

CAPTAINS BUSH, PRICE, AND SUAREZ.

[To accompany bill H. R. No. 161.]

JANUARY 30, 1852.

Mr. WILCOX, from the Committee on Military Affairs, made the following

REPORT:

*The Committee on Military Affairs, to whom were referred the memorials of Isaac Bush, John Price, and Thomas Suarez, have considered the same, and beg leave to submit the following report:*

These memorialists claim pay and allowances for services rendered in Florida, by themselves, as captains of mounted volunteers, and by the officers and privates of their respective companies.

Captain Bush alleges that his company served from the 25th of January, 1838, to the 25th of January, 1839, a period of twelve months.

Captain Price alleges that his company served from the 20th of January, 1838, to the 20th of July, 1839, a period of six months.

Captain Suarez alleges that his company served from the 20th of July, 1838, to the 20th of January, 1839, a period of six months.

The committee have carefully examined the evidence accompanying these memorials, and are satisfied that the services of these companies were regarded as indispensable to the security of the lives and property of the inhabitants of that part of the Territory of Florida in which they were organized and operated, and they cannot doubt that those services were, in fact, useful and necessary.

It appears, from sources of information believed to be authentic, that, on the capitulation at Fort Dade, on the 16th March, 1837, between the Indian chiefs Jumper, Halatoochée, and Yahoolooche, representing the Indian tribes engaged in the late Florida war, and Major General Jesup, commanding the United States forces in Florida, the commanding general believed the war to be at an end; and, acting upon this conviction, he discharged the volunteers and militia then in the United States service.

The citizens of Florida, the peculiar sufferers by this war, hailing the prospect of peace, returned to their homes, "but only to mislead and jeopardize the lives of the frugal and industrious, who were again compelled to flee, and abandon all, or be murdered by the same treacherous foe."

Early in June, 1837, General Jesup informed the Adjutant General, at Washington, that the Indians who had surrendered under this capitulation, and who had assembled at Fort Brooke, in readiness to embark, "had precipitately fled." The commander and his officers were discouraged at so infamous an act of treachery. The Indians, newly clothed, were better prepared for renewed warfare than before.

Another campaign was now contemplated, at the return of the healthy season. The citizens, from their manifold sufferings, and seeing no end to the conflict, took the field, resolved to put to death every Indian that fell into their hands. On the 24th October, 1837, General Jesup, by orders No. 203, after reciting the events of the campaign, appealing to the officers and men under his command, declared to them that, as much as they had performed, more remained to be done; that the enemy awaited them in fastnesses more difficult than any yet penetrated—urging them to keep in view the grand object of the war, “the emigration of the Indians, and termination of the war.”

This being the spirit and determination of the whites, what was the resolution of the Indians? To continue their treacherous, harassing, and murderous career, and to die on the soil of their birth, rather than be forcibly removed. It was not only a contest of races for the possession of the country, but one of power, mingling the fiercest passions. The whites having the power, absolute subjugation of the enemy, or extermination, after a prolonged and bloody strife, must necessarily ensue.

With this fearful issue, a general alarm pervaded the country. The commanding officer, disgusted with a contest with so faithless an enemy, and knowing the unfavorable direction of public opinion, sought relief from the command, but his request was denied.

Upon his return from Florida to Washington, in a communication to the Secretary of War, dated 6th July, 1838, in which he recites the events of the preceding campaign, and exhibits his situation after the refusal of the Indians to emigrate under the capitulation, and alludes to the state of feeling among the citizens, he says, “that, in consequence of this alarm, and the inefficiency of the regular troops, caused by their sickly condition, as well as the want of officers, I had to give a military organization to the whole population on the frontier. This was a measure attended with considerable expense, but it was the only means in my power of preserving the country from entire devastation.”

So that, at this perilous juncture, when the country was penetrated in every direction with bands of an enemy of insatiable vengeance, inspired with a fiendish zeal and energy, which no former event had aroused and called into action, and the government too feeble to extend its protection, the defence of the country was left almost alone to the citizens.

By the same communication, he states that the Indian force, on the 1st October, 1837, was concentrated upon the upper St. John's, though there were several roving bands in other directions; that the theatre of his operations extended over five degrees of latitude; that, to cover a country so vast, forty posts were required to be occupied during the campaign; that he was required to operate from a base extending from Charlotte's harbor, by way of the Suanee, to St. Augustine, upwards of three hundred miles. (Sprague, 188.) He then gives an account of the operations of his forces during the campaign ensuing the “capitulation.” Colonel Smith, of Louisiana, entered the peninsula through the Coloosahatche, and his operations covered the whole country from that river south, to Cape Sable; General Taylor's operations covered the whole country east of the Fort King road, Tampa bay, and the Gulf of Mexico, from the Withlacoochee to the Coloosahatche, and east of the Kissimmee to the eastern line of the Okechobe. Brigadier General Nelson, with his brigade of Georgia volunteers, were directed to secure the frontier of Middle Florida, and the western part of East Florida. Colo-

nel Snodgrass, with a battalion of Alabama volunteers, were ordered to scour the swamps and hammocks between Black creek and the Ochlewaha. General Hernandez operated east of the St. John's.

From this outline of the disposition of the forces under the commanding general, in November and December, 1837, it will be seen that the portion of East Florida from the St. Mary's, the Georgia line, to the western bank of the St. John's, and thence across the St. John's, southeast to Julington creek, extending through the Mandarin settlement, and from the Atlantic coast, from the mouth of the St. John's and Nassau sound, to Yellow Water and Black creek, was entirely unprotected, except by the small force at Black creek, twenty-five miles from Jacksonville, and about sixty from the coast. This extent of country included Duval and Nassau counties, the western frontier of St. John's county, and the eastern frontier of Columbia and a portion of Alachua counties, embracing a large and industrious population, who had more than shared with their fellow-citizens in Florida the misfortunes and hardships of the war, and contained within its boundaries vast numbers of swamps and hammocks, well known to the Indians as secure retreats from the pursuits of the army south, and traversed in different directions by noted Indian trails.

Thus exposed, as they conceived themselves to be, to the depredations of Indians, the inhabitants addressed a memorial to Colonel Warren, the commanding officer of the militia in Duval and Nassau counties, who was at that time in the service of the United States. That memorial was as follows:

"That the borders of Duval, Nassau, and Columbia counties are left defenceless; that a militia post has been kept up in that direction for the most part during the war; that the post is now left vacant; *that there has been at no time a greater necessity* (for the post) *than at present*; that a small party of Indians, devastating and murderous in their course, can penetrate to any part of the above country; that in cultivating their plantations, insecurity to their property and danger to their lives are constantly felt by the planters." It concludes by requesting "that one or more companies of Florida volunteers be stationed between the headwaters of Black creek and the St. Mary's river, in order to afford the citizens that protection they so much need."

This memorial was headed by the Hon. Robert Raymond Reid, United States judge for the eastern district of Florida, and soon after the governor of the Territory, followed by the Hon. Joseph L. Smith, for many years the United States judge for the same district, and by many of the most worthy and respectable citizens of East Florida, several of whom had at that time, and have since, enjoyed the confidence of the national Executive by appointment to office, and of the Territorial and State governments.

The following is an extract from the Laws of Florida, "of the 17th of February, 1833:"

"If a sudden invasion or insurrection shall take place, or be made or threatened on any portion of the Territory, the commanding officer of the militia, or any portion thereof, adjacent thereto, shall be, and is hereby, authorized and enjoined to order out the militia under his command to repel or suppress the same; and troops thus ordered into service shall be subject to, and be governed by, the rules and articles of war prescribed for the government of the United States troops, and that said officer shall forthwith report

the same to his commanding officer and to the Executive by express."—  
[Duval's compilation Florida Laws, 395.]

By virtue of this authority, and deeming the condition of the Territory to require it, Colonel Warren issued the following order to Captains Bush and Price :

HEADQUARTERS, JACKSONVILLE,  
December 23, 1837.

SIR: You are hereby authorized and empowered to raise a company of Florida mounted volunteers, for the protection of the settlements lying between the head-waters of Black creek and the St. Mary's river, which company I will receive in the service for the term of six months, unless sooner discharged.

Very respectfully, your obedient servant,

JOHN WARREN, *Colonel.*

(See Nos. 3, and 4.)

Thus authorized, and being impressed, in common with their fellow-citizens, of the absolute necessity for a systematic defence of the section of country designated in the order, as well as by a sense of duty, and never doubting the authority of Colonel Warren, or hesitating to believe that the United States would recognise his acts, and promptly pay for the service to be performed under these orders, your memorialists, Captains Bush and Price, raised, respectively, a company of mounted volunteers for the term of six months, the rank and file being composed of the individuals whose names are upon the muster-rolls of the respective companies. (See Nos. from 5 to 12, both inclusive, containing the rolls of Captain Bush's two terms; and Nos. from 13 to 16, containing the rolls of Captain Price's company.)

Under these orders, Captain Price's company was mustered into service by Colonel Warren on the 20th January, 1838, and continued upon regular duty until the 25th July, 1838. Captain Bush's company was mustered in on the 25th January, 1838, and served until the 25th July, 1838, when it was discharged by Colonel Warren, and immediately mustered in again by him for six months longer, and continued in active service until the 25th January, 1839. Captain Price's company, upon its discharge on the 20th July, 1838, was immediately mustered into service again by Colonel Warren, under Captain Suarez, who succeeded Captain Price in command, having been the 1st lieutenant under Price. This company was composed, with few exceptions, of the same men who composed Price's company.—(See the testimony of Bush, Price, Suarez, and others, hereafter referred to.)

The necessity of the military force organized by virtue of this order, and of its actual service, and of the justice of the claims of these memorialists, are strongly set forth in the following statements and depositions:

WASHINGTON, June 15, 1848.

SIR: I was a resident of Florida from the beginning of the year 1837 to the end of the late Seminole war, and well recollect the condition of the country during the years 1837 and 1838. After the capitulation of Fort Dade, in the spring of 1837, the volunteer force was withdrawn, and the entire frontier left exposed. The regular troops, operating in the peninsula, afforded no adequate protection to the frontier settlements, in Middle Flori-

da and in the northern part of East Florida. My residence was on the frontier of the middle district, and I therefore had an opportunity of knowing the exposed condition of the inhabitants of that section. Very many valuable lives were lost for the want of that protection the government was bound to afford to the people of the Territory. The condition of the citizens of East Florida was even more deplorable than that of the inhabitants of the middle district. The whole country then occupied by the settlers in East Florida was overrun by hostile Indians. The counties of Columbia, Alachua, Duval, St. John's, and Nassau, were particularly exposed. The regular troops were too far south to afford them protection. The Indians had no difficulty in passing round the forts and "stations," and making their incursions into the counties above named.

The inhabitants were obliged to rely upon themselves for safety. The militia officers, in many instances, took the responsibility of calling out their companies and regiments, some of which were continued in service many months. They have not been paid for this service, because of the "irregularity" of the manner in which they were called into the service of the country, though there is *no doubt* that the service was rendered.

The officers who called these men into service were influenced by considerations of duty and humanity. They pursued the only course by which even a tolerable degree of confidence could be given to the inhabitants, and which resulted in the preservation of many valuable lives. The counties of Duval and Nassau are 200 miles from the seat of government, with which, at that time, there was no connexion. The volunteer companies called out by Colonel Warren, in the year 1837, in Duval and Nassau counties, and who continued in service during the year 1838 and part of 1839, stopped the devastations of the Indians, gave confidence to the inhabitants, and prevented the depopulation of the country, which would have been abandoned but for the presence of these companies. Indian murders were frequent before these companies were called out; there were none so long as they continued in service; but, so soon as they were disbanded, the murders were renewed, and it was found necessary to establish garrisons throughout the country in which they had operated so successfully.

These companies have never been paid for the services they rendered. Their claims have been pending for nine years, and payment has been refused because of the non-compliance with some technical requirement of the law, as to the manner of their being "called out" and "mustered into service." That their services were needed, and that they did render most efficient service, no one, I think, can doubt who will look at the papers accompanying their memorial to Congress, which has been referred to you as a member of the Committee on Military Affairs.

I have conceived it my duty, as the representative of the claimants, to make this statement. All the testimony, pro and con, has been submitted to you.

Very respectfully, your obedient servant,

E. C. CABELL.

HON. ARMISTEAD BURT,  
*House of Representatives.*

I have carefully read the foregoing. The facts stated by Mr. Cabell are notorious, and I coincide in his deductions. Other troops, Brown's and Sarrison's regiments, that did no more service than these, were paid under



a special act, passed in 1845, and I never could understand why the companies, Captains McClelland's and Payne's, should not be.

That their time was devoted to the service; that they risked all that a soldier regularly mustered risks, and were in service for not furnishing troops by the United States, is all true. I think they should be paid.

J. D. WESTCOTT, Jr.

SENATE, June 16, 1848.

SIR: The companies of Price, Bush, and Suarez were employed in the region of country where I reside. The particular section covered by their operations was much exposed, and the nearest and only military station, I believe, of the regular army, was Gary's Ferry, which was not convenient for defence of the inhabitants of Duval and Nassau counties, to any important extent.

I am quite satisfied that the services of these companies were necessary to the security and confidence of the population of those counties; and from the information I have received, I am also satisfied that their services were rendered in good faith, and with all the diligence and constancy which circumstances and the usages of the service in Florida permitted or required. There ought to be no hesitation in the recognition and payment of the companies.

Respectfully, your obedient servant,

D. L. YULEE.

Hon. Mr. BURT,

*Of Military Committee, House of Representatives.*

WASHINGTON, June 17, 1848.

SIR: In connexion with the statements of Messrs. Westcott, Yulee, and Cabell, handed you on yesterday by me, relating to the militia services of the Duval volunteers, Florida, I have the honor to enclose some correspondence, of this date, between the Hon. E. C. Cabell and Brigadier General Twiggs, United States army.

General Twiggs (then colonel) was in command of the only regular station in the section of the country covered by the operations of these companies, and is, perhaps, from his position at the time, better able to judge of the necessity for the employment of a volunteer force, at the period mentioned, as well as the efficiency of the service of these companies, than any other officer in the army.

I have the honor to be, your obedient servant, &c.,

GREGORY YALE.

Hon. ARMISTEAD BURT,

*Committee on Military Affairs,  
House of Representatives.*

WASHINGTON, June 17, 1848.

SIR: Will you do me the favor to state, whether or not you were in command of that portion of the army of the United States operating, during the late Seminole war in Florida, from Okefenokee swamp, in Georgia, along the headwaters of the St. Mary's river and Black creek, to the St. John's river, from the latter part of 1837 to 1839; and whether the counties of Duval and Nassau, Florida, were not in an exposed and defenceless condition, during that period, in consequence of the fact that the main body of the troops, under command of Generals Taylor and Jesup, were operating in the southern part of the peninsula; and whether, in your opinion, there was not a necessity for the organization of a volunteer force in that section, during this period, to protect the inhabitants from the depredations of the Indians; and whether you would not, if you had had the authority, receive such volunteer force into the service of the United States, composed of the citizens of said counties of Duval and Nassau, for the protection of these counties; and whether, while at Garey's Ferry, you did not frequently see armed companies of men, composed of the citizens of these counties, engaged in scouting; and whether, in the early part of the year 1839, you did not establish garrisons on the St. Mary's river and Brandy branch, for the protection of this section of country.

You will much oblige me by making a reply to this note, before you leave the city.

I am, very respectfully, your obedient servant,

E. C. CABELL.

Brigadier General D. S. TWIGGS,  
*United States Army, Washington City.*

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COLEMAN'S HOTEL,  
*Washington, June 17, 1848.*

SIR: I am in receipt of your note of this morning, and as I propose to leave the city to-night, I reply to it at once.

I cannot be particular as to dates, but I was in command at Garey's Ferry about the time you mention. The army of the United States then operating principally from Fort King, south, there was an inadequate force left for the defence of the country from Pilatka to Okefenokee swamp, and the counties of Duval and Nassau were much exposed to Indian depredations.

