

SEMINOLE HOSTILITIES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A supplemental report respecting the causes of the Seminole hostilities,
and the measures taken to suppress them.*

JUNE 3, 1836.

Referred to the Committee on Indian Affairs.

WASHINGTON, June 3, 1836.

To the House of Representatives:

I transmit, herewith, a supplemental report from the War Department, in answer to the resolution of the House of Representatives of the 21st ultimo, calling for information respecting the causes of the Seminole hostilities, and the measures taken to suppress them.

ANDREW JACKSON.

WAR DEPARTMENT, June 3, 1836.

I have the honor to lay before you reports from the Commissary General of Subsistence, and the Commissioner of Indian Affairs, in further compliance with the resolution of the House of Representatives of May 21st, and in accordance with the intimation in the letter from this Department to yourself of May 26th.

It is believed that these papers, with the documents heretofore transmitted, embrace the information possessed by this Department respecting the causes of the Seminole difficulties, and the measures taken to suppress them.

Very respectfully,

Your most obedient servant,

C. A. HARRIS,

Acting Secretary of War.

To the PRESIDENT of the United States.

Blair & Rives, printers.

WAR DEPARTMENT,
Office Indian Affairs, June 3, 1836.

SIR: I have the honor to transmit copies of correspondence in this office upon the subject of Seminole affairs, in further answer to the resolution of the House of Representatives of the 21st ultimo.

Very respectfully,

Your obedient servant,

ELBERT HERRING.

C. A. HARRIS, Esq.

Acting Secretary of War.

[Extract.]

WAR DEPARTMENT,
Office Indian Affairs, May 13, 1836.

"SIR: I am instructed by the Secretary of War to acknowledge the receipt of your letter of the 12th ultimo with the enclosed report.

"It is understood from your report that the negroes, claimed by John Milton, rightfully belong to Econchattamico, and that they have been taken from him wrongfully by Robinson, against whom two indictments have been found.

"I am instructed to say, in order to prevent any misapprehension, that any legal proceedings that are instituted, must be considered and conducted as they would be against a citizen of the Territory for a similar offence; and that the expenses will not be properly chargeable to the Indian Department."

EXECUTIVE OFFICE,
Tallahassee, Florida, Aug. 4, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of the 15th ultimo, enclosing a copy of a communication from the War Department to Colonel Gadsden, relating to the purchase of the lands of the Appalachicola Indians, &c. Colonel Gadsden is daily expected in this city, and I hope he may be able to go on, and fully consummate the business he has hitherto so faithfully and successfully transacted. If, however, he should not be able to prosecute it farther, the instructions of the Department will be obeyed by me to the best of my ability.

I am, &c.

WILLIAM P. DUVAL.

HON. LEWIS CASS,

Secretary of War.

TERRITORY OF FLORIDA, TALLAHASSEE,
January 20, 1834.

SIR: In pursuance of your instructions of the 10th instant, I immediately set out to visit the bands of Indians on the Appalachicola river. On my way I met the northern stage, with the Indian boy we expected from Washington city a passenger. On my arrival at Mount Vernon, I was informed that the other five boys from the Choctaw academy had preceded me a few hours, on their way to the sub-agent, which determined me to change my previous intention of visiting the lower or Blountstown: first, as I was desirous to make an impression on the parents favorable to the proposed return of their children to the academy in Kentucky, before a settled opposition to that proposition could be matured. Pursuant to that object, I visited Vacca Pichassie's reserve, and despatched runners to summon the interpreters, John Blunt, Davy Elliott, and Econchattamico, to meet me there on the succeeding day, as that was the most convenient point anywhere near central. I could not prevail on Blunt to let his son, with two other boys, who are subject to his and Davy Elliott's control, return to school. Relative to Vacca Pichassie's son, and the two other boys from that chief's town, I had but little difficulty. By addressing to Vacca Pichassie and Econchattamico arguments which I thought best calculated for effect, I readily interested them, and, aided by them, finally succeeded in obtaining the original number sent from the Seminole or Florida Indians to the institution in Kentucky. I should much regret the return from school of the boys who are now on their way back to Kentucky, were it not for the strikingly happy effect which their presence and improvement produced upon the Indians generally, especially the parents and friends of the boys, exciting very favorable impressions of the parental kindness of the Government, and the importance of education.

On delivering Blunt's son to him, with the other boys connected with his band, I told him that, as the Government had incurred considerable expense and trouble to leave him without a pretext for further delay, he would not be indulged in any unnecessary delay of the departure of himself and band for their intended new abode; and I called upon him to assign an early day for the commencement of his emigration. I expect his arrival here in the course of this and the ensuing week, to consult with you and myself relative to conclusive arrangements connected with his intended emigration, at which time, according to an expressed understanding, his family, property, and people, will be on their way down the Appalachicola river and bay, to a designated point where I am to meet them, for the purpose of carrying the stipulations of the treaty with him and Davy Elliott into full and final effect.

In addition to the round sum of \$13,000, the United States stipulated to pay to them a certain portion of the annuity due, or to fall due, to the Florida Indians. I have no funds within my control applicable to the latter object. Deeply impressed by information derived from Judge Pope, the sub-agent, and from other sources, I am compelled to fear that a systematic plan is matured to rob Blunt on his passage. The sub-agent informed me that the lawless freebooter Stafford, who robbed Blunt some time ago, has been heard to say that Blunt should not escape with his life and money; and the sub-agent, with others, express a confident belief that such an attempt will be made. The deep impression on Blunt's mind that the attempt will be made, induces, in part, his intended visit to you, in the

hope that you will be able to afford him some protection until he reaches a point beyond the region of danger.

Blunt and Elliott stipulated for the removal of two hundred and fifty-six persons. Of that number some have died, some have fled to the Creek and Seminole nations, while there are some, I fear, who will give us some trouble before we get them off. Out of these facts arises a question which I beg leave to submit to your excellency. Bearing in mind that a portion of the thirteen thousand dollars which the United States stipulated to pay to Blunt and Elliott, (three thousand dollars of which was paid at the conclusion of the treaty, and ten thousand to be paid when they commenced removing,) was in consideration of the relinquishment of their reserve to the United States, what proportion of the whole amount shall be paid to them? Justice, it seems to me, requires that the whole amount of the value of the land, as estimated at the conclusion of the treaty, (which Colonel Gadsden informs me was six thousand dollars,) should be paid to them, on their removal the United States will come into immediate and undisputed possession; and as death has more effectually relieved the United States from the incumbrance of those who died than the commencement of their emigration were they living could possibly do, it seems to me that no deduction should be made for them. If I am right in this, then the only and true question is, shall a deduction be made from the remaining seven thousand dollars for those who have fled to the Creek and Seminole nations, in the proportion they bear to the two hundred and fifty six? Do me the favor to advise me upon the subject.

You are aware that a claim adverse to Econchattamico's, has been exhibited for a considerable number of slaves now in that chief's possession, and that the question of *right* has, in pursuance of instructions from the Department of War, been referred to Judge Cameron. The question is still pending, and yet the impatient avarice of the adverse claimants prompts them frequently to disturb the old chief in his possession of the slaves in question. I was informed by the sub-agent, that Econchattamico sent a runner for him not long since, that he immediately repaired to the old chief's town, where he arrived in the night, and found the Indians and negroes greatly excited and in arms, and that very soon thereafter, Vacca Pechassie, with fifteen or more of his warriors in arms, arrived for the purpose of aiding in resistance of a threatened violent attempt to force the slaves out of Econchattamico's possession. Persons interested in the adverse claim were frequently seen hovering about the reserve, and the chief was informed that attempts had been made to bribe commanders of steam-boats on the river to aid in accomplishing the capture of the slaves, but that, to the credit of those commanders, they refused to lend their aid to such a purpose. Econchattamico informed me, when I visited his town a few days ago, that the principal adverse claimant, Col. Milton, left there not more than thirty minutes before my arrival. Under such circumstances, I could but approve the order given by the sub-agent to Econchattamico, to defend his property by force, should a violent attempt be made to arrest it from him, but to be very cautious not to commit any wanton aggression. Econchattamico asked me what could be done to secure him and his property against such threatened aggression? I took much pains in portraying to him his situation. I pointed to the river Chatahoochee, forming the eastern boundary of his reserve, reminded him that a step from his reserve on the water would land him in Georgia: that

twelve or fifteen miles north of his reserve would reach the State of Alabama, circumstances very favorable to the objects of his enemies, as by getting the negroes on the water, they could baffle all pursuit, by alternately landing on the Alabama shore and re-embarking on the river, and thus elude the authority to arrest them from one or the other of those States. That although I could not recall the order given by the sub-agent, authorizing him to defend by force his property, when violently assailed, as I considered that a reasonable and natural right, yet it must be obvious to him, that if an affray should occur, resulting in loss of life, that it would be very difficult, under the circumstances by which he is surrounded, to justify himself in a court of justice, so as to avoid a forfeiture of his reserve according to the terms of the treaty.

That a decision of the court in his favor on the question of claim, (and there seems to be no doubt of that, as the question is already settled by the decision in Mrs. Cook's case,) will afford him but limited protection, if the adverse claimants are resolved, as they seem to be, to gain possession of the slaves, right or wrong. That, for the purpose of arriving at a safe conclusion as to the plan best calculated to relieve him from anxiety and secure his rights, he ought to bear in mind that, according to the terms of the treaty, he, with his people, will, in three years from the date of the treaty, be subjected to the jurisdiction of the Territory, and that all other protection will then be withdrawn from them; unless he should determine, before the expiration of that period, to relinquish his reserve, and emigrate with the Seminole Indians beyond the Mississippi river. That if he, with his people, should remain on his reserve beyond that period, it was not difficult for him to imagine what his fate will be with no other protection than will be afforded by the laws of the Territory, as often administered by his white neighbors who may feel that they have an interest which conflicts with his rights, when he reflects that, aided as we now are by the laws of the Territory, the superintendent and agents of Indian affairs cannot effectually protect him. I told him that he knows I am his friend; that it is my official duty to protect the rights of the Indians, a duty which I labor to perform punctiliously, especially because the best feelings of my heart prompts me to do so, and that I will afford him all the protection in my power; but that, situated as I am, my point of location, the agency in the Seminole country, remote from him two hundred and fifty miles, and much of my time absent under instructions on business connected with my office, it is utterly out of my power to afford him that protection which my inclination prompts me to afford, and which his perilous situation requires. That were he with his people at or near the agency, he would be safe; for if, at any time, his negroes, or a part of them, should be forced off, he would have my aid when at the agency, and the aid of Captain Graham and the troops at Camp King to pursue them, and that, under such circumstances, the arrest of the intruders would be inevitable, as in any direction from the agency, except seaward, the Territory extends more than one hundred miles. That I was not authorized to make even these suggestions, by any thing but a sense of duty, and with a view to his protection; and that I knew of no place so likely to afford him efficient protection. That I would leave him to reflect upon the importance of surrendering his reserve to the United States and removing immediately to the neighborhood of the agency, under stipulations to emigrate with the Seminole Indians. That if he should conclude to do so, let me know as quick as possible, as there

was no time to lose, and I would write to the Secretary of War upon the subject. He replied that he saw my suggestions were reasonable, and knew them to be well founded. That he had confidence in me, and was satisfied that I am a friend to him and his people. That he was glad I had presented the subject to him, for that he had already begun to think that his only safety was in removal. That the great difficulty was, removing at this late period of the year, as by the time he could reach the agency and get land cleared to cultivate, it would be too late to plant; and that he was apprehensive that he would be harassed by his enemies, on his journey, unless he should be well protected. I told him then that I had, as I was informed by you, the right to use the plantation connected with the agency for my personal benefit; that you had promised me the privilege of returning to Georgia for the purpose of moving my family to the agency in time to make a crop; but apprehensive as I was compelled to be, of the great danger he was in of losing his property, if he would come to the conclusion to make the arrangement, and the Government should sanction it, I would give up to him and his people the plantation at the agency, containing two hundred, and perhaps more than two hundred acres of good land, which would enable him to make a good crop, and that I would remain and personally superintend his removal, provided a proper allowance should be made to me. He then expressed much anxiety for me to address his people upon the subject. I told him that I expected to be in his neighborhood again in a few days, and would then comply with his request; and I impressed on him the importance of so managing the matter as not to let an idea get abroad that he was thinking of removing, for it might have the effect to induce his opponents to make a desperate attempt to get possession of his property.

With the foregoing facts I submit to your excellency the propriety of immediately writing to the Department of War for definite instructions upon the subject. By the treaty the chief has the right to surrender his reserve, and claim of the United States \$3,000 at any time within the three years, and he has the additional right to hold in perpetuity. The question thence arises, what shall be given him, in addition to his \$3,000, as a consideration for his relinquishment of his reserve, which will include a surrender of the latter right? On the subject of compensation it would have been improper for me to have made a suggestion to him; I was therefore silent upon that point. If the present opportunity is to be made available, I submit to you that there is not a day to spare.

Should we succeed with Econchattamico, Vacca Pechassie will, ere long, follow in his train.

The eight Indian boys which I have selected for the Choctaw academy, with the five horses and trappings used in the transportation of the Indian boys who have recently arrived from Kentucky, are here subject to your order. Mr. James Henderson, who accompanied the boys from Kentucky, is also with me.

I have the honor to be,

Very respectfully,

Your excellency's ob't serv't,

WILEY THOMPSON.

Agent for Florida Indians.

His Excellency Wm. P. DUVAL.

FLORIDA, SEMINOLE AGENCY,
December 21, 1833.

John Winslet, a white man, citizen of the creek nation, west of the Mississippi, but for some months past located in the Seminole nation, in the transaction of business, makes the following statement on oath.

That having started in pursuit of three negroes, which have been lately seen in this nation, who lately ran off from Mr. James A. Everett, of Georgia, and having arrived in the neighborhood of Tampa Bay, he was there told that it would not be safe to pursue them much farther without force; that a band of desperadoes, runaways, murderers, and thieves (negroes and Indians, a majority runaway slaves) are located on an island thought to be southeast from Charlottes Harbor, the island said to be about a mile in length.

This information he received from Indians and negroes who said they had seen the settlement, and they had no doubt that the negroes alluded to had gone to that settlement. That the informants of said Winslett added, that there is another settlement of lawless persons (Indians and absconded slaves) on a creek between Manatia river and Charlotte's Harbor, some miles west of the latter.

This settlement, like the other referred to, is without the Indian boundary. He says that he critically understands the Creek language, which is the language spoken in this nation.

That he carefully examined his informants, and did not misunderstand them.

JOHN WINSLETT.

Sworn to and subscribed before me, this 21st day of December, 1833.

AUGUSTUS STEELE, J. P.

TALLAHASSEE, *January 1, 1834.*

SIR: In obedience to your instructions of the 23d of November last, I proceeded to the Seminole agency, and took possession of the office, with all the records and papers which I there found deposited.

Informed that the Indians from Blount's and Davy's towns, who were included in the stipulations by which those chiefs and their band are bound to emigrate, were with Fucee Lusta Hajo, a chief of the Seminole tribe, and that the Indians were generally out on their hunting expedition, I set out from the agency on an excursion through the nation, for the double purpose of ordering those Indians to return to their towns on the Appalachicola, in time to emigrate with Blount and Davy, and to impress on the Indians generally, and the chiefs especially, the necessity of early preparation for their contemplated removal to the west, (as instructed by you) as well as to ascertain more satisfactorily the temper of the Indians relative to their intended emigration, with their present general condition.

I met Fucee Lusta Hajo at Tampa Bay, to whom I explained the propriety and necessity of his ordering the Indians from Blount's and Davy's towns, who were then with him, back to their towns. He manifested a temperate and respectful reluctance to do so, as one of them is his brother. I made him understand that I properly appreciated the natural sentiment which would dispose him to indulge his brother, but that his brother, having

assented to the treaty, was bound by it, and that I called upon him to act not as a man, but as a chief; and that if he was not capable of acting up to the dignity of his station, he was unfit for it. That as, in all things, he required of the President a strict compliance with his promises, so I, as agent for the Indians, under the President, required of him a prompt and faithful discharge of his duties as a chief. He told me it should be done.

I saw but few of the chiefs or Indians, as they were generally out hunting. To the extent of my opportunity, I urged the necessity of their making early preparations for their removal. I am informed that many of them (including the principal chief Miconuppe) are opposed to their contemplated removal. Many, including the Chew Cochatta and Peas creek Indians, are favorable to the proposed emigration. Others it is thought hesitate to decide in favor of emigration, because they dread consequences personal to themselves, which, as it is said, have been threatened by those the most hostile to their removal.

The principal causes which operate to cherish this feeling, hostile to emigration, are first, the fear that their reunion with the Creeks, which will subject them to the government and control of the Creek national council, will be a surrender of a large negro property, now held by those people, to the Creeks, as an antagonist claimant. Secondly, the influence which the traders, whiskey dealers, and swindlers, hovering on, and all round the Indian border, have acquired and exert over the poor deluded Indians. These illicit traders calculate upon the improvidence of the Indian. They know that he will exchange his last grain of corn for whiskey, and when the results of his honest labor are thus exhausted, some of them, as I am told, encourage him to steal, by purchasing from him cowhides with the brands cut out; and to swell their disgraceful profits, their grasping avarice, and the convenience of pond water, tempts them to make two barrels of whiskey out of one. They are thus reaping a golden harvest, which will be blasted by the removal of the Indians. Hence, their efforts (if any) to excite Indian hostility to emigration.

A third cause of hostility to emigration, is the influence which it is said the negroes, the very slaves in the nation, have over the Indians. The negroes are more provident than the Indians. They not only often feed the hungry Indian, but having the means, they introduce by stealth into the nation, sometimes considerable quantities of whiskey, which enables them, while they derive a profit from the sale of it, to gratify the vitiated and intemperate appetite of the Indian.

This gives them a controlling influence over him. They are opposed to the emigration of the Indians, because the peculiar character and localities of the country, eminently favors their clandestine traffic, and because they therefore imagine their condition will not be bettered by the change.

I am informed there is a settlement on an island not far southeast of Charlottes harbor, composed of negroes, Indians, and Spaniards; a lawless motley crew; and that there is a similar settlement on the main, in the section of country connected with that harbor, in relation to which I enclose you the affidavit of John Winslett. These settlements, it is supposed, are composed of runaway slaves and refugees from justice, who may well consider a maintenance of the Seminole tribe, in its present location, their greatest and perhaps only security against apprehension.

Under such circumstances, it is but reasonable to suppose that they leave nothing unattempted to induce the Indians to oppose emigration. They

form, perhaps, a medium of intercourse between the clandestine Spanish trader, from the island of Cuba, and the Indians, which is calculated to give those lawless bands an imposing influence over the Indians. This may therefore be considered a fourth cause of the hostility of the Indians to emigration.

The Creek Indian claim to negroes now in the possession of the Seminole Indians, which is supposed to be the first cause of hostility to the emigration of the latter tribe, grows out of the treaty of 1821, between the United States and the former. The United States, by that treaty, stipulated to pay to citizens of Georgia, a sum not exceeding \$250,000, (part of the consideration for territory ceded by that tribe to the United States,) in satisfaction of the claims of those citizens against that tribe, for property destroyed and captured or carried away by those Indians, prior to the year 1802. These claims were, by commissioners appointed on the part of Georgia and the negotiating Indians, referred by agreement to the adjudication of the President of the United States; and the Georgia commissioners relinquished all claims of citizens of Georgia against that tribe. The President, in the adjudication of these claims, adopted a rule of construction, which rejected all claims founded upon the destruction of property, with the claims for the increase of slave property and interest, notwithstanding the agreement clearly providing for an allowance of claims for property destroyed. Under the operation of the rule of construction alluded to, a sum very little exceeding \$100,000 was allowed to the Georgia claimants, leaving a balance of the \$250,000, of near \$150,000. Georgia insists upon an allowance of those claims, which, as a Representative of that State, I have often urged, and still think were improperly rejected. The Creek tribe of Indians have, in form, claimed that balance as due to them, and notwithstanding the question is still undecided by Congress, they have an agent now in the Seminole country, urging the claim of the Creeks to negroes, or their decendants, which formed a part of the consideration, for which the Creeks consented to pay the \$250,000 to the Georgia claimants. As it would be difficult, not to say impossible, to prove that the negroes claimed by the Creeks, now in possession of the Seminole Indians, are the identical negroes, or their decendants, forming in whole or in part, the consideration for which the allowance of something upwards of \$100,000 of the fund of \$250,000 set apart by the treaty, has already been made by the President, I cannot conceive that the Creeks can be supposed to have a fair claim to them.

It seems to me important, that Congress should decide the question of claim made by Georgia; and if the result shall be (as it is apprehended it will be) that the claims of the citizens of Georgia are finally allowed according to the agreement, and the balance of the \$250,000 applied, as it would be, to their final payment, then the Creek nation might, with some grace, prefer a claim to any negroes or their decendants, which formed a part of the consideration for which the \$250,000 shall have been paid.

Even in that case the identity of the negroes should be proved; and still there would remain a question to be settled, whether the Creek Indians have not, according to their laws or customs, conceded to the present holders of those negroes, or their ancestors, the right to possess them. I therefore submit to your excellency, not only the importance of some final action of Congress upon the question, but the policy of conclusively quieting the Creek claim, so as to leave these Indians forever at rest upon the

subject. Should this be thought expedient, permit me to suggest the propriety of so connecting the compromise with the emigration of this tribe, as to operate as an additional inducement. To counteract the second cause of hostility to emigration, and correct the evil thence arising to the Indians, I have submitted to the Department of War, the project of a law to be passed by the Legislative Council of the Territory; and if approved, I have requested that it be transmitted with such corrections as the Department may suggest to your excellency, or myself, in time to be presented to the council, at their next annual session: but the arrivals of the mail at the agency are so irregular, and so far between, that I, after writing, brought the communication with me to this place, as being the plan most likely to give it a speedy conveyance. It is hoped, however, that an answer may be received in time. There were some two or three prosecutions instituted in Alachua court against individuals, charging a violation of a law of the Territory, prohibiting the sale of intoxicating liquors to Indians. On my way to this place I arrived at Newhansville on the day that the court should have commenced its session, where I remained the greater part of two days, in the hope that the court might be induced to dispose of those prosecutions. I was the more anxious they should be disposed of immediately, because I found an opinion prevailed, that in the enactment of that law, the council transcended its powers, and had trenched upon the rights and power of Congress. I therefore considered it all important that the validity of the act should be tested; and if sustained, examples under it given to the public: if set aside, then look to Congress for efficient restraints upon the licentiousness of the white inhabitants upon the Indian border.

I was constrained to come on to this place, as your instructions require me to be here by this day, and the judge not having arrived before I left, am unable to form a conjecture as to the issue of the prosecutions alluded to. If the decision of the court invalidates the act, (which I think barely possible) the impropriety of a submission to the council of the project which I have suggested, will no longer be a question. If the decision of the court sustains the act, thereby justifying a submission of the new project to the council, that body may hesitate to adopt it. I regret, therefore, that I have, inadvertently, left behind me a copy of that new plan which I did intend to enclose herewith, for the purpose of submitting to your excellency, whether or not it will be good policy, in either case, to ask of Congress the aid of an enactment embodying the restraints provided in that plan. Without the aid of some such enactment, it appears to me to be utterly impossible to suppress the disgraceful and disastrous traffic complained of, as there are but few settlers on, or near the Indian boundary, and a majority of them engaged in the traffic. On the Indian boundary running parallel with the gulf coast, there are no settlements. There are none between that boundary and the coast. There are many secluded inlets through that part of the coast into the Indian country, by which the lawless trader can, and I am told often does, enter the Indian country. Does the agent possess the power to order white persons out of the nation for misconduct? If he does, why may he not exert the same power over free persons of color, other than Indians and mixed bloods? Have they greater rights in the nation than white persons? If not, has the agent the power to order such out of the nation for misconduct? If he has, and the proposed project should become a law, the third cause of hostility among the Indians to emigration, may be thereby removed.

The removal of the fourth cause, if it does exist, can be effected by means which the War and Navy Departments can most aptly suggest.

I herewith submit to you copies of two receipts given by my predecessor to two individuals acknowledging a balance due them respectively, from the Government, accompanied by a certificate acknowledging the claim of a third, for the hire of horses used in the transportation of the exploring delegation, for your instructions and advice.

About this time a quarter salary falls due to the blacksmith, striker, and interpreter. There are no public funds in my control, applicable to that object.

The prosecutions, to which I have alluded above, were instituted by Captain William Graham, in command at Camp King, during the absence of my predecessor from the agency. The district attorney was then absent from the Territory, and Captain Graham (as I think) wisely judging it of great importance, that the act of the council should be fairly tested, and, if possible, sustained, employed Judge Smith to aid the prosecutions for a fee of twenty-five dollars. I can not doubt that the Department will justify the course adopted by Captain Graham, by refunding to him that amount.

By the present post office arrangement the mail is due at Camp King, near the agency, once only in two weeks, and sometimes fails. The facility of more certain and frequent communication is obviously important.

I regret to inform you that old Hicks is dead. He died a few days before I left the agency.

I shall here await your further instructions.

I have the honor to be;

Very respectfully,

Your excellency's ob't serv't,

WILEY THOMPSON,

Agent for Florida Indians.

His Excellency WILLIAM P. DUVAL.

List of copies of letters from Wm. P. Duval to the War Department, transmitted to Congress, in answer to a call from the House of Representatives, of May 21, 1836.

Letter dated August 4, 1832.

" March 3, 1833.

" November 29, 1833.

" January 20, 1834.

" January 26, 1834.

Letters from the War Department to Governor Duval, transmitted to Congress in answer to a call from the House of Representatives, of May 21, 1836.

WHO FROM.	DATE.
Commissioner of Indian affairs - - -	June 1, 1832.
Do. do. - - -	July 10, 1832.
Acting Secretary of War - - -	July 16, 1832.
Do. do. - - -	August 21, 1832.
Commissioner of Indian affairs - - -	March 16, 1833.
Do. do. - - -	February 21, 1834.
Do. do. - - -	February 26, 1834.
Do. do. - - -	March 10, 1834.

TALLAHASSEE, *March 3, 1833.*

SIR: I have the honor to transmit to you a copy of my letter of 4th February last, to D. M. Sheffield, Indian sub-agent, and his report on the subjects mentioned in my letter to him. The outrage committed by some Indians from Alabama, on the Chief William Blount, has arisen from the want of a sub-agent on the Appalachicola river. Blount and Cochren, two chiefs on that river, have sold to the United States the reservations of land held by them, and the Indians of their towns have sent out an exploring party beyond the Mississippi to select a place for their future settlement; until these people remove, it is absolutely necessary that they and their property should be protected from injury. This cannot be effectually accomplished unless they have a sub-agent with them. I have recommended William Pope, Esq. in whom the Indians have entire confidence, and, from his standing and intelligence, can afford them ample protection until they remove, which may be this next fall, or the autumn after, at furthest. The appointment, therefore, will be but temporary. I have employed the United States Attorney, John H. Campbell, Esq. to remove the white intruders from the Indian lands on the Appalachicola river, and to prosecute the lawless white men whose names are reported by the sub-agent.

In directing these measures I trust my conduct will meet the approval of the Department, and that the attorney, Mr. Campbell, will receive a fair and just compensation for his services.

I am, &c.

WILLIAM P. DUVAL.

Hon. ELBERT HERRING,
Commissioner of the Indian Office.

TALLAHASSEE, INDIAN OFFICE,
February 4, 1833.

SIR: I have received information that the Indian chief, Colonel Blount, residing on the Appalachicola river, has been most cruelly and wantonly abused and beaten, and that some lawless white men (took) violent posses-

sion of one of the Indian towns, and the land that is reserved on which it stands by treaty, for the Indians.

This outrage cannot be overlooked ; the white men now in possession of the Indian reservation must be removed and punished. You will, therefore, call on John K. Campbell, Esq. United States attorney for the middle district of Florida, for his advice, as to the manner you shall legally proceed to have these intruders removed and punished. Take from the United States attorney written directions, which you will carefully and strictly pursue. The attorney will be allowed, by the Department, a fair and adequate compensation for his services in advising and prosecuting these intruders. You will also inquire into and promptly report to me the facts in relation to the cruel treatment of the Indian chief Blount, and by whom the outrage was committed ; the names of the white men who took forcible possession of the Indian houses and lands, and those who now remain on the Indian reservation must also be reported. You will further inquire if any of the chiefs residing on the Appalachicola river, have aided or given countenance to the inhuman treatment of Blount.

You will, without delay, proceed to execute the duties assigned to you.

I am, &c.

WILLIAM P. DUVAL,

Super. Ind. Aff's in Florida.

DAVID M. SHEFFIELD, Esq.

Sub-agent for the Florida Indians.

TALLAHASSEE, *February 23, 1833.*

SIR : In compliance with your orders of February 14th, I have been to Blount's town, on the Appalachicola river, to inquire into the circumstances of the outrage and violence committed upon the person of Col. Blount, &c. Blount informed me that he was beaten by a small party of Indians from Alabama, who came down to Davy's town, and claimed Cochran's widow and her three children as their kindred, and took them away, together with their cattle, hogs, &c.; they also took with them about twelve of Davy's young warriors.

The white persons trespassing upon the Indian reserve, are Hugh Robinson, Silas Wood, and Jackson Wood, the former and the latter of whom have lately committed violence upon the person of several Indians belonging to Blount's town ; and in pursuance to the advice of Jno. K. Campbell, Esq. United States Attorney for the middle district of Florida, I have caused Col. Blount to go before the presiding justice of Fayette county, and make two affidavits ; the first setting forth the facts of the personal injury committed, and the other the trespass upon the land within the Indian reserve ; upon which affidavits, warrants will issue, and those persons be held to bail, to appear and answer to the next term of the superior court of Fayette county.

I left notices with the magistrate, to be served by the officer who served the warrants, directing those intruders to leave the Indian reserve in one day after the service of the notice ; all of which proceedings are most respectfully submitted.

Your obedient servant, &c.

D. M. SHEFFIELD,

Sub-agent for the Florida Indians.

To his Excellency WILLIAM P. DUVAL,

Superintendent Indian Affairs.

ONE HUNDRED DOLLARS REWARD.

Proclamation, by the Acting Governor of Florida, and Acting Superintendent of Indian Affairs therein:

Whereas, Philip Oaks and George Stafford, of Fayette county, stand charged on oath, with having, on or about the night of the 30th of April, 1833, unlawfully trespassed and intruded upon the reserve of Colonel John Blunt, head chief of the Indian town Lola, reserved to him by the United States, in the treaty of Camp Moultrie, and with having burglariously entered and broke into the house of said Blunt, in said county, and feloniously took therefrom about seven hundred dollars in bank notes and specie, and also goods and wearing apparel of said Blunt, of the value of about three hundred dollars. And whereas, said Oaks and Stafford having been arrested on said charge, were, on failure to give bail, ordered to be committed to jail by a justice of the peace of said county, on said charge, and having, while in charge of the officer conducting them to jail, forcibly broke and escaped from his custody, and being now running at large, as has been represented to me:

Now I do hereby offer the aforesaid reward of one hundred dollars for their apprehension and delivery in any safe jail of this Territory, for trial on said charge. And all magistrates, peace officers, and all good citizens, are earnestly enjoined to aid in the apprehension and safe keeping of said Oaks and Stafford, to answer to the same.

Given under my hand, at the city of Tallahassee, this first day of June, 1833, and of the independence of the United States, the fifty-seventh year,
JAMES D. WESTCOTT, Junr.

Act. Gov. & Act. Superintendent Indian Affairs in Florida

TALLAHASSEE, INDIAN OFFICE,
November 23, 1833.

SIR: You will proceed from this place to the agency immediately, and take possession of the same, and all the books, &c. papers in relation to Indian affairs.

It would be proper to impress on the chiefs the necessity of preparing, on their part, to execute the treaty lately made.

The Indians belonging to Blount's and Davy's towns, who have gone down in the Seminole nation, must be ordered back to their respective towns to emigrate with their chiefs.

It will be important that you should attend to the emigration of the Indians residing on the Appalachian river, and after you have done what the situation of the business of the agency demands, you will report yourself here to the superintendent by the first of January next, when you will receive further instructions.

When ordered from your agency, your expenses not to exceed \$3 per day while in actual employment.

