbone. The Creeks immediately left Rock Landing with the statement that they would not give up their Oconee lands, that their hunting season was at hand, and that the truce would continue until the spring when the matter of a treaty could be considered again.\textsuperscript{59} McGillivray later said he was determined to get what he wanted, because he had received a letter from New Orleans with promises of Spanish help just before he went to Rock Landing.\textsuperscript{60} The commissioners went to Augusta to write their report, which blamed McGillivray and the rumor of Spanish ammunition for the failure to get a treaty. They further reported that Georgia’s three Creek treaties were legitimate land cessions and that the United States should back Georgia fully in her troubles with the Creeks.\textsuperscript{61}

President Washington now decided upon a new approach to the Creek problems. He sent Colonel Marinus Willett to the Creek country as a personal representative to invite McGillivray and other chiefs to New York for negotiations. Willett apparently convinced McGillivray that he was dealing with an independent government not subject to influence by Georgia. The two toured the Creek Nation and got approval for the New York negotiations before Willett, McGillivray, and several others chiefs set out for New York in June, 1790. The party received lavish welcome and entertainment en route and in New York while the negotiations were carried on.\textsuperscript{62}

As bait for the inevitable demand for a land cession, McGillivray was made a brigadier general in the United States army—the same rank that he held in the Spanish army—given a pension of $1,200 a year, and promised that the Creeks could import goods from the United States duty free if their supplies should be shut off from Florida. McGillivray agreed to the cession of all the
lands east of the Oconee (first ceded at Augusta in 1783) but not to the cession of the lands between the Altamaha and St. Marys made at Galphinton and Shoulderbone. The rest of the Creeks' lands were guaranteed to them, and they acknowledged themselves to be under the protection of no nation but the United States—the same agreement that they already had with Spain. The treaty was signed on August 7, approved by the Senate on August 12, and proclaimed by President Washington on August 13. The Creeks did not ratify the treaty immediately, but they had no hopes of retaining the Oconee lands. The disputed Oconee lands had finally been secured, but McGillivray would continue to trouble Georgia until his death in 1793.

Georgia would probably have had better Indian relations had its assembly not been so influenced by the frontier philosophy that the only good Indian was a dead Indian. A few governors tried to restrain the frontiersmen from trespassing upon the Indian lands; but without real legislative backing and with only frontier militia to use in enforcement, restraint of frontiersmen was impossible. Given the conditions that existed in Georgia in the 1780s it is hard to see how there could have been any real difference in the pattern of Indian relations, regardless of how individual incidents may have differed. Georgia frontiersmen and Creeks under the leadership of Alexander McGillivray could not agree! Only an outside force like the United States government could accomplish anything, and the United States never adopted a real policy toward the Creeks until the new government under President Washington took office.