The inhabitants of this section frequently applied to me to receive volunteer companies into the service of the United States, for their protection and security, which I would have done if I had possessed the authority. I told them I had no authority to receive them into the service of the United States, but advised them to organize companies for their own protection.

While at Garey's Ferry, previous to the establishment of garrisons north and northwest of that place, armed parties of men frequently came into the post, to whom I occasionally issued rations, though without positive authority, as there was a supply of provisions on hand, which were spoiling in the storehouses. These men were mounted, and were represented to belong to companies of mounted volunteers composed of citizens of the counties of Duval and Nassau, which had been organized for the protection of these counties, for the reasons I have stated. When they came in to Garey's Ferry they had the appearance of men who had been engaged in

scouting, and I have no doubt they rendered efficient service; and that, in all probability, they prevented the abandonment of this section of country by the inhabitants. Indeed, I can say I have *no doubt* that the services of these men prevented the depopulation of the country; and that they are to be commended for organizing themselves into military companies, which I strongly *urged* upon them.

Garey's Ferry is twenty-five miles south of Jacksonville.

In 1839, garrisons were established on Brandy branch and the St. Mary's, after the volunteer companies, above alluded to, had ceased their operations.

Your obedient servant,

D. S. TWIGGS,

*United States Army.*

HON. E. C. CABELL,

*House of Representatives.*

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HOUSE OF REPRESENTATIVES,

*June 22, 1848.*

MY DEAR SIR: You asked me yesterday, if I could state why the application to, and the recommendation of the governor of Florida, for the organization of a military force, in 1837-'8 and '39, for the protection of the citizens of Duval and Nassau counties from Indian depredations, do not appear among the papers presented to your committee.

In reply, I beg leave to state that I do not know whether such application was ever made; but from the fact that it does not appear among the papers, I conclude that it was not. I would suggest, however, that at the time there was no communication between Duval county and Tallahassee, the seat of government; the intervening country was overrun by bands of hostile Indians, a distance of near 200 miles. An express could not have been sent to the governor, without imminent hazard. Moreover, the governor had no authority to receive volunteers into service. I am aware that the governor had been applied to by citizens of other portions of the State, and had acknowledged his inability to comply with the request and demands of the citizens to furnish troops for their protection.

I think you will agree with me that a case of necessity is made out, and that the volunteer companies, who now claim pay for their services, rendered essential service to the country; and I respectfully submit, whether the men who have rendered the service should be deprived of their pay, because all the requirements of the law were not complied with by the officers under whose requisition they were enrolled. They cannot be expected to be acquainted with all the formalities of the law. They rendered service which the situation of the country demanded, and for this they ask compensation.

Very respectfully, your obedient servant,

E. C. CABELL.

HON. ARMISTEAD BURT.



JACKSONVILLE, *November 8, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Colonel James Dell, who, being duly sworn, declares on oath that he resides at Jacksonville in the year 1838; is personally acquainted with Captains Price, Suarez, and Bush; knows them to be correct and worthy citizens; knows that they commanded companies of mounted militia in 1838. That the service was essentially necessary, as the Indians had approached within six or seven miles of Jacksonville, and committed depredations; many of the inhabitants, not very distant from the place, were killed and wounded previous to the organization of these companies. Horses were stolen from one Eubanks, not more than seven miles from Jacksonville, and various other depredations were committed. That, so far as his knowledge extends, the companies performed good and efficient service; that he does not believe the people could possibly have maintained their houses without protection; that he does not know of any depredations having been committed while these companies were in service. That during that time, almost all of the United States troops were removed from the frontier, and sent to the Cherokee nation: that, after these militia companies were discharged, the Indians began again to commit depredations, so that the United States deemed it necessary to garrison on the south prong of St. Mary's river. That the prices of forage and subsistence were generally very high at that time.

JAMES DELL.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 7, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared Colonel J. B. Lancaster, who, being duly sworn, declares on oath that he is personally acquainted with Captains Price, Bush, and Suarez; he has every confidence in these gentlemen as being correct and good citizens; he believes that Captains Price, Bush, and Suarez did necessary service with their companies in the year 1838, particularly as a large number of the United States troops were withdrawn and sent to the Cherokee nation; knows of depredations having been committed by the Indians previous to the formation of these companies, and during their existence the incursions were less frequent; that he fully believes that the settlements would have been broken up, were it not for this service, and it was this alone that enabled many of them to pursue their agricultural pursuits and other avocations during this period. He believes that the family of Johns was broken up previous to this service; that he, Johns, was killed and his wife scalped by the Indians, and also that one Allen Osteen was killed about the same time; that the family of Higginbotham was attacked and the horses of one Eubank stolen from this neighborhood, previous to the mustering of these companies, and that, after their discharge, many depredations were committed, to wit: Wm. Barber was killed, and a man by the name of Hicks, and several persons, wounded in the vicinity of Brandy branch and south prong of St. Mary's river, in the same section of country that these companies scouted; and the depredations became so frequent that the United States

found it necessary to garrison at the south prong of St. Mary's, in the neighborhood of the before mentioned incursions at Barber's. He says that forage and subsistence were very high during this period of service; he believes that corn was selling for about two dollars per bushel, and fodder about three dollars per cwt.; that he sold his crop of corn and fodder to the United States quartermaster, Captain M. M. Clark, at the price above named; he, Clark, furnishing transportation from this place to Black creek, about the latter part of the year 1836, or early part of the year 1837.

JOS. B. LANCASTER.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 8, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Colonel J. D. Hart, who, being duly sworn, declares on oath that he is personally acquainted with Captains Price, Suárez, and Bush; believes them to be good, worthy citizens, and knows them to be pretty good militia officers; that service was absolutely necessary, as the Indians had approached within eight or nine miles from Jacksonville, and committed depredations, to wit: stole some four or five horses, murdered a man named Johns, and scalped his wife, and burnt his house; fired on Higginbotham's and Thomas's house; after these depredations were committed, and previous to the organization of these companies, an Indian woman and two children were taken by a man named Sparkman; that he was one of the number that pursued the party of Indians who committed the depredations above mentioned; that he knows of no depredations having been committed while these troops were in service; that after these companies were discharged, a man named Beasley was killed about twenty miles from Jacksonville, and another man named Lang was wounded; other depredations were committed by killing and wounding various persons, from time to time, so that the United States found it necessary to garrison the frontier of Duval and Nassau counties, by posting troops at Norton's, on Brandy branch, and Barber's, on the south prong of St. Mary's river; that he saw during that period, Captain Bush, with his company out scouting, and believes that they did good and efficient service; that forage and subsistence were extremely high at that time; that pork was worth twenty-five dollars per barrel; flour from twelve to fifteen dollars per barrel.

J. D. HART.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 8, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Captain Thomas Ledwith, who being duly sworn, declares on oath that he was personally acquainted with Captains Price, Suárez, Bush, and Black; and that they were generally known as captains commanding companies of

mounted militia, in service in the year 1838; that he knows them to be correct and responsible men; that it was very necessary for the protection of the frontier, that militia should be called into service at that time, as there were no United States troops stationed nearer Jacksonville than at Garey's Ferry, and not any greater number at that station than was actually necessary for the protection of that portion of the country; that previous to the organization of these militia companies, frequent depredations had been committed not a great distance from Jacksonville; and that the people could not have maintained their homes without the service and protection of these militia companies; that corn was worth during that period one dollar and fifty cents per bushel; hay one dollar and fifty cents per cwt.; provisions generally were very high at that time.

THOMAS LEDWITH.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 7, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Captain Moses Curry, who being duly sworn, declares on oath that he is personally acquainted with Captains Price, Suarez, Bush, and Black; knows them to be good and responsible citizens; that they were known generally as captains commanding companies of mounted militia, in 1838; knows that they performed good service with their companies, and that service was essentially necessary, as the Indians had committed frequent depredations, and the people generally were in a great state of alarm; that he believes that a great many settlements would have been broken up, but for the protection obtained from the militia; that these companies performed as much service as was usual to companies in the United States service for frontier protection; that he cannot state so fully in relation to the company of Captain Black, as those of Captains Price, Suarez, and Bush; that he does not believe that his company performed as much service as the others mentioned; that forage and subsistence were generally high during that period of time; that during this period he received an order from Colonel Twiggs to organize a company for the protection of a portion of Duval county, but that said order was never carried into effect.

MOSES CURRY.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

[COMPANY ORDERS.]

JACKSONVILLE, *January 27, 1838.*

John M. Pons, of this town, is hereby appointed sutler of my company of Florida volunteers; and all officers and soldiers under my command will respect him as such.

ISAAC BUSH,  
*Captain Florida volunteers,*

[REGIMENTAL ORDERS.]

HEADQUARTERS, JACKSONVILLE,  
January 27, 1838.

I hereby approve the above appointment of John M. Pons as sutler.

JOHN WARREN,  
Colonel Commanding.

JACKSONVILLE, November 8, 1845.

Before us, Thomas O. Holmes and A. A. Canova, personally appeared John M. Pons, who, being duly sworn, declares on oath that he resided in Jacksonville in 1838; that he is personally acquainted with Captains Price, Suarez, and Bush; that he knows them to be correct and worthy citizens; knows that they commanded companies of mounted militia in the year 1838; that he was present at the mustering of these companies; that they were mustered into service by Colonel John Warren; knows that they performed service, from the fact of his having furnished the supplies of one of the companies, (as sutler,) under an appointment from Colonel Warren; that he believes the service was very necessary, as the Indians had committed frequent depredations, previous to the organization of those companies; that flour was worth, during that time, as by reference to his books, \$15 per barrel; pork, about \$30 per barrel; sugar, 16 cents per pound; coffee, 20 cents per pound; rice, \$6 per cwt.; corn, from \$1 50 to \$1 75 per bushel; hay, \$2 per cwt.; other articles of subsistence were high in proportion.

JNO. M. PONS.

THOMAS O. HOLMES, {  
A. A. CANOVA, { Commissioners.

JACKSONVILLE, November 7, 1845.

Before us, T. O. Holmes and A. A. Canova, personally appeared Elias G. Jaudon, who being duly sworn, declares on oath: That he resided on the St. John's river, near Jacksonville, in the year 1838; that he is personally acquainted with Captains Price, Suarez, and Bush; that he believes them to be correct and responsible men: he believes that Captains Price, Suarez, and Bush did good and necessary service; that this service was essential, as frequent Indian signs were discovered in the neighborhood; that families were attacked, and individuals killed and others wounded, in the neighborhood: he does not believe that the settlement could have remained together to pursue their usual avocations, without this protection; that the Indians were kept back, and incursions less frequent during the existence of these companies: that after the discharge of these companies, the United States found it necessary to garrison the post at Barber's, at the south prong of St. Mary's river, and the people generally were alarmed in fear of Indian depredations in this neighborhood: that he paid for corn in Savannah, one dollar and fifty cents per bushel, and fodder was worth one dollar and fifty cents per cwt.; that forage and subsistence were very high; that he paid thirty dollars per barrel for pork, 37½ cents per pound for bacon, and 12½

cents gross for live pork, sugar sixteen cents, and coffee twenty cents per pound.

E. G. JAUDON.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, November 6, 1845.

Before us, Thomas O. Holmes and A. A. Canova, personally appeared James Long, who being duly sworn, declares on oath: That he resided near Black creek, in Duval county; that he was acquainted with Captains Bush, Price, and Suarez, and their companies, in service in 1838; that he saw them frequently on scouts, and when they came about Black creek, and saw them draw rations at Garey's Ferry at different times; that so far as his knowledge extends, they performed good service, and that service at that time was essentially necessary, there having been Indian depredations committed; the inhabitants were greatly alarmed, and many of them abandoned their homes; that he does not believe that the people could have maintained their homes, without the service of these militia; that, to the best of his knowledge, the companies were full companies; that he paid at Black creek for corn, one dollar and seventy-five cents per bushel; other articles of subsistence were generally high at that time.

JAMES LONG.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

The legislature of Florida have earnestly recommended the payment of these claims.

Having detailed the general character of these claims, your committee now proceed to a brief consideration of their several merits.

CAPTAIN BUSH'S COMPANY.

The evidence in support of the claims of this company consists of depositions taken by Captain Waggaman and Major Thomas, who were detailed by the Secretary of War, under a resolution of the 28th of February, 1843, requiring him "to cause to be taken and certified to the next Congress all necessary proof in regard to the service of the Spring Grove Guards of Florida militia, in the year 1835, and of that part of Florida militia which served in the year 1838, under the order of the governor or other local military authority of Florida, and who have not received compensation therefor." That testimony is as follows:

Isaac Bush, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I commanded a company of mounted volunteers in the year 1838. The company was composed of volunteers, and was not one of the regularly or-

ganized militia companies of the country; I raised my company under a written order from Colonel John Warren, the officer commanding the regiment of militia of Duval county; the order directed me to raise my company to protect the frontier of Duval, Nassau, and Columbia counties; I have mislaid or lost that order.

Previous to raising this company, all the volunteers had been mustered out of the United States service, and the inhabitants feared that depredations might be committed by the Indians; none were actually committed in this part of the country previous to raising and organizing the company; there were some regular troops stationed, at the time I raised my company, at Black creek, commanded, I think, by Colonel Twigg; I think the two companies raised and stationed in this part of the country necessary for its protection. The country in which I operated with my company is a wild country, abounding in bay swamps, affording good hiding-places for Indians.

The company met and was organized at Jacksonville, and I think all the men were mounted and present; I think the meeting was held on the 24th or 25th of January, 1838; the officers and non-commissioned officers, except myself, were elected at the first meeting by the men of the company; I made the company up under orders of the colonel; I did not receive a commission, nor do I think that any of my officers did.

The horses of the men were generally good, and all were received by the mustering officer, Colonel Warren; all the men were armed and equipped; I think Colonel Warren was in the service of the United States at the time he mustered my company—I am not positive; he was in service in 1837, just before my company was raised.

I made my muster rolls of the company for the first six months, and I think sent them to Colonel Downing, in Washington city.

The rolls now before the board were placed in the hands of Mr. Dorman, an attorney, and I have not had them since: the rolls were complete when I signed them; *John W. Bush* was sixteen years of age, and *James Johnson* was under eighteen years of age, I think; I think there were some two or three who were over forty-five years of age, but I think they had been previously mustered into the United States service; none of my men were killed during the service; on several occasions I received orders from Col. Warren in relation to my duty.

My company did not occupy any regular stations during its service, each man going to his home so soon as his scouting duty was over; ten of my men resided in Nassau; these I placed under the command of a person, with orders to do duty and report to me; I had no regular time for sending out scouts; I am certain that I scouted on an average once in two weeks during my service, and when I would come off a scout I would appoint a time and place for the next meeting; the men rendezvoused sometimes at my house, sometimes at Cedar creek; when the men were collected together for duty I made the orderly sergeant call the roll; at these roll calls some eight or ten men would be absent; I required the absentees to report their reasons for being absent from duty; I generally went myself in command of these scouts; I missed once, at which time I sent my first lieutenant, and I think my second lieutenant missed his tour on one occasion; the time of remaining out would average about three days at a time; I have been out as long as five days; I scouted two and a half miles from this place on King's road; from there, to Cedar creek; from there, to



McGirt's creek, near the head of Big creek, on the waters of Yellow Water creek; and from there to the head or near the head of Black creek, about ten or twelve miles from the depot at Garey's Ferry, going in a direct line near sixty miles. I never saw any Indians on any of these scouts; saw some signs and one track on Yellow water, I thought very fresh; I afterwards saw some tracks, I think four moccasins, and a third time I saw two pony tracks; I saw, also, some old camps, but could not tell whether they were made by whites or Indians; I think a man named David Lang was shot by Indians in Duval county during this service; I do not recollect that any other depredations were committed by Indians; I required reports from the person who commanded the detachment of men in Nassau county; when the men were not on scouting duty, I permitted them to remain at home, working over their crops; when my company was mustered out, at the end of six months, I had all the men together; I granted some furloughs, I think, for about one week at a time; I think, on one or two occasions, I received substitutes; I made reports to Colonel Warren, and sometimes to Colonel Twiggs; I offered my company to Colonel Twiggs, I think, twice, for muster into the United States service; he could not receive me, but told me to keep up my scouts; I drew, for some fifty or sixty men, rations for forage and subsistence—I do not recollect how much exactly; with that exception they supplied themselves; I incurred no expenses for medical advice or supplies, for camp and garrison equipage or for transportation; I think some horses were lost, but do not recollect how many; I do not recollect under what circumstances they were lost; I have never received any pay for this service; the company was discharged by Colonel Warren, and mustered in again by him immediately after, for the period of six months; at the expiration of that time the company was discharged by me, and finally by Colonel Warren, at this place, some time after the service was performed.