I am, respectfully,

Your obedient servant,

WM. P. DUVAL.

General WILEY THOMPSON,
Agent for the Florida Indians.

EXECUTIVE OFFICE,
Tallahassee, November 29, 1833.

SIR: The communication from the Department, of the 31st ultimo, has been received. Having been present at the treaty made with Blount and Davy, I recollect that the sum of 300 dollars was stipulated to be paid to them, and I believe the commissioner did pay the amount, for the purpose of bearing the expense of an exploring party in the fall of 1832, or winter of 1833, who undertook to find some other country, out of the limits of the United States, as the future residence for the Indians belonging to the towns of Blount and Davy, on the Appalachicola river. Since my return home, I have been made acquainted, by Mr. Westcott, the acting Governor, with the course he pursued in executing the treaty referred to. It appears that Blount, in May last, agreed to leave the United States by the 20th of July following, but before the time fixed for his departure arrived, he gave notice to the acting Governor, that he would not get off as he had promised, and set up a number of excuses.

He alleged, his son and the other Indian boys, at the school in Kentucky, could not be left behind, that his Indians had run away, and refused to go with him, &c. &c. The Department, as I am informed, have been fully advised of all the particulars: since then, Mr. Westcott has been constant in his efforts to get them off, and has, I am happy to learn, finally succeeded in getting them again to agree to remove from the country in ten days after the arrival of the boys from Kentucky, and I hope that the Department will direct *that all the boys* shall immediately be sent to Appalachicola, Blount's town. Exercising that discretion which was confided to him, Mr. Westcott, to promote the emigration of the Indians, after consulting with the agent, General Thompson, and the sub-agent, Mr. Pope, made a further advance to Blount and Davy, of \$1,500. I am not aware of any thing that can be done, nor can I, at present, suggest any course different from that pursued by the acting Governor, and which he submitted to the Department as being better calculated to effect the speedy execution of the treaty.

The Legislature of the Territory commences its session the first Monday in January next. The Executive will not have it in his power to leave the seat of Government for some time. The agent, General Thompson, who is now at his post, has received orders to return to this place by the first of January next, to attend to the execution of the treaty, and to enforce such orders or instructions as the Department shall give to the superintendent. The most prompt attention will be paid to any instructions given by the Department, and every thing which the superintendent can do to meet the views of the Government will most cheerfully be done.

I believe every particular in the instructions of the 31st ultimo, has been performed by Mr. Westcott before its receipt, but they will again be repeated if necessary. In regard to the robbery of Blount, he, by the advice of Mr. Westcott, had previously appointed a Mr. Bell, as his attorney, to collect his evidence, &c. which, in addition to that previously transmitted by Mr. Westcott, will, I understand, be forwarded to the Department in time for the action of Congress.

I am satisfied, from what Mr. Westcott says, no delay will take place on that ground. I trust the arrival of the Indian boys will not be delayed.

I have the honor to enclose a copy of my instructions to the agent, Genl Thompson, of the 23d instant.

I am, respectfully,

Your obedient servant,

WM. P. DUVAL.

ELBERT HERRING, Esq.

Commissioner of Indian Affairs, Washington.

TALLAHASSEE, INDIAN OFFICE,
January 20, 1834.

SIR: The Indian boy, named in your letter of the 13th ultimo, arrived here a few days since by the stage, and the next morning he was sent home to his parents, under the care of sub-agent Sheffield.

The agent, General Thompson, had left this place three days before the boy's arrival, with a copy of your letter of the 13th ultimo, to procure the Indian boys from the academy in Kentucky. Since the agent's departure from Tallahassee, he has written to me, announcing that the other five boys had been sent home from Kentucky, and were at the Appalachicola towns.

The person who came with them will be employed to take other boys back to Kentucky immediately. When General Thompson returns I will draw on the Department for such sum as may be necessary for the clothing and expenses of the boys, and the person who shall take them in charge. I do not like to draw on the Department, and hope, in future, when funds are required here, they will be remitted in a check on the Bank of New Orleans.

I have the honor to transmit, herewith, the report of the agent, General Thompson, which deserves the attention of the Department. That there are collections of runaway slaves, and Indians who are outlaws from their nation, there is no doubt. This was known to me as far back as the year 1828; and in my communications to the then Secretary of War, the subject was pressed upon the Department, but no action was ever ordered on it.

If it is the intention of the Government to remove, under the late treaty a part of the Florida Indians, I would suggest the advantage of ordering a respectable military force, for a time, to Cantonment Brook, at Tampa Bay. With every precaution and assistance of the Department, the superintendent and agent will have much difficulty in carrying the treaty into effect. The traders (not licensed) are constantly interfering with the objects and views of the Government, using every art to alarm the Indians, and deter them from emigrating. The slaves belonging to the Indians have a controlling influence over their masters, and are utterly opposed to any change of residence. It will be best, at once, to adopt firm and decided measures, such as will demonstrate to the Indians the determination of the Government to see the treaty justly and fairly, but promptly executed. This cannot be done until the bands of outlaws mentioned in the agent's report are arrested and broken up, for so long as they are permitted to remain, every Indian who is unwilling to emigrate will seek their protection and support. I trust that special instructions will be given to meet any state of things that may arise. As the agent is as yet but little known to or acquainted with the Indians, they may be instigated to rebel against his advice and authority.

It may not be improper to remark, that all drafts sent to this superintendency should be on some bank in New Orleans, as they, from our course of commerce, can readily be cashed, when drafts on Mobile, Charleston, and Savannah, cannot be disposed of but at a discount, or at the expense of sending the agent to these points to receive the money.

All drafts will, in future, be handed over to the agent, who is the proper officer to make the disbursements.

I am, respectfully,

Your obedient servant,

WM. P. DUVAL.

ELBERT HERRING, Esq.

Commissioner of Indian Affairs.

The draft received a few days since, to meet the expenses of the 4th quarter of the last year, for this superintendency, did not include any allowance for acting sub-agent Pope, or for the black and gun smith and striker, at the agency, or to purchase iron and steel. The amount allowed for contingent expenses, will not be sufficient to cover the travelling expenses, incurred during the last year by the agent and sub-agent, in the performance of duties at a distance from their posts. The accounts accompanying the agent's report, and the increased expenses of the officers in preparing the Indians to emigrate, (if this should take place,) may require the Department to ask for an additional sum for this superintendency.

WM. P. DUVAL.

TALLAHASSEE, *January 26, 1834.*

SIR: I have the honor herewith to transmit you a report from the Indian agent to me, and as it is important the Department should possess accurate information in relation to the Indians here, I beg leave to call your attention specially to that part of the agent's report in which he speaks of the situation and wishes of Econchattamico, one of the Appalachicola chiefs. I recommend that he should be removed to the Seminole agency, as he is in danger of having property (slaves) stolen from him, if he continues to reside at his present home; his removal will induce the two remaining chiefs to follow him in a short time. I trust that the Department will enable me to meet the wishes of Econchattamico, and empower me also to embrace the earliest opportunity to close with the two remaining chiefs, if they should be willing also to remove to the agency. This would at once relieve the Department from much trouble and expense, as these chiefs on the Appalachicola river are so far distant from the agency. I have drawn a draft at sight on the Secretary of War, in favor of the Cashier of the Central Bank of Florida, for six hundred dollars, or rather in favor of General Thompson, the agent, who has transferred the draft to the bank. I have expressed on the face of the draft that the fund out of which the six hundred dollars is to be paid, is that set apart by the treaty of 1823, of Camp Moultrie, for educating the Indians.

Mr. Henderson, the young gentleman who had charge of the Indian boys, lately arrived from the Choctaw Academy, will return with eight boys by the first opportunity; he will travel by water.

I will again repeat that it is absolutely necessary, if the Government contemplate the removal in the present year of that portion of the Seminole nation at the agency, that have by treaty engaged to emigrate, that the most decisive course of action should be adopted. It is all important that at *first* the Indians may know that the Government is determined on the prompt execution of the late treaty. I have many reasons to fear that unprincipled men have been, and are yet secretly, but actively, engaged in preparing the Indians to refuse a performance of their contract. The slaves belonging to the Indians must be made to fear for themselves, before they will cease to influence the minds of their masters on this subject. My own presence and personal influence may be necessary at the agency, and I believe that if I could visit the Indian towns with the agent, and introduce him to the most influential Indians, it would be of great service.

Many of the most popular Indians are mere warriors, yet have greater influence with their towns than the chiefs. You may be assured that the first step towards the emigration of these Indians must be *the breaking up of the runaway slaves and outlaw Indians*, congregated at two points in the peninsula. The Legislative Council will soon bring their labors to a close, when I shall be ready to render any service that the Secretary of War may deem necessary.

I am, respectfully,

Your obedient servant,

WILLIAM P. DUVAL.

ELBERT HERRING, Esq.

Commissioner of Indian Affairs.

DEPARTMENT OF WAR,
Office Indian Affairs, February 26, 1834.

SIR: Your letter of the 24th instant, addressed to the Secretary of War, has been referred to this office, and in compliance with your request a copy of Mr. Mattoir's letter, enclosed therein, has been sent to the superintendent of Indian affairs, at Tallahassee, with directions to investigate the case, and report the facts to the Department.

You shall be apprised of the result as soon as his report is received.

I have the honor to be,

Your obedient servant,

ELBERT HERRING.

Hon. J. M. WHITE, *Ho. of Reps. U. S.*

DEPARTMENT OF WAR,
Office Indian Affairs, March 26, 1835.

SIR: In answer to your letter of 22d instant, addressed to the President of the United States, and referred to this office, I am instructed to state that as there appears to be no legal prohibition to the Seminole Indians selling slaves owned by them, the Department deems it unnecessary to interfere in the matter, and give them permission to exercise a right which seems already to belong to them.

I am, sir, your obt. servant,

ELBERT HERRING.

Gen. R. K. CALL, *Tallahassee, Florida.*

Extract of a letter from the Commissioner of Indian Affairs, to James D. Westcott, jr. dated October 2, 1833.

"Your letter of the 1st. ultimo, with its several enclosures, has been received.

"According to your recommendation, and conformably to the former practice of the Department in similar cases, you will cause the examination and decision of the conflicting title to the negro slaves, spoken of in your letter, to be referred to the Judge of the District of West Florida."

WAR DEPARTMENT,
Office Indian Affairs, Oct. 28, 1835.

SIR: I enclose a copy of a letter from the Chief Walker to General Thompson, complaining of an outrage committed or attempted on his property, and asking the interference of the Government for his protection. The case seems to be one that requires the interposition of the Government, and I have therefore to request that you will take such steps as may seem best calculated to bring the perpetrator or perpetrators to justice. General Thompson has been advised of this determination, and requested to communicate with you on the subject, and to furnish you with such information with regard to witnesses, &c. as he may be able to obtain. I will thank you to advise me from time to time of the proceedings you may institute in the case.

I have, &c.

ELBERT HERRING.

TO GEORGE WALKER, Esq.

United States District Attorney, Pensacola, Florida.

DEPARTMENT OF WAR, *March 8, 1834.*

SIR: I have had the honor to receive your letter, transmitting a memorial to the President, from a number of citizens of Florida, complaining of the conduct of the Seminole Indians.

The President has returned the memorial to this Department, with instructions to give the necessary directions to Governor Duval, to have effectual measures taken to put a stop to these proceedings, and such instructions have accordingly been given.

Very respectfully,

Your obedient servant,

LEWIS CASS.

TO the Hon. J. M. WHITE,

House of Representatives, U. S.

DEPARTMENT OF WAR,
Office Indian Affairs, June 4, 1832.

SIR: The agent of John Winslett, attorney for the Creek nation, has presented a demand on their behalf, that certain negroes alleged by them to be now in the possession of the Seminoles, should be restored to them

as the rightful owners. The ground of these demands is, that the value of the negroes claimed was paid by the United States to citizens of Georgia, proving in themselves a right of property, out of the money allowed the Creek nation in the treaty of January 8, 1821, as a consideration for the lands which they then ceded. It would seem that the demand is well founded in equity, if the above facts are correctly stated; but it is not competent for the Department, under any existing laws, to enforce satisfaction from the Seminoles. To gratify the claimants, you will investigate their demands, and if their statements are confirmed, you will endeavor to persuade the Seminoles to meet them fairly and promptly, but abstain from every thing indicative of a disposition to coerce them. No expense must accrue to the United States from any measures you may take upon this subject. Should you find the discussion of this matter likely to produce unkind feeling, and thus interfere with the principal object of reuniting the two tribes, you will endeavor to obtain the consent of the Seminoles to refer the decision to the commissioners who will be appointed under the late treaty, to liquidate all claims for negroes stolen and property destroyed.

I am, sir, &c.

ELBERT HERRING.

To Major JOHN PHAGAN, *Indian Agent, &c.*

SEMINOLE AGENCY, *September 8, 1835.*

SIR: Your letter of the 12th ultimo has been received.

I informed Col. Gad Humphreys that I had submitted the question of claim, in contest between him and the Indian woman Culekeechowa, to negroes, a part of which is in the possession of the latter, to the Secretary of War for his advice and instructions.

He has left Florida for some point at the north. I do not know to what point I should enclose to him a copy of my letter to the Department, as directed by you to be furnished to him.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

MR. C. A. HARRIS,

Acting Secretary of War.

SEMINOLE AGENCY, *July 19, 1835.*

SIR: Colonel Gad Humphreys claims two negro boys or men now in the Seminole nation, and in the possession of an Indian woman by the name of Culekeechowa, who urges that they are her rightful property.

During my absence from the agency last summer, these negroes were recovered by Humphreys, but ran away and returned to the nation again. During the session of the council in October last, I demanded these negroes of the chiefs: they said the negroes were the property of Culekeechowa, and that she had never consented to the sale of them. I replied, that as they had once been given up, I did not feel authorized to go behind that surrender for the purpose of investigating the right of property, and that they must be given up again. The negroes have not been given up,

and the chiefs protest against a surrender of them: they, with several of the intelligent negroes of the nation, give the following history of Humphreys' claim: "A negro girl, by the name of Caty, was owned by the mother of Culekeechowa. The mother gave Caty to the daughter (Culekeechowa) while yet a girl. The negro girl Caty took a husband named Mungo, by whom she had four children—Sally, Nancy, Jim, and Israel. That before flags were exchanged under the treaty with Spain, during a time of great scarcity among the Indians, Mungo, the husband of the negro woman Caty, went to the trading establishment of a man by the name of Dexter, at a place called Volusia, on the St. Johns river, for the purpose of obtaining subsistence, where he remained some time, and to which place he finally lured his wife, the said Caty, and her children. That while there, the brother and sister of the mother of the said Culekeechowa went to Volusia, where the said Dexter induced them to sell said negroes to him, under pretence that they had the right to do so, and that he paid in whiskey and goods a trifling consideration, of which the real owner, Culekeechowa, never received any part, but called upon the said Humphreys, who was then agent, to cause said negroes to be returned to her, which he promised to do. That, subsequently, said negroes were exposed to sale at St. Augustine as the property of said Dexter. The agent attended the sale for the professed purpose of claiming the negroes for the said Culekeechowa. That the agent returned with the negroes, and stated, that, to prevent their being carried off to Charleston, he was obliged to purchase them himself. That when the boys, Jim and Israel, grew up, and became acquainted with the history of the case, they returned to their Indian owner."

The woman, Caty, with her two daughters and their children, are in the possession of the said Humphreys. The Indians say that their consent to a surrender of the negroes was extorted from them.

The chiefs insist upon me to lay the whole case before you, and appeal to you for protection and justice to Culekeechowa. They say, that when by any means a negro or other property belonging to the whites gets into the possession of the Indians, they have to give it up, or the value of it is deducted from their annuity; and that, therefore, when any of the Indian's property is improperly retained by a white man, they ought to find protection and redress somewhere, inasmuch as their dependent condition, and their treaties, leave them powerless; and, in conclusion, they say, that the only source to which they can look is through their agent to the Government.

It is my duty, perhaps, to state, that the swindling practices of Dexter, in his intercourse with the Indians, are, in this section of the country, quite notorious. I believe the President has a knowledge of Dexter's character, obtained while in military command in this country.

I respectfully submit the case to you, and ask your advice and instructions.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

HON. LEWIS CASS.

SEMINOLE AGENCY, *March 25, 1835.*

SIR: I have just received your letter of the 2d instant, relative to a claim represented by Major A. Clark.

During the latter part of the past year Major Clark informed me, by letter, that he was agent for a Mrs. Hanna, who claims certain negroes now in possession of a Seminole Indian woman; and that evidence establishing the claim had been submitted, and supposed to be in this office. I made a diligent search among the files of the office, and found nothing on the subject except two or three letters addressed by Major Clark to my predecessor, of which I promptly apprised Major Clark, and stated to him at the same time, that it would be my duty, and, consequently, my disposition, to act promptly upon the subject whenever the claim, with accompanying evidence, should be submitted to me.

Why Major Clark has, under such circumstances, thought proper to make application to the Department, which implies a complaint against me, I cannot conceive.

I have not yet seen any evidence on the subject of this claim except that of which you have a copy enclosed. This was furnished to me in support of the Indian claimant's right to hold the property.

The facts of the case, so far as they have come to my knowledge, appear to be, that a man, by the name of Reading Blunt, sold Sarah, the negro woman, (whom, with her increase, Mrs. Hanna now claims,) to an Indian for a valuable consideration. This man Blunt was the father of the claimant, Mrs. Hanna. It has been represented to me, verbally, that Mrs. Hanna claims under her father, the said Reading Blunt, by deed of gift. The affiant, Edward M. Wanton, has been uniformly represented to me as a man entitled to credit on his oath. The statement of an elderly negro man, belonging to the Seminole Indians, corroborates the affidavit of Mr. Wanton. If evidence should not be adduced to destroy the force of Wanton's affidavit and the negro's statement, then, while I shall be bound to admit that Mrs. Hanna, on the exhibition of a legally executed deed of gift from her father, of a date anterior to the sale of the negro to the Indian owner, will be *legally* entitled to the property, I shall be decidedly of opinion that she has *no equitable right* to it.

I shall at all times be ready to afford promptly to Major Clark, or any other claimant, any facilities in my power to the prosecution of a fair and equitable claim.

But if the investigation of this claim shall result in the establishment of the facts represented in Edward M. Wanton's affidavit, I am sure the Department will not require of me an exertion of such influence as I may have over the Indians, to induce a surrender of the property in question.

I am, sir, very respectfully,

Your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

FLORIDA TERRITORY, *Alachua county:*

Before me, Charles Waldron, a Justice of Peace in and for said county, personally appeared Edward M. Wanton, of said county, who, being duly sworn, deposeth and saith, that about twenty-five years ago a man by the

name of Reading Blunt, came to Picolata, East Florida, and sold Sarah, a negro woman, to a member of the late chief Bowleg's family, who, I think, gave forty head of beef steers for the said negro woman Sarah. At that period it was usual for the Indians to rate all negroes on sale at this rate of forty head of beef cattle, and that the size and value of the cattle was made to correspond with the size, age, sex, and value of the slave. That the largest beef cattle then rated at twenty dollars per head. The negro woman Sarah was grown.

Deponent further saith, that Mrs. Hanna, who is now claiming said Sarah and her issue, he has always understood was the daughter of said Reading Blunt, who sold said slave.

EDW. M. WANTON.

Sworn to and subscribed before me, this 14th January, 1835.

CHARLES WALDRON, *J. P.*

I have been acquainted with Edward M. Wanton for four years, and I consider him entitled to full credit on his oath.

CHARLES WALDRON, *J. P.*

FORT KING, *March 31, 1835.*

I have been acquainted with Edward Wanton for the last twelve years, and consider him entitled to full credit on his oath.

D. L. CLINCH,

Brevet Brig. General, U. S. Army.

TALLAHASSEE, *May 23, 1836.*

SIR: I herewith transmit you a petition of the Indian Chief Conchattamico, to be laid before Congress should you consider that necessary.

Taking forcibly the slaves of this chief, after those men had created an alarm among the white inhabitants, which resulted in disarming the Indians, was an outrage well calculated to rouse them to hostility. This alarm was concerted by these violators of all law, solely with the view of obtaining, without the danger of resistance, the slaves of the chief. I believe it is admitted by the inhabitants of Florida who know this chief, that an Indian of more honesty and generous feeling towards our citizens is not to be met with in any tribe in the United States.

While I acted as the Governor of Florida, the claim, under the shadow of which Robinson and Welbourne and others have taken the slaves, was submitted to my investigation, and after a full examination I was satisfied the slaves justly belonged to the chief, and, of course, the claim of the applicants was rejected. I then informed the claimants they could bring their suit for the slaves, and if the court should decide they were entitled to recover them, they should be delivered up.

Some suit or process was instituted by the claimants in the superior court of Jackson county, before the honorable Judge Cammeron, when finding from the evidence taken in the cause, they must be defeated, the plan was resorted to of alarming our citizens, who, for their own safety (as hostilities then existed with the Seminoles) disarmed the Indians to accomplish the capture of the slaves. I have been informed and believe the report is correct, that Robinson and Welbourne, and others concerned in this outrage,

have speculated largely in the purchase of Indian reservations in the State of Alabama, and I entertain but little doubt, that great frauds have been practised on the Indians in their purchases.

It might be proper for the Department to have a full examination made of their conduct and purchases before they receive confirmation.

I have no expectation the slaves referred to in the petition will ever be obtained, as I take it for granted that they have been carried to a great distance and sold. The chief is an old man, and now destitute of assistance to cultivate his land, and must, with his family, suffer want, if some adequate remuneration for his loss is not speedily made to him. Colonel Richard C. Allen and myself, have undertaken, at the solicitation of Conchattamico, to place his case before your Department, with the expectation that you will either have it acted on by the Department, or, if you deem it proper, to submit the subject to the action of Congress. Please to acknowledge the receipt of the petition, and apprise us of the direction and disposition you may make of it.

Your answer may be directed to Duval and Allen, Tallahassee.

Respectfully,

Your obedient servant,

WILLIAM P. DUVAL.

Hon. LEWIS CASS,
Secretary of War.

APRIL 2, 1836.

The petition of E. Conchattamico, an Indian chief, residing on the Appalachicola river, in the Territory of Florida, to the Honorable the Senate and House of Representatives of the United States in Congress assembled:

Your petitioner states that he is one of the chiefs who entered into a treaty with the United States in the year 1833, at Camp Moultrie, in Florida, by which the land he now resides on was secured to him, and the said treaty guaranteed to him his rights and property, which the United States promised to protect and secure to him.

Your petitioner states, that about the 1st of March, 1836, while acting peaceably, and avoiding all offence towards his white brethren—the Indian war now prevailing in Florida, occasioned to him and his people great uneasiness and alarm—evil disposed white men who, as it appears, were industriously working on the fears and apprehension of the good citizens of Florida, to cause distrust and suspicion to attach to your petitioner and his innocent people, of bad faith, and treachery, pretending your petitioner and his few warriors were ready to join the hostile tribes of Indians now at war with the United States. These unjust and groundless accusations alarming your petitioner's white neighbors, were made by a set of men, for the sole purpose of getting your petitioner and his people disarmed for their own bad and selfish objects, and more particularly that they might, without danger in his defenceless condition, (for your petitioner did actually surrender his arms to quiet the apprehension of his white neighbors, and did also send some of his active warriors to aid the United States against the lawless Seminoles) seize upon and take away his slaves, of great value,

and to the number of twenty ; all of whom were likely young negroes but two or three, who are hearty and strong, aged from forty to fifty years, Your petitioner states, that seven of these are likely young men, that they would command *now* \$1,000 *each*, and that the whole twenty slaves would readily bring at least \$15,000. Your petitioner states a certain Alexander J. Robinson, and one Col. Willburn, residing in the State of Georgia, forcibly took, and carried away the following slaves: Henry, aged twenty-five years; Robertson, twenty-four years of age; Dacio, a man, aged thirty; Fanny, aged thirty; Betsey, a girl, twelve years old; Buttler, a negro boy, eight years old; Daniel, a boy, two years old; also Tom, aged forty-five; Wanda, aged forty, and an infant child; Rubin, aged thirty; Nanie, aged five years; Hannah, aged forty; Jenny, twenty-one; Tenor, fourteen; Ballow, a boy, aged fourteen; Mary Ann, aged five years; Moses, aged twenty-eight; Toney, aged twenty-six, and woman, called Anluza, aged forty-five; all the slaves were the property of your petitioner, most of whom were born in his possession; and the elder ones have been in his possession for more than twenty years. Your petitioner states, that his said slaves have been forcibly taken out of this Territory, by the said Robinson and Wellburn, and others, whose names are unknown to your petitioner, and he fears those his slaves have sold, so that he cannot recover them. Your petitioner further states, that the grand jury of Jackson county, in this Territory, at the present March term of the superior court, have returned several indictments against the said Robinson, Willburn and others, as true bills, for robbery and larceny; but as all the offenders have run off into the States, there is but little hope that they will be arrested and brought to punishment. Your petitioner, therefore, prays that Congress will indemnify him for the loss of his slaves, and for the injury he has sustained; and that a sum sufficient to cover his loss may be appropriated by Congress, to be paid your petitioner, according to the report which may be made by the honorable judge of the western district of Florida, whom he prays may be authorized to take testimony, and ascertain the amount or the value of said slaves; and your petitioner, as in duty bound, will ever pray, &c.

his

E. CONCHATTA × MICO.

mark.

Witness,

JOHN BIRD, *Justice of the peace for Jackson county.*

The affidavit of William S. Pope, Esq. residing in the county of Jackson, and Territory of Florida, taken before John Bird, Esq. a justice of the peace for the county aforesaid: This affiant states, on oath, that he is acquainted with the Indian chief, Conehattamico, residing in the county of Jackson, and Territory of Florida, and on the river Chattahoochie; that this affiant at one time acted as sub-agent for the Indian department, and verily believes that said Indian chief, Conehattamico, is an honest man, and as orderly a citizen as any in the county; that he is well acquainted with his circumstances and his property, and knows his slaves, named in his petition to Congress, with the exception of two or three infants. This affiant says, from his own knowledge, that the slaves named in said petition, have, for many years, been in the possession of said Indian chief, and

considered as his property; that the same have been, as he believes, forcibly taken, by lawless persons, from his possession, and carried without the jurisdiction of this Territory; that he believes that said slaves would readily sell for at least from twelve to fifteen thousand dollars. This affiant further states, that the Indians were disarmed, under the pretence that they would, or might, join the hostile tribes, now at war in this Territory, and the arms were brought, as this affiant understood, in part, at the house of H. Douglass, and the arms of the other Indian town below, on the river, and deposited in the house of this affiant, who considered it, at least, unnecessary and illegal, and he redelivered the arms to the Indians as they called for them; and that it was while the Indians were thus defenceless, the slaves, referred to in said petition, were forcibly taken, as this affiant believes, from the possession of said Chief Conchattamico. This affiant states that he believes, from the best information that eleven of the warriors of the chief aforesaid, had actually gone to join our troops against the hostile Indians; not that this affiant saw them actually march off, but he does not doubt the facts, as it is notorious throughout this neighborhood.

In witness hereof I have hereto subscribed my name this 2d day of April, 1836.

WM. S. POPE.

I, John Bird, a justice of the peace, now in commission in the county of Jackson, and Territory of Florida, do hereby certify, that William S. Pope, Esq. signed and made oath before me to the within affidavit. Witness my hand and seal this 2d day of April, 1836.

JOHN BIRD, J. P. [SEAL.]

SEMINOLE AGENCY, Sept. 23, 1835.

I herewith enclose to you a letter from John Walker, who succeeded his father, the late Walker Pechassie, as chief of a band of Indians on Appalachicola. The letter was, I perceive, written by a gentleman who resides within three miles of the reserve, and consequently had an opportunity to inform himself as to the correctness of the statement made in the letter. I also enclose to you a copy of my letter addressed to the United States attorney for the western district of Florida, on the same subject. I am not informed whether Mr. Walker instituted an inquiry into the matter or not, but fear he did not, as the outrage has been renewed. The reserve is two hundred and forty miles from this place, consequently I cannot afford those Indians any protection against the threatened outrage.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Mr. ELBERT HERRING.

ASPALAGA, July 28, 1835.

DEAR SIR: I am induced to write you in consequence of the depredations making, and attempted to be made on my farm, by a company of men, negro stealers, some of whom are from Columbus, and have connected

themselves with "Brown and Douglas." It is reported and believed by all the white people around here, that a large number of them will very shortly come down here and attempt to take off Billy, Jim, Rose, and her family, and others. These same men have been engaged in the same business up in the "Creek nation." I should like to have your advice how I should act. I dislike to make any trouble, or to have any difficulty with any of the white people, but if they will trespass on my premises and on my rights, I must defend myself in the best way I can. If they do make this attempt, and there is no doubt but they will, they must bear the consequences. But is there no *civil law* that will protect me? Are the free negroes and the negroes belonging in this town to be stolen away publicly; in the face of all law and justice, carried off and sold to fill the pockets of these worse than "land pirates?" Certainly not. I know you will not suffer it. Please direct me how to act in this matter. Douglas and this company hired a man, *who has two large trained dogs* for the purpose, to come down and take Billy. The man came, but seeing he could do nothing alone, has gone off somewhere, probably to recruit. He is from Mobile, and follows for a livelihood, *catching runaway negroes* with these large dogs. Your attention to this matter, by writing to the Governor, &c. will be long remembered by

Your friend,

JOHN WALKER, his + mark.

Chief Emachitochustern.

JIM WALKER, his + mark,

Interpreter.

Test,

Gen. THOMPSON.

SEMINOLE AGENCY, Nov. 24, 1834.

SIR: A certain negro, man named Bill, Billy, or William, the son of a negro woman named Rose, who is the wife of Sam Factor, all of them belonging to the chief Walker Pichassie's band, on the Appalachicola river, is claimed by one Levin Brown, a citizen of Jackson county, Florida, living on or near the Chattahoochee river. This claim, as the sub-agent, Mr. Wm. S. Pope informed me, was submitted to Governor Duval, Superintendent of Indian Affairs, in Florida, who made a verbal decision, that the negro in question, *is not the property* of the said Levin Brown. Not long since I was credibly informed that Isaac Brown, the brother of the said Levin, and living in the same neighborhood, went to Walker Pichassie's reserve, with a party of men, and attempted to take the negro by force, and was prevented by force. This entry on the reserve, by force, with an unlawful intention, was a violation of law, and of the provisions of the treaties under which the Indians hold that reserve.

I have therefore to request that you will institute a prosecution against Isaac Brown for that unlawful act. A Mr. Rankin, who is overseer for Major Coe, on the Appalachicola river, adjoining or near the reserve, witnessed the outrage. Mr. Pope will testify as to the decision made by Governor Duval. A prompt prosecution of the delinquent is alone calculated to afford those Indians protection against a repetition of

the outrage. If Brown was aggrieved by the decision, he had the right of appeal to the Secretary of War.

Very respectfully,

Your humble servant,

WILEY THOMPSON,

Agent for the Florida Indians

Mr. WALKER, *U. S. Atty. West. Dis. Florida.*

WASHINGTON, *March 22, 1835.*

SIR: I have received letters from some of my friends at Tallahassee today, requesting me, if possible, to obtain permission from the Government to purchase the Indian right to certain negroes residing among the Seminoles, and supposed to belong to the Indians. If there is no objection to such a purchase, and I presume there can be none, there is no measure which would contribute so much as this to the removal of the Indians. The negroes have great influence among the Indians, they are better agriculturists, and inferior huntsmen to the Indians, and are violently opposed to leaving the country. If the Indians are permitted to convert them into specie, one great obstacle in the way of removal may be overcome.

I have, therefore, to request that Robert W. W. Williams, and William Baily, may be authorized, under the approval of the agent, to make a purchase of one hundred and fifty of these negroes.

I shall be greatly obliged by having the permission sought for, forwarded to me at Tallahassee, for which place I set out to-morrow.

Very respectfully,

Your obedient servant,

R. K. CALL.

To the PRESIDENT of the United States.

The Commissioner of Indian affairs, will look into the law upon this subject, and let me know whether permission can be granted.

L. C.

I find no prohibition in the act of the 30th of June, 1834, which will prevent the giving of the permission solicited.

B. F. B. *Att'y Gen.*

Endorsement of the President, referred to the Secretary of War.—There can be no reason for not giving a permission to purchase their slaves as it appears to me, directing the agent to see that they obtain a fair price for them.

A. J.

TALLAHASSEE, INDIAN OFFICE,

March 12, 1834.

SIR: I had the honor, by the last mail, to receive your letter of the 26th ultimo, with a copy of a letter addressed by Lewis Mattoir to the Hon. J. M. White. The Indian agent, General Wiley Thompson is now absent, on his way to New Orleans to pay off the chiefs Blunt and Davy, and

their bands who are on their route to their new residence. The agent having been designated by the Department, heretofore, to examine into all claims for slaves in the Seminole nation that may be demanded by our citizens, it will not be possible for him, I fear, after his return from New Orleans, to investigate the claim, and report the same in time for the action of Congress at its present session. I could not perform the duty, was I authorized to do so, unless I went to the agency, which is about 150 miles from this point, and how long it would require to investigate the claim I could not tell, as I am unacquainted with the facts. As soon as the agent returns from New Orleans, he will be instructed to attend to the case as the Department requires.

Respectfully, your obedient servant,
WM. P. DUVAL.

ELBERT HERRING, Esq.
Commissioner of Indian Affairs.

WASHINGTON, *February 28, 1835.*

SIR: I have seen Major Archibald Clark since I had the honor of an interview with you yesterday morning, in relation to the claim of a lady against the Indians for negro property that he was representing, and informed him of the result of our interview; he desired me to request, that you would address a letter to General Thompson, agent of Indian affairs in Florida, directing him to give to the said Mr. Clarke, or the claimant, the necessary facilities in having restored to the said claimant the said property, upon the necessary production of proof on investigation of the right to the property before the proper authorities; any directions you may think proper and consistent with duty to give, will be thankfully received by Major Clark, and may be communicated to me.

I have the honor to be,

Very respectfully,

Your obedient servant,

R. L. GAMBLE.

To the Hon. LEWIS CASS.

SEMINOLE AGENCY, *December 2, 1834.*

SIR: I have this moment discovered that I neglected to enclose the copy of Mr. Richards's letter alluded to in my letter addressed to you of this date.

The mail left three hours ago, and I therefore send an express in pursuit of it. I herewith enclose a copy of Mr. Richards's letter, and add that should it be thought advisable for me to visit the Indians on the Appalachicola immediately, it will bring me in the immediate neighborhood of the two late sub-agents, Mr. Sheffield and Mr. Pope, and the late interpreter Mr. Richards, to each of whom balances are due. In that case it is desirable that I should be furnished with funds to pay them, otherwise it will be somewhat tedious and difficult to close their accounts, as the nearest of them to this place, is more than one hundred and ninety miles.

Very respectfully, sir, your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

JUDGE POPE'S, *November 4, 1834.*

DEAR SIR; I had a long talk with old Jim last night, and he is fully not to go, and says if you could come up here in a short time, that you and me and him can get all of the Indians to go. Jim and Rose and Sam Factor are very much alarmed about old Winslett's claim to Rose and her family, which is the cause of their being so willing to go. There is no doubt if you can come but we can get them to go.

STEPHEN RICHARDS.

WILEY THOMPSON, Esq.

WAR DEPARTMENT, *March 7, 1834.*

SIR: The enclosed petition, addressed to you, has been received at this Department. I have the honor to transmit it, agreeably to its direction and to await your order on the subject to which it refers.

Very respectfully,

Your most obedient servant,

LEWIS CASSE

To the PRESIDENT

of the United States.

TERRITORY OF FLORIDA, ALACHUA COUNTY,

January, 1834.

To his Excellency ANDREW JACKSON,

President of the United States:

The undersigned inhabitants of Florida, residing in that part of the Territory which borders on, and is in the vicinity of the boundaries of the Seminole nation, beg leave to address you as the head of the Government of the United States, and as the source to which they may appeal with a confident expectation that their appeal will receive the attention to which its importance, not only to them, but to Florida at large, evidently entitles it.

We bear in cherished and grateful remembrance the numerous manifestations of your kind and paternal feelings towards our infant country, and we recur with sentiments of peculiar gratification to your efforts to remove from among us a species of population which, though limited as to numbers, is, nevertheless, owing to its wandering and unsettled character, most seriously and effectually retarding the prosperity of our Territory, by spreading themselves over a large and fair portion of it, which they regularly do, in open and flagrant violation of sacred compact, for they do not even affect to respect their pledge to confine themselves within the limits of territory reserved to them by the treaty of 1823; on the contrary, they are to be found at all times, and in large parties of almost entire tribes, encamped in the neighborhood of the white settlements, to the great annoyance and injury of the settlers, whose fields are pillaged, and their stock of every description subjected to the constant and heavy depredations of these hungry freebooters; nor are these the only evils which are experienced, and grow out of the presence among us of a people like them, acknowledging

no moral obligation, who entertain no respect for the rights of their neighbors, and who will yield to no argument but force. It is hardly necessary to say that we allude to the Seminole Indians.

While this lawless and indomitable people continue where they now are, the owners of slaves in our Territory, and even in the States contiguous, cannot, for a moment, in any thing like security, enjoy the possession of this description of property. Does a negro become tired of the service of his owner, he has only to flee to the Indian country, where he will find ample safety against pursuit. It is a fact, which, if not fully susceptible of proof, is, notwithstanding, and upon good ground, firmly believed, that there is at this time living under the protection of the Seminole Indians, a large number, probably more than one hundred slaves, who have absconded from their masters in the neighboring States, and in Florida, since the treaty of Camp Moultrie. Within a few weeks, several parties are known to have sought and found shelter in the nation, where they continue secure against every effort of their owners to recover them; and this, too, in total and gross disregard of a solemn promise (see article seventh, treaty of Camp Moultrie aforesaid) on the part of the Indians, that runaway negroes should not be allowed shelter in their nation, and that should such take refuge there, the best efforts of the nation should be used for their prompt apprehension and surrender. They seem, in general, hardly to think it necessary, when called upon to perform their promise upon this subject, to admit the fact of their having made such a promise; and even when they do acknowledge it, it is no evidence of their intention to observe good faith in relation to it; on the contrary, it is an undoubted truth, that, in some cases, when they have been called upon to surrender absconding slaves, they have connived with, and, through the instrumentality of the negroes living among them, aided such slaves to select new and more secure places of refuge. There are, it is believed, more than five hundred negroes residing with the Seminole Indians, four-fifths of whom are runaways, or descendants of runaways. To these all the fastnesses and positions of security in the nation are thoroughly known.

With the sympathy (the natural result of a parity of interest, a similarity of condition) which they must be supposed to feel for the refugee, backed by the countenance of their red protectors, and possessing the knowledge of country before adverted to, it is evident that the absconding slave, who succeeds in reaching the Indian territory, is in absolute safety, and may laugh to scorn all exertions for his apprehension. It is perfectly obvious, that during the existence of such a state of things, the interests of this fertile and promising section of Florida cannot flourish, and we are constrained to repeat, that there is no rational prospect of a change for the better, so long as the Indians are suffered to remain in their present location.

It had been fondly hoped, after the conclusion of the treaty of Payne's Landing, that our difficulties, so far as they depended upon this wretched and misguided people, would speedily draw to a close; and that the return of the deputation, sent by them to examine the country west of the Mississippi, would be at once followed by the commencement of preparations for the emigration of the whole nation. But in this we have been most sadly disappointed; and so far from their exhibiting a disposition to comply with the terms of that treaty, and enter upon the promised removal, they demonstrate, not only by their manner, but by their open declarations also,

that they do not intend their agreement to leave Florida shall have upon them any binding effect.. Since the return of the deputation aforesaid, the conduct of the Indians has been even more insufferably outrageous than before. They have not scrupled to seize in open day, and in the very enclosures of the inhabitants, their cattle and hogs, and these, as if confident of security, or desperately regardless of consequences, they butcher without removing them, in some instances, out of sight of the dwellings of their owners. In two or more cases they have aimed and snapped their rifles at our fellow-citizens, for no other reason than an attempt on the part of those citizens to protect their property. Their insolence and recklessness of feeling have in fact reached such a pitch, that they appear no longer to think it necessary to disguise, and they have been heard to declare in the most unqualified terms, their contempt for the Government and its laws: to denounce their indignation, and threaten the country with bloodshed should any measure be adopted to restrain and control them.

This most unpropitious and alarming condition of their country, the undersigned respectfully conceive, demands the immediate and efficient action of the Government, and they will not permit themselves to doubt that the necessary interposition will be promptly awarded.

We have the honor to be,

Very respectfully,

Your obedient servants,

James Horn
John Pisnese
M. Garrason
Joseph Butler
Wyatt C. Allen
Samuel Harville
Alfred West
John Jinnins
Richard R. Crum
William Crum
Wiley Brooks
James McHaden
David D. Crum
Willoby Hodge
Charles Waldron
Warren Harville
J. Elliott Harville
James Lanier
Robert Lanier
Isaac Lanier
Hardy Lanier
John Lanier
Horace Smith
Elias Knight
John Standley, jr.
Arnold Thigpin
William Horn
Henry Horn
George W. Rawles
Henry A. Moore

John Lugs
Francis Mathues
David Gillett
Stephen Blocker
James Edwards
William Farquharson
A. Sylvester
Jonas Ellis
Benjamin Horn
Brillon Knight
Abraham Crum
James Verhain
Jehu Mizelle
John Hamilton
D. L. Wilson
Andrew Cruize
Andrew Crum
John J. Crum
Bennet M. Dell
G. Humphreys
Geo. Conter
Gabriel Priest
Granville Priest
William Priest
Ezra Priest
G. W. Priest
Geo. Mills
Horace Smith
George Evander
E. Suggs

M. Johnson
 Edward M. Wanton
 Anthony Levy
 S. Johnson
 Haste Johnson
 John Fleming
 Samuel Piles
 William Piles
 Samuel Piles, jr.
 Thomas Piles
 D. Levy
 John Crawford
 John Pace
 John Walerston
 Thomas Harn
 M. Savery
 W. Terades
 J. G. Tyner

J. Tyner
 John Curry
 Job Suggs
 John M. Stafford
 William Parsons
 John Dixon
 C. Dixon
 Lew. Williams
 Lewis Thigpin
 C. A. Brush
 A. Daniel
 W. Daniel
 Wm. Daniel
 E. Daniel
 E. Daniel, jr.
 Geo. W. Weeks
 Wm. Edwards.

The Secretary of War will direct the Governor of Florida to make inquiry into the truth of the charges against the Seminole Indians, and if found correct, forthwith to inform them that speedy punishment awaits the repetition of the outrages committed, and demand for the owners speedy remuneration for the property taken, and forthwith to prepare to remove to the west of the Mississippi, and join the Creeks now there, or immediate steps would be taken to enforce the treaty.

A. J.

February 24, 1834.

Mr. White, of Florida, submits the enclosed letter to the honorable Secretary of War, and requests that an order be given to the agent to inquire into the affair.

January 3, 1824.

DEAR SIR: Mrs. Dewees, my mother-in-law, and Col. J. Dell's sister, lost a number of negroes by their being run off during the troubles of 1812. Since the change of flags they have been seen among the Seminole Indians, in East Florida, who have screened them, and prevented their being recovered for Mrs. Dewees.

Now, sir, it would appear to me that those Indians should be made to pay for those negroes out of their annuity, or some other way, on its being proved that they have been detained by them, before some suitable tribunal. Congress can alone, I believe, furnish a relief, by creating such a tribunal for that purpose, or in some other manner. There are a great portion of your constituents similarly situated.

If your were to exert yourself for their relief and obtainment of just rights, you would receive from them their sincerest thanks and warmest gratitude, and particularly from

Yours, most truly and respectfully,

LEWIS MATTAIR.

The Hon. J. M. WHITE.

Be so kind as to answer this, directed to Dell's post office, Columbia county, East Florida.

L. M.

PENSACOLA, WEST FLORIDA,
April 12, 1836.

SIR : In November, 1833, James D. Westcott, Esq. then acting Governor of this Territory, communicated to me a letter from the Department of War, directing that a dispute which had arisen between a Mr. John Milton and Econchattamicco, the chief of one of the Indian towns on the Appalajchicola river, respecting some negro slaves then in the possession of that chief, should be referred to me for my examination and decision.

Early in December, of the same year, I issued commissions for the purpose of taking testimony, to a commissioner residing at Fort Mitchell, to another residing at Camp King, to another residing at Tampa Bay, and to another residing near the Indian towns on the Appalachicola. Since that time I have issued several other commissions, at the instance of Milton, for obtaining more testimony, and am now in possession of a mass of evidence on the matters in controversy.

Milton had commenced a civil action against Econchattamicco, by the way of attachment, in the superior court of Jackson county, in the district of West Florida, prior to the reference of the disputed matters to me by order of the War Department. I would not suffer him to proceed in that suit, until I had examined the case. At the last term of Jackson superior court, he came into court, by his attorney, and dismissed his attachment, and announced his intention to withdraw from any controversy with the Indians about the slaves.

The truth is, as I understand, that Milton has sold his claim to the slaves to other persons, who have tortuously obtained possession of them, and removed them beyond the limits of this Territory. Upon this point, I have directed M. Walker, the district attorney, to give you all the information he possesses, and to send you copies of such papers as will elucidate the matter.

Herewith you will receive the opinion which I have formed, upon a view of all the evidence I was able to obtain, in the case referred to me. If it be desirable, I can transmit to the Department the evidence upon which my opinion is founded.

Having had this case under me for more than two years, and it being one involving much labor, not appertaining to my regular official duties, I expect that Government will pay me for my services a sum right and proper. The case was before me, under the reference of the Secretary of War, for two years and a half. I do not know what Government has been in the habit of allowing for such services, but I am willing to receive what has been hitherto given in like cases.

I have the honor to be,

Most respectfully,

Your very obedient servant,

J. A. CAMERON,

Judge Dist. West Florida.

Hon. LEWIS CASS,
Secretary of War.

PENSACOLA, WEST FLORIDA,

April 12, 1831.

In the case of John Milton, a citizen of Georgia, against Econchattamicco, an Indian, referred to the examination and decision of the judge of the United States for the district of West Florida, by order of the War Department.

The claimant, John Milton, claims several negro slaves, in the possession of Econchattamicco, under a bill of sale from Hawkin, an Arkansas Creek Indian.

Hawkin claims under a bill of sale from Cocha-hajo-chopco, otherwise known and called Wamelika.

Wamelika claimed the slaves in question as his, as being one of the sons of Fucheggee, the original owner of them.

Econchattamicco's title to the slaves rests upon an Indian law of inheritance.

The bill of sale from Cocha-hajo-chopco or Wamelika to Hawkins, is dated July 13, 1833, and conveys, by name, five negro men slaves, and five negro female slaves "and their increase;" the consideration is \$3,000. The grantor does not write, but his *mark* is made, together with a seal, and the deed purports to have been made before two witnesses, one of whom proves its execution, before a justice of the peace for Jackson county, on the 2d of September, of the same year.

The bill of sale, for the same ten slaves, from Hawkins to the claimant Milton, is made about the same time, and for the like consideration money.

Falehigee, the father of Wamelika, lived and died in Florida, near Mount Vernon, on the Appalachicola. He was the owner of *Sally, Hannah, Tyler*, and *Tom*, negro slaves, from whom the slaves in question descended. He died somewhere between forty and fifty years ago, leaving four children (of whom Wamelika was the second) and a brother named Will, and a sister named *Sary*, who also was the mother of Econchattamicco.

Falehigee, when about to die, gave his negroes to his brother Will, and desired that, when Will died, the negroes should belong to Econchattamicco, the son of Sary, the sister of Falehigee and Will.

When Will died, the negroes were taken possession of by Econchattamicco, more than thirty years ago, and he has held them in possession ever since. From the whole of the testimony, (and there is no variance in it,) it appears that, prior to the termination of the late war between the United States and Great Britain, the universal law of inheritance among the Creek Indians was, that brothers first inherited, in preference to children and all others, and then the *sons of sisters*.

After the close of the late war, McIntosh, the Indian chief, procured the Indian law of inheritance to be altered, and under the *new law*, children inherited in preference to brothers or nephews. Immediately on the alteration of the law, the alteration was made known to the lower Indians, and was agreed to in council.

Upon the death of Falehigee, Will took possession of his slaves, under the laws of inheritance then in force among the Indians; he being the brother of Falehigee. Upon the death of Will, his nephew, Econchattamicco, the son of Sary, who was sister both to Will and Falehigee, took the negroes into possession under the existing Indian law of inheritance, and long prior to the alteration of that law.

The reason of the old Indian law of inheritance, by which brothers and sons of sisters inherited in preference to children, seems to have arisen from the belief entertained by the Indians, that a *brother*, or a *sister's* son, would be more likely to have the same blood with the deceased flowing in their veins, than even the children of the wife of the deceased, although those children might be reputed to be the children of the deceased.

As then, the law of inheritance, by which negroes descended to brothers or sisters' sons in preference to children, prevailed among the Indians at the time of the death of Falehegee: as the same law of inheritance prevailed at the time of the death of Will, and as the same law prevailed when the slaves came into the possession of Econchattamicco, and for several years thereafter, I am of opinion that none of the children of Falehegee were entitled to his slaves, but that they lawfully descended first to his brother Will, and, afterwards to his nephew, Econchattamicco, and that Wamelika had no right, power, or authority to sell them to Hawkins.

Even if the Indian law of inheritance had been altered before the death of Falehegee, (whereas it was not altered until many years *after* his death, say thirty years,) still, as he left four children, there was no authority in *one* of them, Wamelika, to sell and dispose of his slaves, without the concurrence of his brothers and sister.

But the bill of sale from Wamelika to Hawkins, is made more than *forty* years after the death of Falehegee, the ancestor, and more than *thirty* years after the slaves had been in the quiet and undisputed possession of Econchattamicco, under the acknowledged Indian law of descent.

Besides, in a certificate which Wamelika himself made, on the 8th of October, 1833, before a justice of the peace, and two other witnesses, he says, that any title he should have made to Benjamin Hawkins, or any other person, is of no account, as he, Wamelika, had no right to sell the negroes in dispute; that he never had any right to the negroes; that the title has been in Econchattamicco for something like thirty years; that if he had supposed that they were his property, he should have taken them long before this time. He further says, that he has never received any value from Benjamin Hawkins, or from any other person, for these slaves.

I am of opinion, therefore, that John Milton, the claimant, has no shadow of title to the negro slaves in question, but that they all rightfully belong to Econchattamicco.

J. A. CAMERON,
Judge Dist. West Florida.

PENSACOLA, April 21, 1836.

SIR: I deem it my duty to inform you of a recent occurrence within this district, between a number of white men and the Indians residing on the Appalachicola river, and of the steps I have taken in relation to it.

Some two or three years since an effort was made by a certain John Milton and others, by a civil process from a court of this Territory, to possess themselves of a number of negroes claimed, and in the possession of Econchattamicco, an Indian Chief, residing within the town or reservation secured to him and his band by the treaty, known as the Treaty of Camp Moultrie. The acting Indian agent thought it his duty to take means to protect the Indians, and applied to the Governor of the Territory for his aid and authority to effect that object.

The Governor opened a correspondence with the Secretary of War on the subject, which resulted in instructions from the Secretary that a judicial proceeding should be instituted before the judge of this district.

That proceeding was accordingly instituted, and how it resulted, as well as that previously instituted by the persons claiming adversely to the Indians, you will, I presume, soon be apprised of by the Hon John A. Cameron. I will but say in relation to it, that the claimants, by a declaration in court, abandoned the investigation.

Some short time since the Indians, by robbery and larceny on the part of the persons alluded to, were divested of the whole of the negroes; and the steps I deemed it my duty to take, will be indicated to you by the enclosed documents.

About the same time, and by the same persons, an Indian chief called Walker or Walk-up-chasee, residing on a reservation on the same river, was robbed of all the negroes he had, some six in number.

The whole of the persons named in the indictments reside out of this Territory in the States of Georgia and Alabama, and I have reason to believe their arrest can never be effected in the Territory. With other documents I enclose you Judge Cameron's certificate, in relation to my compensation, which if approved by you, please transfer to the proper officer.

I have the honor to be, respectfully,

GEO. WALKER, *U. S. Attorney.*

HON. LEWIS CASS,
Secretary of War.

UNITED STATES OF AMERICA, *District of West Florida:*

In the case of John Milton against Econchatamico, an Indian, contesting the title to a number of negro slaves, referred to the decision of the judge of the western district of Florida, by the Secretary of War, I certify that George Walker, Esq. the Attorney of the United States for said district, is entitled to an extra compensation of two hundred dollars.

The case is one, involving a very considerable amount of property, and much investigation into the nature and effect of the *Indian laws* on the subject of descents. In this investigation, a considerable body of testimony has been taken, at the expense of much time and labor.

Jackson Superior Court, March term, 1836.

J. A. CAMERON,
Judge D. W. F.

UNITED STATES OF AMERICA, *to wit:*

DISTRICT OF WEST FLORIDA,
Superior Court for the county of Jackson, March Term, 1836.

The grand jurors of the United States summoned and sworn in and for the District of West Florida, at a superior court holden for the county of Jackson, in said district, on the third Monday in the month of March, in the year of our Lord one thousand eight hundred and thirty-six, upon their

oath present that Alexander Robinson, late of the District, and county aforesaid, (yeoman) Hezekiel Douglass, late of the same, (yeoman) Carlton Wellborn, late of the same, (yeoman) Ellis Wood, late of the same, (yeoman,) William H. Pike, late of the same, (yeoman,) Hardy Powell, late of the same, (yeoman,) John Deese, late of the same, (yeoman,) William Chambers, late of the same, (yeoman,) and William Durham, late of the same, (yeoman,) on the tenth day of March, in the year of our Lord one thousand eight hundred and thirty-six, in the district and county aforesaid, one woman of the name of Wonder, a negro and slave, of the value of five hundred dollars, lawful money of the United States, one infant child of said Wonda, of the value of fifty dollars; one Rubin, a negro man and slave of the value of eight hundred dollars; one Nannie, a negro woman and slave, of the value of four hundred dollars; one Hannah, a negro woman and slave, of the value of five hundred dollars; one Jenny, a negro woman and slave, of the value of four hundred dollars; one Tenar, a negro woman and slave, of the value of three hundred dollars; one Mary Ann, a negro woman and slave, of the value of four hundred dollars; one Moses, a negro man and slave, of the value of eight hundred dollars; one Alara, a negro woman and slave, of the value of five hundred dollars; one Robinson, a negro man and slave, of the value of five hundred dollars; one negro woman of the name of Fanny, a slave, of the value of five hundred dollars; one Betsy, a negro woman and slave, of the value of four hundred dollars; one Butler, a negro boy and slave, of the value of three hundred dollars; and one Daniel, a negro boy, of the value of two hundred dollars; of the property, goods and chattels of one Econchatimico, an Indian Chief, of a tribe or band of Florida Indians, then and there being found, feloniously, from the town, settlement and reservation, secured to the said Econchatimico, and his tribe or band, by the treaty done at camp, on Moultrie creek, in the Territory of Florida, between the United States and the Florida tribes of Indians, concluded on the eighteenth day of September, one thousand eight hundred and twenty-three, did steal, take and carry away, against the form of the statutes of the United States, in such case made and provided, and against the peace and dignity of the United States of America.

GEO. WALKER,
United States Attorney.

Endorsed, a true bill.

W. S. MOORING, *Foreman.*

Filed 31st March, 1836.

SEARS BRYAN, *Clk.*

A true copy—Test :

SEARS BRYAN, *Clk.*

UNITED STATES OF AMERICA :

DISTRICT OF WEST FLORIDA,
Superior Court for the county of Jackson, March Term, 1836.

The grand jurors of the United States, summoned and sworn in and for the District of West Florida, at a superior court holden for the county of Jackson, in said district, on the third Monday in the month of March, in the year of our Lord one thousand eight hundred and thirty-six, upon their oath present, that Alexander Robison, late of the district and county

aforesaid, (yeoman,) Hezekiah Douglass, late of the same, (yeoman,) Carlton Wellborn, late of the same, (yeoman,) Ellis Wood, late of the same, (yeoman,) Hardy Powel, late of the same, (yeoman,) John Deese, late of the same, (yeoman,) William Chambers, late of the same, (yeoman,) and William Durham, late of the same, (yeoman,) on the tenth day of March, in the year of our Lord one thousand eight hundred and thirty-six, with force and arms, in and upon one Econchatimico, an Indian Chief, of a band or tribe of the Seminole nation, in the peace of God and the United States, then and there being, feloniously did make an assault, and him the said Econchattimico, in bodily fear and danger of his life, then and there feloniously did put, and Wonda, a negro woman and slave, of the value of five hundred dollars, lawful money of the United States; one infant child of said Wonda, of the value of fifty dollars; one Rubin, a negro man and slave, of the value of eight hundred dollars; one Nannie, a negro woman and slave, of the value of four hundred dollars; one Hannah, a negro woman and slave, of the value of five hundred dollars; one Jenny, a negro woman and slave, of the value of four hundred dollars; one Tenar, a negro woman and slave, of the value of three hundred dollars; one Mary Ann, a negro woman and slave, of the value of four hundred dollars; one Moses, a negro man and slave, of the value of eight hundred dollars; one Alara, a negro woman and slave, of the value of five hundred dollars; one Robison, a negro man and slave, of the value of five hundred dollars; one negro woman of the name of Fanny, a slave, of the value of five hundred dollars, one Betsy, a negro woman and slave, of the value of four hundred dollars, one Butler, a negro boy and slave, of the value of three hundred dollars; and one Daniel, a negro boy and slave, of the value of two hundred dollars; of the property, goods and chattels of the said Econchatimico, from the person and possession, and against the will of the said Econchatimico, and from the town, settlement and reservation, secured to the said Econchatimico and his tribe or band, by the treaty done at camp, on Moultrie creek, in the Territory of Florida, between the United States and the Florida tribe of Indians, concluded on the eighteenth day of September, one thousand eight hundred and twenty-three, and then and there, feloniously and violently did steal, take and carry away, against the form of the statute of the United States, in such case made and provided, and against the peace and dignity of the United States.

GEORGE WALKER,
U. S. Attorney.

Endorsed. A true bill.

W. S. MOORING, *Foreman.*

Filed 31st of March, 1836.

Test:

SEARS BRYAN, *Clk.*

A true copy. Test:

SEARS BRYAN, *Clk.*

SEMINOLE AGENCY, *July 20, 1835.*

SIR: I recently received a letter from Major A. Clark, accompanied by some documents relative to Mrs. Hannay's claim for negroes now in this nation; among them there is the copy of a letter from Thomas L. McKinney to Colonel Gad Humphreys, Indian agent, dated the 8th of March,

1828, in the following words: "The Secretary of War directs that you forthwith deliver to Mary Hannay, widow, or her agent, the slaves claimed by her, and take a bond imposing the obligation on her to abide by such decision as it may be esteemed proper to seek, in testing the right of ownership in the property in question."

Major Clark, in his recent letter to me, apprises me that he is ready to comply with the above recited requisition. No evidence in support of Mrs. Hannay's claim has as yet been submitted to me. I am therefore still of the opinion, relying on the affidavit of old Mr. Wanton, (whose credibility is supported by General Clinch) which I enclosed to you on the 25th of March last, and the statement of Wan, an old intelligent negro man of this nation, that Mrs. Hannay has no equitable right to the negroes in question.

But on the supposition that she has a just right to them, I submit to you whether this claim is not provided for by the treaty of Payne's Landing entered into between the United States and the Seminole Indians, in 1832. The sixth article of that treaty reads as follows:

"The Seminoles being anxious to be relieved from repeated vexatious demands for slaves and other property alleged to have been stolen and destroyed by them, so that they may remove unembarrassed to their new homes the United States stipulated to have the same properly investigated and to liquidate such as may be satisfactorily established, provided the amount does not exceed seven thousand (7,000) dollars."

I have stated in reply to Major Clark, that I consider Mrs. Hannay's claim as subject to adjustment under the above mentioned provision; and if I am correct, and the claim should be established, Mrs. Hannay can claim a pro rata allowance out of the seven thousand dollars. I informed him that I would submit this question to the Department, which would give him in the mean time an opportunity to recover or renew the documentary evidence which he says was heretofore submitted in support of the claim, but as yet has not been found.

I ask for your advice and your decision of the above question.

Respectfully, your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

SEMINOLE AGENCY, *June 17, 1835.*

Your letter of the 22d ultimo has been received, and I must, in reply, be permitted to express, very respectfully, my great regret that the Department and myself should differ so widely on a subject which I verily believe so deeply involves principles of humanity, justice, and an enterprise for the success of which, standing in the relation which I do to the Government and these people, I am more responsible, perhaps, than any other person.

It is your privilege to decide, and my duty to submit. Yet if the Department could be satisfied that the undeniable abhorrence of the negroes in this nation to the idea of being transferred from their present state of ease and comparative freedom, to sugar and cotton plantations, under the control of severe task-masters, had been made to subserve the views of the Government, by inducing the negroes to exert their known influence over the Indians, through pledges made to them, accompanied by assurances

that removal west would, more than any thing else, serve to secure the existing relations between them and the Indians; then surely the Department, instead of classing them with the Indian skins and furs, would require a punctilious redemption of those pledges.

With regard to the opinion expressed in your letter, "that the opportunity to sell their slaves will be an inducement for the Seminoles to remove." That "their resources will be augmented, and they will not, upon their arrival west, have in their possession a species of property which, as stated in the report of yourself, Lieut. Harris and Gen. Clinch would excite the cupidity of the Creeks and be wrested from them by their superior numbers and strength." I beg leave to remark, that I have not heard of a solitary instance of an Indian's desiring the privilege to sell. On the contrary, there is (I am informed) a law existing among them which prohibits the sale of slaves by them. There have been, as I am told, occasional violation of this law, prior to my administration of this office, through bribery and corruption. It is said that whiskey has been made a prime agent in the accomplishment of such violations, and that individual negroes have been bribed to operate upon Indians, and Indians upon negroes. Complaints have been made to me of individual Indians having carried the slaves of their relations beyond the Indian boundary and sold them to the whites, without the knowledge of the owners.

The allusion in the report referred to, is to the claim of the Creeks to negroes now in the possession of these Indians, under the treaty of 1821, with the former, by which the United States stipulated to pay to the citizens of Georgia such claims as might be established by them against the Creeks, for depredations committed prior to the act of Congress of 1802, regulating trade and intercourse with the Indian tribes; provided it should not exceed the sum of \$250,000, as part consideration for territory ceded by that treaty. A portion of that sum has been paid to the Georgia claimants, and the Creeks allege that negroes now in the possession of the Seminoles, or their progenitors, formed a part of the consideration for which that portion was so paid. This claim of the Creeks is represented here by John Winslett, as their agent, accredited by the War Department. Should the negroes, in contest, be sold by the Seminoles to the whites, it is true that they will not, upon their arrival west, have in their possession a species of property which would excite the cupidity of the Creeks, and be wrested from them by their superior numbers and strength; but on the supposition that the claim of the Creeks is just, is it not a question of some importance, *how far will the United States be justified in authorizing such a disposition of that property as will inevitably defeat the claim of the Creeks?* This claim cannot now be correctly adjusted, because, so far as I am informed, the claims of the citizens of Georgia are not conclusively disposed of. Were it practicable to adjust the Creek claim now, I think it would be inexpedient to attempt it, as I apprehend it would tend to irritate these people, and thereby embarrass our operations in removing them.

The remark in your letter that "it is not to be presumed the condition of these slaves would be worse than that of others in the same section of country," is true; yet you will agree with me that the same remark would be applicable to myself, or any other individual in the United States, as we should, if subjected to slavery, be in the precise condition of our fellow slaves. The change in the condition of the Indian negro would not be so great as it would in our case, yet any one at all acquainted with the con

dition of the negro, as connected with his Indian owner here, could not fail to admit that the change with him, would be *oppressively great*. The concluding paragraph of your letter is in the following words:

"In regard to the report which you state has been spread that it was your object, by refusing to sanction sales, to secure these negroes for yourself and your friends, the obvious remark is, that it will be effectually silenced by your publication of the views of the Department on this subject, and interposing no further obstacle to the purchase of these slaves, than may be necessary to secure to their owners a fair equivalent."