James B. Roberts, 1st lieutenant; George Hyster, corporal; Benjamin Mayo, private; Henry Sweeny, private; William Spires, Luther Tison, jr., Pernel Taylor, have died since the service was performed; the men of my company are much scattered over the country; I have no papers in my possession at this time relating to my company.

ISAAC BUSH.

Sworn to and subscribed, at Jacksonville, East Florida, January 22, 1844.

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Com. Sub.*

L. D. Allen, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Wagganman, commissary of subsistence, says:

I was the first sergeant in the company of mounted men commanded by Captain I. Bush. The company first met to organize in Jacksonville, some time, I think, in January, 1838—I do not recollect the exact date; I was mounted and present, and I think nearly all the men were also present at the time of organization: the officers and non-commissioned officers of the

company were elected by the men. I furnished my own horse, gun and equipments, and I kept a good horse in my service all the period for which I now claim pay; no one but myself used this horse for doing duty; I resided, at the time I belonged to Captain Bush's company, about two miles from Jacksonville; after the company was organized, it was divided by the captain into three parts, for the purpose of scouting; I belonged to the detachment commanded by Captain Bush; these detachments went out once a week on scouts alternately, and remained out about two or three days at a time; the scouts would go as far as the head of Black creek, and Yellow Water. I did not see any Indians on any of my scouts; but once I saw some signs which I supposed to be Indian signs. During this service no depredations were committed by Indians in this neighborhood. Whenever the detachment to which I belonged would meet, I called the roll, and the men generally attended. I drew two days' rations for myself and horse, at Black creek, from an officer of the army; with that exception, I supplied myself. I never hired a substitute; I had no leave of absence or furlough; when not on duty I was permitted to remain at my home, attending to my affairs; whilst borne on the rolls of Captain Bush's company I did not belong to any other. Some of the men of the company resided in Nassau county, and did no duty with the company, except when it was mustered in and out of service. The company was discharged at Jacksonville, by Colonel John Warren, some time in January, 1839; I was present and called the roll of the company, and the men were generally present; I have never received any pay for this service. The men who resided in Nassau county, I understood, did duty in that county.

L. D. ALLEN.

Sworn and subscribed to, at Jacksonville, East Florida, January 20, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Com. Sub.*

Alexánder P. Roberts, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a sergeant in Captain I. Bush's company of mounted volunteers in the year 1838. The company first met to organize at the house of the captain, in Duval county, about two miles from Jacksonville, and about eight miles from my residence, in the same county. I was present and mounted. I do not recollect the date. The officers and non-commissioned officers were elected at the meeting, by the men of the company. I was elected a sergeant. I furnished my own horse, gun, and equipments. My horse was a good one, which I kept during my whole service. No other member of the company performed his duty with my horse. A day or two after the organization the company was assembled in Jacksonville, and mustered by Colonel Warren.

In a short time after the muster, I went out with the captain and men of the company, and remained out three or four days. After this the company

was divided into three parts, each under an officer, and performed duty alternately. I was with the detachment under the first lieutenant. The detachment was ordered out once in three or four weeks, and sometimes, perhaps, once in five weeks. I generally went out with my detachment, but sometimes missed doing so. The men were generally present. The parties remained out two or three days, going to Big creek and to the headwaters of Black creek and Kingsley's pond, a distance of about thirty miles. I never saw Indians; nor did I, at any time, discover any signs of where they had been. No depredations were committed on our frontier during the service. When not in duty hunting for Indian signs, I remained at my home, attending to my business.

I once drew two days' forage and subsistence, from an officer of the army at Black creek; with this exception, I furnished my own forage and subsistence. I never received a furlough or furnished a substitute. I did not belong to any other company during the time my name appears on Captain Bush's rolls.

The company was discharged at Jacksonville, by Colonel John Warren, at the expiration of each six months' service. I was present at both meetings and answered to my name. I never received pay for this service. Except at the meeting for organization and discharge, I never saw the company embodied. Generally, the roll was called when the detachment was called together for duty. I do not recollect the date when I was discharged.

A. P. ROBERTS.

Sworn and subscribed to at Jacksonville, Duval county, Florida, the 19th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

James Boothe, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a sergeant in the company of mounted men, commanded by Captain I. Bush. The company first met to organize, at the house of Captain Bush, about two miles and a half from Jacksonville. I was mounted and present at that meeting, and I think most part of the men were also present. The officers and non-commissioned officers were elected at that meeting. I furnished my own horse, gun, and equipments, and I kept a horse sufficient for all duty in my service all the time, for which I now claim pay. The time of this service was, I think, in 1837 and 1838, and was for twelve months.

After the company was organized, it would go out on scouts, part under the captain, and part under the first lieutenant, and would scout in different places; the scouts would last from three to five days, and would extend some sixty or seventy miles; I did not see any Indians, but we saw some signs; when one part of the company was out on duty, the other would

remain at home; I cannot say that all the company would go out at a time; the scouting was kept up by part of the men; I do not recollect how many scouts I went on, but was out on several.

I drew some forage and subsistence once at Black creek, from an officer of the army, for, I think, two days; with that exception, I supplied myself; I did not belong to any other company at the time I belonged to Captain Bush's; I never employed a substitute.

The company, when organized, was mustered into service by Colonel Warren, and was also mustered out at the end of six months, and again mustered into service by the same officer, and was finally discharged by him at Jacksonville; I do not recollect when; I have never received any pay for this service; I once drew rations as a "suffering inhabitant," but not during this term of service.

JAMES BOOTHE.

Sworn to and subscribed, at Jacksonville, Florida, January 20, 1844,  
before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

John Roberts, jr., of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a sergeant in Captain Bush's company of mounted volunteers, in the year, I think, of 1838. The company first met to organize, at the house of the captain, in Duval county, distant from my residence, in the same county, eight miles. I was present, and inounted; I do not recollect the date; a good many men were present—nearly the whole company, I think; I furnished my own horse, gun, and equipments; my horse was a good one; and I kept a horse during the whole period of service, though not the same one; no other member of the company used my horse at any time to perform his duty. The officers were elected by the men of the company, at the first meeting, and I think also the non-commissioned officers, including myself.

After the organization, I went out with the captain and about three-fourths of the men, remaining out about three days, I think; the company was then divided into three parts, and each assigned to a commissioned officer; I belonged to the detachment under the first lieutenant; once in two weeks, I went out with the detachment, the men meeting at McCormack's house for the purpose; sometimes the company was called to this place, when detachments would be sent out in different directions; the parties I went with remained out one, two, three, and five days, as well as I can recollect, examining the country from ten to thirty miles, on the frontiers of Duval and Nassau counties; also the borders of Alachua; I never saw Indians but twice; saw Indian signs; once the tracks of Indians, and again an Indian camp; I drew forage and subsistence at Black creek for two or

three days, from an officer of the army; with this exception, I furnished my own forage and subsistence; when not on scouting duty, I remained at home, attending to my business; I never received a furlough, or furnished a substitute; I did not belong to any other company, during the time my name is borne on Captain Bush's roll.

The company was discharged by Colonel John Warren, at Jacksonville, at the expiration of each six months; I was present at both meetings and answered to my name; I do not recollect the date; except the meetings for organization and discharge, I never saw the company embodied; I generally called the roll of my detachment when brought together; I have never received pay for this service.

JOHN ROBERTS.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 19th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Uriah Roberts, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a corporal in Captain I. Bush's company of mounted men. The company first met to organize at Captain Bush's, about two miles from Jacksonville. I do not recollect the date; some time in the year 1837, or 1838. I resided at that time in Duval county, and about ten miles from the place of rendezvous. I was not present at the first meeting of the company when the officers were elected. I joined the company, and was mustered into the service by Colonel Warren, at this place, a few days after the company was organized. I furnished my own horse, gun, and equipments. I kept a good horse in service all the time, for which I claim pay. I never permitted any one to use my horse for duty but myself. The first scout which was made by the company, I think all the men went on it; as well as I can recollect. After that scout, the company was divided into three parts, each commanded by a commissioned officer, and duty was done by these detachments alternately. I do not know that I ever missed any of my tours of duty. I was once out five days on a scout; generally the scouts lasted two or three days. We scouted on Deep creek, and near the St. Mary's river, and on the headwaters of Black creek, and sometimes down the creek near to Garey's Ferry. I cannot say how many miles we went. When not on duty, we would be at our homes, trying to make something to live on, and attending to our other affairs. I supplied myself with forage and subsistence, except once or twice. I got some provisions from an officer of the army at Black creek. I never saw any Indians on my scouts, but I saw plenty of signs. My father drew rations for his family, as "suffering inhabitants," but I do not know whether he drew any for me or not; I do not think he did. I never employed a substitute. I did not belong to any other company at the time I belonged to Captain Bush's. The company was discharged at this place, by Colonel Warren.



I do not recollect the date. I have seen the company altogether several times, I think, for the purpose of being mustered in and out of service. I have never received any pay for this service. James Roberts commanded the detachment to which I belonged.

his  
URIAH + ROBERTS.  
mark.

Sworn to, and subscribed at Jacksonville, Florida, January 19, 1844,  
before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

William A. Andrews, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a private in the company of mounted men commanded by Captain I. Bush in the year 1838. The company first met to organize at the house of Captain Bush, about three miles from my place of residence, in Jacksonville. I was present and mounted at the time the company was organized; but I cannot say how many of the men were present on that occasion. I furnished my own horse, gun, and equipage. I kept a good horse all the time I served in Captain Bush's company, and I did not permit any one to ride the horse but myself. The officers were elected by the men of the company, and the company was mustered into service at this place by Colonel Warren. As well as I can now remember, as soon as the company was mustered into the service, it was ordered out on a scout. I went myself, but I do not know how many men were along; we were out about three or four days. After the first scout, the company was divided into three detachments, and duty was done alternately by these detachments. I belonged to the detachment commanded by the captain. I went out whenever the captain would go; and I think he went out about once every two weeks. We would stay out sometimes three days, sometimes four or five; I do not recollect the places where we scouted. I never saw any Indians on my scouts, but I saw some signs, I think, once; I do not recollect where I saw them. I once drew two days' rations at Black creek; with the exception of that I supplied myself. I never employed a substitute; I did not belong to any other company at the time I was a member of Captain Bush's; I was in his company twelve months. The company was discharged at Jacksonville by Colonel Warren; I was present. I have never received any pay for this service.

WILLIAM A. ANDREWS.

Sworn to and subscribed at Jacksonville, Florida, January 19, 1844,  
before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*



William Hull, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a private in Captain Bush's company of mounted militia in the year 1838. The company first met to organize at the house of Captain Bush, in Duval county, two miles and three-fourths from Jacksonville; distant from my residence, in the same county, one mile and three-fourths. I was present and mounted. I do not recollect the date, or the year of service. Upwards of fifty men were present. I know that I served two terms of six months each. I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept during my whole term of service. No other member of the company performed his duty with my horse. The officers and non-commissioned officers were elected by the men of the company at the first meeting. The captain ordered me to be ready for service at a minute's warning. Either the first or second day I went with the captain, and, I think, twenty-five men, and remained out four days; and went to the headwaters of Black creek, distant thirty or forty miles. I went on scouts every second week with from twenty-five to thirty men, remaining out three and four days, and once five days, examining the headwaters of Black creek and the south prong of St. Mary's river. I never saw Indians, but I saw signs of them twice; once four different sized moccasin tracks on the headwaters of Black creek, and again a single moccasin track near the bridge over Black creek, thirty miles from Jacksonville. I do not recollect whether any depredations were committed near Jacksonville during the service. I performed duty in this manner during the twelve months. When not on scouting duty I remained at my home. I drew two days' forage and subsistence from an officer at Black creek; with this exception, I furnished my own forage and subsistence. I never received a furlough or furnished a substitute. I did not belong to any other company during the time my name appears on Captain Bush's rolls. At the expiration of the first six months, the company was mustered by Colonel John Warren at Jacksonville. The company was discharged at the expiration of the second six months by the captain at Jacksonville. I was present at both meetings and answered to my name. I do not recollect the dates. I have never received pay for the service. Except the meetings for organization and discharge, I never saw the company embodied.

his  
WILLIAM + HULL.  
mark.

Sworn and subscribed to at Jacksonville, Duval county, Florida,  
19th day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Stephen Hull, of Columbia county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thom-

as, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a private in Captain Bush's company of mounted men. The company first met to organize at the house of Captain Bush, on King's road, about three miles from Jacksonville, in Duval county. I was mounted and present at that meeting. I do not recollect how many of the company were present on that occasion. The officers of the company were, I think, elected at that time. I furnished my own horse, gun, and equipments. I kept a horse in my service all the time, for which I claim pay; no person but myself used this horse for duty. I resided at that time about half a mile from Jacksonville, on the King's road. I do not recollect the date of this service. The company did not occupy any regular stations, but the men remained at their homes until called on for duty.

After the company was organized it was divided into two parts, and orders were given by the captain that scouting should be done by these parts alternately, one party going out one week, and the other party the next week. Duty was performed very regularly during all our service in this way. I was in service twelve months, and I only, to the best of my recollection at this time, missed one tour of duty. I did not, during my service, see any Indians. The scouts extended to the south prong of the St. Mary's river, and, up that prong, to the south prong pond, and from there we would go to the headwaters of the north prong of Black creek, and back to the place of rendezvous. We would remain out from three to four days. On one scout we went as far as Fort Harlee, or near there, on the Santa Fe river. We supplied ourselves with forage and subsistence, except for some days, which we drew for at Black creek. My family once drew rations as "suffering inhabitants." I do not recollect whether I drew rations at the time of this service or not. I never employed a substitute. When not on duty I would remain at home attending to my business. No depredations were committed by the Indians, during this service, in our vicinity. The company was discharged at Jacksonville by Colonel Warren. I was not present. I have never received any pay for this service.

his  
STEPHEN + HULL.  
mark.

Sworn to and subscribed, at Jacksonville, Florida, January 19, 1844,  
before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Samuel Swearingen, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in both of Capt. Isaac Bush's companies of mounted volunteers, in the year 1838. The company first met to organize at Jacksonville, where it was mustered by Colonel J. Warren, Florida militia, between

the 20th and 31st of January, 1838. I was not present at the meeting, but came to the place the same evening; having previously joined the company, by informing the captain that I would belong to it. I then resided in Nassau county, thirty-six miles from Jacksonville. I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept in service during the whole period. No one used my horse, at any time, to perform his duty in the company. The first duty I performed was to go out with the captain and the company on a scout, which lasted, I think, five days. He, the captain, then gave me the charge of the men of the company who lived in Nassau county, within two miles of the St. Mary's river, ten in number, with orders to examine the country on the St. Mary's river, Brandy branch, Big creek, and as far as the south prong of the St. Mary's river. This detachment were sent as often as twice in every month, remaining out four, five, and six days, and once eight days. The scouts went out to see if any Indians were in the country, and to give protection to the settlements. I never saw Indians, but once saw where a party had encamped, three or four days previously. The camp was between Big creek and the south prong of the St. Mary's river. During this service the Indians wounded Mr. David Lang, about twenty miles from the settlement. When not on scouting duty, I remained at my home. I never received a furlough, or furnished a substitute. I furnished my own forage and subsistence, as did all the men of the detachment I had charge of. I did not belong to any other company during the time my name is borne on Captain Bush's rolls. The company was discharged at Jacksonville in January, 1839, by Colonel J. Warren. I was not present, but the following day presented my detachment to Colonel Warren. I have never received pay for this service. I never saw the company embodied at any one time, except at the first meeting.