Any one who had not read my letter would, (as it seems to me) on reading this paragraph, come at once to the conclusion, that in consequence of my refusal to permit or sanction a purchase of these negroes from the Indians, a report had been circulated among the whites that my object was to secure these negroes for myself and my friends. The sentence in my letter, to which this is intended to be a reply, is as follows: "To counteract my efforts, it is now whispered among the malcontent Indians, that my object is to secure the negroes to myself or other white men." I said nothing in my letter about a report being spread that it was my object, by refusing to sanction sales, to secure these negroes to myself and my friends. I have heard no such a report, nor can I believe that any one could have the unblushing effrontery to propagate such an one. My remark was simply that "to counteract my efforts, it is now *whispered among the malcontent Indians* that my object is to secure the negroes for myself or other white men," and not that *a report was spread* that it was my object to secure these negroes for myself and my friends.

When the chiefs, friendly to emigration, signed an acknowledgment of the validity of their treaties, I called upon them for a census of their people, respectively. One of the sub-chiefs, who signed the acknowledgement, owns seventy-four slaves. When he was about to give me a census of his people, some of the refractory Indians embarrassed him, by whispering among or to his negroes, that my object, in getting their names and number, was to secure them for myself or other white men. The negroes became alarmed at the idea of getting into the hands of the whites, and attempted to deter their owner from giving their names and number, which occasioned me considerable trouble in the accomplishment of the object. While I was conflicting with this difficulty, the party of whites to which I alluded, arrived at the agency with the letter from the War Department to Gen. Call. If the object of their visit had then been made known, the consequences would, as you may readily perceive, have been exceedingly embarrassing.

I have no idea that any of the Indians will consent to sell their slaves, unless they should be operated on by the use of improper means. My fears are, that if the attempt to purchase should be authorized, it will bring into the nation a crowd of "speculators," some of whom might resort to the use of improper means to effect their object, and thereby greatly embarrass our operations; for I presume, that permission to purchase, would be a license to the civilized community to come in for that purpose, and that a door would then be opened for every species and variety of corrupt speculations.

Yielding to the suggestions of some of the most intelligent officers at Fort King, as well as to the force of my own conviction of its propriety, I venture to suspend further operations upon the subject, until Capt. Thruston, of the army, who has just started on a visit to Washington, can give

to the President, from his own personal observation, a more comprehensive and correct view of the state of things here, than I can possibly give in writing.

Do me the favor to afford me early information of the result.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Mr. C. A. HARRIS,

Acting Secretary of War.

WASHINGTON, June 5, 1834.

SIR: In forming our treaty of the 14th February, 1833, and which was ratified the 7th of April last, it was stipulated that the Seminole Indians in Florida was to be admitted amongst us. A treaty made with them stipulates that a particular part of our country shall be set apart for their occupancy. These Indians are a part of our nation, and should possess amongst us no separate and distinct interest: strife and difficulty, which we desire to avoid, will be the consequence. Our great object and wish are, that we may become a united people: already we have been divided too long, and trouble has been the consequence. If our country is to be thus parcelled out, we cannot hope that our ancient friendship will be continued. We ask, therefore, that you will please consider our difficulties, and relieve us of them by proposing a new convention with the Florida Indians. The inconvenience and difficulty we refer to may be prevented by their agreeing to change a provision of their treaty, which gives them a separate and distinct portion of our lands. This the Creek Indians west consider oppressive and unjust towards them; and in the perseverance of it, difficulties may, and will be occasioned. We remain in full assurance that our great father will do us justice.

ROLY McINTOSH, his X mark.

FOSHUTCHEE MICCO, his X mark.

CHILLY McINTOSH.

K. LEWIS.

Hon. LEWIS CASS,

Secretary of War.

WASHINGTON, June 6, 1834.

SIR: We have received the reply of Mr. E. Herring to an application of ours of the 5th instant.

We did not ask, as the commissioner seemed to suppose, that our nation should be released from the treaty of February, 1833. We know that the President possesses no such power. What we meant to say, was, that our people did not understand, nor was it so explained, that our country should be divided into separate divisions and clans; but that the Seminole Indians should be admitted to a participation in the country secured to us west. If we are to live there as one people, we may be happy; if to be cut up into separate clans, then shall we be unhappy. Our desire is, that we may be a united, not a divided, people; but divided we must be, if one portion

shall come into our country and form an independent and distinct community. All we desired, therefore, was, that authority might be given to some confidential agent of the Government to see and explain to the Florida Indians before their removal, our opinions and fears on this subject, that some change might be made in their treaty arrangement, not doubting, when the subject was explained, that the whole matter would be honorably arranged. We yet hope and request that the Secretary of War will see the necessity and importance of such a course, and seek to relieve it, or otherwise we take occasion again to express our fears that discontent will arise, and that the Creeks west of the Mississippi will again become a disquieted and dissatisfied people.

We are respectfully, sir,

Your friends and brothers,

ROLY McINTOSH, his × mark.

FOSHUTCHEE MICO, his × mark.

CHILLY McINTOSH.

K. LEWIS.

To the Hon. the SECRETARY OF WAR.

DEPARTMENT OF WAR,

January 30, 1832.

SIR: It has been represented to this Department, that the Florida Indians are in a suffering condition, unable to provide the necessary food for themselves. And it has been further represented, that they would be willing to enter into a negotiation for the relinquishment of their reservations in Florida, and for their removal to the Creek country west of the Mississippi, where, as a constituent portion of the Creek tribe, they are entitled to a residence.

For the purpose of effecting these objects, you are appointed a commissioner, and you will be pleased, without delay, to meet the Seminole Indians, and to inform them that the United States are ready to accept a relinquishment of their lands in Florida, and to remove them to the Creek country, west of the Mississippi; and this arrangement you may complete upon the following terms:

1. The Florida Indians are to proceed and join their countrymen, the Creeks, west of the Mississippi, and to become a constituent portion of that tribe. This removal to take place during the present year, if possible, but at any rate during the next, and to be made at the expense of the United States.

2. The Florida Indians shall receive from the United States, sufficient supplies of corn, and beef or pork, for their support for the term of one year, after their arrival at their new home.

3. Reservations may be granted, if necessary, upon the principles contained in the 14th article of the Choctaw treaty, concluded September 27, 1830, a copy of which is enclosed for your information.

4. Cattle may be taken, as provided in the 16th article of the same treaty, and all improvements may be paid for, which add real value to the land.

5. All former annuities to be paid to the Creek nation, west of the Mississippi; and an annuity not exceeding \$4,000, or as much less as they may be content to take, to be added to the amount now payable to the Creeks,

it being the object of the Government to ensure a complete union between the Florida Indians and their original stock, the Creeks; but no annuity to be extended beyond the term of twenty years.

6. Reasonable provision may be made for the various objects stated in the 20th article of the Choctaw treaty, should the Florida Indians desire it; but the school fund must not exceed \$3,000 for twenty years. It is believed, however, that the situation of the Florida Indians does not require many of these expenditures, nor in any case must they exceed one-fifth of the amount allowed to the Choctaws, that being about the proportion of the numbers of these two tribes.

Should you feel yourself at a loss, the provisions of the Choctaw treaty will be a guide for you, so far as the same may be applicable to the condition of the Florida Indians. It is to be observed, however, that all the stipulations which look to an independent situation for the Choctaws, west of the Mississippi, can have no relation to the Florida Indians, who will become associated with the Creeks. And under any circumstances, I consider the 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, and 22d sections of the Choctaw treaty inapplicable or unnecessary, in consequence of the peculiar situation of the Florida Indians.

You are authorized to issue the necessary provisions to the Indians while they are assembled together, at your request. Your vouchers for the expenditure, will be the original bills of parcels, and regular returns, day by day, of the issues, certified by yourself, and attested by the person who may make them.

Should your negotiation be successful, and should the situation of these Indians require relief, you may supply them daily with one pound of fresh beef, or three quarters of a pound of salt pork for each individual, and one bushel of corn for every forty persons, for a term not exceeding three months. For the payment of the expenses incurred for this object, you will provide by an article of the treaty, and the purchases will be made with an understanding that they are not to be paid for till an appropriation shall be made. You will report in detail all the necessary facts, and will account for these issues as above prescribed.

Such assistance as may be necessary, you are at liberty to procure, and to allow a reasonable compensation. But I recommend to you strict economy in all your expenditures, and also great caution in the selection of persons to aid you. They should be men of character and established probity.

Your own compensation will be eight dollars per day, while engaged in holding the councils, and eight dollars for every twenty miles you may travel, to and from the place of meeting. You may appoint a secretary, who will be allowed five dollars a day, and five dollars for every twenty miles travel. Your account and his will be certified upon honor.

Bills for all your expenditures in holding the treaty, may be drawn upon this Department, and will be paid upon sight. Regular vouchers will be taken and immediately transmitted to the Second Auditor of the Treasury for settlement.

In the whole course of your negotiation, be pleased to take particular care that the Indians understand your offers and objects. Explain the whole matter fully and plainly. Let them see all the disadvantages of their present position, and all the benefits of removal, and then let them decide freely; but suffer no influential persons to appropriate to themselves an undue share of the consideration to be allowed.

I enclose the copy of a letter to the Hon. H. L. White, with the statements which accompanied it, in order that you may understand the views of the President in relation to the present condition of these Florida Indians.

Very respectfully,
Your obedient servant,
LEWIS CASS.

To Col. JAMES GADSDEN,
Commissioner, &c.

DEPARTMENT OF WAR,
February 23, 1832.

SIR: Should you find, upon your arrival among the Indians, insuperable difficulties, owing to local circumstances, in the accomplishment of the object of your appointment, you are authorized, should you think the measure expedient, to permit a deputation of five or six chiefs to visit the seat of Government, if the Indians should wish it, and should vest such deputation with full powers to conclude a treaty.

I am, &c.

LEWIS CASS.

To Col. JAMES GADSDEN,
St. Augustine, Florida.

DEPARTMENT OF WAR,
June 4, 1832.

SIR: I have received your letter of the 2d instant, with the accompanying treaty with the Seminole Indians, and have the gratification of informing you, that the President is well satisfied with the arrangement you have made. The trust confided to you has, in my opinion, been executed with great economy, judgment and fidelity.

Very respectfully yours, &c.

LEWIS CASS.

To Col. JAMES GADSDEN,
Now at the city of New York.

DEPARTMENT OF WAR, OFFICE INDIAN AFFAIRS,
February 18, 1833.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, addressed to the Secretary of War, in relation to the reservations of land to certain chiefs and their connections, under the additional article of the Camp Moultrie treaty of 1823.

On examining the article of the treaty referred to, your proposal to divide the reservations among the parties, in interest, according to the ratio established in the payment of annuities, is one of doubtful policy and practical difficulty, and cannot be adopted. The Government is anxious for the removal of the Seminoles beyond the Mississippi, from a well founded be-

lief, that it would result in their permanent welfare. Its overtures to them to effect that object, have been liberal and conciliating, and it cannot resort to any measure of doubtful right, nor encourage, through the instrumentality of its agents, any measure hostile to their interests, or calculated to produce dissention among them. If they cannot be prevailed upon by fair arguments and kind offers to remove, the Government will have discharged its duty to them, and they will be left to the regret of misconceiving their true interests.

You allege that the young chiefs and warriors incline to sell and go, and that they are a decided majority. If, by plurality of numbers, they can obtain the supremacy in their council, no good objection can be perceived to the exercise of that right. It is not for this Government, or its agents, to point out that mode, or to endeavor, in any way, to bring it about, or to depart in the slightest degree from strict neutrality. But if the younger part of the tribe can peaceably and fairly obtain ascendancy in their council, and would incline to sell and remove, it is an event to be desired most earnestly. The Government having discharged its duty to them by kind persuasion and liberal offers, it must now be left to their decision after consulting with one another.

The Department had already been apprised, by the commissioners, of the feelings of the exploring party under Major Phagan, as it respects the country west, and entertain no doubt of their making a favorable report to their tribe, and of its consequent removal.

I have the honor to be,

Very respectfully,

Your obedient servant,

ELBERT HERRING.

Col. JAMES GADSDEN,
Tallahassee, Florida.

DEPARTMENT OF WAR, Dec. 20, 1833.

SIR: I have received your letter of the 22d ultimo, enclosing one from Captain Graham to you. I thank you for the suggestions you have made. They are valuable and will be kept in mind by me. You need not apologise for addressing me upon the subject of removing the Indians from Florida. Considering the important agency you have had in the matter, I do not wonder that you feel an anxiety on the subject. So far from finding your communications troublesome, I shall be glad at any time to receive them.

The President will send the treaty immediately to the Senate, and as soon as it is acted on the necessary measures will be taken for the removal of the Indians. You need be under no apprehensions that they, or persons operating on them, will induce the Government unnecessarily to delay their departure.

Very respectfully,

Your obedient servant,

LEWIS CASS.

Col. JAMES GADSDEN.

DEPARTMENT OF WAR,
December 27, 1833.

SIR: I have received your letter of the 4th instant, with its enclosure. The treaties negotiated by you, have been submitted to the Senate for their ratification, and I have no doubt that they will be favorably acted on by that body. As soon as they pass the necessary estimates will be sent in and the appropriations asked for, and no delay will take place in carrying into effect the provisions of the treaty. I fully agree with you that decisive measures should be at once used to effect the removal of these Indians and that they should understand at once no change will take place in the intentions of the Government.

Very respectfully,

Your obedient servant,

LEWIS CASS.

Col. JAMES GADSDEN, *Lepona, Florida.*

DEPARTMENT OF WAR,
November 28, 1834.

SIR: I have received your letter of the 1st instant, on the subject of the reported unwillingness of the Seminoles to remove west of the Mississippi. I agree fully with you in your views on the subject. I have not the least doubt but that the arrangements with them were fairly made and fully understood. I know by experience how easily the Indians are induced by the representations of interested men to delay their own engagements, and to determine upon a course utterly irreconcilable with their promises and their welfare. The views you have taken as to the proper measures to be adopted meet my entire concurrence, and you will see by the enclosed copies that the course indicated by you had already been determined upon by this Department. I trust that the orders given will be found sufficient to obviate the difficulty. It is due to the important part that you had in the negotiation that full information on the subject should be communicated to you.

Very respectfully,

Your obedient servant,

LEWIS CASS.

Col. JAMES GADSDEN, *Lepona, Florida.*

SEMINOLE AGENCY, December 10, 1833.

SIR: The result of my most mature reflection and judgment as to the best and most effectual and practicable mode of suppressing the disgraceful, harrassing, and injurious traffic carried on by unprincipled white men with this tribe of Indians, is submitted in the project of a law proposed to be passed by the Legislative Council of Florida, a copy of which you have enclosed. In compliance with my promise in a letter addressed to the Secretary of War a few days ago, I now submit through you for his approval. If the general plan meets the approbation of the Department, defects can be supplied, and an amended copy be enclosed to the Governor or myself, at Tallahassee, in time to be presented to the Legislative Council.

I have as yet seen but few of the Seminole chiefs, and cannot therefore speak confidently as to the general temper of these people, relative to their contemplated removal west. I am informed that Mickanopie, (the principal chief) and other leading chiefs are apparently disposed to be very obstinate in their opposition to emigration, and I have but little doubt that white men, on the borders of the Indian reserve, labor to aggravate this obstinacy.

I will promptly communicate to you every occurrence worthy of note.

Respectfully,

Your obedient servant,

WILEY THOMPSON,
Agent for Florida Indians.

ELBERT HERRING, Esq.

An ACT more effectually to suppress illicit commerce with Indians and Indian countrymen within the limits of the Territory of Florida.

SEC. 1. *Be it enacted*, That from and after the passing of this act, it shall not be lawful for *any person or persons whatsoever*, to sell, barter, loan, give, or in *any way* distribute, within the limits of said Territory, *any intoxicating liquid or liquids of any description whatsoever*, to or among *any person or persons*, either bond or free, male or female, generally known as Indian countrymen, habitually residing with any Indian or Indians, or within the boundaries of *any Indian town, reserve, tribe, or nation*, nor shall it be lawful for *any person or persons whatsoever*, except Indians and Indian countrymen habitually residing within the limits of some Indian town, reserve, tribe, or nation, to purchase, barter, exchange for, or on any pretence receive from any Indian or Indian countrymen, *any negro or other slave or slaves, horse or horses, cattle or hogs*, the bona fide property of any Indian or Indians, Indian countryman or Indian countrymen; without a special license for that purpose first had and obtained under the authority of the Government of the United States. And any *person or persons* who shall or may be convicted of a violation of the foregoing provisions of this act, shall severally forfeit and pay the sum of five thousand dollars, to be recovered in the court of the county in which the violation may have been committed, by judgment against the goods and chattels, lands and tenements of the person or persons so offending, as in common cases of debt, one-half of which shall be to the use and benefit of the prosecutor, and the other half shall be paid into the treasury of the Territory. And on failure of property sufficient to pay the amount of judgment and costs, the offender or offenders shall be branded and whipped at the discretion of said court.

SEC. 2. *And be it further enacted by the authority aforesaid*, That from and after the first day of February next, it shall not be lawful for *any person or persons whatsoever*, to keep any store, tavern, hotel, public boarding house, ale-house, confectionery, grocery or distillery, for the purpose of vending ardent spirits or other intoxicating liquids, or merchandise of any other description, at *any trading establishment*, either from packs, carts, wagons, or other vehicles, nor from any description of navigation craft *whatsoever*, within the limits of said Territory, without license first had and obtained for that purpose from the clerk of the court of the county, where such store, tavern, hotel, public boarding house, ale-house, confection-

ery, grocery, or distillery, or other trading establishment, may be located, or commerce prosecuted; and any or all person or persons who shall or may be convicted of a violation of the provisions of this section of this act, shall severally forfeit and pay the sum of five hundred dollars, to be recovered of the goods and chattels, lands and tenements of the offender or offenders, as provided in the first section of this act, one-half of which sum shall be to the use of the prosecutor, and the residue to the treasury of the Territory, and on failure to pay the same, the offender or offenders shall severally receive thirty-nine lashes on the bare back under the direction of said court.

SEC. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the respective clerks of the aforesaid court, on application of any person or persons for license, in conformity to the provisions of the second section of this act, to require of the applicant or applicants a bond or bonds with ample security for the sum of five thousand dollars, payable to said clerk or clerks, and to his or their successors in office, to be void on the condition of faithful compliance by the applicant or applicants with the provisions and requisitions of the first section of this act. And it shall be the duty of said clerks respectively, in every case, to require of each applicant, before issuing a license as herein before provided, to take and subscribe the following oath or affirmation on the back of said license, to wit:

I do solemnly swear or affirm (as the case may be) that I will not directly or indirectly, in *any way or manner* violate the true intent, object and meaning of an act entitled "An act more effectually to suppress illicit commerce with the Indians and Indian countrymen within the limits of the Territory of Florida," passed on the day of , so help me God. And a true and regular record of each application, license and oath so to be made aforesaid, shall be kept by said clerk or clerks, and said clerk or clerks shall receive from each applicant for every license so to be issued, the sum of as compensation for his or their services aforesaid.

SEC. 4. *And be it further enacted,* That any person or persons who shall violate any provisions of the first section of this act, after license so had and obtained as aforesaid, shall be subject to all the pains and penalties due to the commission of the crime of perjury and be punished accordingly.

SEC. 5. *And be it further enacted,* That it shall be and it is hereby made the duty of all officers of the Territorial Government, to the civil and military, to be prompt and vigilant in carrying the provisions of this act into full effect, and any officer or officers who shall fail to discharge such duty, shall be deemed guilty of mal-practice in office, and on conviction thereof be punished accordingly.

List of copies of letters transmitted to Congress in answer to a call of the House of Representatives, of May 21, 1836.

Names of writer.	Date.		In answer to letters of.	
Gen. Wiley Thompson,	Dec. 10,	1833		
Do do	May 6,	1834		
Do do	" "	" "		
Do do	Sept. 3,	" "		
Do do	Oct. 28,	" "		
Do do	" 29,	" "		
Do do	Nov. 24,	" "		
Do do	Jan. 19,	1835		
Do do	" "	" "		
Do do	Mar. 31,	" "	February 9,	1835
Do do	" "	" "	" 18,	"
Do do	May 30,	" "	April 29,	"
Do do	June 14,	" "	" 27,	"
Do do	" 28,	" "		
Do do	Aug. 1,	" "		
Do do	" 25,	" "	July 31,	"
Do do	Sept. 8,	" "	August 12,	"
Do do	Nov. 14,	" "	Sept. 16,	"
Do do	Sept. 7,	" "		

SEMINOLE AGENCY,
November 24, 1834.

SIR: Having determined that the existing state of things here makes it somewhat important that I should remain at the agency, unless otherwise instructed by you, I have advertised, in some of the public papers, that I will receive here claims, with the evidence in support of them, under the treaty of Paine's Landing, against this tribe of Indians. But few of the claims have yet come in.

Persons to whom balances are due from the Government, within the late superintendency of Indian affairs in Florida, are becoming impatient. I have told them that you informed me, that when the Department should be apprised that I was on my way to Florida, funds to pay all balances should be immediately remitted to me, and that as I have not yet heard any thing from the Department upon the subject, I was fearful some miscarriage of the mail had occurred.

It is important to me that I should be at home a week, about the commencement of the ensuing year; and if you do not object, I will make a flying visit to my family about that time. If I go, my absence will not be protracted beyond four weeks, if it exceeds three.

The Indians appear peaceable and friendly; I have drawn the reins of Government close about them. They will, however, not remove, but as forced to do so. I am more confirmed every day in the opinion that they have been tampered with by designing, unprincipled white men; and they have come to the conclusion, that by obstinately persisting in their claim to the right to remain here until the expiration of twenty years, from the

date of the treaty at Camp Moultrie, and abstaining from the commission of any outrage, their claim will be finally acquiesced in by the Government; and I have been informed, by confidential persons among them, that they laugh at the idea of the little handful of men at this post being able to compel them to remove.

I have the honor to be,
Respectfully, your obedient servant,
WILEY THOMPSON.

ELBERT HERRING, Esq.

SEMINOLE AGENCY,
November 14, 1835.

SIR: Your letter of the 16th of September, relative to the claim of Gen. Clinch, has been received.

I was aware that this is a claim under the intercourse act of June, 1834; but the peculiar and delicate character of the circumstances attending this case, as expressed in my report of the 28th June, 1835, induced me to submit it to the Department, in the hope that it could be adjusted without subjecting the two witnesses (August and Jack Forrester) to eminent danger.

It is to be feared that one, if not both, of those witnesses will be made a sacrifice, should this claim be urged here, according to the regulations of the Department under the intercourse act. I do not know that it is admissible for the Department to adjust it in any other way. But if it can be adjusted without a submission of it to the Indians during the present excitement here, it is certainly very desirable that it should be done; and your silence upon that point induces me to hope, that some course can be taken that will obviate the difficulty. In that hope, I respectfully submit to the Secretary a copy of the report and evidence. There is no doubt here of the facts as set forth in the evidence and report. The killing of the negroes by the Indians, is notorious, and the outrageous character of the act induced the Indians to threaten the lives of the witnesses if they developed its history.

Very respectfully,
Your obedient servant,
WILEY THOMPSON.

ELBERT HERRING, Esq.

SEMINOLE AGENCY,
October 29, 1834.

SIR: The chief Holate Emartla has insisted upon me to say to the Secretary of War, that it is the earnest desire of himself, his confidential chief, Fuckelusta Hadjo, and their people, to settle ultimately with Blunt and his band, beyond the limits of the United States; that he will, in good faith, discharge his duty to the Government, and, if thought necessary, go with the Seminole Indians to the western Creek country. He asks of the Government, an arrangement by which him and his people may receive a proper consideration for their relinquishment of all their interest in, and claims upon, the United States, coupled with a stipulation that they will seek

a new home for themselves. He says it was the distinct understanding between him and Blunt, that he would follow him to his new home, which partly induced Blunt to emigrate. That such has been his open and decided course in support of the treaty of Payne's Landing, as to leave him no hope that those most hostile to the removal of the Indians, will ever become reconciled to him. He says that it becomes necessary for him and his people to seek safety in flight before the Indians are removed. He will enter into stipulations to emigrate from Blunt's reserve, on the Appalachicola river, to Blunt's new home, or go to the Arkansas country, and thence take his departure. That should it not become necessary for him to flee from this country, he will stipulate to emigrate from hence, or from Arkansas, to Blunt's present residence, as the Government may choose, and he begs that his proposition may be received in confidence and managed with caution, as he is confident that his enemies, if they should be apprized of it, will become infuriate.

The magnanimity which this chief has displayed will, I have no doubt, obtain for the propositions which he thus submits, the friendly and serious consideration of the honorable Secretary of War. Holate Emartla desires an early answer.

I have the honor to be,

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Agent Florida Indians.

ELBERT HERRING, Esq.

CAMP KING, FLORIDA, Oct. 27, 1834.

SIR: The unsettled determination of a majority of the influential chiefs of this nation to disregard the obligations imposed upon them by the treaty at Payne's Landing, with the temper indulged by them towards Holate Emartla, as manifested in council, added to the threats which we have heard have been made against him and some of his chiefs, satisfies us that that magnanimous chief, who is faithful to his engagements with the United States, is, with his confidential chiefs and families, in some danger. We are, therefore, decidedly of opinion that if Holate Emartla should ask for the protection which you have suggested to us, that would be afforded to him and others who are in danger, by permitting them to go to the reserve on Appalachicola river, abandoned by Colonel John Blunt, there to remain until called upon by you to return and join the emigrating Indians. It is due to him to afford that protection; justice, humanity, and our feelings would induce us to afford the suggested protection without hesitation, should the protection be asked.

Very respectfully,

Your obedient servant,

J. B. F. RUSSELL, *Capt. U. S. A.*

WILLIAM M. GRAHAM, *Capt. 4th Inf.*

Fort King, Florida.

Gen. WILEY THOMPSON,

United States Indian Agent.

SEMINOLE AGENCY, *October 28, 1834.*

SIR: On the 1st instant, Captain J. B. F. Russell, of the United States army, and myself, arrived at Camp King. On the succeeding morning I called on the adjacent chiefs, gave out broken days for the assemblage of the Indians at Camp King, on the 21st inst. to receive their annuity, that being the earliest day they would assent to, and I told them I did not wish any of them to assemble before that day, as I would not be at liberty to issue provisions to them before the day appointed for the meeting; and I admonished them to be punctual to the appointed time.

Some of the leading chiefs did not arrive until the evening of the 22d, and them that were in attendance earlier, would not consent to meet me in council until the absentees should arrive; consequently, the first meeting, occurred on the 23d, when I delivered to them a talk, the substance of which you have enclosed. On the preceding day they, in answer to me, gave in substance what you have appended to my talk of the 23d.

I told them I could not receive their talk as any thing like an answer to the propositions which I had submitted to them, and that I must have a direct answer. They requested that we should take time and deliberate on the subjects, under the influence of friendly feelings, &c. I told them that as some of the propositions were very important to them, it was my duty to give them reasonable time to make up their minds upon these points, but that when they should retire to deliberate upon these propositions, to carry with them the recollection that what I had said to them was in pursuance of instructions from the Government, conformable to the stipulations of their solemn treaty, and therefore must stand.

The succeeding day, on their intimation, we again met in council, when they, through the same chiefs, repeated in substance what they had said the preceding day. I expressed to them my regret, that they should so openly manifest a total disregard of the obligations of their solemn treaty with the United States.

They then requested that I, as their agent and friend, would give them my views and opinions upon the subject of their relations with the United States, in compliance with which I gave in substance what you have in my second talk herewith enclosed. During the delivery of my second talk, I was frequently interrupted by some of the chiefs, especially a leading chief, who was a member of the exploring delegation, a circumstance so unusual in an Indian council, as to satisfy me that they were not only afraid that I would produce a proper impression on the minds of the Indians, but that they are obstinately fixed in a resolution to disregard the treaty of Payne's Landing. While I was portraying to them the utter and inevitable ruin which would overwhelm them, were it possible for them to remain in their present location a few years longer, silence ensued their previous frequent interruptions they were awe-struck by the picture I presented to them of utter desolation and hopeless wretchedness, and their minds, especially Micoanopa's, (whom the Indians look to as a principal chief) seemed engrossed and deeply interested. At that important crisis I heard Powell, a bold and dashing young chief, who was seated by Micoanopa, and who is vehemently opposed to the removal of the Indians, speak to the latter apparently in much earnestness, and the interpreter informed me subsequently that Powell then urged Micoanopa to be firm in his resolution. Holate Emartla, one of the principal chiefs, displayed a magnanimity of character and a nobleness of soul, meriting a better fate than

that which I fear awaits him; he was in very bad health, said but little; but that little was a bold and manly declaration of his determination to adhere, in good faith, to his engagements with the United States, and it was coupled with a reproof on those who evinced a disposition to prove faithless. Holate Emartla and Fuckalusta Hadjo, one of his confidential chiefs, are of opinion that their own people and party embrace about one-third of the nation. These two chiefs informed me secretly that their lives were threatened; that they believed themselves and families, with some of their people are in danger; and they appealed to me for the protection which would be afforded to them by permission to visit their friends on the Appalachicola river, under express stipulations that they will promptly return to the Seminole country, or join the Indians on their emigrating journey, when called on by me. This protection I have, on mature deliberation, determined to afford them, when it shall become obviously necessary; but I directed Holate Emartla to be on the look out; stay as long as he can in safety, as I confidently expect that the Government will soon enable me to protect him and his people here, which he seemed delighted to hear. If, however, he finds himself in great danger, before the much to be desired moment, when the Government will have a sufficient military force in this section, I have determined to permit him, and such of his people as are in most danger, to occupy the reserve on the Appalachicola river, recently evacuated by Colonel John Blunt and his party, there to remain under all existing treaty limitations, restrictions and provisions, until called thence.

You have herewith enclosed a copy of the opinion expressed to me by Captains Russell and Graham, as to the necessity and propriety of the permission which I have determined to give to Holate Emartla.

A full view of all the circumstances, leaves me without doubt that these deluded people have determined to resist the execution of the treaty of Payne's Landing, and I now have as little doubt that this delusion has been induced by some of the causes of hostility to emigration, suggested in my report to the superintendent of Indian Affairs, in Florida, dated the 1st of January, 1834. There are many very likely negroes in this nation. Some of the whites, in the adjacent settlements, manifest a restless desire to obtain them; and I have no doubt that Indian raised negroes are now in possession of the whites. Some of the negroes in the nation, with some of the Indians, have been induced, by bribery or otherwise, to stir up hostility among the Indians to the intended emigration, for the purpose of detaining the negroes here until the Territorial jurisdiction shall be extended over the Indian country, so as to enable fraudulent claimants to prosecute their claims in the Territorial courts, or, in the general scramble which may grow out of a *worse state* of things, give the avaricious and unprincipled an opportunity to effect their object by some other means. It could not have escaped observation, that the Indians, after they had received their annuity, purchased an unusually large quantity of powder and lead. I saw one keg of powder carried off by one chief, and I am informed that several whole kegs were purchased. I did not forbid the sale of those articles to the Indians, because, as such a course would have been a declaration of my apprehensions, it might produce a sudden and immediate eruption. It may be proper to add that I was heretofore informed that the chiefs have a deposit of forty or fifty kegs of powder, which I did not credit at the time.

Having thus given you a full view of the existing state of things here, I feel it an imperious duty to urge the necessity of a strong reinforcement

of this post, and the location of a strong force at Tampa Bay, as early as possible. An imposing force thus promptly marshalled, to coerce these refractory people, will have the effect to crush the hopes of those who have been tampering with them; awe the chiefs into a proper respect for the Government; afford protection to the neighboring white settlements; and supersede the necessity of Holate Ema'tla and his followers, fleeing the country.

I was informed that it has been usual to make presents to the Indians during the payment of the annuity. I did not feel myself authorized to pursue the custom, and therefore declined doing so. I did, however, distribute among them a small quantity of tobacco, an article as indispensable in their estimation almost as provisions.

In pursuance of your instructions, I am desirous to close the business of the superintendency of Indian affairs in Florida. I cannot, however, accomplish this object until I receive the requisite funds. I did anticipate the arrival here of the funds necessary to effect this object sometime ago; but owing, I presume, to the want of mail facilities, I have not received from your Department any communication of a later date than the 6th of August last.