## SWEARINGEN.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

G. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Stephen Williamson, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Isaac Bush's first company of mounted volunteers, in the year 1838. The company first met to organize at Jacksonville—the date I do not recollect—distant from my residence in Duval county, twelve miles. I was not present. I joined the company on the first scout made by the party under First Lieutenant Allen, at Mr. McCormack's, twelve miles from this place. Before the organization, the captain came to my house and I told him to put my name on his roll. I furnished my own horse, gun, and equipments; my horse was a pretty good one, which I kept in service during the whole period. Arthur Burney used my horse to per-

form his duty on one scout, which lasted six days. During the six months I went on scouts three different times, under the First Lieutenant, remaining out four and five days, going to the headwaters of Black creek. I never saw Indians, nor did I see any fresh signs of where they had been. When not on scouting duty, I remained at home, attending to my business. I furnished my own forage and subsistence. I never received a furlough, or furnished a substitute. I did not belong to any other company during the time my name appears on Captain Bush's roll. The company was discharged at Jacksonville by Colonel Warren; the date I do not recollect. I was present, and answered to my name. Besides this meeting, I saw the company embodied on the first scout. I have never received pay for this service. I claim to have belonged to the company during the second six months' service, although my name does not appear on the roll before the board.

his  
STEPHEN + WILLIAMSON.  
mark.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 22d day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Messrs. Holmes and Canova were appointed by the governor of Florida, under a resolution of the legislature, in 1845, to take additional testimony. The following depositions were taken by these commissioners:

JACKSONVILLE, November 6, 1845.

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Captain Isaac Bush, who, being duly sworn, declares on oath that he was captain of a company of mounted militia, in 1838; was mustered into service at Jacksonville, on the 23d day of January, 1838; by Colonel John Warren; that his company was full, of good men, mounted upon good and sufficient horses; that the men were all able-bodied, and such as are usually received into the United States service; that it was generally understood that Colonel John Warren had sufficient authority to call troops into service, from the fact of his being colonel in the service of the United States, and of the territorial militia; that he deemed the service at that time absolutely necessary for the protection of the frontier; that previous to the service, and for some time after, frequent depredations were committed; many of the families were compelled to abandon their homes, and the people generally were in a great state of alarm; that he does not think the people could have maintained their homes without the service and protection of the troops; that his company was stationed in three different stations, under command of different officers, and performed service by scouting alternately; that he served, previous to the formation of his company, in the United States service, and that he performed more actual hard service, (as also did his company,) than when he was in the United States service; that he was mustered out on the 23d day of July, 1838; by Colonel John War-

ren, at Jacksonville, and mustered into service again by the same, and on the same day, and under his orders, continued the service in the same mode, manner, and to the same extent; that the continuance of this service was essentially necessary, from Indian signs discovered while out on scouts; that the company was discharged by him, under the orders of Col. John Warren, on the 23d day of January, 1839; that he paid for corn, during this time, one dollar and fifty cents per bushel, fodder one dollar and fifty cents per cwt., flour ten dollars per barrel; other articles of subsistence were generally high.

ISAAC BUSH.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1846.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared S. D. Allen, who, being duly sworn, declares on oath that he was first sergeant of Captain Bush's company of mounted militia; was mustered into service at Jacksonville, on or about the 24th day of January, 1838, by Colonel John Warren; was mustered out again on or about the 24th of July, 1838, and mustered in again the same day by the said Colonel Warren, to serve six months, at the expiration of which time he was discharged by Captain Bush, the captain of said company; that he had a good horse and equipments during the whole of this period, and served as a mounted man, the whole time, together with the rest of the company; that the whole of the men performed good service, and that the companies were both full companies; the companies were divided into three different detachments, under command of different officers, and that scouts were alternately kept out; that he had served in the United States service some six months, and that he performed much more service in Captain Bush's company than he ever did in the United States service; and that the service was essentially necessary, as the Indians had committed frequent depredations, and had compelled many of the inhabitants to abandon their homes; that had it not been for the militia, they would not have returned to their homes, and that many other settlers would have been compelled to fly for protection; that frequent Indian signs were discovered while on scouts; that he paid for flour, during this time, fifteen dollars per barrel, pork 18½ cents per pound; other articles of subsistence were high in proportion.

S. D. ALLEN.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 7, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared James McCormick, who, being duly sworn, declares on oath: That he resided near Jacksonville, in this neighborhood, in the year 1838; that he is personally acquainted with Captain Bush; that he believes that Captain Bush's company was regularly mustered into service at this place, in the

year 1838, by Colonel John Warren; that he had a full company; that they did good and efficient service for the protection of the country; has been with the scouts at different times, for his own satisfaction, as one of the settlers of the neighborhood; that he knows of frequent Indian signs, and incursions of the Indians, previous to the mustering of these companies; that he was broken up, and many other families evacuated their homes; that many individuals were killed, and others wounded, in the neighborhood, before the existence of these companies; he knows that after the discharge of these companies, the United States found it necessary to garrison the post at Barber's; and the settlers were greatly alarmed and insecure in their homesteads; that he was personally present at the taking of four Indians at Brandy branch, previous to the forming of these companies.

JAS. McCORMICK.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Samuel Swearingen, who being duly sworn, declares on oath: That he was a private in Captain Bush's company of mounted militia in 1838; was mustered into service at Jacksonville on the 24th day of January, 1838, by Colonel John Warren, and was mustered out on the 23d day of July, 1838, by the said Colonel Warren; that on the 24th day of July, 1838, he was mustered in again, and was discharged six months after that period, by the captain of said company; that he had a good horse and equipments and sword, as a mounted man, during the whole period; that service was performed by detached parties, commanded by different officers; that he has been in the United States service, and that he performed as much service while in Captain Bush's company, as he did while in the United States service. The service was absolutely necessary, as the Indians committed depredations not a great distance from this place; even while the company was out scouting, some of the neighbors were killed and others wounded; that the people could not have maintained their homes, but for the protection obtained from the militia; that the men performed good service, as much as is usual in other companies; that the company was a full company; that corn was worth \$1 50 per bushel; fodder was worth \$2 per cwt.; coffee was worth \$20 per cwt.; sugar was worth \$16 per cwt.; bacon was worth 25 cents per pound; rice was worth \$5 per cwt. Other articles of subsistence were high.

SAMUEL SWEARINGEN.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared William S. Harris, who, being duly sworn, declares on oath: That he was a private in Captain Bush's company of mounted militia in 1838; was



mustered into service at Jacksonville some time in January, 1838, by Colonel John Warren, and was mustered out again in July, by said Colonel Warren, and was mustered in the same day to serve another six months' term; was, at the expiration of that time, discharged by the captain of said company; that he was well mounted during the whole period, and that he served as a mounted man, together with the rest of the company, who were all mounted; that the company was a full company; that the company performed two scouts embodied; that subsequently the company performed service in three detached parties, commanded by different officers. The scouts were regularly kept out; that he was in the United States service three months; that he did not perform as much actual service in the United States service as he did while in Captain Bush's company, and that the company, generally, performed good service. The service was essentially necessary; as the Indians had committed depredations, and continued to do so, and frequent Indian signs were discovered while out on scouts. The inhabitants could not have maintained their homes, but for the protection afforded by the militia; that he paid for corn during the time of service, \$1 50; \$1 50 for hay; rice, \$4 50 per cwt.; bacon, from 12 to 18 cents per pound; coffee, 20 cents per pound; sugar, from 12 to 16 cents per pound. Other articles of subsistence were high in proportion.

W. S. HARRIS.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

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JACKSONVILLE, *November 7, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared Captain John Price, who, being duly sworn, declares on oath: That he was acquainted with the existence of Captain Bush's company; has met them out while scouting, and believes that Captain Bush, with his company, did necessary and essential service for the protection of the settlements; that he believes, from the statement of Colonel John Warren, that Captain Bush's company was regularly mustered into service by him, Colonel John Warren, and that they did as good service as troops in the service of the United States.

JOHN PRICE.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

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JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared William Hull, who, being duly sworn, declares on oath: That he was a private in Captain Bush's company of mounted militia in 1838; was mustered into service at Jacksonville on or about the 24th day of January, 1838, by Colonel John Warren, and was mustered out on or about the 24th of July, 1838, by the aforesaid Colonel Warren, and mustered in again on the same day, to serve another six months; was, at the

expiration of the six months, discharged by the captain of said company; that he had a good horse and equipments during this whole period, and served as a mounted man; that the company performed service, in detached parties, under the command of different officers; that scouts were regularly kept up; that he served in the United States service twelve months, and that he did not perform as much actual service while in the United States service as he did while in Captain Bush's company.

The service was essentially necessary, as the Indians had committed depredations, and continued to do so even while they were in service; that some of his neighbors were killed and wounded, and that the inhabitants generally could not have maintained their homes but for the protection afforded them by the militia. The men generally performed good service—as much so as is usual in companies; that he paid \$1 50 per bushel for corn, \$2 per cwt. for fodder, \$16 per cwt. for sugar, \$20 for coffee per cwt., bacon \$25 per cwt., rice \$6 and \$7 per cwt. Provisions generally were very high at that time.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

his  
WILLIAM + HULL.  
mark.

JACKSONVILLE, *November 6, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared Manuel Mott, who, being duly sworn, declares on oath: That he was a private in Captain Bush's company of mounted militia in 1838; was mustered into service at Jacksonville on the 24th day of January, 1838, by Colonel John Warren, and was mustered out on the 23d day of July, 1838, and again mustered for a second term of service, under Captain Bush, the same day, by the said Colonel John Warren, and served six months, and again discharged by the captain; that he had a good horse and equipments during the whole term of service; that both companies were full and complete; that the service was performed by detachments under command of officers, scouting in different sections; that he had been in the United States service three months, previous; that he did more and harder service while under Captain Bush than when in the United States; that the service was necessary, as frequent incursions had been made by the Indians, and many families broken up—some being wounded and others killed. The men generally performed good service; that provisions, forage, and subsistence were extremely high during this period; that he paid at the rate of \$15 per barrel for flour, and \$3 per bag for corn.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

his  
MANUEL + MOTT.  
mark.

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared John Roberts, junior, who, being duly sworn, declares on oath: That he

was fourth sergeant in Captain Bush's company of mounted militia in 1838; was mustered into service at Jacksonville, on the 24th day of January, 1838, by Colonel John Warren, and was mustered out again about the 24th day of July, 1838, by the said Colonel Warren; was mustered in again on the same day, to serve six months; was, at the expiration of the six months, discharged by the captain of the said company; that he had a good horse and equipments during the whole of that period, and served as a mounted man during the whole of that time; that the company was a full company; that the company performed two or three scouts embodied, and subsequently performed service in three detachments, commanded by different officers; the scouts were alternately kept out; that he was in the United States service two or three years; that he performed more actual service while in Captain Bush's company than he did while in the United States, or as much as troops generally do; that the service was actually necessary, as the Indians had committed depredations, and continued to do so even while the company performed service. Many of the inhabitants were compelled to abandon their homes, and would not have returned but for the protection afforded by the militia; that, to the best of his knowledge, the men all performed good service; that he paid for corn, during his term of service, \$3 per bag. Hay was worth from \$2 to \$2 50 per cwt.; that he paid from 16 to 20 cents per pound for coffee; sugar, from 12 to 14 cents per pound. Other articles of subsistence were high in proportion.

JOHN ROBERTS.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Captain Thomas Suarez, who being duly sworn, declares on oath: That he was acquainted with Captain Bush and his company, in the year 1838; that he was present when Bush's company was mustered into service, by Colonel John Warren, at Jacksonville; that he believes that he had a full company of good and efficient men mounted on good and sufficient horses; that he is well acquainted with the service performed by that company, and knows that it was good, efficient, and essential to the safety of the people on the frontier; that the service was as good as companies performed when in the service of the United States; that he was acquainted with nearly every man in Captain Bush's company, and believes that his muster roll was correct.

THOS. SUAREZ.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared William Hickman, who being duly sworn, declares on oath: That he resided at Jacksonville in the year 1838; is personally acquainted with Captains Price,

Bush, and Suarez; believes them to be correct and responsible men; and fully believes that Captains Price and Bush, with their companies, performed good service, and that this service was necessary to the protection of the country. Depredations having been committed by the Indians in the neighborhood, several families were broken up and their homes evacuated; some of the settlers killed and others wounded, and that he fully believes this service essential for the protection of the country; that he can state nothing in relation to Captain Suarez's company, not knowing anything to the contrary of their doing good service, and knows nothing of their being mustered in or out of service.

WILLIAM HICKMAN.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

Notwithstanding this testimony, Captain Waggaman and Major Thomas submitted the following statement;

*Statement in reference to Captain Isaac Bush's company, in service in 1838.*

Captain Bush presents a claim for services, commencing January 20, 1838, and ending January 25, 1839; a period of twelve months.

This company was raised by an order from Colonel John Warren, the militia colonel of Duval county, dated December 27, 1837, which order was doubtless subsequently written and ante-dated. Colonel Warren had no authority from the governor of the Territory for calling out this force; nor could he derive any from the act of the legislature, authorizing a local commander to call out a force in cases of emergency, as the part of the country in which this force was raised and pretends to have acted was unmolested by Indians, the only depredations by Indians having been committed more than twelve months previous to the organization of the company.

This company, which was composed of the citizens residing in the counties of Duval and Nassau, was evidently raised solely with the view of being mustered into the service of the United States, which could not be effected.

According to one muster roll, the company consisted of 1 captain, 2 lieutenants, 4 sergeants, 4 corporals, and 57 privates—aggregate, 68; another roll gives 1 captain, 2 lieutenants, 4 sergeants, 4 corporals, and 72 privates—aggregate, 83; another roll gives 1 captain, 2 lieutenants, 4 sergeants, 4 corporals, and 63 privates—aggregate, 74.

These rolls were all made out some time after the service was said to have been rendered, and were laid before a former board of officers, together with other papers. Very little dependence can be placed in them, as they appear to have been made out by other persons than the captain.

According to the statement of the captain, he had no regular system of doing duty, and he is uncertain as to the quantity performed; and he states that the company occupied no regular stations, and that ten of his men resided in Nassau county, some distance from his place of residence. The men, when not on duty, were permitted to remain at their homes, attending to their usual business, and it is quite evident that little or no duty was performed by them.

No necessity existed for the service of this company, for the frontier on which the men say they scouted was guarded by Captain J. L. Thigpen's company, and also by regular troops stationed at Black creek, the principal depot, deemed to be sufficient for its defence and protection.

Some few supplies were drawn by this company at Black creek, from an officer of the United States army; the exact amount is not known.

The company does not appear ever to have been embodied, except, perhaps, at the time when it was said to have been mustered by Colonel Warren; of which, however, there is much doubt.

The claim of this company is entitled to no consideration whatever.

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

WASHINGTON, D. C., February, 1844.

Their duty, as defined by the resolution under which they were appointed by the Secretary of War, would seem to have been; *to take and certify proof*. Whether there is the slightest proof in the depositions returned and certified by them, to authorize their *statement*, is submitted to the candid consideration of the House.

#### CAPTAIN PRICE'S COMPANY.

The following depositions were taken and certified by Captain Wagaman and Major Thomas, as to the service of this company:

John Price, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Wagaman, commissary of subsistence, says:

I was the captain of a company of mounted men in the year 1838. The company was composed of volunteers from Duval and Nassau counties, and was not a regularly organized company of the militia of the Territory. The company was raised and organized under a written order from Colonel Jno. Warren, which order, together with all the papers relating to my company, I delivered to a board of officers some time since. Previous to organizing my company no depredations were committed by the Indians in this county; but I had reason to suppose that Indians were continually passing through to the Okefenokee swamp, their usual pass-way to that swamp being through Duval and Nassau, and about sixteen or eighteen miles west from Jacksonville. This part of the country is filled with hammocks and bay-swamps, affording good hiding-places for Indians.