I have commenced the settlement of the business of the superintendency as instructed, up to the date of my arrival here, which was on the 1st instant, opportunely closing the 3d quarter of the present year. To that date, Captain Russell, on my requisition, paid the striker on the Seminole smithery. Eben Beale, the blacksmith whom I left employed, abandoned the shop on the 5th of May last; he was consequently only paid to that date, at which time Captain Graham employed a slave belonging to the sutler here, Mr. Erastus Rogers, to supply Beale's place until I should return to the agency. This slave was employed because a white man could not be obtained who could be relied on. Since my arrival, I have sought to employ a white man as gun and blacksmith, but fear I shall not be able to obtain one in this country who can be relied on. The slave now engaged, is a good smith, and I submit to you whether I shall continue him. On my arrival here, I found the striker indulging in intemperance, and I discharged him. Captain Graham furnished me with a man from the cantonment, to aid in the smithery during the assemblage of the Indians, when there is always much work required to be done. I promised the man some compensation for his service. I have tried to obtain an Indian to serve as striker and failed, and have been as unsuccessful in my application to the whites. If permitted, I will continue Mr. Roger's smith, and employ an intelligent slave in the adjacent white settlements, who hires his time of his owners, and is desirous to undertake as striker. I can control these men, should they be employed, and submit the subject to you, because I am aware of the policy which justifies the regulation that requires the employment of white men, where Indians competent to perform the service cannot be found. The compensation due to Erastus Rogers for the services of his smith, from the 5th of May, to the 30th of September last, was not paid, because Mr. Rogers is absent, and left no person duly authorized to sign a receipt.

The existing state of things here, has brought me to the conclusion, that it will be proper for me to remain at the agency, and receive here the claims against the Indians, provided for by the treaty of Payne's Landing, the adjustment of which has been committed to me.

I herewith enclose to you an estimate of all balances, within my knowledge, due from the Government to this superintendency, with the exception of the claims for salary and expenses, in favor of the late sub-agent, Mr. D. M. Sheffield. I have it not in my power here, to ascertain what is due to him, to which may be added the regular pay of Stephen Richards, as interpreter, on the Appalachian river. Although he was here at the payment of the annuity, such was the press of business, and excitement on the occasion, that I forgot to ascertain from him the date to which he was last paid.

I have the honor to be,

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

United States Indian Agent.

ELBERT HERRING, Esq.

FORT KING, October 23, 1834.

The council convened this day at 11 o'clock, A. M.

The agent stated to the assembled chiefs that he had two Government interpreters, that if they wished another and would select one, he, the agent, would invite him to assist in interpreting. Abraham was selected by them.

The agent then addressed the council in substance as follows:

"Friends and Brothers: I come from your great father, the President of the United States, with a talk: listen to what I say. Last winter I visited your country; your people were generally out on their hunting expedition; I saw but few of you. I was obliged to leave here when I did go, because your father, the President, made it my duty to superintend the emigration of Colonel John Blunt and his people, according to the treaty between that chief and the United States. I discharged Blunt and his people at the city of New Orleans, and they are gone to their new home beyond the Mississippi river. This service engaged my attention until May last, when, under permission from your father, the President, I started to visit my family in Georgia. On my way my horse ran away with my carriage, and come very near destroying me, which caused me much sickness, and obliged me to remain away from you until now. I am glad to meet you all now in council.

"On the 9th of May, 1832, you entered into a treaty at Payne's Landing. I come from the President to tell you that he has complied with all his promises to you in that treaty that he was bound to do before you move, and that you must prepare to move by the time the cold weather of the winter shall have passed away. I have a proposition to you from your brothers, the chiefs of the Western Creek nation, but before I present it to you I will read to you the preamble and the first article of the treaty at Payne's Landing. (That part of the treaty was then read, the treaty at Fort Gibson was read; and the map of the country allotted to the Seminoles was then shown to them and explained.) Having thus shown to you that the country which you have acquired beyond the Mississippi, for this which you have by the treaty of Payne's Landing sold to the United States, lies adjoining your brothers of the west. I will proceed to present to you their proposition.

"Instead of settling in the country allotted to you adjoining to them in a body by yourselves, they invite you to settle promiscuously among them; but they think all will be more prosperous and happy, and that there will be less strife and contention, if you will, on their invitation, relinquish your right to a separate settlement, and settle promiscuously among them. Such an arrangement will, they think, enable the Muscogee people to become, as as they were in the days of other years, a great nation. You alone have the right to decide whether you will accept the invitation or not: it is left, as it should be, entirely optional with you, and no person but yourselves has any right to say you shall or shall not accede to the proposition. Take this with you when you retire, reflect upon it, and make up your minds for yourselves and people.

"Though the President does not believe that any of his red children here are so dishonest and faithless as to refuse to go, yet a circumstance occurred last year which induced a belief that some person or persons around here had a disposition to meddle in regard to the removal—that some person had recommended that a delegation should be sent to the President—this made the President angry, and he sent his orders in writing (when a letter from the War Department, dated 21st February, 1834, to his Excellency William P. Duval, was read and explained.) This agency will be discontinued after the 31st December next. The lands here will be surveyed and sold, and the laws of the white man will soon extend over this country, therefore, the sooner you leave this land the better for you. The most comfortable and expeditious mode of travelling for you, your old men, women, and children, is by water. I think, if you wish, and you should request me to ask your father, the President, to send you by water, his consent may be obtained. As to the idle reports that I have heard flying about in regard to an intention to take from you your negroes, as well as the foolish report that some of the negroes will not consent to go, I have only to say, that your father, the President, will defend you and your property from all persons, white as well as others; and as to your negroes, should there be any so foolish as to object to going with you, he will compel them to go even in irons if necessary.

"I have other propositions to present to you, and which I want you also to consult upon, and give me an answer as soon as you have made up your minds.

"The next question arises out of the fifth article of the treaty at Payne's Landing. (That article was read and explained.) The question is, whether those among you who own cattle, (which are to be given up to the United States at a fair valuation) will prefer to take cattle at your new home, or there receive the amount of money which shall be adjudged to be the value of the cattle you gave up here? I wish those of you who desire cattle to be returned to you at your new homes, for such as you may leave here, to inform me of your wish that the Government may be apprized in time to comply.

"The next question is, whether you will petition to go by water, as the best mode for getting all the old men, women, the children, lame, sick, and lazy of your people comfortably along on their journey to their new home?

"The next and last question is, how will you have the next annuity paid to you; will you have it in goods or in money? Should you prefer to receive it in such goods as will suit your wants, your father, the President, will have them delivered to you at fair prices, and much lower than you

obtain them from the traders. In conclusion, as your friend and brother, I have only to say that Captain Russell and myself, are to accompany you to your new home, and for myself, and I will add for Captain Russell, who hears me, we pledge ourselves to be your friends; to share your toils and hardships, and your sufferings, if, unfortunately, any of you should unexpectedly suffer."

The proposition which I present for you decision is:

1st. Will you accept the invitation of your brothers of the Western Creek nation?

2d. Do you prefer cattle or money, when you arrive at your new home, for the cattle, which, under the treaty, you must give up here?

3d. Will you petition to go by water, or do you prefer to go by land?

4th. How will you have your next annuity paid to you, in money or in goods?

These are the questions I wish you to deliberate upon, and give me your answer to them as soon as you have made up your minds. When you retire and enter into private council, upon the propositions which I have thus submitted, should you want any further explanations on either point, send for me, I will attend you, give the desired explanation, and retire immediately, so as not to be an intruder on your private council. You are at liberty to retire.

The speaker of the nation, Holate Emartla, said they would retire and hold a private council this evening, and also again in the morning, and after that, they would attend the agent in council. He then addressed the Indian assembly by stating that they now had no excuse; that they had heard all that the agent had now said at Payne's Landing; that in the consultation they must not act like fools.

(Reported confidentially.)

The private Indians met in their camp in the afternoon with the chiefs, and Powell got up and addressed them, by recommending that they should object to the emigration, and to resist all efforts to remove them; and that any person that should consent to remove, should be looked upon as an enemy, and should be held responsible to the nation. After a short silence Holate Emartla was called upon; by the assembly, for his opinion. He replied, by saying, that they were in possession of his candid opinion ever since the treaty was made at Payne's Landing; that he then consented, with all the rest, to that treaty, and every part and clause of it; that he was a man, that did not have the talk of a foolish child; that he deliberately thought of every thing for the welfare of himself and nation, before he gave his consent to that treaty; that he was there and then satisfied; for it was their only alternative for salvation there and hereafter; that he also deliberately and coolly, and with the balance of the delegation that went west to the Mississippi to examine the country, gave his consent, after a full examination, to ratify, as they were authorized to do, that treaty.

That Jumper, another one of the chiefs, who was also with the rest, was fully satisfied, and expressed himself so, and that he had now no other disposition or excuse, than what he had then; that he was satisfied then, and is satisfied now; that he did not make talks one day, to break them the next, and as for resistance to it, it was an idle thing, and impossible; for they had been told already, by the agent, that their father, the President, ex-

pected them as chiefs, and men of honor, to comply with their bargain; and that if they were so foolish as to heap ruin and disgrace upon themselves and people, their father, the President, would compel them to comply with it; that he advised them, as honest men, not to resist it. Jumper, a chief, then proposed, that Holate Emarila should represent in the council the next day, the objections of the nation to removal; who objected, by saying he would not show himself so foolish as to deliver such a simple talk; he considered he was a man, and if he should talk, he must talk like a man.

Friday, October 24, 1834. The Indians again met in council. The agent then told them that he had given them a talk yesterday, and asked them if they were ready to give him an answer to the several propositions which he then referred to them? The first was in regard to the invitation of the Western Creeks; the second was on the subject of their cattle; the third was, that if you should wish to go by water, and would say so, I would recommend it to the President; the fourth was, as to whether you will have the next annuity paid to you in money or goods. Upon these points I am now ready to receive your answer.

Abraham was selected as their interpreter.

Holata Micco then rose and said: "God made all of us, and we all came from one woman, sucked one bubby; we hope we shall not quarrel; that we will talk until we get through."

Micoanopa said, that when they were at Camp Moultrie, they made a treaty, and was to be paid their annuity for twenty years; that is all I have to say.

Jumper said, that at Camp Moultrie they told them all difficulties should be buried for twenty years, from the date of the treaty made there; that after this they held a treaty at Payne's Landing, before the twenty years were out; that they told them they might go and see the country, but that they were not obliged to remove. The land is very good, I saw it, and was glad to see it; that the neighbors there were bad people; that they did not like them bad Indians, the Pawnees. I went and saw the place; I told the agent that I was a rogue; that he had brought me to the place here along side, and among the rogues, the bad Pawness, because I am a rogue. I went to see the land, and the commissioners said that the Seminoles must have that land. When we went west to see the land, we had not sold our land here, and we were told only to go and see it. The Indians there steal horses, and take packs on their horses; they all steal horses from the different tribes; he do not want to go among such people; your talk seems always good, but we don't feel disposed to go west.

Holate Emarila.—"The horses that were stolen by the Cherokees, we never get back (the party that went west.) We then told the agent (*Phagan*) that the people were bad there; the land was good. When they went there, we saw the Indians bring in scalps to the garrison. When we were there, we had a meeting with McIntosh; he told us that among all their neighbors they had peace. That he and Col. Arbuckle were to send out to have a treaty of peace with all the Spanish Indians; and when that was done, a report of it was to be sent to Washington. I am sick. I cannot say all I want to say. I am a man that wants to talk coolly and deliberately, and to tell the truth in all things. They promised to send to our nation word when peace was made with all those Indians west of the Mississippi. He then told the chiefs to address the agent, and express their opinion—as they had different opinions, they should talk it over, and consult, and try to come all of one opinion.

Charley Emartla.—"The speakers of the nation are all dead ; but I recollect some of their words when they had the meeting at Camp Moultrie. I was not there, but heard that we would be at peace, and that we would have our annuity paid to us for 20 years. White people have told me that the treaty at Camp Moultrie, which was made by great men, and not to be broken, had secured them for twenty years ; that seven years of that treaty are still unexpired. I am no half breed, and do not lean on one side. If they tell me to go after the seven years, I say nothing. That as to the proposition made them by the agent about removing, I do not say I will not go ; but I think that, until the seven years are out, I give no answer. My family I love dearly and sacredly. I do not think it right to take them right off. The President has often said to me that he loves his children—that they loved him. When a man is at home, and got his stock about him, he looks upon it as the subsistence of himself and family. Then when they go off, they reflect and think more seriously, than when quiet at home. I do not complain of the agent's talk. My young men and family are all around me. Should I go west, I should lose many on the path. As to the country west, I looked at it ; a weak man cannot get there ; the fatigue would be so great ; it requires a strong man. I hardly got there. When I went there, the agent, Phagan, was a passionate man—he quarrelled with us after we got there. Had Major Phagan done his duty, it would all have been settled, and there would have been no difficulty. If I know my own heart, I think I am true. If I differ from the agent, he is a free man, and has his right to his talk. I hope his talk will bring all things right, that hereafter we may all live well together. I am pleased with the sight of the agent, and hope we may know each other better."

The agent then said, I have no answer to make to what you have said to me to-day. My talk to you yesterday must and will stand, and you must abide by it. I am surprised at the chiefs, that, after the solemn treaty they entered into at Payne's Landing, they should come to me to-day with such a talk as they have made. Is it any thing like an answer to the propositions and questions which I submitted yesterday, for your consideration and decision ? The meeting was appointed for the 21st instant ; three days have passed away, and the chiefs come to me to-day with a foolish talk about Camp Moultrie. Is this a talk like chiefs ? Is it such as I had a right to expect from you after my honest talk to you ? I will not, dare not, receive your talk to-day as any thing like an answer to the questions which I submitted to you yesterday. I must have a direct answer to these questions : The first is, will you accept of the invitation from your brothers of the west ? The second is, do you prefer money or cattle, at your new home, for the cattle you will leave here ? The third is, do you wish to go by water ? The fourth is, do you prefer to have your next annuity paid to you in goods, suitable to your wants, or will you have it in money ? And I want when you meet me again in council, to give a correct account of the number of your people, that the Government may provide for you comfortably while on your journey, whether by land or by water. Now retire, and take as much time as is necessary to deliberate on the points which I have submitted to you ; and when you are ready to meet me, let me know. When you come here again, come prepared to act like chiefs, and honorable men ; don't bring to me any more foolish talks. Men do not listen to the talks of a child ; and remember that the talk I gave you must and will stand.

October 25, 1834. The Council convened at 11 o'clock. Interpreters as yesterday.

The Agent said to the Council, "I am ready to receive your answers to the questions which I submitted to you."

Holate Micco.—I have only to repeat what I said yesterday, and to say the twenty years from the treaty at Moultrie has not yet expired. I never gave my consent to go west; the whites may say so, but I never gave my consent.

Jumper.—We are not satisfied to go until the end of the twenty years, according to the treaty at Camp Moultrie. We were called upon to go to the west, beyond the Mississippi. It is a good country; this is a poor country we know. We had a good deal of trouble to get there; what would it be for all our tribe?

Micoanopa.—"I say, what I said yesterday, I did not sign the treaty."

Charley Emartla.—The agent told us yesterday we did not talk to the point. I have nothing to say different from what I said yesterday. At Payne's Landing, the white people forced us into the treaty. I was there. I agreed to go west, and did go west. I went in a vessel, and it made me sick. I undertook to go there; and think that, for so many people, it would be very bad. The Indians and the whites have spilled no blood. They stole things from each other. At Payne's Landing the tomahawk was buried, and peace was to prevail as long as agreed on between whites and Indians. They agreed at Payne's Landing, that if blood was seen in the path to think it was because a person had snagged his foot. We wish to hear the agent's views and opinions on the matter.

The Agent.—You tell me you wish to hear me upon the subject of your relations with the United States, and you have told me that you want to talk the matter over calmly, and in good humor. I am not mad; I am your friend. I feel here that I am, and that it is my official duty to be so. All the reply required of me, officially, to your foolish and unreasonable talk, is, that it is no answer to the questions I submitted to you. I cannot, I dare not receive it as an answer. I have told you that you must stand to your bargain. My talk is still the same. You must go west. Your father, the President, who is your friend, will compel you to go. Therefore, be not deluded by any hope or expectation that you will be permitted to remain here. You have expressed a wish to hear my views and opinion upon the whole matter. As a man, and your friend, I will this day once deign to reason with you; for I want to show you that your talk of to-day is the foolish talk of a child. Holate Micco tells me that one God made us all, and that we all descended from one woman, and drew nourishment from one breast. When I admit this truth, as I cheerfully do, I feel here in my bosom that you are my brothers, and that I am your friend. We should therefore act towards each other as brothers, and not speak with a forked tongue; if we do, or if we try to break our solemn talks, that Great Spirit that made us will punish us. Micoanope tells me that he did not sign the treaty at Payne's Landing, and that the twenty years of the annuity according to the Camp Moultrie treaty is not expired. I hold in my hand the treaty of Payne's Landing; here is Micoanope's name and mark to it; it was witnessed by (here the witnesses were named). They are honest men, therefore Micoanope does not tell the truth. He did sign the treaty at Payne's Landing. (Micoanope here interrupted the agent by saying that he did not touch the pen, he only reached over and pointed to it). He did touch the pen; for when he attempted to sign by pointing, he was told to touch. Hicks bent down out of his way. He did sign the treaty. Jum-

per says they agreed at Payne's Landing to go and examine the country west, but they were not bound to remove to it until the nation should agree to do so, after the return of the delegation; and he adds, what others of you have said, that the treaty at Camp Moultrie was to stand for twenty years. Such a talk from Jumper surprises me, for he is a man of sense. He understands the treaty at Payne's Landing, which he signed; he was the first named in that treaty, of the delegation appointed to go west; he knows that that treaty gave him and the other members of the delegation authority to decide whether the nation should remove or not. He visited and examined the country that was proposed to you, and he, with all the other members of the delegation, decided that the country is good; that the Seminole nation should remove to it according to the treaty at Payne's Landing. The Indian Board of Commissioners made a treaty with your brothers of the west, by which they agreed to reunite with you, and Jumper, with all the other members of the delegation made a final treaty which I now hold in my hand, with all their names subscribed to it, confirming the treaty at Payne's Landing. The President therefore will be astonished when he hears that Jumper has made a different talk now. Charley Emartla says that the treaty at Camp Moultrie was made by men, and that it has seven years to stand, and that they were not bound by the treaty of Payne's Landing to remove west, because the question was not submitted to the Seminole nation after their delegation returned, whether they were willing to go. You all say that as there are seven years of the twenty years' annuity stipulated in the treaty of Camp Moultrie yet to run, you are not bound to go until the full time is expired, and yet the whole of you signed a treaty at Payne's Landing, by which you solemnly bound yourselves to remove within three years from the ratification of that treaty, and the whole of the delegation that went west confirmed that promise by entering into a final agreement to do so, by which the whole nation is bound. But why talk about the Camp Moultrie treaty, as if you had not the right or power to make the treaty at Payne's Landing until the term of annuity, stipulated by the treaty at Camp Moultrie, shall have expired? Was it not in your power to make the treaty at Payne's Landing? Did you not have the right to do so? If you did not have the right to do so, then you who signed the treaty at Payne's Landing were faithless to your people, and are unfit to be chiefs. If I make a trade with you, by which I give you the use of my horse during four or more years, for twenty dollars a year, would we not have the right to make another trade before the expiration of the time limited, by which I would take my horse back again? You know you had the right to make that treaty; you did make it, and you know and feel that you are all bound by it. But you say the treaty at Camp Moultrie was made by men, thereby indicating that the treaty at Payne's Landing was not made by men. Was it made by old women and children? If the spirit of Hicks is now flitting around us, how must he grieve at your conduct; how blush to hear you acknowledge you are not men; that you are unfit to be chiefs. But it is said by Charley Emartla, that the white people forced you into the treaty at Payne's Landing. If you were so cowardly as to be forced by any body to do what you ought not to do, you are unfit to be chiefs, and your people ought to hurl you from your stations. But you know that this is not the truth; you know you were not forced to do it. You know that Colonel Gadsden told you at Payne's Landing, that it was the wish of your father, the President, to remove you west of the Mississippi river; that you had to make a treaty

for that purpose; that it was a proposition in which you are deeply interested; and he told you therefore to take time therefore, and reflect well upon it, for if you then agreed to it, you would be obliged to comply with your bargain. You know that Colonel Gadsden is a pure man. You know that the witnesses to the treaty are respectable men. You well understood that treaty then; you understand it now, and you feel that you slander the whites by saying you were forced to make the treaty: you made the treaty because you were authorized to do so, and because it was your duty to consult the good of your people. This is your justification to your people for having made the treaty. You, by this treaty, clothed your delegation with power to say whether the nation should move west: they went and viewed the country, and found it good. This is their justification to the nation for making the final agreement with the Indian board of commissioners. Having found the country good, they were bound to do as they done. According to the form of the white people's Government, each State and Territory has its own boundaries. The States have the right to extend their laws over the Indians located within their respective limits. With the permission of Congress, the Territories may do the same: Georgia, Alabama, and other States, have already extended their jurisdiction over the Indians within their respective limits. The Creeks, Choctaws, Chickasaws, and Cherokees, who live in the States, are moving west of the Mississippi river, because they cannot live under the white people's laws; they are gone and going, and the Seminole people are a small handful to their number. Two Governments cannot exist in the same boundary of territory. Where Indians remain within the limits of a State or Territory until the jurisdiction of a State or Territory shall be extended over them, the Indian government, laws, and chiefships, are forever done away—the Indians are subject to the white man's law. The Indian must be tried, whether for debt or crime, in the white man's court; the Indian's law is not to be known there; the Indian's evidence is not to be admitted there; the Indian will, in every thing, be subject to the control of the white man. It is this view of the subject which induces your father, the President, to settle his red children beyond the limits of the States and territories where the white man's law is never to reach you, and where you and your children are to possess the land, while the grass grows and the water runs. He feels for his red children as a father should feel. It is therefore that he made the treaty with you at Payne's Landing, and for the same reason he will compel you to comply with your bargain. But let us look a little more closely into your own situation. Suppose (what is however impossible) that you could be permitted to remain here a few years longer, what would be your condition? This land will soon be surveyed, sold to, and settled by, the whites. There is now a surveyor in the country; the jurisdiction of the Territory will soon be extended over this country. Your laws would be set aside, your chiefs would cease to be chiefs; claims for debt and for your negroes would be set up against you by bad white men, or you would perhaps be charged with crimes affecting life; you would be haled before the white man's court; the claims against you for debt, for your negroes, or other property, and the charges of crime preferred against you, would be decided by the white man's law. White men would be witnesses against you; Indians would not be permitted to give evidences; your condition, in a very few years, would be hopeless wretchedness. But let us come down to a single case. Suppose Micoanopa could be permitted

to take a reserve of a mile square, and he could be permitted to remain here a few years longer; he has many fine looking negroes; there are persons who have an itching desire to obtain some of the fine negroes in the nation; the white man's law extended over Micoanopa, a white man sets up a claim to Micoanopa's negroes, and exhibits, in the white man's court, a bill of sale from Micoanopa, do you not believe some white man could be got to prove the bill of sale? Indian evidence would not be admitted, and Micoanopa would be compelled to give up his negroes. When I was in this country last winter, I was told that Micoanopa, on some occasion, asked a white man to draw a piece of writing for him; the man done so; Micoanopa signed it; and some time thereafter the man set up a claim to a considerable part of this country; for the writing, instead of what Micoanopa wanted, turned out to be a conveyance from him to the man, of a large tract of land. This was many years ago; but all bad men are not yet dead, and white men can still write, and Micoanopa has likely negroes. Thus, you may see, that were it possible for Micoanopa to remain here a few years longer, he would be reduced to hopeless poverty, and when urged by hunger to ask, perhaps, of the man who thus would have ruined him, (and is perhaps now tampering with him for the purpose of getting his property,) for a crust of bread, he might be called an Indian dog, and be ordered to clear out. [Here Powell, who was seated by Micoanopa, urged him to be firm in his resolution.] Your father, the President, sees all these evils, and will save you from them by removing you west; and I stand up for the last time to tell you, that you must go; and if not willingly, you will be compelled to go. I should have told you that no more annuity will be paid to you here. [Powell replied that he did not care whether any more was ever paid.] I hope you will, on more mature reflection, act like honest men, and not compel me to report you to your father, the President, as faithless to your engagements.

Powell said the decision of the chiefs was given—that they did not intend to give any other answer.

Micoanopa said that he did not intend to remove.

The Agent. I am now fully satisfied that you are willfully disposed to be entirely dishonest in regard to your engagements with the President, and regret that I must so report you. The talk which I have made to you must and will stand. Retire and prepare your sticks to receive your annuity to-morrow.

SEMINOLE AGENCY,
September 8, 1835.

SIR: Your letter of the 12th ultimo, enclosing a copy of Mr. Gilleland's letter of July, 1835, to the Department, on the subject of his claim against the Seminoles, has been received.

I did receive a letter from Mr. Gilleland on the subject of this claim; and I replied to him that it would be embodied in my general report upon the claims which might be submitted to me under the 6th article of the treaty of 1832, with the Seminoles, and that I should make my report as early as practicable.

Very respectfully, your obedient servant,

WILEY THOMPSON.

Mr. C. A. HARRIS,
Acting Secretary of War.

EHERTON, *September 3, 1834.*

SIR: Captain J. B. F. Russell, of the United States Army, informed me by letter, dated at Lynchburg, Virginia, on the 13th ultimo, that being detained by slight indisposition, he would wait there until he should receive an answer from me to inquiries as to the probability of my being able to accompany him to Camp King, and whether he would be able to obtain in Augusta, Georgia, specie to the amount of five or six thousand dollars, for a Treasury draft on the Branch bank at Charleston, South Carolina, as on my answer would depend his determination, as to the route he would pursue. I immediately replied to him, that although I had fixed upon an earlier day for my departure from the agency, yet that I would wait until the 4th instant, when the stage leaves this place for Augusta, which would afford him an opportunity to join me on the way, or meet me in that city, where we would, I had no doubt, be able to effect the exchange he desired, and if we should fail then, we should, in all probability, be able to accomplish the object in Savannah, through which city would be our best route, as I was informed that a steam-boat plies between that city and a point on the St. John's river, Florida, within a short distance of Camp King. I shall, therefore, be on my way to the agency by twelve o'clock to-morrow.

Immediately on my arrival at the agency I shall proceed, in pursuit of instructions from your Department, relative to the unsettled business of the superintendency of Indian affairs in Florida—the adjustment of claims against the Seminole Indians, for the payment of which an appropriation has already been made—and the presentation of the proposition of the western Creek chiefs to the Seminoles. I am somewhat at a loss to determine at what point I ought to receive the claims, with the evidence in support of them. The Seminole and Appalachicola Indians are separated a distance of about two hundred and fifty miles, and it is presumable that the claimants are scattered through Georgia, Alabama, and the various sections of Florida, some of them remote from any point which may be designated, perhaps five hundred miles. It will be proper for me, I apprehend, to give notice in the public papers, not only that I am authorized to adjust those claims, but also of the point or points at which, with the time when, they may be exhibited. Evidence in support of some of the claims has been transmitted to your Department, which it would be well for me, perhaps, to possess—I recollect the claim of Mulatto King, or Bacca Pechassie.

To effect the object of closing the business of the superintendency, my presence at Tallahassee, and at the Indian reserves on the Appalachicola river, may be necessary. Besides the chiefs Bacca Pechassie and Econchattee Micco are, on my return to Florida, to report to me their final decision, on the proposition which I made to them in reference to the migration of themselves and people. I desire instructions on the several suggestions I have made, especially as it will involve additional expenditure, if I visit Tallahassee and the Indians on the Appalachicola river, which seems to me important.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

SEMINOLE AGENCY, *August 25, 1835.*

SIR: Your letter of the 31st ultimo, acknowledging the receipt of my report upon the claim of Gen. D. L. Clinch, against the Seminole Indians, has been received.

The treaty of Payne's Landing, between the United States and the Seminole Indians, was concluded on the ninth day of May, 1832. The 6th article of the treaty is in the following words: "The Seminoles being anxious to be relieved from repeated vexatious demands for slaves and other property, alleged to have been stolen and destroyed by them, so that they may remove, unembarrassed, to their new homes, the United States stipulate to have the same properly investigated, and to liquidate such as may be satisfactorily established, provided the amount does not exceed seven thousand dollars."

The construction which I have given to the above recited article, excludes from a participation of the seven thousand dollars provided by that article, all claims which have originated subsequent to the date of the treaty. The claim of General Clinch has originated subsequent to that date, and I had, therefore, supposed that General Clinch's claim was a good and subsisting one against the nation, and not contemplated by the treaty. If the treaty must be construed as contemplating claims which have originated subsequent to its date, there are other claims which must be admitted with General Clinch's. Indeed claims which may originate at any time before a final report, will, on that rule of construction, be admitted.

Do me the favor to inform me what construction I shall give to the treaty.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Mr. C. A. HARRIS.

SEMINOLE AGENCY, *August 1, 1836.*

SIR: About the 19th or 20th of June, a rencounter occurred between a party of whites and a party of strolling Indians, in which three of the whites were wounded. One of the Indians killed and one wounded, of which I received information on the 22d. There were at that time five of the principal chiefs at the agency, I immediately despatched runners for others, who promptly attended, to all of whom I made known the outrage which had been committed, and peremptorily demanded of the nation a surrender of the depredatory. The chiefs at once disclaimed the outrageous act of their countrymen, and promptly ordered the apprehension of the culprits, and on the succeeding morning, (which was the 24th,) four of them were brought up and surrendered to me, and two more were brought on the evening of the same day and given up. The examination of these two parties was separately taken, a copy of which you have herewith enclosed.

The wounded Indian was, during the succeeding night, borne on the shoulders of others who were sent to bring him, to within three or four miles of this place, when it was found that he was so ill from a severe wound, that he could be brought no farther. I permitted him to remain

there, on a pledge of the chiefs, that when sufficiently recovered, he should be brought to the garrison and be confined. The other six were kept in confinement until the 27th ultimo, when I turned them over to the chiefs, on their giving me a pledge, that when called for, the whole of the seven should be surrendered to the civil authority. The accompanying copy of a correspondence which will show that I made a tender of them to the civil authority, will, I trust, be considered a sufficient justification of the course I have taken: I have not yet received an answer from Judge Sahchey. The chiefs began to complain of delay; the prisoners became extremely impatient, and a proper regard to economy seemed to me to require that the post should be relieved from the expense of supplying them with provisions.

The chiefs acted promptly and with energy, for which they merit commendation.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

HON. ELBERT HERRING,

Commissioner of Indian Affairs.

SEMINOLE AGENCY, June 24, 1835—*Forenoon.*

Examination of Wacoochee Hajo, Sapokitee, We-ha-sit-kee and Capicha Hajo, some of the Indians who formed the party that committed the outrage in Alaskwa county, on the day of June, 1835.

Their statement:

Wacoochee Hajo, Sapokitee, Wehalitkee, Fuxe, and Sawtichee, of Long Swamp, went beyond the Indian boundary near Kanahaha pond, in Alabama county. Before they marched there they killed a cow, (which belonged to one of the whites) in the neighborhood of Deamonds pond. When they got within three miles of Kenapaha, near a sink hole, where there is water, they encamped. Another party of Indians, viz: Capicha Hajo, Chokikee and Hithlomee, from Big Swamp, who had been upon the Santafee river, met them there and encamped a short distance from the first party; that two of the Long Swamp Indians, to wit: Lecotichee and Fuxe, went out hunting in the morning; the other six, to wit, Wacoochee Hajo, Sapokitee, Wehalitkee, Capicha Hajo, Chokikee, and Hithlomee, were together about 12 o'clock at one of the camps, when a party of whites arrived at the camp where the six Indians were together, took their guns from three of them, examined their packs, and commenced whipping them, and the Indians ran off. One of them ran but a short distance, when he was called by the whites. The whites commenced whipping him again; he called to another Indian who had also ran off; at that crisis the two Indians who had been out hunting, to wit, Lecotichee and Fuxe were approaching the camp, and commenced firing at the party of whites. The whites returned the fire, killed Fuxe and wounded Lecotichee severely, the other three from Long Swamp were disarmed before the firing commenced. The three from Big Swamp, who were at the camp of the Long Swamp Indians when the whites arrived, and had left their guns at their own camp, ran off when the firing commenced, without their guns. After the whites left the scene of action, one or two of the Indians went back and got their

guns. Three guns were taken by the whites before the firing commenced, and were carried off by them. But two Indians, to wit, Fuxe and Lechotichee fired, and they fired two or three times each.

June 25, 1835—Afternoon.

Examination of Chokikee and Hithlomee.

They were with Capicha Hajo, and had been upon the Santafee river. They met Wacoochee Hajo, and four other Indians at a sink hole where there is water, about three miles from Kanahaha pond. Two of the Long Swamp Indians were out hunting; the three Big Swamp Indians were at the camp of the other party, making six at that camp. About 12 o'clock a party of white men came upon that camp, the whites began to whip the Indians, and about the time they commenced whipping the second one, the two were out hunting, to wit, Lechotichee and Fixe or Fixoneechee, approached the camp and commenced firing on the whites, and when they were in the act of firing the second round, they, (the said Chokikee and Hithlomee ran off and did not stop until they reached their town,) Wacoochee Hajo, Sapokitee, Weehalitkee, Capicha Hajo and the said Chokikee, and Hithlomee, were alone together at the same camp when the party of whites, consisting of seven, came upon them. Capicha Hajo, and the said Chokikee and Hithlomee had left their guns at their own camp. The other three, to wit: Wacoochee Hajo, Sapokitee and Weehalitkee were disarmed by the whites, before the other two, to wit: Lechotichee and Fixe or Fixoneechee appeared and commenced firing, and the whites had the guns of said Indians stacked against a tree, where they were guarded by some of the whites. There were but eight Indians in the whole, and none fired but the two before stated; the others were disarmed, and could not have fired had they been so disposed.

SEMINOLE AGENCY, June 14, 1835.

SIR: I have this day received a letter from the acting Secretary of War, dated the 20th ultimo, in answer to mine of the 27th April, 1835, on a subject of the utmost importance, as it concerns the enterprise of removing these Indians.

To make Captain Thruston's visit to Washington available on this subject, I take the liberty, very respectfully, to refer you to him for a more comprehensive and correct view of the state of things here, than I can possibly give in writing.

Yielding to the suggestions of some of the most intelligent officers at Fort King, as well as to the force of my own deep conviction of its propriety, I venture to suspend further operations upon the subject until I again hear from the Department.

I have the honor to be,

Very respectfully, sir,

Your obedient servant,

WILEY THOMPSON.

To his Excellency the PRESIDENT
of the United States.

Endorsement by the President.

It is made known to me by Colonel Gadsden and Captain Thruston, now here, that the Indians in Florida have no disposition to sell their negroes,

and the very idea that any individuals are permitted to come into their country to buy, has disturbed them very much, and all say they will neither sell or leave their negroes. You will, therefore, instruct the agent, extracting the above information, to permit no individual to go into the nation to buy any of their negroes without his written passport, and to inform the chiefs of this order.

July 6, 1835.

A. J.

SEMINOLE AGENCY, *June 28, 1835.*

SIR: I herewith submit to you a transcript of the evidence in support of the claim of General L. L. Clinch against the Seminole tribe of Indians, as indemnity for the loss of two negro men slaves, the property of General Clinch, which were killed by a party of Seminole Indians during the year 1834.

The only written evidence submitted in support of the allegation that the negroes in question were killed by the Indians, is the affidavits of two black men, one a slave to an Indian woman, and the other a free man. They were, as you will perceive, examined separate and apart, and at different periods: they are intelligent. Their statement, which is strongly corroborated by common report, added to the admission of the Indians that the negroes were killed by them, satisfies my mind that the act of killing the negroes was unnecessary, wanton, and cruel; and that it was induced by the intemperance of the Indians, who were sent from the scene of a drunken riot in pursuit of the negroes.

You will perceive, from the testimony of Jack Forrester, that the Indians beat the said August severely, because he told them they had done wrong, and would be compelled to pay for the negroes. I subsequently interrogated August on that point. He affirmed what Jack Forrester stated, and said that he was so severely bruised as to be laid up for some days; and he added, that they threatened to kill him if he ever should say any thing on the subject, of which threats I have heard from other sources. If it were made known that these men, August and Jack Forrester, have given testimony on the subject, it is believed that they would be killed by the Indians. I have, therefore, thought it most expedient to lay the subject before you, without submitting it to the Indians.

The affidavits of John H. McIntosh, jr. and Wiley Brooks, go to establish the value of the negroes. They are entitled to credit.

Upon a full view of the subject, I consider General Clinch entitled to the indemnity which he claims.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

HON. LEWIS CASS.

TERRITORY OF FLORIDA,

Tallahassee, May 6, 1834.

SIR: Having waited here several days in hope of the arrival of the successor of Governor Duval, (and to make up my report to you,) and disappointed in that hope, I was about to instruct the sub-agent, Mr. D. M. Shef-

field, to repair to and remain at the Seminole agency, until he should otherwise be instructed. But, on a suggestion made by Governor Duval, that it might be well for Mr. Sheffield to remain some time longer in this place, to be ready to receive instructions from his successor, should he arrive in a short time, and to attend to any communications from the Department connected with Indian affairs in Florida, which might be made during the existing interregnum in the superintendency, I was induced to forbear, and to submit to you the propriety of sending Mr. Sheffield to the agency to remain during my absence. Until arrangements shall be made at the Department for the removal of the Seminole Indians, according to their stipulations, (which I presume cannot be done until the treaties are ratified, and the requisite funds appropriated,) there is no subject of pressing importance claiming the attention of the agent, that I know of, except the disastrous and all destroying practice of intemperance among the Indians, alike disgraceful to the individuals who, for the lucre of a few eleven-penny-bits, deal damnation to an ignorant and degraded race, and the civilized communities that tolerate those individuals. I have made every exertion in my power to restrain those avaricious unfeeling human vultures, but the peculiar character of the country—its numerous extensive swamps, marshes, hammocks, bays, rivers, creeks, and inlets, so aptly adapted to favor the clandestine traffic, added to the scattered locations of the bands, some on the Appalachicola river at different points, and the others in the Seminole country, remote from the first two hundred and forty miles—renders it utterly impossible for any individual to restrain the evil. An enactment of the legislative council of the Territory forbids the sale of stimulants to the Indians, on pain of a fine of two hundred dollars, or thirty-nine stripes. Prosecutions have been commenced under this law, but the cases linger on the docket of the court, and I have understood that the court doubts the jurisdiction of the council upon this subject, which serves to inspire the whiskey dealers with confidence. My personal safety has been more than once endangered by the intoxication of Indians, and I consider myself no more safe from the proprietors of the numerous dirty little whiskey *doggeries* located around the Indian borders, on whom I have been as severe as I have power to be. I have been so provoked, as to be almost tempted to order the chiefs to demolish the little log huts, and rude shanties, hovering upon the Indian border, in which the *Indian's bane* is kept for sale. Something ought to be done speedily to protect this wretched people against the dreadful evil. The death of those Indians of Blunt's and Davy's band, who died at the bay, was, I have no doubt, induced by intemperance, which, with other reasons, prompted me to make, in the paper published at Appalachicola, the publication contained on a printed slip cut from a number of that paper, which you have enclosed.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Indian Agent.

To ELBERT HERRING, Esq.

A copy of a publication referred to in the latter part of the above letter from Mr. Thompson to the public, is as follows :

According to the terms of a treaty entered into between the United States and the Indian chiefs John Blunt and Davy Elliot, those chiefs, with

their band, will emigrate beyond the limits of the United States. In complying with their stipulations, the said chiefs, with a majority of their band, have assembled on the northeastern margin of Appalachicola bay, on or near what is called "Oat Point," where they will remain until the outfit for their final departure can be conclusively arranged, unless the preservation of the health of the band shall make a change of their encampment necessary. For the protection of the Indians, and to forewarn the public, I have assigned the following limits to their encampment: commencing on the shore of the bay, at the upper corner of Mrs. King's improvement; thence along the upper line of paling to a newly blazed small forked pine tree, beyond an enclosed grave, northeast from the bay shore; thence northwest by a staked line to a majestic solitary pine tree, near a small running stream of water which empties into the bay, first above Dr. Price's improvement; (which is included within the encampment,) thence to said stream, and by its meanders to the bay, thence down the bay to the beginning. Within the limits thus assigned for the encampment of said Indians, no person will be admitted without special written permission from the superintendent or agent for Indian affairs in the Territory of Florida. Any person who may visit the encampment by permission, will present a written permit to Mr. William Pace, who belongs to the encampment, for inspection. Any attempt to enter the encampment wantonly or forcibly, will be repelled. The agent appeals to the good citizens of Appalachicola and its vicinity, to aid him in protecting the Indians, and to restrain the sale or barter of intoxicating liquors to them.

WILEY THOMPSON,
Agent for Florida Indians.

Appalachicola, Feb. 12.

TERRITORY OF FLORIDA,
Tallahassee, May 6, 1834.

ELBERT HERRING, Esq.

Commissioner of Indian Affairs:

SIR: I have performed the various duties assigned to me, by instructions from his Excellency William P. Duval, Superintendent of Indian Affairs in Florida, to whom or to whose successor a report of my proceedings should be regularly made, but on my arrival here from New Orleans, I found an interregnum in the Territorial Executive. Governor Duval's commission expired on the 17th of April, consequently he does not feel authorized to discharge the duties of the Executive office. I have waited several days in hope of the arrival of his successor; disappointed in this expectation, and exceedingly anxious to avail myself of the privilege which by your letter to Gov. Duval, of the 24th March, I perceive I have, of visiting my family, I have the honor to make my report direct to you. In pursuance of the instructions from the Superintendent of Indian Affairs in Florida, dated the 10th January last, I immediately repaired to the Indian towns on the Appalachicola river, for the purpose of delivering to their parents and friends, the Indian boys who returned from the Choctaw academy in Kentucky, and to obtain others to supply their place in that institution. The document marked (A) herewith inclosed, contains an abstract description of the boys obtained, with my instructions to Mr. James W. Hen-

derson, the gentleman selected by the superintendent to conduct them to Kentucky, a duplicate of which I transmitted by Mr. Henderson for the use of the academy, and retain a triplicate in my office. The abstract marked (B) exhibits the receipts and expenditures under the 6th article of the treaty concluded at Camp Moultrie, on the 18th September, 1823, between the United States and the Florida Indians. The abstract marked (C) exhibits the payment made to John Blunt and Davy Elliott, under the 2d article of the treaty, concluded at Tallahassee, on the 11th day of October, 1832, between the United States, and John Blunt, Osaa Hago, or Davy and Cohathock-co or Cochrane. And the abstract marked (D) exhibits the number and description of the Indians who emigrated with the chiefs John Blunt and Davy Elliott. You will perceive by an examination of the last mentioned abstract, that John Yellowhair and his followers, not connected with the Blunt nor Davy's band, have accompanied those chiefs. By reference to the additional article appended to the treaty, concluded at Camp Moultrie, on the 18th September, 1833, before referred to, it will be seen that the reserve set apart for Mulatto King and Emathlochee, was made to commence at a point on the Appalachicola river, to include *Yellowhair's improvements*. By the 1st article of the treaty, concluded between the United States, and Mulatto King, Tustenuggy Hago, and Yellowhair, in 1833, those chiefs relinquished to the United States the above described reserve, in consideration of which, the United States, by the 2d article of the last mentioned treaty, "agree to grant and convey in three (3) years by patent, to Mulatto King or Vacar Persasey and to Tustenuggy Hago, head chiefs of Emathlochee town, for the benefit of themselves, sub-chiefs and warriors, a section and a half of land to each, or contiguous quarter and fractional sections containing a like quantity of acres, to be laid off hereafter under the direction of the President of the United States, so as to embrace the said chiefs' fields, &c." Yellowhair's name is subscribed to the treaty, and yet it contains no provision in his favor, nor can I perceive that his signature to it is calculated to have any effect, except indeed, the relinquishment of any personal interest in his improvements which he had. The provisions in the 2d article of this treaty, intended to secure to "the said chiefs," the inclusion of their fields, &c. enures to Mulatto King and Tustenuggy Hago. At the meeting of the Appalachicola Indians, in Mulatto King's town, on the 9th of November last, the treaty was read and critically explained to the Indians on an intimation from Yellowhair claiming an interest, which the treaty does not give to him. He urged that it was the distinct understanding of all at the formation of the treaty, that he was provided for by it, and that all the Indians understood by the interpretation of it, that a mile square of land was secured to him and his people. All the chiefs present, including Mulatto King and Tustenuggy Hago, did as I understood confirm Yellowhair's statement. The interpreters on the occasion, Joe Miller, an Indian, belonging to E'conchatte Micco's band, and Jim Walker, a negro, belonging to Mulatto King, stated that they so understood the treaty. On the discovery being made there was obvious excitement among the Indians. Joe Miller was very much alarmed, fearing the Indians would put him to death for misinterpreting. These were the grounds of Yellowhair's appeal in a letter addressed to the Secretary of War, dated at that meeting, asking some allowance to aid in his then intended emigration. Yellowhair was a member of the delegation that examined the country, to which with Blunt and Davy and their band, he with his followers is

gone. I understood him to say that he was induced to explore that country, relying on the privilege which he believed he had of relinquishing his land to the United States, by which he would be enabled to defray the expenses of the emigration of himself and followers. These facts and circumstances induced me to advise him to emigrate with his followers, and done so in the full persuasion that the Government, on a full view of the facts of the case, would make some provision for him. I offer these facts too in justification of my having included Yellowhair and his followers in the list of Indians to whom I ordered issues of provisions at Appalachiecola bay. They had assembled there with Blunt and Davy and their band, under my advice, for the purpose of emigrating. Blunt and his people determined to remain until they should receive the promised annuity. His Excellency Gov. Duval thought with me, that as Blunt and his people had a right, according to the stipulations of their treaty, to expect payment of the promised annuity, when they had assembled for the purpose of emigrating, liberality, justice, and policy required that the United States should afford them a reasonable allowance of provisions while waiting alone for the promised payment. Thus Yellowhair and his followers were detained, for they were dependent upon Blunt and Davy for means to defray the expenses of their removal. Under such circumstances I assumed the responsibility of including Yellowhair and his followers in the issues of provisions, which the superintendent authorized me to make to Blunt and Davy and their band; satisfied that the Department of War, liberality, justice, and sound policy will approve it. Yellowhair wavered somewhat, when after the lapse of time which transpired between the date of his application to the War Department, and the embarkation of the Indians for New Orleans, he was still unanswered. I told him that during the session of Congress the Departments were generally much pressed, particularly at the present session, and that I had no doubt his case would be favorably considered as early as practicable. I reminded him that Blunt and Davy and their band had consented to go on without receiving the annuity promised to them, on my giving them a solemn pledge that if the Department would furnish me with the necessary funds, and give me authority, I would pay it to them in person; and I told him that I, or whoever else the Department may send to pay the annuity to Blunt and his people, can be ordered to pay to him any allowance which may be made in his favor. In conclusion I gave him a solemn pledge that I would urge his claims on the attention of the Department. Blunt and Davy loaned him in my presence, five hundred dollars, to aid in the removal of himself and followers, and he is gone with Blunt and Davy and their band. Believing that it was the intention of all the Indians concerned in the treaty, by which Mulatto King and Tustenugg Hago hold their present reserve, to interest Yellowhair in the treaty, (which intention I have no doubt was frustrated alone by the misinterpretation of Joe Miller,) and in consideration of the magnanimity which Yellowhair displayed, allow me to express to the Secretary of War, very respectfully and very earnestly, a hope that some allowance will be made to that (as I think) injured man. In my intercourse with, and management of the Indians committed to my care, I have made it a uniform rule to be prompt, just, frank, and explicit. On no occasion could I consent to deceive these people; I would not only disdain to excite in this ignorant, dependent, and degraded race, hopes and expectations which I believe cannot be realized, but I consider the leading characteristic trait (if I may so speak) of my

office is to be their friend, even to turning the scale in their favor in doubtful questions. I hope therefore that the solemn pledge which I have given will be an acceptable apology for the earnestness with which I urge this subject on the attention of the Department. In my report addressed to the superintendent, on the 20th of January last, I detailed a conversation which I had then recently held with the chief Econchatimicco, proposing the removal of himself, property, and people to the Seminole country. The only objection which he then suggested to the proposed removal, was the advanced period of the year when it was made. If I had then been at liberty to superintend his removal, and clothed with proper authority from the Département to make the final arrangement, Econchattimicco with his band would (I have no doubt) now be at, or in the neighborhood of the Seminole agency. But my duty required me to superintend the execution of the treaty with Blunt and Davy, which was long retarded by a variety of harassing circumstances which I could not readily control. When these at last were overcome, Blunt and his band discharged on their way to their new abode, and the superintendent had received your letter of the 21st February last, approving the plan proposed by me to Econchattimicco, the season of the year was too far advanced to admit a hope of the possibility that he would consent to the proposed removal the present year. The Indians had not only planted but their crops were up and growing; and it was utterly impossible for them to remove, plant and make a crop during the present year. Therefore on my return to New Orleans, instead of urging the proposition upon the old chief, with a view to its accomplishment during the present year, I held separate conversations with him and Vacca Pechassie, or Mulatto King, in reference to their present situation and future prospects, in which I explained to them with great minuteness and precision, their relation to civilized society while under the direct and immediate protection of the United States, and the change which that relation would undergo at the expiration of three years from the date of their treaties. I reminded them that the protection of the United States would be withdrawn from them, and they subjected to the Territorial jurisdiction according to the terms of their treaty; and explained to them the effect which the change would produce in their ancient polity; that under the jurisdiction of the Territory, the Indian laws and chiefships would cease; that subjected to the patrol, road and tax laws of the Territory, without the privilege of participating in the Government, they will be hauled before the judicial tribunals of the Territory to defend themselves against criminal prosecutions, pleas of debt and claims on their property, when they will not be able to avail themselves of the Indian laws nor Indian testimony, as the first will cease, and the latter not be admitted; that they could not fail to perceive that they and their people would, under such circumstances, fall an easy prey, and in a short time be involved in utter ruin; that their only chance to escape inevitable and speedy ruin, is to follow the example of Blunt, and to sell out to the United States, or relinquish their reserves according to the terms of their treaty, and migrate with the Seminole Indians to Arkansas. I informed them that I should soon visit my family in Georgia, where I expected to be permitted to spend the summer, and as the most essential service which I could possibly do them was to give as my parting advice to them, to reflect seriously upon the subject during my absence, and on my return let me know their conclusion; but if they came to the conclusion before my return, to pursue the course advised, to inform the sub-agent, Mr. Pope, of it, who I would

instruct to write me immediately. They replied that they were satisfied of the correctness of my view of their condition and future prospects, and were gratified at the manner in which I had treated them on the subject, and they would seriously consider my proposition, and let me know the result on my return, if not before. Satisfied they are seriously contemplating the necessity of their removal, allow me to suggest that definite instructions upon the subject from the War Department may facilitate the object. I believe that propositions from Tustenuggy Hajo, relative to the emigration of his band, are already before the Department. The abstract marked E, exhibits an account of the disbursements of this agency, so far as public funds have come to my possession for that purpose, from the date of my acceptance to the 30th of September, 1833, the end of the third quarter of that year. The abstract, marked F, exhibits the disbursements during the first quarter, ending the 31st of December, 1833, and the abstract marked G, exhibits the disbursements made during the first quarter of 1834. Abstracts, marked H, I, and K, are my accounts current for the quarters ending on the 30th September, and the 31st December, 1833, and the 31st of March, 1834. I enclose to you the account of Stephen Richards against the United States Indian Department, for expenses which he incurred while in the performance of his duty as United States interpreter, under my orders, from the 25th of January, to the 15th April last. His service was indispensable in procuring Indian boys for the Choctaw academy, superintending the assembling of Blunt, with his band, attending at Econchaticmicco and Vacca Pechassie's reserves, when the commissioner appointed by the court to take Indian testimony in the case of claim for Econchaticmicco's negroes, visited those places for that purpose, and the arranging the emigration of Blunt and his band, and their final discharge at the city of New Orleans. This service required him to pass several times down and up the Appalachian river, to and from the bay, and to New Orleans and back. The amount of the account, in money, from his own pocket, was expended by him and under my personal observation, except the sum of fourteen dollars and fifty cents, specified in my certificate, appended to his account; and the expenditures were unavoidable. He is a poor man, has a large family dependent upon him for support, and yet he has been very prompt and vigilant in the performance of his duty. I therefore beg leave to express a hope that the amount of his account will be promptly refunded to him, as he is ill able to lie out of the use of it. I present to you also, two accounts against the United States (Indian Department) in favor of D. M. Sheffield, sub-agent, for his travelling expenses while on special service, under the instructions of the superintendent of Indian affairs, amounting in the aggregate to fifty-seven dollars. Mr. Sheffield informs me that the Department has reduced his per diem allowance for travelling expenses while on special service, to two dollars per day; and rejected items in his account of expenses while conducting Indian boys from Florida to the Choctaw academy in Kentucky, because the vouchers in support of them were signed by the mark of the individuals who made them, and exhibited no other evidence that those individuals could not write their names; that it was generally impracticable to obtain certificates in support of those vouchers, as no third person was present; that an allowance of three dollars per day for his expenses, while on special service, is not sufficient in this country to cover them; and that the reduction of his per diem allowance for expenses, added to the rejection of the items referred to, frittered

down his salary of five hundred dollars so low as to make it almost worthless, and imposed on him the duty of resorting to some other pursuit. With all this gentleman's numerous acquaintances he has a high character for inflexible integrity, and genuine honor and honesty; he is an efficient man, of steady and correct habits. I therefore insisted on his continuance in office, and promised that I would present his case fully to the Department, and that I had no doubt justice would be done to him. I enclose with his accounts some receipts for part of the expenses incurred during the time embraced in his accounts, which are submitted for the purpose of showing to the Department that the allowance of even three dollars per day is insufficient. If I am to remain in this office, I trust that the Department will secure to me the aid of this gentleman by extending to him that liberality which I honestly think justice requires, as it is very important that I should have the aid of an intelligent, vigilant, and highly honorable man. My own account for travelling expenses while absent from the agency on special service, under the instructions of the superintendent of Indian affairs, is also herewith presented, with an earnest request that the amount be transmitted to me as early as practicable, as I have very nearly exhausted my private funds in performing the special service referred to in my account. To enable me to avail myself of the permission to visit my family, the receiver of public moneys, General Call, has kindly consented to advance me the amount of my quarter's salary, which fell due the 31st of March last. I feel it due to myself, as well as to the sub-agent, to observe, that having had much special service to perform, we will be but poorly paid if the per diem allowance for our personal expenses should not be made to exceed three dollars; as the difference against us on account of expenses, added to the loss we incur by lying out of the use of our money after it falls due, and the rapid wear and tear of clothing in a very rough service, will be a heavy deduction from our salaries. I have never before known any section of country where the indispensable support of man and horse formed so large an item of expenditure. I shall immediately set out for my residence in Georgia, where I desire to remain as large a portion of the summer as the public service will permit.

I have the honor to be,

Very respectfully,

Your obedient serv't,

WILEY THOMPSON,

Indian Agent.

SEMINOLE AGENCY,
May 30, 1835.

SIR: Your letter of the 29th April has been received. On the 9th of November, 1833, there was a meeting of the bands of Indians on the Apalachicola river, held on the call of James D. Westcott, Jr. then acting Governor of Florida, which I attended with him, and pending the meeting, I delivered to the Indians a speech, under his immediate superintendence and instructions. The substance of what was said by him, myself, and the Indians, on that occasion, was enclosed by Mr. Westcott to the Department. Part of my remarks referred directly to John Yellowhair's desire to emigrate with Blunt. At the same time, a letter was written by Mr. Westcott

in behalf of Yellowhair, signed by the latter, and other chiefs, addressed to the Department, in which Yellowhair expressed his desire to emigrate with Blunt. To these communications, to which I beg leave to refer you, no reply was ever made within my knowledge. No one concerned in the transaction, entertained an idea that Yellowhair could be permitted to participate in the beneficial stipulations of the treaty with Blunt and Davy. Yellowhair submitted to the Department evidence, that through misinterpretation at the formation of the treaty with Mulatto King, and Fuste Nuggy Hajo, manifest injustice had been done to him, and he sought relief, and means to enable him and his followers to emigrate, by an appeal to the Government. I never received an intimation that the emigration of Yellowhair and his followers would not be sanctioned by the Government, until the arrival your letter, now before me. On the 6th day of May last, I made a report to the office of Indian affairs, in which I informed the Department that Yellowhair was gone with Blunt; in which I urged the claim of Yellowhair upon the attention of the Department; and I subsequently received from the Commissioner of the Indian office a letter, which informed me that Yellowhair's case was submitted to Congress at the session before the last, and in the Senate referred to the appropriate committee. Since which I have heard nothing upon the subject, until the receipt of your letter, now before me.

In your letter you say, "If the land is sold under the second article, and these Indians remove to any other place than the Seminole country west, the United States have only to pay them annually their proportion of the annuity."

In the third article of the treaty with Mulatto King, and Fuste Nuggy Hajo, "the United States stipulate to continue to them, their sub-chief, and warriors, their proportion of the annuity of five thousand dollars, to which they are entitled under the treaty of Camp Moultrie, so long as the Seminoles remain in the Territory, and to advance their proportional amount of said annuity, for the balance of the time stipulated for its payment in the treaty aforesaid, whenever the Seminoles finally remove, in compliance with the terms of the treaty concluded at Payne's Landing, on the 9th May, 1832."

I have hitherto construed this clause of the treaty to mean, that the United States are bound to advance to those Indians their proportion of the annuity, for its unexpired term, *in any other event* than their removal to the country set apart for the Seminoles, when the latter should be finally removed; and not paid annually, as expressed in the paragraph quoted above. If I am right in this construction, then I shall take for granted, consulting the tenor of your letter, that Yellowhair, and his followers, will be entitled to an advance of their portion of the annuity, for its unexpired term, when the Seminoles have completed their removal. If so, may Yellowhair receive and receipt for his followers, who are in Texas? It seems to me that there can be no objection to this, especially as he is duly authorized to settle all business which was left unsettled by the emigrating bands. His and their portion of the last and this year, and for the unexpired time of the annuity, when the Seminoles shall have removed, will relieve the poor fellow; his situation is now distressingly destitute.

When Blunt, Davy, and Yellowhair, with their bands, had assembled at Appalachicola Bay, the latter became discouraged, because no answer had been received to his letter, or Mr. Westcott's communication addressed to the Department, during the preceding November. I encouraged him to go

on with Blunt, and I done so, in the belief that, as the Department had not replied to those communications, some plan was in contemplation, by which relief would be afforded to him and his followers; and because I thought it desirable to seize any fit opportunity, to relieve a civilized community from a savage population, and thereby greatly benefit the savage himself. I now regret that I encouraged him to go, as the proceeding has met the disapproval of the Department, and embarrassed Yellowhair. An ample apology will be found, I trust, in my honest zeal to effect what I considered a desirable object with the Government.

A thorough examination of the correspondence with the Department, upon this subject, will, I have no doubt, satisfy you that your letter assumes facts which do not exist. I therefore consider it due to the Department, as well as to myself, to withhold the communications which you have instructed me to make to Yellowhair, until I hear from you again upon the subject.

I have the honor to be,
Very respectfully,
Your obedient servant,
WILEY THOMPSON.

The Honorable LEWIS CASS.

SEMINOLE AGENCY,
March 31, 1835.

SIR: Having availed myself of permission to visit my family, I returned to this place on the 20th instant, where I found your communication of 18th ultimo, awaiting my arrival.

The Indians having called a meeting at this place, to be held on the 27th instant, General Clinch determined to seize that occasion to read to the Indians the President's message, addressed "to the chiefs and warriors of the Seminole Indians in Florida."

On the 27th the Indians began to assemble; and General Clinch and myself availed ourselves of every opportunity to hold private conversation with the chiefs, for the purpose of making favorable impressions on their minds preparatory to the meeting in council.

On the 27th we met about one hundred and fifty Indians, including the principal and several of the leading chiefs, in council, when I read to them the President's message and the treaties—enforced the President's message—explained the treaties, and concluded with an appeal to the chiefs, in favor of their women, children, and common people.

Jumper, who is the principal chief, law maker, and (as he is sometimes called) sense keeper, said that they had listened with attention, but that, as many of the chiefs were absent, they could not, then, make any reply to what was said to them. He begged that I would not make any report to the Government upon the subject, or (as he expressed it) send no talk to their Great Father the President, until we could have a full meeting of the chiefs in council. That meeting is to take place on the 20th of the ensuing month, (April,) and every practicable arrangement is made to insure a full council. I have sent express for the interpreter Richards, and for Holate Ematta, a principal chief, whom I have permitted to withdraw from the nation, in consequence of threats against his life.

If there is any change in the temper and feelings of the Indians, it is favorable. And I indulge the hope that, by prudent management, they may yet be induced to remove voluntarily.

I am much indebted to General Clinch, who, on all occasions, promptly, vigilantly, and efficiently aids me in my operations.

In performance of the duty assigned to me, of investigating the claims against these Indians, under the treaty of Payne's Landing, it is necessary that I should possess, not only the documents which have been forwarded to the Department in support of individual claims, but to guard against imposition, I should have the use of the printed report, made by Gen. Preston on claims under the treaty of 1821, with the Creek Indians, and a copy of the report upon claims against the Creek Indians for depredations subsequently committed, principally in Lee county in Georgia. The commissioner of the Indian office has recently informed me, that all the documentary evidence relating to individual claims, will be shortly transmitted to me, but as he makes no allusion to the printed pamphlets to which I allude, (I have requested copies,) I fear they have been overlooked.

I have the honor to be,

Very respectfully,

Sir, your obedient servant,

WILEY THOMPSON.

HON. LEWIS CASS.

SEMINOLE AGENCY, *March 31, 1835.*

SIR: On my return to this agency I found your letter of 9th of February, in reply to mine of the 19th of the preceding month, awaiting my arrival.

Fully impressed with the correctness of the view which I have taken of the subject referred to in Mr. Steele's letter, addressed to me, (a copy of which I enclosed to you,) I beg leave to refer you to my letter of this date, addressed to Mr. Steele, on this subject, a copy of which you have enclosed.

General Clinch requests me to say, that he fully accords with the view which I have taken, and he adds, that an indulgence of the people to whom Mr. Steele alludes, in their claim to exemption from the obligations of the treaty, would afford an asylum to refugees from justice and absconding slaves, and be greatly detrimental to the Territory.

I have the honor to be,

Very respectfully, sir,

Your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

SEMINOLE AGENCY, *March 31, 1835.*

DEAR JUDGE: Your letter of the 21st instant was duly received. I believe I have heretofore informed you that I had submitted to the War Department the question involving the citizenship of the Indians employed in the *ranchio*, on the Gulf coast, accompanied by a copy of your and Captain Buner's letters addressed to me on the subject. I shall again write to the Department upon the subject, as I perceive it is not yet clearly understood.