At the time I raised my company, I am under the impression there were some regular troops stationed at Black creek; and besides my company, Captain Bush had a company in service in the same county. I cannot say whether all these troops were necessary or not, but I suppose Colonel Warren did think so, he being the officer who ordered them into service.

I designated my house as the place of rendezvous for the company. All the men of my company were not present when it first met; it was organ-

ized and afterwards was mustered into service by Colonel Warren, at the town of Jacksonville, on the 20th January, 1838. I do not think all the men were present on that occasion, but all joined in a few days after.

The officers were elected by the men of the company, and the non-commissioned officers were appointed by the officers. The officers did not receive commissions from the governor of the Territory.

The men, when assembled, were mounted on good horses, and each man was armed and equipped for service.

The roll of my company, now in possession of the board, is a true one of my company, except that the name of Private Samuel Simmons should be Samuel Summers. I think it was made out at Jacksonville—I do not recollect by whom; but it was complete when I signed it, and I think I signed duplicate rolls. I gave one of the rolls to a Mr. Dorman, an attorney in St. Augustine; the other I gave to a board of officers who were engaged in the investigation of Florida claims. I have not seen either of the rolls since.

All my men were mustered into the service of the United States, either before or after this service, by Lieutenant Watson of the United States army, at this place.

After my company was organized, I received verbal instructions from Colonel Warren to keep up a scout, once a week, in the county: I divided the company into three detachments, and placed each under the command of an officer, and scouting duty was done by them alternately, each one going out every third week. I designated Cedar creek as the place of rendezvous of the detachment which I commanded, and, to see that all the men were present, I had a roll-call by the orderly sergeant, and the men generally attended; the duties, I think, fell equally on the different members of the company. The scouts generally remained out some two, three and four days at a time, and the scouts would go to the headwaters of Deep creek, on Black creek and Yellow Water, and on McGirt's creek, and back to the place of rendezvous, being a distance, in a direct line, of about eighteen or twenty miles.

I did not see any Indians on my scouts, but I saw some signs which were supposed by the men to be Indian signs; I think my lieutenants reported to me some signs which they had seen. When the men were not on duty, they remained at their homes, attending to their little farms. I had my company embodied on two occasions at Black creek, when I offered it to Colonel Twiggs for muster into the service of the United States; but he informed me that he was not authorized to receive it, or he would be glad to do so.

I did not grant any furloughs to any men; I received no substitutes. I made some written reports, once a week, to Colonel Warren; my lieutenants would report to me. My company was not inspected by any officer, except when mustered in and out of the service by Colonel Warren. I drew ten days' rations of forage and subsistence for my whole company; with that exception, the men supplied themselves. I incurred no expenses for medical advice or supplies, or for camp and garrison equipage, or for transportation. One horse, the property of James McCormick, was lost while on a scout. None of my men died during the service.

My company was mustered out by Colonel Warren on the 20th of July, 1838, at Jacksonville; I think all the men but one or two were present; the roll was called by my order. I have never received any pay for this



service. Privates L. Bush, John Carr, George Roath, John Stratton, have died since the service was performed.

At the time Colonel Warren mustered my company into service, he was in the service of the United States,

JOHN PRICE.

Sworn to and subscribed at Jacksonville, Florida, January 24, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Thomas Suarez, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was the first lieutenant of a company of mounted volunteers, commanded by Captain John Price, in the year 1838. The company first met to organize at the house of the captain, five miles from Jacksonville, in Duval county, and one from my residence, in the same county. I was present and mounted. I think the whole company was present. The meeting took place January 19, 1838. The officers and non-commissioned officers were elected at the time. The next day the company was marched to Jacksonville, when it was mustered by Colonel J. Warren. I furnished my own horse, gun, and equipments. My horse was a good one, which I kept in service during the whole period.

The captain ordered me on a scout a few days after the meeting for muster, with about twenty-five men. Twice I went on scouts with the whole company, usually about once a fortnight. I went on scouts with fifteen and twenty men, constituting my regular detachments, remaining out two and three days, and once five days; examining the country around the headwaters of Black creek and the St. Mary's river, and once to Turkey creek, the head of New river, about twenty-five miles. The distance to Turkey creek is thirty-five or forty miles. I never saw Indians, but twice saw fresh signs of them—once at Turkey creek, and once at the house of Mr. Tiffins. No depredations were committed by Indians during this service. When not on scouting duty, the men remained at their homes attending to their own business.

I always, after returning from a scout, made a written or verbal report to the captain. I never granted any furloughs or received any substitutes.

I drew ten days' forage and subsistence from an officer of the army at Black creek; with this exception, I furnished my own forage and subsistence.

The company was discharged at Jacksonville, July 20, 1838, by Colonel Warren: I was present. The men were paraded and the roll called. The men, I think, were all present. I have never received pay for this service. I saw the company embodied three times, besides the first and last meeting. I never received a commission from the governor of Florida for this service.

THOMAS SUAREZ,

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 25th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

James A. Pickett, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was the second lieutenant of Captain John Price's company of mounted volunteers in 1838. The company first met to organize at the house of the captain, five miles from Jacksonville, in Duval county, distant from my then residence in the same county one mile. I was present, and nearly all the company were present. The meeting took place a few days before the company was mustered by Colonel John Warren, the 20th of January, 1838. The officers and non-commissioned officers were elected at the meeting by the men of the company. I was elected the second lieutenant. I furnished my own horse, gun, and equipments. My horse was a good one, which I kept during the whole service. No other member of the company, at any time, performed duty with my horse. The men were generally mounted on good horses; and each man furnished his gun and equipments.

The company was raised in consequence of Colonel Warren saying to the captain that, if it was raised, he thought it would be mustered into the United States service. A petition was at the same time sent to General Jesup, requesting him to order the company into service, as the country was unprotected, and Indians had made their appearance. No depredations had, however, been committed, that I recollect of.

The company met at Jacksonville, where Colonel Warren mustered it, January 20, 1838, into the service of the Territory. He directed the company to return and keep up scouts.

The company was divided by the captain into three parts, each under a commissioned officer, with directions to scout alternately every third week. I ordered out my detachment, assembling the men at Cedar creek, having the roll called to see that all were present; except when the men were sick, they always attended. I stayed out two, three, and once four days, going to a distance of from fifteen to thirty miles, examining the country on the headwaters of Black creek, Deep creek, and some of the branches of the St. Mary's river. I never saw Indians; but about three times saw moccason tracks, and where Indians had encamped.

When not on scouting duty the men were permitted to remain at their respective homes. I remained at my home attending to my business. After returning from a tour of duty, I made a verbal report to the captain. I never received a furlough, nor did I grant any. I never furnished a substitute, nor did I receive any. I drew ten days' forage and subsistence from an officer of the army at Black creek, as did each man of the company. With this exception, I furnished my own forage and subsistence.

The company was discharged at Jacksonville, July 20, 1838, by Colonel Warren. The company was paraded for the purpose. I was present, and

answered to my name. I think all the men were present. Except the first and last meeting, I never saw the company embodied. I have never received pay for this service.

J. A. PICKETT.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 19th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary Subsistence.*

Miles Price, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence; says: I was the first sergeant of Captain John Price's company of mounted volunteers, in the year 1838. The company met to organize at the house of the captain, five miles from Jacksonville, Duval county, where I then resided. I was present at the meeting, and mounted, but the date I do not recollect. The officers and non-commissioned officers were elected at the meeting, by the men of the company; I was elected the first sergeant. The company was raised in consequence of there being no troops stationed within the county of Duval; and I consider it was necessary for the protection of the inhabitants. I think the captain had an order to raise the company from Colonel John Warren, of the Florida militia. Just previous to this time, a party of Indians stole horses from Mr. Eubanks, eight and a half miles from Jacksonville. This was in the last of 1836 or first of 1837. The apprehensions were that the Indians would come into the settlement, as they had done so at a previous time. I furnished my own horse, gear and equipments. My horse was a very good one, which I kept during the whole of my service. No other member of the company, at any time, used my horse to do any part of his duty. The captain divided the company into three detachments, each under the command of an officer. I belonged to the detachment under the second lieutenant, which went on scouting duty every third week; twice the detachments were united, and most of the men of the company went out. I always went out with my detachment, remaining out two, three and four days; examining the country on the headwaters of the Black creek, and to Brandy branch, going to a distance of from fifteen to thirty miles. I never saw Indians, but once saw signs of where they had been; being a camp built with palmettoes, in a bog swamp, eight miles from Black creek. When not on scouting duty, I remained at my home. I drew from an officer of the army, at Black creek, ten days' forage and subsistence; with this exception, I furnished my own forage and subsistence. The whole company drew ten days' forage and subsistence. I never received a furlough or furnished a substitute. I did not belong to any other company during the time my name is borne on Captain Price's roll. The company was discharged at Jacksonville by Colonel John Warren, I think, the 18th of July, 1838. I was present, and called the roll. One of the men was absent. Besides the first and last meeting, the company was embodied at Black creek, when the captain

offered it for muster into the service of the United States, which was not done. I called the roll whenever the detachment I belonged to was called together; occasionally a man was absent. I have never received pay for this service.

MILES PRICE.

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 20th day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Charles Green, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a sergeant in Captain John Price's company of mounted volunteers. The year I do not recollect. The company first met to organize at the house of the captain, six miles from Jacksonville, in Duval county; distance from my residence, in the same county, eight miles. The officers were elected by the men of the company, at this meeting; I was present, and mounted. I was elected as sergeant at a subsequent meeting. I furnished my own horse, gun and equipments. My horse was a good one, and capable of the service, which I kept during the whole of my term of service. A few days after the organization, the company, under the captain, went on a scout, which lasted one day. The company was then divided into three detachments, each under an officer. I belonged to the detachment under the first lieutenant, which went out every third week. I always went when my turn came round, once in three weeks. The detachment remained out two and three days; and once four days; examining the country from Cedar creek, twenty-five and thirty miles, to the headwaters of Black creek, Brandy branch and Big creek. I never saw Indians on these scouts, but four times saw fresh signs of where they had been. When not on scouting duty, I remained at my home. I never received a furlough or furnished a substitute. I did not belong to any other company during the time my name is borne on Captain Price's roll. I drew ten days' forage and subsistence, from an officer of the army, at Black creek; with this exception, I furnished my own forage and subsistence. The company was discharged, at the end of six months, in the town of Jacksonville, by Colonel Warren. I was present; and answered to my name. I have never received pay for this service.

his  
CHARLES + GREEN.  
mark.

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Elijah Higginbotham, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a corporal in Captain John Price's company of mounted volunteers, in the year 1838. The company first met to organize at the house of the captain, in Duval county, about five miles from Jacksonville, from seven to eight miles from my residence, in the same county. I do not recollect the date, but it was in 1838. I was present at the meeting and mounted. Except a few men, I think the company were all present. The officers and non-commissioned officers were elected by the men of the company at this meeting. I was elected a corporal. I furnished my own horse, gun, and equipments. My horse was a good one, and I kept a horse during the whole of the service, and I think the same one.

After the first meeting the captain marched the company to Jacksonville, where it was mustered by Colonel John Warren. I went on scouts once every two weeks, on an average, with from ten to twenty men, remaining out two, three, and four days, examining the country from twenty to twenty-five miles on the headwaters of Black creek and St. Mary's river. I never saw Indians but at one time, when I saw one on McGirt's creek. As many as three or four times I saw fresh signs two or three days old, and some older. When not on scouting duty I remained at my home on the frontier of the county, attending to my business. I drew eight or ten days' forage and subsistence at Black creek, from an officer of the army; with this exception, I furnished my own forage and subsistence. I never received a furlough, or furnished a substitute. I did not belong to any other company during the time my name is borne on Captain Price's roll.

The company was discharged by Colonel John Warren, at Jacksonville; I do not recollect the date. I was present at the meeting and answered to my name. I think I saw the company embodied three or four times. I never received pay for this service.

his  
ELIJAH — HIGGINBOTHAM.  
mark.

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 20th day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Henry Christy, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a private in Captain John Price's company of mounted volunteers, in the year 1838. The company first met to organize, I think, at Jacksonville; the date I do not recollect. I was present and mounted, distant from my then residence, in Duval county, about eleven miles. I do not recollect how the officers and non-commissioned officers were appointed. I furnished my own horse, gun, and equipments. My



horse was a very good one, which I kept in service during the whole period. No other member of the company used my horse, at any time, to do any part of his duty.

A few days after the organization I went with, I think, nearly the whole company on a scout which lasted three or four days. I went on from two to three scouts a month, remaining out three, four, and five days, going to the heads of Black creek and Deep creek, a distance of thirty-five miles. I never saw Indians; but three or four different times saw signs of them, such as moccason tracks, and camps. When not on scouting duty, I remained at my home attending to my business. I never received a furlough, or furnished a substitute. I did not belong to any other company during the time my name appears on Captain Price's roll. I once drew ten days' rations and forage from an officer of the army at Black creek. With this exception, I furnished my own forage and subsistence.

The company was discharged by Colonel J. Warren, at Jacksonville, or at Mr. Picket's, five miles distant from that place; the date I do not recollect, though after a period of six months' service. I was present and answered to my name. Altogether I saw the company embodied six different times. I have never received pay for this service.

his  
HENRY + CHRISTY.  
mark.

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

A. J. Higginbotham, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain John Price's company of mounted volunteers, in the year 1838. The company first met to organize in the town of Jacksonville, Duval county, distant from my residence, in the same county, twelve miles. I do not recollect the date. I was present and mounted. The officers were elected at this meeting by the men of the company. I furnished my own horse, gun, and equipments. My horse was a good one, which I kept during the whole of my service.

I think the company was divided into detachments. I belonged to the detachment under the captain. A few days after the first meeting, I went on duty with about fifteen or twenty men. I went on scouts during the service as many as three or four times, remaining out one, two, three, four, and once five days, examining the country from Jacksonville to the heads of Deep creek and Black creek, from twenty to thirty miles. I never saw any Indians, but once saw tolerably fresh signs of them, such as an Indian encampment on the head of McGirt's creek. When not on scouting duty, I was permitted to remain at home, attending to my business. I drew



eight days' forage and subsistence from an officer of the army at Black creek; with this exception, I furnished my own forage and subsistence. I never received a formal furlough, or furnished a substitute. I did not belong to any other company during the time my name appears on Captain Price's roll. The company was discharged by Colonel John Warren, at Jacksonville, but the date I do not recollect. I was present, and answered to my name. I think the company was principally together at one time when rations were drawn at Black creek. I have never received pay for this service.

A. J. HIGGINBOTHAM.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 20th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

James McCormick, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in the company of mounted volunteers commanded by Captain Price. The company was organized at Captain Price's house, about five miles from Jacksonville, about the 20th of January, 1838. The company was mustered into service at Jacksonville, after it was organized, by Colonel Warren.

I was mounted and present on both these occasions, and I think all the men of the company were present. The officers of the company were elected at the meeting of the company at Captain Price's house. I furnished my own horse, gun, and equipments; and I kept a horse in service all the time that I belonged to the company. I did not lend my horse to any one to do duty on.

A short time after the organization, the company was divided into three parts, and duty was generally performed by these detachments, alternately; and I think nearly all the company went out on one occasion. The scouts remained out, generally, two days at a time. I scouted in the gap of St. Mary's river and Black creek. I did not see any Indians, but I saw some signs frequently. I was a pilot for the company, and always went with the detachments. I do not think I missed but once, and then I was sick.

I drew ten days' rations from some officer of the army at Black creek; with exception of that, I supplied myself. I never employed a substitute. I did not belong to any other company at the time I belonged to Captain Price's. The company was discharged at this place, Jacksonville, by Colonel Warren, about the 20th July, 1838. I have never received any pay for this service. The Indians did not commit any depredations within our limits during this service.