The word Seminole means runaway or broken off. Hence Seminole is a distinctive appellation, applicable to all the Indians in the Territory of Florida, as all of them run away, or broke off, from the Creek or Nuiscoge nation. The treaties made with the Seminole Indians embrace all the Indians within the Territory, except some bands on the Appalachicola river, who were provided for by a separate article in the Camp Moultrie treaty; and, subsequently, by treaties entered into immediately between these bands and the United States. It follows, therefore, necessarily, that all the others are embraced by the general designation of Seminoles. These are bound by the treaty of Payne's Landing. The fact that some of them have not come within the limits of the reservation assigned to them by the latter treaty, proves nothing more nor less than that the Indians have failed in that particular to comply in good faith with their treaties at Camp Moultrie and Payne's Landing. Those Indians who are on the Gulf coast and about the Everglades, were as much bound to come within the limits of the Indian reservation as the Indians who lived and were raised about Tallahassee and Hick's old town, on the Suwanna river: and it will strike you that the latter had as much right to remain without the present Indian limits as the former; and if the Indians who lived about Tallahassee and Hick's old town had remained there until now, it is obvious that they would, in that case, have the same right to exemption from the obligations of the treaties as those on the Gulf coast and about the Everglades. That the Indians within the reservation have not claimed those on the coast, and at other points without the reservation, is no argument that those who have not come within the Indian boundary have a right to remain out, as such an argument would oppose the reasonable and just maxim, that "no individual shall take advantage of his own wrong." The true question is, have the Seminole nation the right to claim those that are without the Indian boundary? A thorough examination of the whole subject will, it seems to me, compel every one to answer in the affirmative. It follows, then, necessarily, that if the nation have a right to claim them, *they* have no right to exemption from the obligations of the treaties. So much for a construction of the treaties, and the rights of those people under them. Now, as to considerations of expediency involved in the question. The people referred to have sprung from, and are connected with, these Indians. There is a constant intercourse between the Indians residing within and those without the Indian boundary. There are Indians here who have relatives there. If the Indians at the rancho are exempt because they have never lived within the present Indian reservation, a much larger number about the Everglades, and what is called the Hunting Ground, would be equally entitled to exemption precisely for the same reason. Then let the decision once be made, even should the Indians know that a decision is sought exempting those on the coast and at other points beyond the Indian boundary from the obligations of the treaties, and one half, if not two-thirds, of these people would, in a very short time, be beyond their limits, claiming the exemption. Thus, the Territory would have a considerable Indian population quartered permanently upon it, and the benign designs of the Government towards these Indians be frustrated. I trust that you and Captain Buner will, on a reinvestigation of the subject, be impressed with the correctness and propriety of the view which I take of the subject, and that you will aid me to ward off the evils that would result from any other view.

The man with you, and those with Captain Buner, are permitted to con-

tinue in their present employment until I call for them, which, in all probability, will not be earlier than next spring.

A full assemblage of the nation is to take place on the 20th proximo, when, in all probability, something decisive will be decided upon. It is of the utmost importance that the chief, Holate Ematla, with his people, should be present on that occasion. They are, it is believed, on the Gulf coast, in the neighborhood of St. Marks: some say about the mouth of the Wock-sassah, others about the mouth of Suwannee, or between that and St. Mark's, while others say they are about the mouth of the Oaklockney. You inform me that you are preparing to make an official visit to St. Mark's. If you can start immediately you can probably afford me efficient aid in the accomplishment of the desirable object. If an active trustworthy Indian, acquainted with the section of country alluded to, could go with you, he would be able, no doubt, to see Holate Ematla, and tell him to be here with all his people without fail. Provisions can be furnished to the Indian by Major Zantzing. I hope you will be with me during the sitting of the council.

Present my respects to the Major and the other officers.

With unfeigned respect,

Your friend and humble servant,

WILEY THOMPSON.

SEMINOLE AGENCY, *January 19, 1835.*

SIR: In my report to the Superintendent of Indian Affairs in Florida (now in your office) made on the 1st of January, 1834, I adverted to the existence of several unauthorized settlements of negroes, Indians, and Spaniards, (lawless bands) on the peninsula of Florida. The enclosed copies of two letters afford additional information upon the subject, while at the same time they present a question which it is my duty to submit for consideration to the Department. I have no hesitancy in deciding for myself, that all the Indians, and descendants of Indians in that region are properly Seminole Indians belonging to this tribe; and subject to all the treaty provisions and restraints which are binding upon the Seminoles. They descended from the Seminoles, are connected with them by consanguinity, wandered off without authority, and are occupying a section of territory to which they have no right whatever.

It is believed that many of the negroes connected with those lawless bands are runaway slaves. I have been recently informed that there are roving bands of the Seminole Indians, on and about the Everglades, that have not been within the Indian boundary for several years past; and that a considerable number went the last fall, to what is called the Hunting Ground, about the Everglades, perhaps a hundred miles beyond the boundary, to prosecute their annual hunt.

So far from admitting that *any* of those Indians are exempt from the obligations of the treaties with the Seminoles, it seems to me important that an expedition should be set on foot for the double purpose of driving those Indians within their boundary, in time for the commencement of their migration west; and to capture those negroes, many of whom it is

believed are runaway slaves, and thought by their owners to be in the Seminole country.

I am, sir, very respectfully,

Your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

TAMPA BAY, January 10, 1835.

DEAR GENERAL: Accompanying this, you will receive a letter from Captain William Buner, proprietor of the extensive fishery in the waters of Tampa bay, of whom you have heard me speak. The subject to which he calls your attention, occurred to me soon after your departure, and I had concluded to write immediately without having seen Captain Buner; his arrival here enables him to add his suggestions on the subject. Taking the circumstances he states, and others into view, I have no doubt you will coincide in the opinion that there are a number of Indians who are not properly within the proposed measure of boundary restriction; at all the fisheries along the coast from Jupiter on the east, to Tampa on the west, there are a number of Indians and half bloods who owe no allegiance to, and of whom none is claimed by, the Seminoles, though descended from them. They were born in the different ranchos, or fishing places, mostly speak Spanish, and in some instances have been baptised in Havana. They were Spanish fishermen under the Spanish Government of Florida. They are not recognised by the Seminoles; have never received, and have not been permitted to receive any part of the Indian annuity, and are not considered as under the protection of, or amenable to the Indian laws, and contrary to the maxims of *British national law*, are permitted to *expatriate*.

Over persons of this description, it appears to me the measures and regulations with regard to Indians, cannot with propriety be extended. They are entirely identified by habit, occupation, and intermarriage with people of another nation, of different pursuits and modes of life, and incapable of supporting themselves by ordinary Indian means. By driving them from the sea, you would take from them their only resource, and place them in absolute want, without aid from some unprovided source. To show further that these persons have not been considered as Indians, by the character of their employment, two of those in Captain Buner's service are registered as seamen on a vessel roll of equipage in the custom-house at Key West, and another is enrolled among my revenue crew, and is a first rate seaman, having followed the sea from a boy.

Very truly yours,

AUGUSTUS STEELE.

General THOMPSON.

TAMPA, January 9, 1835.

SIR: I was disappointed in not meeting you at Tampa. I made every exertion to get there from my fishing place at Manatee river the moment I heard the agent and troops had arrived, to enable me to state to you verbally my situation, and the present state of the Indian population on the coast, as well as my fishing rancho.

I request your attention and answer to enable me to act correctly. I have consulted Judge Steele and Major Zantzinger, and they have advised me to communicate with you.

At my rancho, or fishing place, I have in my employment about ten Spaniards and twenty Spanish Indians, most of the latter have been born and bred at the rancho, on the coast, speak the Spanish language, and have never been in the country ten miles in their lives; their only mode of living is by fishing with the different Spanish companies, from August until March; during summer they cultivate some small spot of land in the neighborhood of their working place. They do not *hunt*, and depend upon their cast nets for support; there are many more at the other ranches, say *Caldees*, *Cayo*, *Pelow*, *Ponte Rasa*, and *Eslava*; only myself and Caldees have worked this season on account of the dull sale of fish at Havana, owing to the late cholera. All my white Spaniards have Indian families, and some of them have children and grandchildren. Many of the Spanish Indians have wives from the nation. There are several Indians that have been temporarily employed from the country during the running of the fish, and are now discharged.

My season will close the first day of March, when all hands will be paid off, except my foreman, who takes care of the place. There are also many visitors occasionally at my rancho: I will order them up to their nation.

Will you please instruct me what I can do to forward the views of the Government, and if possible not to break up the rancho before the season is out.

I remain your humble servant,

WILLIAM BUNER.

General W. THOMPSON, *Indian Agent*.

SEMINOLE AGENCY, *January 19, 1835.*

SIR: In the prosecution of my duties in the investigation of claims against the Seminoles under the treaty of Payne's Landing, it has occurred to me to be somewhat important that I should have some data by which to detect any fraudulent attempt to exhibit claims which may have been already disposed of. Will you do me the favor to enclose to me a copy of the claims as exhibited and adjusted under the treaty of 1821 with the Creek Indians; and a copy of the exhibition and adjustment of claims of a late date against the Creek Indians. The adjustment of the first was by General Preston, I think: I do not remember who adjusted the other, but I know that printed copies of each were laid before Congress. The first may be important in the examinations of the claims pressed by the Creek nation, under the treaty of 1821, for negroes now in possession of the Seminoles.

Several claimants who have presented claims under the treaty of Payne's Landing, allege that evidence in support of their claims was submitted to, and is now in, your office. The old chief, Vacca Pichassie, preferred a claim, and transmitted his evidence to the Department. I have to repeat my request that all such documentary evidence may be transmitted to this agency.

I herewith transmit to you a copy of a correspondence relative to Mr. George Center.

Very respectfully, your obedient servant,

WILEY THOMPSON.

ELBERT HERRING, Esq.

P. S. John Yellowhair has returned from Texas accompanied by one of Blunt's sub-chiefs; they bring information that Blunt died after his arrival in Texas, and that John Yellowhair is chief of the bands. Yellowhair and his associate are, as I am informed, duly authorized to receive the annuity due to those bands, the amount of Blunt's claim for the robbery by Stafford, and the amount of which Beattie swindled Blunt and Davy, and to settle all the business which was left by those Indians in an unsettled state. Yellowhair requests information upon all these subjects, and to know whether any provision has been made for him. I informed him of the arrangement to pay the annuity, and that his particular case was submitted by the Department to Congress at the last session, but not finally acted on. As to the robbery of Blunt by Stafford, and the swindling of Blunt and Davy by Beattie, I could only say that I hope something will yet be done. Yellowhair is on the Appalachicola.

Respectfully,

W. T.

FORT KING, *December 24, 1834.*

SIR: About the last of July or first of August last, Mr. George Center came into the Seminole nation as a trader, under a license from Mr. Westcott, late secretary and acting superintendent of Indian affairs in Florida, which license, as Mr. Center informed me, expired in September last. I consented that he might remain until your arrival, with the distinct understanding that I would recommend him to you, but that he should leave the nation should you refuse to license him. On your arrival my power as agent ceased. Believing he has not yet applied for a license, and that he is, consequently, here without legal permission; and satisfied, as I am, that his continuance in the nation will be detrimental to the Indians, and tend to embarrass the execution of the treaty of Payne's Landing, it becomes my duty to withdraw from him my protection, and to recommend his immediate removal from the nation.

I am, most respectfully,

Your obedient servant,

W. M. GRAHAM,

Captain 4th infantry.

General WILEY THOMPSON,
Agent Seminole Indians.

SEMINOLE AGENCY, *December 24, 1834.*

SIR: Shortly after my arrival here in October last, Captain William M. Graham, United States army, informed me of the circumstances under which you came into this nation as a trader, and, at the same time recommended you to me for a license. Some time subsequently, on my adverting to the circumstance of your not having made the anticipated application, he observed to me that you had then recently mentioned the subject to him, that he had no doubt you would in a short time comply with the law upon the subject; and I considered it due to you to give you an opportunity to procure the security which, to obtain a licence, the law requires. Your

failure even to mention the subject to me during the time that has elapsed since my arrival, added to a letter addressed to me by Captain Graham, a copy of which you have enclosed, imposes on me the duty of apprising you that you can no longer be permitted to exercise the rights and privileges of a trader in the Seminole nation.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

U. S. Agent Florida Indians.

Mr. GEORGE CENTER.

NEAR FORT KING, *December 25, 1834.*

SIR: Your favor by Sergeant Kenton was received. I owe you an apology for not soliciting a renewal of my license some time past, and at the same time assure you my not having done so has not been from thought or wish to set your authority at defiance. I shall leave this morning for Micoanopa to procure teams to haul away my goods; and having lost the *protection* of Captain G. must request that my goods may remain till such time as I can accomplish the above object.

Please inform me if the above arrangement will be agreeable.

Respectfully yours,

GEORGE CENTER.

To General WILEY THOMPSON,

United States Indian agent.

SEMINOLE AGENCY, *December 25, 1834.*

SIR: I have received your note of this date. The arrangement suggested of your goods remaining in deposit where they now are until you can procure the means of transporting them out of the nation, is agreeable to me.

Very respectfully,

Your humble servant,

WILEY THOMPSON.

Mr. GEORGE CENTER.

DEPARTMENT OF WAR,
Office Indian Affairs, June 1, 1832.

SIR: I have the honor to acknowledge the receipt of your communication of the 26th ultimo, to the Secretary of War, together with its enclosures.

From the papers before me, it does not appear that the slave Hector, for whom Mr. Wanton claims compensation, was ever in his possession. But taking it for granted that he was, and that he is now a fugitive, or absconding slave among the Seminoles, it is a case not for the action of this Department, but for the decision of Congress.

I will write, however, to the agent, Major Phagan, to use his official influence to prevail upon the chiefs to surrender the slave to Mr. Wanton. In failure of that expedient, would it not be preferable to seek redress from the seven thousand dollars, set apart for the satisfaction of such claims, by the treaty lately concluded by Colonel Gadsden?

I have the honor to be, &c.

ELBERT HERRING.

To his Excellency W^M. P. DUVAL,
Governor of Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, July 10, 1832.

SIR: The late treaty with the Florida Indians, makes provision for sending a deputation of seven chiefs, with an interpreter and agent, to explore the country intended for their future residence west of the Mississippi. The total expenses of that exploring party, from their departure to their return, are estimated at \$3,000, but will not probably exceed \$2,750. Fifteen hundred dollars will be remitted to you, to be handed over to the conducting agent of the party, before its departure; and for which advance, you will take a proper voucher and forward it to the Department: that sum will be quite, or nearly sufficient, to defray the expenses of the expedition till its return to New Orleans. If, however, the agent should sooner require additional funds, he will draw on the Department, giving notice thereof, and taking care to keep expenditures within the narrowest compass. In the estimate of \$3,000, every possible expense has been included, embracing the compensation of the agent; and in no event must the expenditures exceed that amount, but will probably fall short of it. Major Phagan, if he wishes it, will conduct the party as agent, and he will be allowed two dollars per day, while engaged in the service, besides his expenses, and in addition to his present pay as agent. If he should decline going, on these terms, you will be pleased to appoint some other trusty and suitable person to accompany them, allowing him not more than three dollars a day besides expenses, and as much less as you can effect. It is important the party should set out in season to be in Arkansas early in October next, that the accompanying agent may make a report to the commissioners, who it is expected will be appointed, and then be there for the adjustment of all Indian affairs west of the Mississippi. As it is the settled policy of the Government to reduce the expenses of the Indian Department, to the lowest limit, it is deemed unnecessary to appoint a sub-agent during the absence of Major Phagan.

I have the honor to be,

ELBERT HERRING.

To his Excellency WILLIAM P. DUVAL.

WAR DEPARTMENT,
July 16, 1832.

SIR: You were notified from the Indian Bureau, on the 10th instant, that commissioners would probably be appointed to visit the country west of the Mississippi. I have now the honor to inform you, that the nomination of persons to perform that duty, has been confirmed by the Senate.

The gentlemen appointed, have been instructed, if they accept, to repair to Fort Gibson by the 1st of October next. As these commissioners have been entrusted with the adjustment of all questions relating either to the indigenous or emigrant tribes, you will order Major Phagan, or whoever may accompany the Seminole deputation, to proceed direct to Fort Gibson and report to the commissioners; and, in his subsequent movements, he will be guided by their instructions.

I have the honor to be,

JOHN ROBB, A. S.

His Excellency WILLIAM P. DUVAL.

DEPARTMENT OF WAR,
August 21, 1832.

SIR: I have had the honor to receive your several letters of the 4th instant. I regret that the letter of the 10th ultimo, from the Indian Bureau, miscarried, as it contained full instructions in relation to the exploring party who, under the provisions of the late treaty, are to visit the country west of the Mississippi. The expenses of this deputation have been estimated here at three thousand dollars, and the expenditure from the time of their departure to their return, will not, in any event, exceed that sum, and must be brought as far within it as practicable. A requisition has issued in your favor for fifteen hundred dollars, which amount it is supposed will be sufficient to defray all the expenses of the party, until they reach New Orleans on their return. Should additional funds be sooner required, the conductor of the deputation will draw upon this Department for such sum as may be absolutely indispensable. Major Phagan is permitted to accompany the deputation. His compensation, which is included in the estimate of three thousand dollars, has been fixed at two dollars a day, in addition to his necessary expenses and his pay as agent. If he should not consent to go on these terms, you will select some suitable person, who will be allowed three dollars a day besides his actual expenses. The conductor of the party will report himself without delay, on his arrival at Fort Gibson, to the commissioners, Governor Carroll, Governor Stokes, and Mr. Ellsworth, and conform to such instructions as he may receive from them. As the annuity will be paid before Major Phagan's departure, and only the ordinary business of the agency will require attention during his absence, it is considered unnecessary to appoint a sub agent. I enclose a copy of the treaty with the Seminoles. Should Doctor Hamilton decline to vaccinate the Appalachicola Indians, you are authorized to select a surgeon to perform that duty; and in that event, fifty dollars will be added to the one hundred dollars named in the letter of the 16th ultimo, as the limit of the expenditure for this object; but the compensation of the surgeon will not exceed that allowance to Doctor Hamilton. The appropriation made by Congress being small, the Department cannot assign for the Indians of your superintendency, a larger portion. I enclose more of the vaccine matter.

I have, &c. &c.

JOHN ROBB,

Acting Secretary of War.

To his Excellency WM. P. DUVAL,
Tallahassee, Florida.

Extract of a letter from the Commissioner of Indian Affairs, to his Excellency William P. Duval, dated March 16, 1833.

"The measures adopted by you for the expulsion and punishment of the intruders, were called for by circumstances, and have received the cordial approbation of the Department. It would be very gratifying if those oppressors and wrong-doers should receive merited but legal chastisement."

DEPARTMENT OF WAR,
Office Indian Affairs, February 21, 1834.

SIR: I have the honor to acknowledge the receipt of your several letters of the 20th and 26th ultimo, and of the 2d instant, enclosing communications to yourself, from the Seminole agent, General Thompson, and will reply to their several contents, so far as may seem to be requisite.

In relation to the difficulties set forth in those letters, with which the Government will have to contend in removing the Seminoles to the territory allotted to them west of the Mississippi, I will remark that they were foreseen, and will require correspondently energetic measures in accomplishing the object.

The policy of the Government in congregating the Indian tribes west of the Mississippi, was adopted after much reflection, and is persisted in, after the experience of years has developed the advantages of the system. The Government uses no compulsion with the Indians. It is left to their free choice, in the first case, to go or stay; but after that choice is fully and freely made, and they have obligated themselves, by treaty, to remove, the Government will employ the necessary measures to enforce their removal. The Seminoles deliberately entered into a treaty and stipulated to go west, provided an exploring party to be sent there by them, should report favorably. as to the measure. The exploring party was sent, and did report favorably. The Commissioners west, made an arrangement with the Creeks, in reference to the removal of the Seminoles, and a tract of land was assigned for their residence. Under these circumstances, the Government will feel itself constrained to compel their removal. You will make this known to the Indians, that they may be under no mistake, nor entertain any delusive hope of remaining. If there should be any interference from any quarter, in opposition to such intended removal, it will not only be unavailing, but legal measures will be immediately taken for the arrest and punishment of those concerned in it.

For the decision in relation to the annuity money due to Blunt and Davy's band, I beg leave to refer you to my letter of the 12th instant.

It will not be expedient to insist on a ratable deduction from the thirteen thousand dollars for that portion of the two hundred and fifty-six persons for whose emigration those chiefs had stipulated, and who may not embark with the others. Let the whole amount be paid to the chiefs, they will then be responsible to their people and will have no pretext left for further delay.

The proposal of General Thompson for the removal of the Chief Econchatimico to the plantation attached to the agency, meets with the entire approbation of the Department. Such removal would probably secure the property of the chief, prevent disorder, and lead to the emigration of his

own, and the remaining bands. These several considerations, strongly recommend the measure, while the offer of General Thompson proves his own disinterestedness.

The payment of a portion of the money at New Orleans, as proposed by General Thompson, and agreed to by Blunt and Davy, and such arrangement being made public, will much lessen the exposure of Blunt by making him a less desirable object of plunder.

According to your request, the fee of twenty-five dollars, which you gave Judge Smith for professional services, will be allowed to you, and credited in your account.

I have the honor to be,

Very respectfully,

Your obedient servant,

ELBERT HERRING.

To his Excellency WILLIAM P. DUVAL,
Tallahassee, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, February 26, 1834.

SIR: I have the honor to enclose the copy of a letter from Lewis Mattair to the Hon. J. M. White, in relation to certain negroes, said to have been stolen by the Indians, from Mrs. Dewees, and asking that measures may be taken for their restitution, or for payment of their value.

You will be pleased to investigate all the circumstances connected with this case, and report the facts to the Department, as early as possible, that the subject may, if necessary, be submitted to Congress at its present session.

I have the honor to be,

Very respectfully,

Your obedient servant,

ELBERT HERRING.

To his Excellency WILLIAM P. DUVAL,
Tallahassee, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, March, 10, 1834.

SIR: I have the honor to enclose a copy of a petition addressed to the President of the United States, and to communicate, by direction of the Secretary of War, his order in relation to it.

You will, in the first place, institute a thorough investigation into the charges against the Seminole Indians therein contained. If they are substantiated, you will inform them, that the President cannot sanction such injuries to our fellow citizens; that he expects they will immediately restore the slaves and other property, stolen by them, or make ample remuneration to the owners; and in future, refrain from similar conduct, which will assuredly be promptly and justly punished. He requires them to check at once, all forcible attempts upon the white citizens, and to avoid all interference with their persons or property.

As the treaty, concluded with them, will soon be ratified, the President

expects that they will immediately prepare for their removal to the Creek lands, west of the Mississippi, as no delay will be permitted in the execution of the provisions of the treaty.

You are also requested to report the result of your investigation, and your proceedings in this matter, as early as practicable.

I have the honor to be,

Very respectfully,

Your humble servant,

ELBERT HERRING.

To his Excellency WILLIAM P. DUVAL,
Tallahassee, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, December 14, 1833.

SIR: I have the honor to acknowledge the receipt of your letter of the 22d ultimo, respecting the Florida Indians.

It is for the reasons stated in your communication, independently of other considerations, very important that speedy measures should be taken for the emigration of the Seminoles. The treaty, however, has not yet been ratified by the Senate, and the Department is, therefore, without the means and power of making preliminary preparations. Soon as an appropriation shall be made for the purpose, the necessary steps will be taken for the execution of the treaty.

The merits of Captain Page were known to the Department previously to your favorable mention of him.

It is deemed inexpedient at present to appoint a physician to vaccinate those Indians.

The Secretary of War, was much gratified with your zealous exertions in preventing the introduction of ardent spirits among the Indians. It is to be regretted that all good men do not cordially co-operate to arrest an evil destructive of happiness, and pregnant with crime.

Very respectfully,

Your obedient servant,

ELBERT HERRING.

Captain WILLIAM M. GRAHAM, *Fort King,*
Seminole Agency, Florida.

Letters from Capt. Wm. M. Graham, to the War Department, transmitted to Congress in answer to a call from the House of Representatives, of May 21, 1836.

Letter dated, 20th November, 1833.

" " 22d, " "

Letter from Department to Captain Graham, Commissioner of Indian Affairs, of December 14, 1833.

DEPARTMENT OF WAR, *November 22, 1834.*

MY FRIENDS: Your agent, General Thompson, has forwarded to me an account of the proceedings which took place at the council held with you at Fort King on the 28th ultimo, and of the speeches then made by you. I have laid these before your great father, the President, and I am instructed by him to say to you that he has been very much surprised at the temper which you have manifested. You made a treaty with Colonel Gadsden, by which you agreed, in the event of certain chiefs named by you being satisfied with respect to the country west of the Mississippi, and with the favorable disposition of the Creeks living there, that you would remove to that country upon certain conditions stated in the treaty itself. These chiefs visited that country at the expense of the United States, and being satisfied on the subjects above mentioned, concluded an arrangement with the commissioners of the United States west of the Mississippi for consummating the whole matter. By these stipulations the United States are under obligations to perform certain conditions entered into for your benefit, and you were under obligations to quit your present residence, and to remove to the west within three years, and a portion of you designated in the treaty being those occupying the Big swamp, and other parts of the country beyond the limits as concluded in the second article of the treaty formed at Camp Moultrie creek within the year 1833. But your delegation not having acted sufficiently early to enable the United States to ratify the treaty, so as to commence the removal in 1833, it will necessarily be postponed till 1835, at which time it must be commenced, and that portion of your people removed who are designated for the first removal in the treaty. The United States stand ready to fulfil all their engagements, and arrangements will be made with that view this winter. The treaty requires you to remove. You have ceded your country, which will soon be surveyed and sold, and which will leave you without a residence where you now are. The effort to remain will be destructive to you, and the President will not listen to such a proposition. It is dishonorable to you, and such as ought not to be entertained. Do not delude yourselves, listen to your agent. He has spoken to you words of truth and wisdom, and his words will come to pass. As there may be bad men among you, and as in fact, I am informed, that some of your people, opposed to removal, have threatened the lives of those who are disposed faithfully to carry the treaty into effect, the President has directed that a body of soldiers be sent into your country to protect the well disposed, to arrest and deliver over to the proper authority those who are guilty of illegal acts, and to take such measures as may be proper and just to enforce the fulfilment of the treaty. I advise you, therefore, to prepare yourselves against the spring to carry into effect, on your part, the promises made to Colonel Gadsden. Agents will be with you to execute all that is required on the part of the United States. Shut your ears to bad counsels, keep your promises and all will be well. You will be removed to a country already occupied by your people, where the climate and soil are good, where the white people cannot trespass upon you, and where you may increase and improve.

I am your friend,

LEWIS CASS.

To the SEMINOLE CHIEFS, *Florida.*

SEMINOLE AGENCY, *May 30 1832.*

SIR: There is a sub-chief of this nation named Tulkee Mathla, who is desirous of going with the deputation to Arkansas; he has two sons and two uncles residing in that country, and I think it would be a good policy to let him go, as it will not increase the expenses but a mere trifle. He is a man of some influence among his people, and having kindred in the country would make him more anxious to move. Please let me know your will on this subject

I have the honor to be,

Very respectfully,

Your obedient servant,

Not signed, but in the handwriting of Major Phagan.

Hon. LEWIS CASS,

*Secretary of War.*DEPARTMENT OF WAR, *June 24, 1832.*

SIR: A letter dated the 30th of May, without a signature, but supposed to be from you, upon the subject of adding another chief to the delegation about to visit Arkansas from your agency, has been received.

The appropriation for defraying the expenses of the delegation has not yet been made by Congress, and if it should be made, the President is not willing that the number of delegates should be increased.

Very respectfully,

LEWIS CASS.

Major JOHN PHAGAN.

DEPARTMENT OF WAR, *August 6, 1832.*

SIR: Your letter of the 13th ult. has been received. The annuities for the Seminole Indians were remitted to Governor Duval, on the 10th of July, and he has also been instructed as to the arrangements to be made for the visit of the exploring deputation to the country west of the Mississippi. He is, therefore, prepared to give you the necessary directions. Every case of improper interference by the whites should be made known to the superintendent, that he may take the requisite measures to ascertain the facts and collect evidence in support of them, to be submitted to the Department for its action.

I am, &c.

JOHN ROBB,
*Act'g Sec'y of War.*To Major JOHN PHAGAN,
Indian agent, &c. &c.

DEPARTMENT OF WAR,
Office Indian Affairs, June 4, 1832.

SIR: In relation of the claim of Edward M. Wanton, for his slave Hector, mentioned in your letter of February 8, 1832, to Governor Duval, and by him communicated to the Department, it does not appear to be of a character requiring the action of this branch of the Government. There is no affidavit of his having been stolen and of his value. If there had been, and you had demanded him, or his value, from the tribe, and they had refused, then it would have been a proper case to be acted upon here. Under the circumstances it seems advisable to use your efficient influence with the chiefs for the surrender of the slave. In failure of that it might be expedient to seek compensation from the seven thousand dollars appropriated by the late treaty with them for the satisfaction of such claims. A company of the United States troops at Tampa bay will be removed to Camp King for the purpose of enforcing the provisions of the intercourse acts, and to prevent by care and vigilance depredations and hostilities that might otherwise be committed. And in aid of this precautionary measure you will be pleased to exert your official authority to keep the Indians within the limits of their reservations.

With great respect,

Your humble servant,

ELBERT HERRING.

To Major JOHN PHAGAN,
Indian Agent, &c.

List of letters transmitted to Congress, in answer to a call from the House of Representatives of May 21, 1836.

James D. Westcott, Jr. to Secretary of War, dated May 16, 1832.

" " Commissioner of Indian Affairs, " Nov. 5, 1833.

" " Secretary of War, " April 27, 1833.

TALLAHASSEE, FLORIDA,
May, 16, 1832.

SIR: I have the pleasure of informing you that I received, on yesterday evening a letter from Colonel Gadsden, dated "Payne's Landing, E. F. May 9th," in which he states that he has "succeeded in making a conditional treaty with the Seminoles." The conditions, he says, are "a previous examination of the country, by certain chiefs named; and should their report correspond with the representations made them, the agreement is to be binding, and the Indians will prepare to remove. They will have, however, three years for the whole tribe to emigrate; one third annually, commencing with those residing most northwardly, and most contiguous to the white settlements."

He does not state any further particulars.

I am, very respectfully,

Your obedient humble servant,

JAMES D. WESTCOTT, Jr.

General Cass, Secretary of War.

EXECUTIVE OFFICE, TALLAHASSEE, FLORIDA.

April 27, 1833.

SIR: Major Phagan, (Indian agent,) who accompanied the deputation of Seminole chiefs in their recent visit to the western Creek nation, under the treaty of Payne's Landing, concluded last fall, has just arrived at this place, on his way to the agency, and made a report to me, which I have the honor to enclose. I have given him the permission solicited. In doing so, I have been controlled, not merely by the opinion that his arduous and valuable services for the last year entitled him to it, but also by the consideration, that no other person (in my belief) could be of as essential service to the Department as him, if at Washington, while the arrangements are being made for carrying the treaties into effect. I have no hesitation in recommending him as the most proper person in Florida, to go to the westward with the nation, and to assist in their removal, and I know Governor Duval concurs in this opinion.

As stated in another letter to the Department, dated to-day, I shall see General Gadsden in a few days, and if, after consulting with him, it shall be deemed advisable, will again communicate to the Department on the subject of the arrangements for the removal of the Appalachicola and Seminole Indians.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. D. WESTCOTT,

Acting Gov. of Florida.

HON. LEWIS CASS, *Secretary of War.*

SEMINOLE AGENCY, August 12, 1832.

DEAR SIR: I have this day received your letter and instructions, with a draft on Charleston for the annuity, and for other purposes. You say after paying \$4000 to the Indians, the balance is to be brought on to you. You have allowed \$150 for provisioning the Indians. There are from 3,500 to 4000 souls, and you say, if necessary, that sum may be applied to feed them, for a term of twelve or fifteen days, which is as short a time as it can be done in. Now, Sir, you or the Department have taken a wrong view of the subject, for the amount allowed will not provision the Indians two days; and besides, I am afraid they will not come to receive their annuity when they hear that the Government will not find them while they are at the agency. I must inform the Indians that the Government will not find them; it would be cruel to call them together, and keep them ten or twelve days without any thing to eat, and I have great fears that a circumstance of that kind might make them break off the late treaty; and, Sir, if you have it in your power, do not restrict me, as it regards the feeding them at this time, as it will, in all probability, have a bad effect. If you have no control over this matter, send a copy of my letter to the Secretary of War, on this subject, as early as you can. Colonel Gadsden, and myself, labored hard to bring about the treaty, and I should be sorry to see it miscarry at this period, for the pitiful sum of five or six hundred dollars, and would rather pay it myself than it should, if I had the means. I have appointed

the 15th September for the Indians to assemble at the agency. I should be glad if you could come to the agency at that time. You could have great influence with the Indians, as regards their standing to the treaty. Captain Graham, and his officers, Doctor Hamilton and Mr. Rogers, join in this request. If you cannot come, please let me know what I have to depend upon, as regards finding the Indians. I hope you will order Mr. Sheffield to the agency. It is necessary that he should be here during the payment of the annuity.

Yours, sincerely,

JOHN PHAGAN,
Indian Agent.

Gov. DUVAL, *Tallahassee.*

EXECUTIVE OFFICE,
Tallahassee, Nov. 5, 1833.