JAMES McCORMICK.

Sworn to and subscribed, at Jacksonville, East Florida, January 20, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*

G. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

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William Priest, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says :

I was a private in the mounted company of volunteers commanded by Captain Price. The company met at the house of Captain Price, for the purpose of organizing; I do not recollect the date; I was mounted and present, and most of the company were also present at the meeting held for the organization of the company. The officers and non-commissioned officers of the company were elected at the time of this meeting. I furnished my own horse, gun, and equipments, and I kept a good horse in my service all the time I was in Captain Price's company. After the organization, the company was divided into three detachments, each under the command of a commissioned officer, and duty in the field was performed by these detachments alternately. Our scouts extended between thirty and forty miles, and remained out generally two days at a time. I did not see any Indians on my scouts, but on two occasions I saw some signs.

When not on scouts, the men were at their homes attending to their crops, and whatever other business they might have.

We drew ten days' rations; with that exception we supplied ourselves.

I never employed a substitute. I did not belong to any other company at the time I was in Captain Price's.

The company was discharged at this place some time in 1838, by Colonel Warren; I was present.

I have never received any pay for this service.

WM. PRIEST.

Sworn to and subscribed at Jacksonville, East Florida, January 23, 1844, before

L. THOMAS,  
*Acting Adjutant General.*

GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

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John S. Pickett, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says :

I was private in the company of mounted men commanded by Captain Price. The company first met to organize at the house of Captain Price, about five miles from Jacksonville, and about one mile and a half from my

own home. I was mounted and present at the first meeting. I do not recollect how many of the men were present on that occasion. I think, although I am not positive, that the meeting was held on the 20th of January; I cannot say exactly what year. I furnished my own horse, gun, and equipments, and I kept a horse in my service all the time I was in Captain Price's company; no one but myself used this horse. The officers of the company were elected; I voted for them. The company did not occupy any regular station, but remained at home, holding itself in readiness for any duty when called on. Scouting duty was done by the company; sometimes all the men would go out under the captain, and sometimes a part of them would scout under command of the first lieutenant. I went out scouting about once in two weeks, and would be gone two days, and sometimes more than two days, and extended from the place of rendezvous about fifteen or twenty miles. I never saw any Indians; we saw what was supposed to be Indian signs, once or twice. The Indians committed no depredations during this service. When not on duty I was at home attending to my farming interest.

We supplied ourselves with forage and subsistence, except for about ten days, when we were supplied by Colonel Twiggs. I once drew rations as a suffering inhabitant, previous to this service. I never employed a substitute. I did not belong to any other company whilst I was a member of Captain Price's. I was six months in service in Captain Price's company.

The company was discharged at Jacksonville by Colonel Warren. I was present; I do not recollect the date.

I have never received any pay for this service.

JOHN S. RICKETT.

Sworn to and subscribed at Jacksonville, East Florida, January 20, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

William Turner, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major Thomas, Assistant Adjutant General, and Captain Geo. G. Waggaman, commissary of subsistence, says: I was a private in the company of Captain Price; I was not with the company when it was organized; I do not know when it met; I do not recollect the date of the meeting; I resided, at the time, in Nassau county, about sixteen miles from Jacksonville; I furnished my own horse, gun, and equipments, and I kept a horse in service all the time I was with Captain Price. I joined the company at the rendezvous at Cedar creek, some time after it was organized. The company was, I think, divided into three detachments, for the purpose of doing scouting duty; duty was performed by these detachments alternately; scouting was done in the gap of the Big and Black creeks, being about twenty miles from the place of rendezvous. We would remain out some two or three days; I never saw any Indians during my service. When not on scouts, I was at my home attending to my own affairs. I think we drew some eight or ten days' rations

from an officer of the army at Black creek ; with that exception we supplied ourselves. I never employed a substitute ; I did not belong to any other company at the time I was in Captain Price's ; I never had a furlough or leave of absence. The company was discharged at this place by Colonel Warren ; I was present. I have never received pay for this service.

WILLIAM TURNER.

Sworn to and subscribed at Jacksonville, Florida, January 23, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

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David Turner, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says : I was a private in Captain John Price's company of mounted volunteers in the year 1838. The company first met to organize, I think, January 20, 1838, at the town of Jacksonville, Duval county, about sixteen or seventeen miles from my residence, in the same county. I was present and mounted. The officers and non-commissioned officers were elected by the men of the company, I think, at this meeting. I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept in service during the entire period. No other member of the company, at any time, used my horse to do any of his duty. I went on scouting duty as many as four or five times, and perhaps oftener, with one or the other of the lieutenants, with from fifteen to twenty men, and would be absent as many as three days, examining the country from Cedar creek to the St. Mary's river, and to the head of Black creek, to a distance of from fifteen to twenty miles. I never saw Indians, nor did I see any fresh signs of them. When not on scouting duty, I was permitted to remain at home, attending to my business. I never received a furlough, or furnished a substitute, I did not belong to any other company during the time I was borne on Captain Price's roll. I drew ten days' subsistence for myself ; with this exception I furnished my own forage and subsistence. The company was discharged in August, I think, of 1838, at Jacksonville, by Colonel J. Warren. I was present and answered to my name. I have never received pay for this service.

DAVID TURNER.

Sworn and subscribed to at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

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Jesse Wilson, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas,

Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a private in Captain Price's company of mounted volunteers; do not recollect the date. The company first met at the house of Captain Price, five miles from Jacksonville, and seven miles from my place of residence, in Duval county. I was mounted and present; and, I think, nearly all the company were also present when the company was organized. I furnished my own horse, gun, and equipments; and I kept a good horse in my service all the period for which I claim pay. The company did not occupy any regular station; the men remained at home, when not on duty, attending to their business. I do not recollect that I ever saw all the company together on a scout; I think from ten to twenty would go out at one time, once and sometimes twice a week, according to the reports of signs of Indians. I went out sometimes once in two weeks, and sometimes once in three weeks. I remained out some two or three days at a time. Scouting was done in the gap of the St. Mary's river and Black creek. I did not see any Indians, but I saw some signs. I drew ten days' rations in this service from Colonel Twiggs, at Black creek; with the exception of this I supplied myself. I never employed a substitute. I did not belong to any other company while borne on the roll of Captain Price. The company was discharged at Jacksonville, by Colonel Warren; I was present. I have never received any pay for this service.

his  
JESSE + WILSON.  
mark.

Sworn to and subscribed at Jacksonville, E. F., January 20, 1844,  
before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

And the following is their statement:

*Statement in reference to Captain John Price's company, in service in 1838.*

WASHINGTON, D. C., February, 1844.

Captain John Price presents a claim for services of his company, from January 20 to July 20, 1838, a period of six months.

The company was raised by an order from Colonel John Warren, the colonel of the militia of Duval and Nassau counties, dated December 26, 1837, which order was, doubtless, subsequently written and ante-dated. Colonel Warren had no authority from the governor of Florida for calling out this force; nor could he derive any from the act of the legislative council, authorizing a local militia commander to call out a force, in cases of emergency, as the part of the country in which this force was raised, and pretended to have served, was unhosted by the Indians; the only depredations by them having been committed more than twelve months previous to the organization of this force.

The company, which was composed of persons residing in and about

Jacksonville, was evidently raised solely for the purpose of being received into the service of the United States, which was not effected.

The muster-rolls, four in number, appear to have been made out some time after the service was said to have been performed, and all but one of them laid before a former board. Two only are signed by Colonel Warren, and very little dependence can be placed on them, as they were made out by other persons than the captain.

The company appears to have been divided into three parts, and it was intended that duty in the field should be performed by these parts alternately. Little, if any, however, was actually performed. The company occupied no regular stations—the men remaining at their homes, attending to their usual business, awaiting the orders of an officer. No necessity existed for the service of this company, for the frontier, on which the men say they sometimes scouted, was guarded by Captain J. L. Thigpen's company, and the regular troops stationed at Black creek.

The company once drew some ten days' forage and subsistence from an officer of the army at Black creek.

The company was probably embodied when mustered in and out of service by Colonel Warren, but at no other time.

The claim of this company is not entitled to any consideration, as but very little, if any, duty was rendered. Its services were entirely unnecessary, and it was called out by no competent authority.

L. THOMAS,

*Assistant Adj't General.*

GEO. G. WAGGAMAN,

*Capt., Com. Sub.*

#### CAPTAIN SUAREZ'S COMPANY.

The depositions taken by Captain Waggaman and Major Thomas, as to the service of this company, are the following:

Thomas Suarez, of Duval county, Florida, being duly sworn, before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was captain of a company of mounted men in the year 1838; the company was composed of volunteers from Duval and Nassau counties, and was not a regularly organized company of the militia of the Territory of Florida; the company was raised by a verbal order to me of Colonel J. Warren, of the militia of Florida, the day that he mustered for discharge the company under Captain Price; with the exception of a few men, my company was the same as Captain Price's; Colonel Warren, who commanded the regiment of militia in Duval and Nassau counties, thought the company was necessary to protect the inhabitants of the country and to quiet their fears respecting the Indians. I do not recollect that any depredations had been committed just at this time, but previously, some six months, signs of Indians were seen passing through the country; such was the common report. The country is a low pine woods country, abounding in large swamps, particularly on the heads of the water-courses of Black creek, Deep creek, McGirt's



creek, and the prongs of St. Mary's river; the route of Indians, passing from the nation to Okefenokee swamp, passes between Black creek and the head of Deep creek; there was no station of regular troops in this section nearer than the depot on Black creek, distant from Jacksonville twenty-two miles. The company met to organize at the town of Jacksonville, Duval county, the same day Captain Price's company was discharged, July 20, 1838; distance from my residence, in the same county, about six miles; the company was mustered into the service of the Territory by Colonel Warren, on that day; all the men of the company were present, and were mounted, generally speaking, on good horses, and each man had a gun and equipments; the officers and sergeants were elected by the men of the company; I was elected the captain; I appointed the corporal; the officers did not receive commissions from the governor of Florida for this service. The roll of my company, now before the board, is not an entirely correct roll of my company; it does not contain the names of all the men belonging to the company; after the service was performed I signed my name to the certificate, the roll being blank, and gave it to Colonel Warren, who was about proceeding to Washington, where he was to fill it up from a list which I furnished him, who was then to place it in the hands of Mr. Charles Downing, then delegate to Congress from the Territory; I never saw the roll after it was filled up, until exhibited to me this day by the board; Colonel Warren afterwards informed me that some name had been omitted; I subsequently made a correct roll, which was handed to Colonel Churchill, United States army, in St. Augustine, at the time I was examined before the board of which he was president. All my men were mustered into the service of the United States either before or after the service, with the exception of Thomas McCormick, who was then about seventeen years of age, by Lieutenant Watson, of the United States army at Jacksonville. After my company was mustered by Colonel Warren, he gave me verbal orders to keep out weekly scouts, and, I think, to divide my company into three parts; I divided my company into three detachments, and assigned one to each of the lieutenants, taking charge myself of the other, and directed that one detachment should go on duty in the field each week; I always went out with my detachment at the appointed time, assembling the men on Cedar creek, at which times I had the detachment roll called; generally the men attended; occasionally a man would be absent from sickness or other good reason; I would remain out two and three days and sometimes four days, examining the country in a circuitous route on the headwaters of Black creek and the St. Mary's river, a distance of twenty-five miles. I never saw Indians on any of my scouts, but once saw a fresh camp of Indians in a hammock, called the Big Cypress; I have seen other signs two and three weeks old; some of the other detachments discovered fresh signs of Indians. No depredations, that I recollect of, were committed during this service. Soon after my company was discharged, a Mr. Lang was murdered by the Indians, on the road between Fort Monroe and Black creek, sixteen miles from Jacksonville. The lieutenants on returning from scouts would make verbal and sometimes written reports to me; I made weekly reports, verbal and written, to Colonel Warren; when not on scouting duty the men were permitted to remain at their respective homes attending to their business; I once assembled my company and went to Black Creek to offer it for muster into the service of the United States, and to draw the same as a volunteer company, if possible; finding that Colonel Twiggs was then absent from Jacksonville, I made application for either purpose; I never embodied it at all.

when it was mustered out of the Territorial service; I sometimes granted a few furloughs for two and three weeks, when men were pressed in attending to their crops; I think I never received any substitutes; I did not incur any expenses for medical advice or supplies, camp equipage, or transportation; no horses were lost during the service; each man furnished his own forage and subsistence. I received orders from Col. Warren, a verbal one, to discharge my company at the expiration of six months' service; I assembled the men at Six-mile creek, but Colonel Warren sending me word that he could not attend, I myself discharged them; this was January 20, 1839; the men were present and the roll was called; no one inspected the company after the day it was organized; no compensation has been received for this service. Privates Lewis Bush, John Stratton, and Anthony Suarez have died since the service was performed.

THOMAS SUAREZ.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 25th day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Com. Sub.*

Captain Thomas Suarez, having re-appeared, says: I made a mistake in my testimony taken by the board a day or two since, in saying that I received no substitutes; I did receive some, I think at least two, perhaps more; I now hand the board a correct copy of the muster-roll I submitted some time since to Major Churchill, in St. Augustine.

THOMAS SUAREZ.

Sworn and subscribed, at Jacksonville, East Florida, January 28, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Com. Sub.*

at, of Duval county, Florida, being duly sworn before a  
the United States army, composed of Major L. Thomas,  
General, and Captain G. G. Waggaman, commissary of

nant of Captain Thomas Suarez's company of mount-  
The company first met to organize at the town of  
county, July 20, 1838, distant from my then resi-  
six miles. I was present and mounted. All  
were present. The company was mustered by  
I was a colonel of militia of Duval county.  
elected officers were elected by the men of the  
I never received a commission for this

The company was called into service by Colonel Warren. I consider that the company was necessary, in consequence of the exposed situation of the frontiers of the county, there being no troops on the frontiers, except at Black creek, and these were not sufficient. At the time the company was raised no recent depredations had been committed by Indians in the county. The southern part of this county abounds in swamps; and swamps are common through the county.

I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept during the whole of my service. No other member of the company, at any time, performed his duty with my horse. The men of the company were generally mounted on very good horses, and each man supplied himself with a gun and equipments.

The company was divided into three parts, each under a commissioned officer, with orders to scout the country alternately, one going out each week. Once or twice Colonel Warren ordered the whole company on duty, when nearly all the men assembled; or the principal part of them. I gave the men of my detachment orders to meet me at Cedar swamp, at the appointed times, and when assembled I had the roll called to see that all were present. The men generally attended; and when any were absent, they gave good reasons therefor, such as their sickness, or sickness in their families. I never failed to take out my detachment at the appointed time, once every third week, remaining out two, three, and four days, examining the country on the headwaters of Black creek, Deep creek, and some of the branches of the St. Mary's river, going from fifteen to thirty miles. The country was well examined. I never saw Indians, but about three times saw moccason tracks, which I suppose were made by Indians. When not on scouting duty, the men were permitted to remain at their respective homes, attending to their business, and prepared for further duty. I remained at my own home. After returning from a scout, I made a verbal report to the captain. I never received a furlough, nor did I grant any. I never furnished a substitute, nor did I receive any. I furnished my own forage and subsistence. No such supplies were drawn by any of the men of my detachment. The company was discharged by the captain, by the order of Colonel Warren, I understand, at Six-mile creek, in Duval county, six miles from Jacksonville, January 20, 1839, I think. The company was paraded for the purpose, and the roll called. I was present, and the men were generally present. I have never received pay for this service. I do not think any horses were lost. Except the first and last meeting, I never saw the company embodied.

J. A. PICKETT.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 19th day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Com. Sub.*

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James McCormick, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas

Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says: I was a sergeant and a pilot in the company of mounted volunteers commanded by Captain Suarez. The company was mustered into service by Colonel Warren, on the day the company was discharged from service under Captain Price. Some change was made by the men of the company in their officers on the same day it was mustered into service. The company was mustered in at Jacksonville. I was mounted and present, and I think all the men were also present on that occasion. I furnished my own horse, gun, and equipments, and I kept a good horse in my service all the time I was in the company of Captain Suarez. After the company was organized, it was divided into three parts for the purpose of going on scouts, and duty was done by these detachments alternately, one party going out, and the other remaining at home. I went out with all the detachments as a pilot, and to do my duty as a sergeant. The scouts would remain out generally two days at a time, and scouted on the waters of the St. Mary's and Black and Big creeks. I never saw any Indians, but I saw their signs. No depredations were committed by Indians in our limits during this service. We supplied ourselves with forage and subsistence. I commonly drew rations as a "suffering inhabitant;" but, at times, they were stopped; and at other times, part of my family would receive them. I cannot say whether I drew at the time I was in Captain Suarez's company, or not. I never employed a substitute. I never had a leave of absence, or furlough, during this service. I did not belong to any other company at this time. I have never received any pay for this service. I think I saw the company embodied only once, except when mustered in and out of service, and that was at Black creek, where the company had gone to be offered to the officer in command at that place for muster into the United States service.

JAMES McCORMICK.

Sworn to and subscribed at Jacksonville, Florida, January 20, 1844,  
before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

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Charles Green, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a corporal in Captain Thomas Suarez's company of mounted volunteers—the year I do not recollect. The company was mustered by Colonel J. Warren the same day he discharged the company under Captain Price, at Jacksonville, in Duval county, about twelve miles from my then residence in the same county. The officers and non-commissioned officers were elected by the men of the company at the meeting, including myself as corporal. I was present and mounted. I furnished my own horse, gun, and equipments. My horse was a good one, which I kept in service during the whole period.

The company was divided into three detachments each, under a commissioned officer, and performed duty alternately. I belonged to the detachment under the captain. Every third week I went out with from twelve to fifteen men, remaining out from two to three days, going to a distance of from twenty-five to thirty miles, examining the country from Cedar creek to the headwaters of Black creek, Brandy branch, and Big creek. I never saw Indians on these scouts, but two or three times saw fresh signs of where they had been. When not on scouting duty, I remained at home attending to my business.

I never received a furlough or furnished a substitute. I did not belong to any other company during the time my name is borne on Captain Suarez's roll. I furnished my own forage and subsistence. The company was discharged at the expiration of six months, at Six-mile creek, by the captain. I was present, and answered to my name. I have never received pay for this service.

his  
CHARLES + GREEN.  
mark.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,  
*Assistant Adjutant General.*  
GEO. G. WAGGAMAN,  
*Captain, Commissary of Subsistence.*

Henry Christy, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Thomas Suarez's company of mounted volunteers in the year 1838. The company was mustered by Colonel J. Warren the same day he discharged the company under Captain Price, either at Jacksonville or at Mr. Pickett's, five miles distant from that place—I do not recollect which. I then resided eleven miles distant from Jacksonville, in Duval county. I do not recollect the date of the meeting. The officers were elected by the men of the company, at the meeting. I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept in service during the whole period. No other member of the company used my horse, at any time, to do any part of his duty.

After four or five days I went out with about forty men under the captain, and remained out three days. I went on scouting duty two or three times a month, with, generally, most of the company, remaining out three, four, and five days, examining the country from Jacksonville to the heads of Deep creek and Black creek, a distance of thirty-five miles. I never saw Indians, but five or six times saw fresh signs of where they had been. No depredations were committed in this county during the service. When not on scouting duty I remained at home, attending to my business.

I never received a furlough, or furnished a substitute. I did not belong to any other company during the time I was borne on Captain Suarez's



roll. I furnished my own forage and subsistence. The company was discharged at Mr. Pickett's, six miles from Jacksonville, (the date I do not recollect,) by the captain. I was present, and answered to my name. Besides the first and last meeting, I once saw the company embodied. I have never received pay for this service.

his  
HENRY + CHRISTY.  
mark.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

A. J. Higginbotham, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Thomas Suarez's company of mounted volunteers, in the year 1838. The company first met to organize at Jacksonville, Duval county, distant from my residence in the same county twelve miles. The company was mustered by Colonel Warren, the same day Captain Price's company was discharged; I do not recollect the date. I was present at the meeting, and mounted. The officers were elected by the men of the company. I furnished my own horse, gun, and equipments; my horse was a good one, which I kept during my whole service. I think the company was divided into detachments; I belonged to the detachment under the captain. I went on scouting duty, during the service, three times, twice under the captain and once under the first lieutenant. I do not recollect how many men composed the detachments; remaining out one, two, three, four, and five days, examining the country, from Jacksonville to the heads of Deep creek and Black creek, from twenty to thirty miles. I never saw Indians, nor any fresh signs. When not on scouting duty I remained at home, attending to my business. I furnished my own forage and subsistence. I never received a furlough, or furnished a substitute. I did not belong to any other company, during the time my name appears on Captain Suarez's roll. The company was discharged by the captain, at Six-mile creek, six miles from Jacksonville; I do not recollect the date; I was present, and answered to my name. Except at the first and last meeting, I never saw the company embodied. I have never received pay for the service.

A. J. HIGGINBOTHAM.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 20th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*



Elijah Higginbotham, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Thomas Suarez's company of mounted volunteers, in the year 1838; it was the same company as Captain Price's, except that some changes were made in the officers. The company was mustered by Colonel John Warren, at Jacksonville, the same day the company was discharged under Captain Price. I was present at the time, and mounted, being distant from my residence, in Duval county, fourteen or fifteen miles. The officers and non-commissioned officers were elected by the men of the company. I furnished my own horse, gun, and equipments. My horse was a first-rate one, which I kept during my time of service. On an average, I went out with parties of from ten to twenty and twenty-five men, once in two weeks, remaining out from two to four days, examining the country from twenty to twenty-five miles, on the headwaters of Black creek and St. Mary's river. I never saw Indians, but two or three times saw signs of where Indians had been. When not on scouting duty, I remained at my house, attending to my business. I furnished my own forage and subsistence. I never received a furlough, or furnished a substitute, to my knowledge. I did not belong to any other company during the time my name appears on Captain Suarez's roll. The company was discharged at Six-mile creek, six miles from Jacksonville, by the captain; I was present, and answered to my name. Except at the first and last meeting, I do not think I ever saw the company embodied. I have never received pay for this service.

his  
ELIJAH + HIGGINBOTHAM.  
mark.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 20th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

William Priest, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in the company of mounted men commanded by Captain Suarez, in the year 1838. The company met at Jacksonville on the day it was discharged from service, under Captain Price, and was re-organized under the command of Captain Suarez. I was present, and mounted, and, generally, all the men were present at that meeting. I furnished my own horse, gun, and equipments, and I kept a good horse in service all the time I was with Captain Suarez. I resided, at the time this company was in service, at the "Six-mile creek," in Duval county. After the organization the company was divided into three detachments, and duty in the field

was performed by them alternately. We scouted on the head of Black creek and New River bay, and between the place of rendezvous and those places. We remained out two, three, and sometimes five days at a time. I did not see any Indians during this service, and I saw signs but twice, and both were old signs.

When not on duty we were attending to our own affairs, at or about our homes.

We supplied ourselves with forage and subsistence; I never employed a substitute; I did not belong to any other company at the time I was in Captain Suarez's.

The company was discharged in Jacksonville, by Colonel Warren; I was present. I have never received any pay for this service.

WM. PRIEST.

Sworn to and subscribed at Jacksonville, East Florida, January 23, 1844, before

L. THOMAS;

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

John S. Pickitt, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in the company of Captain Suarez; it was a mounted company. The company first met, to organize, at Jacksonville. I resided, at that time, about six miles from the place of rendezvous. I was mounted and present on the occasion of the organization of the company; I think nearly all the men of the company were present at the meeting. I do not recollect the date of the organization: it was on the day of being mustered out of Captain Price's company. I furnished my own horse, gun and equipments, and I kept a horse in my service all the period of my service.

The men of the company occupied no regular stations; but, when not on duty, remained at their homes. The company, or a part of it, would go out on scouts; and, for this purpose, would rendezvous at a place on Cedar creek, about six or seven miles from Jacksonville. Generally fifteen or twenty men would go out on duty at a time, and would remain out two or three days, and would go about fifteen or twenty miles from the rendezvous. When not on duty, such of the men as owned farms would be at them, attending to them.

We supplied ourselves with forage and subsistence. I never saw any Indians during this term of service, but I saw some signs supposed to be Indians.

No depredations were committed, during this term of service, by the Indians. I did not draw any supplies, as a suffering inhabitant, during this service.

The company was discharged at the Six-mile creek, by Captain Suarez; I was present. I have never received any pay for this service. I think I have seen the company embodied twice.

JOHN S. PICKITT.

Sworn to and subscribed at Jacksonville, East Florida, January 19, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Miles Price, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Thomas Suarez's company of mounted volunteers, in the year 1838. The company first met to organize at the town of Jacksonville, Duval county, five and a half miles from my residence, in the same county. The company was mustered by Colonel John Warren, the same day that Captain Price's company was discharged. I was present and mounted. The officers were elected by the men of the company. I furnished my own horse, gun and equipments. I had a very good horse, which I kept during the whole of the service. I think the muster was the 18th of July, 1838.

The company was divided into three parts, each under the command of an officer. I belonged to the detachment under the first lieutenant. Once every third week, the detachment I belonged to met on Cedar creek and went on a scout. I may have missed once or twice, though I do not recollect the number of times. I remained out from two to four days, examining the headwaters of Black creek, and across to Brandy branch, going a distance of from fifteen to thirty miles. I never saw Indians on any of these scouts, but twice saw fresh signs of, where they had been—the first time moccason tracks, the second time a camp, supposed to have been occupied by Indians. No depredations, that I recollect of, were committed by the Indians during this service in the county. When not on scouting duty, I remained at my home. I furnished my own forage and subsistence. I never furnished a substitute, or received a furlough. I did not belong to any other company during the time my name is borne on Captain Suarez's roll.

The company was discharged at Six-mile creek, six and a half miles from Jacksonville, by the captain; I was present and answered to my name. Except the first and last meeting, I never saw the company embodied. I have never received pay for this service.

MILES PRICE.

Sworn and subscribed to at Jacksonville, Duval county, Florida, the 20th day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary Subsistence.*

William Turner, of Nassau county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas,

Assistant Adjutant General, and Captain Geo. G. Waggaman, commissary of subsistence, says:

I was a private in the company of mounted men commanded by Captain Suarez. The company was organized at this place on the same day that it was mustered out of service, under Captain Price. I was mounted and present, and I think nearly all the men were present on that occasion. I furnished my own horse, gun and equipments, and I kept my horse in service all the time I was with Captain Suarez.

After the company was organized, it was divided into three detachments for scouting, and duty was performed by these detachments alternately: we scouted in the gap of the Big and Black creeks, about 20 miles from the place of rendezvous. I do not recollect that I missed any of my tours of duty. I was usually warned by an officer of the company when my turn would come around. We would remain out some two or three days at a time, not more than three days at any one time. I did not see any Indians, nor any signs, during my service in this company.

I supplied myself with forage and subsistence. I never employed a substitute. I did not belong to any other company at the time I was in Captain Suarez's. I did not have a leave of absence or a furlough.

The company was discharged at the "Six-mile creek," by the captain; I do not recollect the date. I was present. I have never received any pay for this service.

WILLIAM TURNER.

Sworn to and subscribed at Jacksonville, Florida, January 23, 1844, before:

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary Subsistence.*

David Turner, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I was a private in Captain Thomas Suarez's company of mounted volunteers, in the year 1838. The company was mustered by Colonel J. Warren, at Jacksonville, Duval county, the same day he discharged the company under Captain Price. It was in August, I think, of 1838. I was present, and mounted, and answered to my name. I resided sixteen or seventeen miles from Jacksonville, in Duval county. The officers and non-commissioned officers were, I think, elected by the men of the company at this meeting. I furnished my own horse, gun, and equipments. My horse was a very good one, which I kept in service during the whole period. I think I went on scouts as many as three or four times, with parties of from fifteen to twenty men, under a lieutenant, remaining out as many as three days, examining the country from Cedar creek to St. Mary's river, and to the head of Black creek; going to a distance of from fifteen to twenty miles. I never saw Indians, nor did I see any fresh signs of them. When not on scouting duty, I was permitted to remain at home, attending to my business. I never received a furlough, or furnished a substitute. I did not

belong to any other company during the time I belonged to Captain Price's company. I furnished my own forage and subsistence. The company was discharged six miles from Jacksonville, by the captain; I do not recollect the date. I was present, and answered to my name. I have never received pay for this service.

DAVID TURNER.

Sworn and subscribed to, at Jacksonville, Duval county, Florida, this 23d day of January, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Jesse Wilson, of Duval county, Florida, being duly sworn before a board of officers of the United States army, composed of Major L. Thomas, Assistant Adjutant General, and Captain G. G. Waggaman, commissary of subsistence, says:

I believe I was a corporal in the company of volunteers commanded by Captain Suarez. The company met at this place, Jacksonville, on the day it was discharged from service under Captain Price. I was mounted and present, and I believe all the men were also present, when the company was mustered into service by Colonel John Warren. I furnished my own horse, gun, and equipments; and I kept a horse in my service all the period I was in Captain Suarez's company. I resided near Jacksonville. After the company was organized under Captain Suarez, the men were ordered to go to their homes, and hold themselves in readiness for duty when called on. The company was divided into three detachments, and duty was performed by these parties alternately. The scouts lasted from two to three days. I think I was not out longer than three days at any one time. Not more than twenty men would go out at any one time. We would go as far as thirty miles from the place of rendezvous. I never saw any Indians, but I saw some Indian signs, I think, twice or three times during my service. No depredations were committed by the Indians during this term of service. When not on duty, I was at my home, attending to my farming business. I supplied myself with forage and subsistence. I never employed a substitute. I did not belong to any other company at the time I belonged to Captain Suarez's company. The company was discharged at the Six-mile creek, by the captain. I was present. I have never received any pay for this service. I never saw the company together only when it was organized.

his  
JESSE X WILSON.  
mark.

Sworn to and subscribed, at Jacksonville, East Florida, January 20, 1844, before

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

Their statement is as follows :

*Statement in reference to the company of Captain Thomas Suarez, in service in 1838.*

Captain Suarez presents a claim for services, commencing July 20, 1838, and ending January 20, 1839, a period of six months.

This was Captain Price's company, continued in service six months, with some few changes in officers and men, and was continued by verbal orders from Colonel Warren.

Colonel Warren had no authority from the governor of the Territory for calling out this force, nor could he derive any from the acts of the legislative council, providing for cases of emergency, as the part of the country in which this force organized was unmolested by Indians, no depredations having been committed by them within twelve months previous to the calling out this force in the vicinity of Jacksonville.

The company was composed of persons residing in the counties of Duval and Nassau, and was raised solely for the purpose of being mustered into the service of the United States.

The roll submitted to the board appears to have been made out shortly after the service was said to have been rendered, from the original list which accompanies it ; it was signed in blank by the captain, and was filled up and completed by Colonel Warren, into whose hands the blank roll was placed, and was subsequently given to Mr. Downing, the delegate from Florida.

The company consisted of 1 captain, 2 lieutenants, 4 sergeants, 4 corporals, and 54 privates—aggregate, 65. Duplicate rolls which were submitted to a former board are also with these papers, and appear to have been made out long subsequent to the service, and have, besides the captain's certificate, that of Colonel Warren. These muster-rolls give an excess of eight privates over the number as shown by the roll submitted to the board. A copy of the roll furnished by the captain corresponds with none of these rolls, and, they differing so materially, no dependence can be placed on them, more especially as the captain signed one in blank.

The company was divided into three detachments, and it was intended that duty should be performed by these detachments alternately ; but little, if any, was actually performed.

The company occupying no regular stations, but the men remaining at their homes, when not on duty, attending to their customary business.

No necessity existed for the services of this company.

It does not appear that this company was either mustered in or out of service.

The claim of this company is not entitled to any consideration, as but little, if any, duty was rendered ; its service was entirely unnecessary, and was not called into service by any competent authority.

L. THOMAS,

*Assistant Adjutant General.*

GEO. G. WAGGAMAN,

*Captain, Commissary of Subsistence.*

WASHINGTON, D. C., February, 1844.



The testimony taken by Messrs. Holmes and Canova, in relation to the services of the companies of Captains Price and Suarez, is contained in the same depositions, and is as follows :

JACKSONVILLE, *November 7, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared Captain John Price, who, being duly sworn, declares on oath : That by the order of Colonel John Warren, he formed a company of mounted militia, who were mustered into service at Jacksonville, by Colonel John Warren, on the 20th January, 1838; that it was a full and efficient company, well mounted and equipped; that this service was truly necessary, as frequent depredations had been made in the neighborhood by the Indians; that many families were attacked by the Indians; some individuals were killed, others wounded; property stolen and homesteads devastated; that he has been in the service of the United States; that he did much more service with his company than when in the service of the United States; that the men, generally, did good service; were prompt and obedient, and in good discipline; that the service was performed by detachments under command of the officers; that all the names enrolled under his command were men in actual service, and such men as are generally received in the United States service; that his company was mustered out at Jacksonville on the 20th July, 1838, by Colonel John Warren; that he paid two dollars per bushel for corn; that forage and subsistence were extremely high.

JOHN PRICE.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Jesse Wilson, who, being duly sworn, declares on oath : That he was a member of Captains Price and Suarez's companies of mounted militia in 1838; a private in Captain Price's company, and corporal in Suarez's company; was mustered into service at Jacksonville about the 20th day of January, 1838, by Colonel John Warren, and at the end of six months was mustered out of Captain Price's, and was mustered into Captain Suarez's on the same day; was discharged from Suarez's company at the end of the next six months, by the captain; that he had a good horse and equipments during the whole service, and served as a mounted man during the whole period; that Captains Price and Suarez had full companies; that the companies were stationed in three different places under command of different officers; that scouts were regularly kept out; that he served fifteen months in the United States service; that he performed as much service in Captain Price's and Suarez's companies as he did while in the United States service; that the service was absolutely necessary, as the Indians had committed depredations but a short time previous to the formation of the companies; that he could not have maintained his home without protection; that previous to this service, many persons were compelled to abandon their homes; that the men, generally, performed good service; that the prices of forage and subsistence were very high at that time.

his  
JESSE + WILSON.  
mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Anthony Buckles, who being duly sworn, declares on oath: That he was a private in Captains Price and Suarez's companies of mounted militia in 1838; was mustered into Price's company on the 20th day of January, 1838, at Jacksonville, by Colonel John Warren, and was mustered out on the 20th day of July, 1838; same day was mustered into Suarez's company, by said Colonel Warren, to serve six months, at the expiration of which time he was discharged by the captain of said company; that he had a good horse and equipments during the whole of that period, and served all of the time as a mounted man; that the companies were full companies, and performed good service, to the best of his knowledge; that scouts were alternately kept out; that he has been in the United States service some eighteen months; that he performed more actual service in Captains Price and Suarez's companies, than he ever did in the United States service; that the service was absolutely necessary, as the Indians had committed depredations, and the inhabitants were compelled to evacuate their homes, and would not have returned but for the protection obtained from the militia; that to the best of his knowledge the men all performed good service; that he paid for corn at that time two dollars per bushel; hay, two dollars per cwt.; coffee, twenty cents per pound; sugar, from sixteen to eighteen cents per pound. Other articles of subsistence were very high at that time.

ANTHONY BUCKLES.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared William Wood, who, being duly sworn, declares on oath: That he was a private in Captains Price and Suarez's companies of mounted militia in 1838; was mustered into service of Captain Price's company, on the 20th day of January, 1838, by Colonel John Warren, and mustered out on the 20th day of July, and into Captain Suarez's company the same day, by said Colonel Warren; that he was discharged from Captain Suarez's company by the captain, six months after the day he was mustered in; that he had a good horse and equipments, during the whole term of service; that the companies were both full companies; that the companies were stationed in three different places, and under the command of different officers; that he was in the United States service previous to that time; that he performed as much actual service in Captains Price and Suarez's companies as he did while in the United States service; that the service was essentially necessary, as Indian signs were seen frequently, and the inhabitants were compelled to abandon their homes, and would not have returned but for the protection obtained from these companies; that the men generally performed good service; that, during that time, he paid two dollars per bushel for corn, and from one dollar to one dollar and fifty cents per cwt. for fodder;

sugar was worth from fourteen to fifteen dollars per cwt.; that provisions were generally very high.

his  
WILLIAM + WOOD.  
mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared William Thomas, who, being duly sworn, declares on oath: That he was a member of Captains Price and Suarez's companies of mounted militia in 1838, fourth corporal in Price's and first sergeant in Suarez's; was mustered into service by Colonel John Warren, on the 20th day of January, 1838, at Jacksonville, and mustered out the 20th day of July, 1838, and into Captain Suarez's company on the same day; that he had a good horse and equipments; and served as a mounted man during the whole period; that Captains Price and Suarez had full companies; that the companies were stationed in three different places, and under command of different officers; that scouts were kept out, alternately, from these different stations; that one or the other of the scouts were out near all of the time; that he has served in the United States service eighteen months; that he performed more service in Captains Price and Suarez's companies than he did while in the United States service; that the service was essentially necessary, as the Indians had been committing depredations not more than seven miles from this place; that his daughter was shot by them but a short time previous, and that horses were stolen, at the same time, by them; that a man named Johns was killed, and his wife scalped, by them; that the people could not have maintained their homes without protection; that the men belonging to the above mentioned companies generally performed good service; during this service, he paid two dollars per bushel for corn; rice was worth from four and a half to five dollars per cwt., coffee fourteen dollars per cwt.; that he was not regularly mustered out of Suarez's company, but discharged by the captain.

his  
WILLIAM + THOMAS.  
mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared James McCormick, who, being duly sworn, declares on oath: That he was a private in Captain Price's company, and fourth sergeant in Captain Suarez's company of mounted militia; was mustered into Price's company on the 20th day of January, 1838, at Jacksonville, by Colonel John Warren, and was mustered out on the 20th day of July, 1838; on the same day was mustered into Suarez's company, by the said Colonel Warren, to serve

six months; at the expiration of which time he was discharged by the captain of, the said company; that he had a good horse and equipments during the whole period, and served as a mounted man; that the companies were both full companies, to the best of his knowledge, and performed good and efficient service; that the companies were divided into three detached parties, commanded by their officers, and scouts were kept out alternately; that he has served in the United States service some three or four months prior to serving in Captains Price and Suarez's companies; that he performed more active service while in those two companies than he did while in the United States service, and that these companies did; that the service was very necessary, as depredations had been committed, and that the inhabitants were abandoning their homes, and that the frontier could not have been maintained without the service of these troops; that this necessity continued during the whole period of this service. Frequent Indian signs were discovered while on scouts, during the service; that he paid for corn during this time, one dollar and fifty cents per bushel; hay, one dollar and fifty cents per cwt.; that the prices of subsistence were generally high.

JAMES McCORMICK.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared John S. Pickitt, junior, who, being duly sworn, declares on oath; That he was a private in Captains Price and Suarez's companies of mounted militia; was mustered into Price's company on the 20th day of January, 1838, by Colonel John Warren, in Jacksonville, and was mustered out by the said Colonel Warren on the 20th day of July, 1838; was mustered into Captain Suarez's company on the same day; served six months; at the expiration of the time, was discharged by the captain of said company; that he had a good horse and equipments during the whole of that period, and served the whole of that time as a mounted man; that the companies were both full companies, and performed service in three detachments, under command of different officers; that scouts were regularly kept out; that he has served in the United States service some two years, and that he performed as much service in Captains Price and Suarez's companies as he did while in the United States service, or as much as troops generally do; that the service was absolutely necessary, as the Indians had approached within seven miles of Jacksonville, and had committed depredations; many of the inhabitants were compelled to abandon their homes, and would not have returned to them but for the protection afforded them by the militia; that, to the best of his knowledge, the men belonging to the companies performed good service; that he paid three dollars per bag for corn during that time; rice, from six to seven dollars per cwt.; coffee, twenty cents per pound; sugar, from twelve to sixteen cents per pound; bacon, from fifteen to eighteen cents. Other articles of subsistence were high in proportion.

JOHN S. PICKITT.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Jehu Huffingham, who being duly sworn, declares on oath :

That he was a private in Captains Price and Suarez's companies of mounted militia ; was mustered into Captain Price's company, at Jacksonville, on the 20th day of January, 1838, by Colonel John Warren ; was mustered out on the 20th July, 1838, and mustered into Suarez's company same day, by the said Colonel Warren, to serve six months, at the expiration of which time he was discharged by the captain of said company ; that he had a good horse and equipments during the whole of this period, and served as a mounted man ; that the companies were all full companies, to the best of his knowledge, and that the men all performed good service. The companies performed service in three detached parties, commanded by different officers, and that scouts were alternately kept out ; that he has been in the United States service some two years, and that he performed as much actual service in Captains Price and Suarez's companies as he ever did in the United States service ; that the service was absolutely necessary, as the Indians had committed depredations within seven miles of Jacksonville ; that many of the inhabitants were compelled to abandon their homes, and would not have returned to them but for the protection obtained from these militia ; that the people would not have maintained their homes without the service of these militia. Forage and subsistence were generally high at that time.

his  
JEHU † HUFFINGHAM.  
mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Captain Thomas Suarez, who being duly sworn, declares on oath :

That he was first lieutenant in Captain Price's company of mounted militia, mustered into service on the 20th day of January, 1838, by Colonel John Warren, at Jacksonville ; was elected a lieutenant by the company before the muster ; that the company was full, and the men were mounted upon good and sufficient horses ; the men were all able-bodied and such as were usually received into the United States service ; that it was generally understood that Colonel Warren had sufficient authority to call the troops into service, from the fact of his being colonel in the service of the United States and of the territorial militia ; that he believes that the companies of Captains Price and Bush were absolutely necessary for the protection of the frontier ; that previous to the service frequent depredations had been perpetrated ; that the families were abandoning their homes, and the people generally were in a state of great alarm ; that service was performed by the company by scouting in detachments, alternately ; that he had command of one of the detachments ; that he served in the United States service fourteen months, and that he performed as much service, as also did the company, as when in the United States service ; that he was mustered out on the 20th day of July, 1838, by Colonel John Warren, at Jacksonville, and mustered

into service, as captain of the same company, by the same, on the same day, and under his orders continued the service, in the same mode, manner, and to the same extent; that his company was full of good and efficient men, all mounted on good and sufficient horses; that the continuance of this service was necessary, from the Indian signs discovered while on scouts; that his company was discharged by him, under the orders of Colonel Warren, on the 20th day of January, 1839; that he paid, during this time, one dollar and fifty cents per bushel for corn; that flour was worth ten dollars per barrel; other articles of subsistence were generally high.

THOMAS SUAREZ.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Elisha Higginbotham, who, being duly sworn, declares on oath: That he was a member of Captains Price and Suarez's companies of mounted militia, in 1838; third corporal in Captain Price's, and private in Captain Suarez's; was mustered into Price's company about the 20th day of January, 1838, at Jacksonville, by Colonel John Warren, and was mustered out about the 20th day of July, 1838, by the said Colonel Warren, and on the same day mustered into Suarez's company, to serve six months, at the expiration of which time he was discharged by the captain of said company; that he had a good horse and equipments during the whole of this period, and served as a mounted man the whole time, together with the rest of the company, or companies; that the companies were both full companies, and that, to the best of his knowledge, the men all performed good service; that the companies were divided into three different detachments, under command of different officers, and that scouts were alternately kept out; that he has served in the United States service between two and three years; that he performed as much service while in Captains Price and Suarez's companies as he did while in the United States service; that the service was essentially necessary, as the Indians had committed depredations, and it was not prudent, nor safe, for any person to maintain their homes without some protection; that some of his neighbors were compelled to leave their homes, and would not have returned but for the services performed by the militia; that the prices of forage and subsistence were, generally, very high at that time.

his

ELISHA + HIGGINBOTHAM.

mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 7, 1845.*

Before us, T. O. Holmes and A. A. Canova, personally appeared James A. Pickitt, who, being duly sworn, declares on oath: That he was a lieutenant in Captains Price and Suarez's companies of mounted militia, in



1838; was mustered into service, at Jacksonville, on the 20th day of January, 1838, by Colonel John Warren, and was mustered out on the 20th day of July, 1838, into Captain Suarez's company, the same day, by said Colonel Warren; that he was discharged from Captain Suarez's company either the 19th or 20th January, 1839, by the captain; that he had a good horse and equipments during the whole term of service; that the companies were full companies, and well mounted. The service was performed by three detachments under command of officers, scouting; that he has been in the United States service previous, and subsequent, to this service; that he did as much actual service while under Captains Price and Suarez as when in the service of the United States, and that the company did as much service as any company he had served with while in the United States service; that the service was necessary for the protection of the country; that depredations had been committed within seven miles of this place; knows that, previous to the existence of these companies, many families were attacked by the Indians, and individuals killed, and others wounded; that he has examined the muster-rolls of Captains Price and Suarez; that he knows that all men whose names are enrolled thereon were regularly in service, and performed their duty; that they were good soldiers, and such men as were received in the United States service, generally.

J. A. PICKITT.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

JACKSONVILLE, *November 6, 1845.*

Before us, Thomas O. Holmes and A. A. Canova, personally appeared Isaac Green, who, being duly sworn, declares on oath: That he was a private in Captains Price and Suarez's companies of mounted militia, in 1838; was mustered into Price's company at Jacksonville, on the 20th day of January, 1838, by Colonel John Warren, mustered out on the 20th day of July by said Colonel Warren, and into Captain Suarez's company on the same day; was discharged from Suarez's company, six months after that time, by the captain; that he had a good horse and equipments during the whole service; that both of the companies were full companies; that the companies were stationed in three different places, and under command of different officers; that scouts were regularly kept out; that he was in the United States service eighteen months, and that he performed as much, or more, duty in Captains Price and Suarez's companies as he did while in the United States service; that the service was very necessary, as the Indians had committed depredations, and the inhabitants were compelled to abandon their homes; that the men, generally, performed good service, as good as when in the United States service; that he paid, during this period of service, \$2 and \$2 50 for corn; that provisions were, generally, very high.

his  
ISAAC + GREEN.  
mark.

THOMAS O. HOLMES, }  
A. A. CANOVA, } *Commissioners.*

Your committee will not refrain from the remark that Captain Waggon and Major Thomas have expressed opinions in regard to the service of these three companies, when their duty seemed to be merely to take and certify the proof, and that the proof which they do certify contradicts entirely and completely the opinions they have expressed. However the opinions of these gentlemen may be entitled to regard on any question touching which their opinions are required, it is clear that Congress confided to them no judicial functions, but merely the ministerial duty of taking and certifying proof.

Your committee are not satisfied that Colonel Warren was authorized to continue these companies in service, without the approbation of the Executive; but it was his duty to report to the Executive or his commanding officer, and it would be as unjust as contrary to military subordination to require that the captains of the companies should have made such report, or that the companies should not receive pay, on account of the omission of a duty by another.

The proper inquiry seems to be, were these companies called into service by an officer having competent authority? If not, were they called into service by one supposed to have such authority? Was the exigency which induced them to be called into service honestly and fairly considered by Colonel Warren and the community to justify it, and was service rendered in good faith by these companies? The committee think the evidence shows the affirmative of these propositions, and they report a bill for their payment. But, inasmuch as it does not appear that these companies were actually engaged in military operations more than one-half of the time they were in service, the committee think they should receive but half the pay and allowances of mounted troops.