SIR: In my last communication to you, I stated that I was about to visit the Seminole nation, to pay the annuity, &c. I have performed that duty, and on my return home, after an absence of six weeks, was taken sick, in consequence of the exposure suffered on the journey down the Peninsula, under the sickly sun of September. Hence I have not heretofore written to you. During the course of next week, I shall transmit my accounts for settlement, as Governor Duval is expected to arrive from Kentucky in a few days, who must approve them. Conformably to the instructions of the Department, I have retained the salary of Major Phagan, late Indian agent, second quarter of 1833, and that portion of his salary for the third quarter, up to the time of General Thompson's appointment from him, and will turn it over to Governor Duval, on his arrival. On my visit to the agency, I regret to state, I discovered evidences of other frauds and improper conduct on the part of Major Phagan, which I will communicate to the Department with my accounts, with which, in fact, they will be necessary as explanations. I discovered that, in regard to the employers of the agency, he had sub-contracts with them for much less than the amount they receipted for to the Government, and that even for the amount of these sub-contracts, he was in default to them. By payment to them only of the sums due for this year on their sub-contracts, a considerable amount has been saved to the Government, and can be applied, if necessary, to the discharge of his other defalcations, or taken to pay the deficiencies to their employers, most of whom are poor creatures, illy able to lose. I have found, also, he was in debt to several Indians, and to Abraham, one of the Seminole interpreters; to the contractor for beef at the agency, for provisions at the payment of the annuity in 1832; and Colonel Blunt has a claim of \$50 for arrears of his annuity, receipted for to him. I have promised these employers, and Abraham, and the Indians, to state their case to the Department, and I trust, if there is any excess after discharge of Major Phagan's arrears to Government, it will be obtained for them.

General Thompson, the new agent, arrived here a few days since. He is greatly liked, and much advantage is anticipated from his appointment. He stays here a few days, and goes over to the Appalachicola on the 9th, to assist me in getting Blunt off. I am happy to be able to say, that from a conversation with Blunt and Davy, a few days since, I now anticipate no

difficulty in getting him off in a few weeks. His son has not yet arrived from Kentucky, but is said Governor Duval will probably bring him.

I have this day written to the Secretary of War, advising of a draft for the amount to be paid under the treaty, having been negotiated here, so as to be prepared to pay them as soon as Blunt's son arrives. In regard to the advance of the commutation, for their portion of the annuity under the treaty, I will advise you more particularly, after my talk with them on the 9th, when I shall be able to correct the data now in my possession, so as to calculate its amount correctly.

I do not apprehend any very considerable difficulty with regard to the emigration of the Seminoles. Jumper, and Mickanohoy, Ya-ha-ha-jo, Assee-a-hala, or Powell, Charley Ematla, and some half a dozen other chiefs, requested me to ask that they might be permitted this winter to visit Washington, to see the President, and converse with him on the subject.

Mickanohoy is king of the nation, and is opposed to going. John Hicks, the war chief, heads the other party. Jumper, the orator, or sense keeper, is on both sides. I really think if the appropriation of \$1,500 or \$2,000 was made to defray the expenses of a select deputation; (to be designated by the agent,) to go to Washington, it would be advantageously expended. I will, however, write you more fully on this subject in my next.

I am, sir, very respectfully,

Your obedient servant,

JAMES D. WESTCOTT, Jr.

Sec. Act. Gov.

Hon. E. HERRING, *Com. Ind. Aff. Washington.*

FORT KING, November 22, 1833.

SIR: I herewith enclose you a communication for the Secretary of War on the subject of the Seminole Indians.

I am, with great respect,

Your obedient servant,

WILLIAM M. GRAHAM,

Captain 4th Infantry, Commanding.

Col. R. JONES,

Adjutant General, U. S. A. Washington City.

FORT KING, FLORIDA, November 20, 1833.

SIR: In the long absence of all other acting authority, as Indian agent, I feel it my duty to state, that the condition of the Seminole Indians, so far as relates to their usual supplies of corn, &c. is such as may induce the Department to hasten their emigration. Nor do I feel apprehensive of any desire of delay upon the part of the Indians, whenever the Government shall think proper to urge their removal. I can safely say that even at this season of the year, they are as destitute as the want of blankets and provisions could make them. The season is unusually cold, and I believe we may foresee for them, a winter of suffering. These are facts which the Department may not esteem unimportant, when considered in connection with the most expedient mode and time of their removal. The Secretar

of War is aware that the order for the vaccinating the Seminoles as yet has never been obeyed, the reason of which is that the amount of one hundred dollars, that was directed by the acting Secretary of War, to be paid Dr. John Hamilton, the gentleman appointed to perform that duty, was considered insufficient. No physician in this country will undertake the vaccination of the Seminole Indians (upwards of four thousand souls) for a less sum than four or five hundred dollars, or 4 or 5 dollars per day. The extent of territory upon which the Indians reside, is so large that it could not be completed in much less time than three months. There is an officer of the army, who I beg to recommend to your notice: as the emigrating or disbursing agent, he has long been stationed near the nation—speaks their language, and possesses their most unbounded love and respect; I mean Capt. John Page, who is now engaged in removing the last party of Choctaws, and will get through with them, I understand, in December next. I am convinced that Captain Page, 4th infantry, could remove the Seminole Indians, with less difficulty to the Government, and more satisfaction to the Indians, than any other individual. Dr. John Hamilton will remove from this Territory in a few days, and if the Government think it advisable to have the Seminole Indians vaccinated, previous to their removal, I would most respectfully recommend that Dr. Egbert S. Barrows, of Jacksonville, Duval county, East Florida, who has been employed as the attending citizen surgeon at this post, from the 7th of May to this time, and has some knowledge of the habits, &c. of the Indians, should be appointed to perform that duty.

I am, with great respect,

Your most obedient servant,

WILLIAM M. GRAHAM,

Captain 4th Infantry.

HON. LEWIS CASS,

Secretary of War.

FORT KING, *November 22, 1833.*

SIR: More than a year has expired since the absence of the Indian agent. In the mean time a treaty has been completed, and the condition of the Indians seems particularly to have required more than ordinary attention. Respectfully, therefore, I would represent the majority as passively submitting to the treaty. Some who are opposed, and the remainder advocating and promoting the views of the Government. I am sorry to add, that there is an influence out of the nation, exercised by those who hope to become benefitted by thwarting or delaying their removal, which has required much trouble and attention. The order of 1832, prohibiting the introduction of spiritous liquors, upon any account, was received at the agency last July, the sale of spirits in the nation had been prohibited, and nearly totally stopped, previous to the reception of that order, but the little "grog shops" along the boundaries are reckless of its influence, and the laws of the Territory are too lame to remove the evil. Upon this subject, however, I addressed the district attorney, (Douglas,) as requested by the order, giving a detail of our difficulties, but do not believe any heed has been given to them.

The last season has proved unpropitious for the production of their crop

of corn, which has even fallen far short of a year's supply; but at this early period they have actually exhausted their whole year's dependance, and from the scarcity of game in the nation, are nearly in a state of starvation: at all hazards I must represent their state as one of suffering. And it is my belief that they have been more improvident, from the idea that they were to be daily liable to be ordered to prepare for removal. Their condition in relation to blankets is no less lamentable. There is another subject, a measure of the Government, which has not been consummated agreeably to former directions, viz: the vaccination of the Indians, the amount of 100 dollars, the sum allowed to Dr. Hamilton, was unquestionably entirely too small for the time, exposure, and trouble required.

A physician will be under the necessity of visiting every town, consequently it will require the best part of three months to satisfactorily vaccinate from 4,000 to 5,000 Indians, inhabiting an extent of territory, perhaps two hundred miles square. Should the Government order their vaccination, I would respectfully recommend *Dr. E. S. Barrows, of Jacksonville, Florida, for that duty. He has attended this post for the last six or seven months, and I esteem him in every point of view well calculated to do the Government good and faithful service.

I have taken the liberty to represent these facts, believing that they may, when considered, in some measure excite a stronger belief in the necessity of making speedy preparations for their removal. If it be the intention of Government to remove them the next summer, there should, in my opinion, be an agent or officer here to prepare them for such an event. In a few weeks many of them will recommence planting, after which they will plead the excuse that they do not wish to leave for another year. I do consider now that the sooner they are aware of the Government's intention the better it will be for both parties.

Captain John Page, of 4th regiment infantry, has been stationed in the immediate vicinity of the nation for seven years, and from his knowledge of the language and country, and the high respect which the Indians bear him, I think him peculiarly qualified to take charge of their enrolment and emigration. I speak positively upon this point, that from my own knowledge, that man cannot be found, who can remove with so much satisfaction to the Indians, and so much advantage to the Government, as Captain Page therefore, I do respectfully recommend him to your notice as special agent.

I am, most respectfully, yours, &c.

WILLIAM M. GRAHAM,
Captain 4th Infantry, commanding.

Judge HERRING,

Chief of the Indian Bureau, Washington city.

List of letters transmitted to Congress, in answer to a call of the House of Representatives, of May 21, 1836.

Hon. J. H. Eaton, to Secretary of War,	dated March 8, 1835.
John Phagan, to J. D. Westcott,	" April 27, 1833.
Captain J. B. F. Russell, to Com. Ind. Affairs,	" Sept. 2, 1834.
General D. L. Clinch, to Secretary of War,	" August 24, 1835.

* Dr. Hamilton cannot attend to the vaccination.

Gabriel W Perpall, to Secretary of War,	dated October 14, 1835.
S. C. Stambaugh, " "	" Sept. 2, 1833.
H. K. Holleman, to Com. Ind. Affairs,	" Sept. 14, 1835.
L. Gilleland, to Secretary of War,	" July, 1835.
J. G. Miland, " "	" February 24, 1836.
Roby McIntosh, and other Creeks, to Sec. of War,	" June 5, 1834.
" " "	" June 6, 1834.
E. B. Gould, " "	" October 7, 1835.
Malachi Hagan, " "	" Nov. 23, 1835.
Adj. General, to Com. Ind. Affairs,	" July 25, 1834.
Major John Phagan, to Secretary of War,	" June 21, 1832.
Acting Secretary of War, to John Phagan,	" August 6, 1832.
" " "	" May 30, 1832.
" " Seminole Chiefs	" Nov. 22, 1834.

TALLAHASSEE, *March 8, 1835.*

DEAR SIR: I have received your letter, with its enclosures, relative to the removing the Seminole Indians, under the provisions of the treaty of 1832, but which was not ratified until 1834. I pray you, does not this circumstance raise a doubt whether, by strict rule, the treaty can be considered to be valid and binding? Our Indian compacts must be construed and be controlled by the rules which civilized people practice, because in all our actions with them, we have put the treaty making machinery in operation precisely in the same way, and to the same extent, that it is employed with the civilized powers of Europe. The rule practiced upon by us, has been, and is, that the ratification shall take place within either an agreed time, or a reasonable time. When Florida was ceded in 1819, the *Cortes* failed to interchange ratifications within the prescribed time, and afterwards, at a subsequent session, it was assented to by the Spanish *Cortes*. The sense of this Government was, that the first ratification made by the Senate was inoperative; and again the subject was submitted by Mr. Monroe, for the action and approval of the Senate. This appears to me to be a precedent which runs parallel with this Indian compact. It says, one-third shall remove the first year, viz: early as practicable in 1833, and one-third in the next, and the next 1834, '35. Now, until 1834, when the ratification took place, the treaty was a dead letter. It is in their power now to plead and say, we were ready in 1833 and 1834, and hearing nothing of your determination, we had a right to suppose that you did not mean to stand by the treaty, and accordingly our minds have changed. With civilized nations, I think the plea would be available; and if so, the Indians should have the benefit of it.

Were these people willing, voluntarily, to remove, (though such seems not to be the case) the whole difficulty would be cured, and no evil could arise. But as military force is about to be resorted to, it is material that the Government, before making such appeal, be satisfied that right and justice is on their side, and that they are not engaged in the execution of a treaty, which, if void, is no part of the law of the land. I feel so strongly the force of this objection, and am so desirous that General Jackson should avoid every thing of supposed error, that I shall to-day, unauthorized as I am, write to General Clinch, and request him not to act *with force*, until he

shall hear again from you. This he may probably do ; and hence, the propriety of your considering my suggestions, and advising him early as possible.

Should you at Washington, who have books to resort to to solve the doubt I have mentioned, come to the conclusion that it is tenable, why then, the subject of the removal, and the manner of it, is unnecessary to be examined. An attempt must then be made to go into some new negotiation. If there be nothing in the proffered objection, then the best mode of starting them away recurs.

The employing a military force will be an act of war, and the Indians will embody and fight in their defence. In this event, you will want such an imposing force as shall overawe resistance. The few companies you have ordered, will not produce this result. They will serve but to begin the fight, and to awaken angry feelings, so that in the sequel, the militia will have to be called, which will end in the butchery of these miserable people. Send a strong imposing *regular force*, which can be commanded, and prevented from doing more than actually is needful to be done ; and then that force, judiciously acting and forbearing, may do much. But send only a handful of men, and difficulties will come upon you.

The next thing will be, to have suitable transports of seven or eight feet draught, lying at Tampa bay, well provisioned to receive them ; for sure as you seek a passage over land, they will desert into the swamps, and elude your pursuit. They are afraid to go by land. Bad men will raise up false accounts, arrest, and throw them in jail, whereby to enforce payment. The fate of their chief, Blunt, last year, at New Orleans, they fear, will be theirs. Taking them by water to the Mississippi river, and there placing them in boats, with positive orders not to land or stop at any town or city, will prevent this disturbance to them. In three or four days the voyage can be made from Tampa to the Balize at a much reduced cost, to what a land travel northwardly would amount to.

There is another difficulty in the minds of these people, and it is this. A separate tract, out of the Creek lands, has been set apart for their home. There is a ratified treaty in your office, made by General Stokes, Ellsworth, and Schermerhorn, with the Creeks, which authorizes the Seminole location. While negotiating with the Indians last year, at Washington, I understood that the Creeks disowned this act, and had sent word to the Seminole bands, that while they were willing to receive them in their limits as a portion of their nation, they would not suffer them to enjoy any separate allotment of their soil. This, too, has intimidated them, and is, I dare say, the essential cause of their reluctance to go off. To cure this, either the Creeks west should be gotten to say, that the allotment made shall be for the *exclusive, separate*, use of the Florida Indians ; or the latter should be prevailed upon, for some adequate compensation, to agree to go and amalgamate with the Creeks.

Another mode of prevailing on this people to remove, would be, to give orders to the troops to prevent them from raising corn this year. This is almost as severe a remedy as employing your bayonets. But the effect will be, that, towards autumn, their necessities will compel them to depart. To go, or to starve, would then be the question.

General Thompson was here a few days since, and found a letter for him from the Department. He should not be addressed here, but at the Seminole agency, distant from this place, I believe, 150 miles.

This Indian question of removal is one that should be managed with great caution and care; that the enemies in Congress, ever ready to find fault, may have no just and tenable ground on which to rest their murmurs. Tread cautiously then! The people here want the lands on which they reside, and they will urge a removal *fas aut nefas*; and the Big Swamp which, in the treaty, is declared to be the first of their country to be vacated, is of high repute, and is that on which the eyes of speculators are fixed. But whether they shall have it this year or the next, or the next thereafter, is of less importance to the country than that any thing should be done calculated to impair the character of the Government for justice, and for equitable and fair dealing. Whence the necessity of any speedy removal? Presently, if let alone, these Indians will go of their own accord, because they cannot avoid it. To stay is to starve; and nature, and its demands, will soon tell them more and better, and more convincing things on this subject than you and the President can write. Then they will go, and go without any interruption to the quiet and harmony of the country. Now, with all your efforts, and the army to aid you, they could not be carried off, and gotten to their western homes, before June or July. Then, no crops could be raised, and for two years they will be without provisions. The preferred, and preferable course, I think, will be to send amongst them active and intelligent men, to *court* them to what is right, in the hope that, during the year, their minds may be so prepared as to be induced to depart during November at least, that they may reach their homes in time to raise corn the succeeding year. On the whole, and to conclude a tiresome letter, I offer this advice; avoid the exercise of *force* as long as possible, and let it be the only, the last sad alternative, and then let not, by any means, the *militia* be appealed to; they will breed mischief!

With great respect,

J. H. EATON,

Hon. L. CASS, *Secretary of War.*

TALLAHASSEE, *March 8, 1835.*

SIR: I have received from the Secretary of War a letter asking me to suggest to him any views I might entertain as to the removal of the Seminole Indians. Enclosed in his communication was a copy of a letter addressed by you to the Adjutant General, dated 22d January, 1835. A reply to it by the Secretary, of the 16th of February, with a talk from the President, also dated 16th of February.

In reply I have offered my opinion freely and frankly; and amongst other things suggested, whether the treaty of 1832 be not void, for want of timely ratification. If this be so, it will be unfortunate that the military force of the country be actively employed.

In my letter I have said, "by the next mail (unauthorized) I shall write to General Clinch, and request him not to employ force toward the removal until he shall again hear from you. He may, perhaps, under all the circumstances accord to my request, and hence the necessity of your speedily informing him of the course he shall pursue. If, under the orders given, you shall think you can practice forbearance, until the Secretary is again heard from, I shall be glad, because my opinion is, there is greater safety in

the course ; but of this you alone are to judge, under the responsibility of the orders which have been forwarded to you.

Very respectfully,

J. H. EATON.

To Gen. CLINCH.

TALLAHASSEE, *April 27, 1833.*

SIR : I arrived here this morning on my return from the journey, commenced last September, with the deputation of Seminole chiefs to the western Creek nation. The whole deputation have returned safely. On yesterday I sent them from St. Marks, by water, to the agency. I have the satisfaction of informing you, that while at Fort Gibson, after viewing the country assigned them by the United States commissioners, the chiefs entered into a definitive treaty with the commissioners, by which the Seminole nation are to remove to the country assigned them, according to the treaty at Payne's Landing. By this definitive treaty, of which I enclose a copy, it is expressly stipulated, that, "the nation shall commence the removal to their new home as soon as the Government will make arrangements for their emigration satisfactory to them."

I shall, on to-morrow, return to the agency by land. After staying there perhaps a week, I wish to proceed to the city of Washington, in order to make a detailed report to the Government of matters connected with the visit of the deputation to the Creek nation, to settle my accounts with the Government for the journey, and to suggest many things and advise with the Indian Department, and make arrangements for the speedy removal of the nation.

I hope they will all be got off by July or August at farthest. My absence from the agency will not exceed, at farthest, six weeks ; and if, in the mean time, the annuity is received, it can be paid by Mr. Sheffield, the sub-agent, or retained until I return. I must, therefore, solicit a letter, giving permission to visit Washington for the purpose stated.

I have the honor, &c.

JOHN PHAGAN, *Indian Agent.*

His Ex. JAMES D. WESTCOTT, jr.

Acting Governor, &c.

PETERSBURG, GEORGIA,

September 2, 1834.

SIR : I have the honor to inform you that agreeably to your instructions, I have had an interview with General Wiley Thompson, and that in company with him, leave here forthwith for the performance of our duties in Florida.

Very respectfully,

Your most obedient servant,

J. B. F. RUSSELL,

Captain U. S. A.

To E. HERRING, Esq.

Commissioner Indian Affairs, Washington.

FORT MARION, ST. AUGUSTINE,
August 24, 1835.

SIR: In forwarding to you the enclosed document, I beg leave to make a few remarks, although the subject to which it relates is, itself, of no great importance, yet it may have an important bearing on the present quiet and future happiness of these children of the forest. They are, from peculiar circumstances and long habit, suspicious of the white man. It is hard to induce them to believe that all the efforts and operations of the Government are intended for their own good. The question of a separate agency was again and again brought forward by the chiefs last winter and spring, and appeared to be considered by them of the first importance to their future interest, prosperity and happiness; and it was at the earnest and repeated solicitations of the chiefs, that Lieutenant Harris and myself consented to incorporate their wishes on that subject, in the arrangement made with them in April last. Great pains have been taken to convince them, that the agent for the Creeks west of the Mississippi, would watch over and protect them and their interests, in common with that of the Creeks, but I fear without effect. It is a law of nature for the weak to be suspicious of the strong. They say the Creeks are much more numerous and powerful than they are; that there is a question of property, involving the right to a great many negroes, to be settled between them and the Creeks; and that they are afraid justice will not be done them, unless they can have a separate agent to watch over and protect their interests. The manly and straight forward course pursued towards them by Gen. Thompson, appears to have gained him their confidence, and they have again petitioned the President to make him their agent, and have requested me through the immediate commanding officer at Fort King, to forward their petition with such remarks as my long acquaintance with their views and interest would authorize me to make. The experiment they are about to make is one of deep interest to them. They are leaving the birth place of their wives and children, and many of them the graves of those they held most dear; and is it not natural that they should feel, and feel deeply, on such a trying occasion; and wish to have some one that they had previously known, whom they could lean on, and look up to for protection? In closing these few hasty remarks, I feel it my duty to state it as my decided opinion, that the appointment of General Thompson as their agent, even for two or three years, until they are settled in their new homes, will have a very happy effect in carrying out the humane and benevolent plans of the Government, in which the interest of the Territory is so deeply involved.

I am, with high respect,

Your most obedient servant,

D. L. CLINCH,

Brevet Brig. Gen. U. S. A. Com'g.

Honorable LEWIS CASS,
Secretary of War.

At the request of the within named principal and sub-chiefs of the Seminole nation, the undersigned officers of the army stationed at Fort King, met them in council on the 19th of August, 1835:

PRESENT.

Principal Chiefs.

Holati Amathla.
Charly Amathla.
Tucklusi Hajo.
Coahajo.
Conhatki Mico.
Feshachi Mico.
Tustinuc Hajo.
Otulki Amathla.
Billy Hicks.
Assiola or Powell.

Sub-Chiefs.

Billy John.
Cosatchi Amathla.
Yahai Amathlo.
Yahai Fixico.
Emathlochi.
Tustinuc Hajo.
Acholi Hajo.
Tustinuc Maha.
Powshaila.
Albusahajo.
Chocati Fixico.
Ochi Hajo.
Cheti Haiola.
Cosa Tustinuggi.
Tacosa Fixico.
Canchatie.
Tastanuggi.

Holati Amathla, the principal chief, addressed the officers as follows, viz:

"MY FRIENDS: We have come to see you to talk with you on a subject of great interest to us. We want you to open your case to us and tell our great Father, the President, the words his children speak.

"We made a treaty at Payne's Landing to go to the west; we were told to send some of our principal chiefs to examine the country, and if they approved it, that the treaty should be complete; they went and found the country good. Whilst there, they had a talk with General Stokes and the commissioners; they were told that the Seminoles and Creeks were of the same family; were to be considered as the same nation; and placed under the direction of the same agent. They answered that the Seminoles were a large nation, and should have their own agent as before; that if our Father, the President, would give us our own agent, our own blacksmith, and our ploughs, we would go to this new country; but if he did not, we should be unwilling to remove; that we should be amongst strangers: they might be friendly or they might be hostile to us, and we wanted our own agent whom we knew, who would be our friend, who would take care of us, would do us justice, and see justice done us by others. The commissioners replied that our wishes were reasonable, and that they would do all they could to induce our Great Father to grant them. Our lands at the west are separated from those of the Creeks by the Canadian, a great river; and we think the Creeks should have their agent on one side, and we ours on the other.

"We have been unfortunate in the agents our Father has sent us. Gen. Thompson, our present agent, is the friend of the Seminoles; we thought at first that he would be like the others, but we know better now; he has but one talk, and what he tells us is the truth; we want him to go with us; he told us he could not go, but he has at last agreed to do so, if our Great Father will permit him; we know our Father loves his red children, and

will not let them suffer for want of a good agent. This is our talk, which we want you to send to our Father, the President, hoping that we may receive an early answer."

The council then adjourned.

The undersigned beg to be excused for expressing their opinion on the foregoing proceedings. The subject of a separate agency has been an engrossing and all important one with the Seminoles; they attach to it a consideration which, perhaps, it does not merit; but we are persuaded that its concession to them will be attended with the happiest results: it will confirm those who are already friendly, and be the means of conciliating others who are hostile or at least neutral. Under this view of the case, we cheerfully unite with the foregoing chiefs, that General Wiley Thompson be appointed their resident agent.

In justice to General Thompson, we feel called upon to say, that he has done every thing in his power to dissuade the Indians from the course they have pursued in this matter; he assured them they would have at the west an agent who would do them justice and protect them in their rights; and further, that it was an appointment he did not solicit, but could not reject it, if by accepting it he could advance their interests and facilitate their future operations.

A. C. W. FANNING, *Bt. Lt. Cl. U. S. A.*

ROBT. ARCHER, *Asst. Sur.*

JOHN FARLEY, *1st Lieut. 1st. Arthy.*

G. H. TALCOTT, *Lieut. 3d Arthy.*

E. A. CAPEON, *Lt. 1st. Art.*

J. W. LINOUM, *Capt. 3d Art.*

C. MELLON, *Brt. Capt. 2nd Art.*

JOSEPH W. HARRIS, *Lt. Disby. Agt.*

JOHN GRAHAM, *Lt. 4th Inf.*

SEMINOLE AGENCY, *September 7, 1835.*

SIR: I have made up my report upon the claims submitted to me, under the 6th article of the treaty with the Seminoles, and have suspended your claim.

For your information and benefit, I here give you a transcript of my remarks upon the evidence submitted by you.

The affidavit of Mr. G. W. Perpall, (No. 1,) contains no evidence in support of the claim. It only repeats the declaration of the claimant and the neighbors. It (the claim) is suspended to give the claimant an opportunity to obtain the evidence of *the neighbors* and forward it to the Department.

This should be done as early as practicable,

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Mr. PHILIP WEADMAN.

ST. AUGUSTINE, *September 30, 1835.*

DEAR SIR: Having a claim on the Indians for horses stolen from us by them, application being made to the Indian agent, Col. Thompson, with such proof as could be had then, he has thought proper to request further proof, as you will see by his letter within, but it so happens that five of the neighbors who could certify are no more, (since dead,) the only one we could obtain is Mary Henchman, who has declared before a justice of the peace herewith.

In hopes you will order justice to be done to us.

Respectfully,

Your humble servant,

GABRIEL WM. PERPALL.

Hon. LEWIS CASS,

Secretary of War, Washington City.

Personally appeared, Mary Henchman, and made solemn oath, that sometime in 1814, she saw four horses and a colt in possession of the Indians, which horses said Indians had stolen from the plantation of Gabriel W. Perpall, at Mount Onvell in Toncoka. These Indians took off said horses, and the owners Gabriel W. Perpall and Philip Weadman never got them back, as this deponent believes, but wholly lost them. This deponent lived at the plantation at the time and well knew the horses and the facts connected with their loss. She saw the Indians take the horses. The leader among them called Indian Jim, a _____ that time of the Indians about _____, this Indian also had his son with him called young Jim.

These horses were:

1. A bay horse, branded S. P. worth \$50 or \$60.
2. A sorrel gelding, branded S. P. worth \$60 or \$70.
3. A sorrel mare with a yearling colt, worth both together from \$80 to \$100.
4. A cream horse, worth \$50 or \$60

The two first horses above described, belonged to G. W. Perpall, the two last with the colt to Philip Weadman: and further deponent said not.

her

MARY X HENCHMAN.
mark.

Sworn before me, this 29th October, 1835.

JOS. S. SANCHEY,
J. P. St. John's County.

WASHINGTON, *September 2, 1833.*

SIR: I enclose you the treaty, made by the commissioners with the Seminole delegation, at Fort Gibson, in March last, assigning the Seminole nation a country west of the Mississippi, with the proceedings in council upon that subject. The basis of this arrangement is fully explained in the late treaty, made with the Creek Indians, and the report of the commissioners of April 2d, submitting it to you for the consideration of the President and Senate; and it is unnecessary for me to do more now on this point, than

call your attention to these papers. I will however take the liberty of respectfully and earnestly urging the speedy removal of the Seminoles from Florida, to the new home provided for them, in the Creek country, by this treaty. The land allotted to them is of the very best quality in the Territory, and was selected by themselves, after a long and careful examination, made with the advice and assistance of the commissioners, after the conclusion of the Creek treaty. This arrangement, may, therefore, be considered a happy confirmation of all the engagements made between the United States and Seminole tribe, with respect to their location west of the Mississippi river. But you are aware of the superstitious feelings of these people; you know, too, how easily those feelings can be operated upon by designing men; and there may be *some* having influence over these people, who may from selfish motives, advise them not to accept the liberal provision made for them by the Government, should their removal be postponed any length of time. Hence, in my opinion, the sooner they can be removed the better, to which subject I very respectfully call your attention.

A copy of the Seminole treaty was forwarded to you immediately after it was concluded in March last, which I presume you received in due time.

I am very respectfully,

Your obedient servant,

S. C. STAMBAUGH,

Sec. Com. Indian Affairs.

Hon. LEWIS CASS,

Secretary of War.

FORT KING, *September 14, 1835.*

SIR: General Thompson, agent for the Seminole Indians, has just informed me that he has forwarded his general report upon the claims under the sixth article of the treaty of 1832 with the Seminole Indians, including the claim (No. 11 in his report) of Harmon K. Holliman, deceased; and that he informed you that additional evidence would be forwarded to you in support of that claim. The promised additional evidence I have the honor to enclose herewith. This evidence had heretofore been submitted to General Thompson and withdrawn, he having pointed out some defect which it became necessary to remedy.

I am, sir, respectfully,

Your most obedient servant,

HARMON K. HOLLIMAN.

ELBERT HERRING, Esq.

Commissioner of Indian Affairs.

TERRITORY OF FLORIDA, *Alachua county:*

Personally appeared before me, William M. Reed, an acting justice of the peace in and for the aforesaid county, Bennett M. Dell, who, being duly sworn, deposeth and sayeth, that he resided on the St. Mary's river, Florida, in the year 1818, and that in the month of January of that year, this deponent was informed that a band of Seminole Indians had murdered the wife of Hinchee Holliman, and committed serious depredations on his plan.

tation, on said river, and that said deponent, together with Simeon Dell and others, who went immediately over the river to Mr. Holliman's, about seven or eight miles from said deponent's residence. It was early after the Indians had committed the depredations, it being the next morning, that deponent, with those that accompanied him, found no living being at the place; that deponent with others went into the house, deponent among the first who entered it, and found Mr. Holliman's remains under the bed, shockingly murdered, being shot, stabbed, and scalped; every thing about the house and in it was destroyed or taken off, and the place presented a horrid spectacle; that there were several hogs shot dead in a pen near the house; that Mr. Holliman had two horses that were worth from seventy-five to a hundred dollars each that were taken off at the same time; deponent has no doubt that there were drove off at least two hundred head of cattle; that said Hincee Holliman had a large stock of cattle which he, the deponent, has seen frequently since, and there were not more than one hundred head left; and this deponent further saith, that cattle were at and about that time, viz: the time the cattle were taken from said H. Holliman, worth from eight to ten dollars per head. That this deponent was on the trail of said Indians with cattle at different times, and the trail had the appearance of five or six hundred head having been carried off, and that he followed the trail twice or more into Florida, toward the Miccasuky towns. There were also a negro woman named Lotty and her child taken away at the same time, and that the same was not returned until March or April, 1822. Mr. H. Holliman stated they had taken between four and five hundred dollars from him in money, of which deponent has no doubt. He, the said Holliman, having become quite forehanded in the world, and owned ten or fifteen negroes; and there was every sign of there having been stolen corn, bacon, and potatoes, &c. to what amount deponent cannot state.

BENNETT M. DELL.

Sworn to and subscribed before me this 14th day of July, A. D. 1835.

WM. M. REED,

Justice of the peace for Alachhua county.

STATE OF GEORGIA, *Camden County:*

Personally appeared before me, a justice of the peace in and for said county, Grandison Barber, who being duly sworn, depose and saith that he resided on the St. Marys river in said county and State, in the year 1818, and that in the month of January of that year, the deponent states he was informed that a band of Seminole Indians had murdered the wife of Hincee Holliman, and committed serious depredations upon his plantation, on said river, and in said county and State, about four miles distance from where said deponent resided. Deponent further states, that himself, with others, went to Mr. Holliman's where the Indians had committed the depredation, it being the second day afterward; and said deponent states he found no living being at the place; as deponent had been informed, there had been the two Mr. Dells and others there before said deponent and those with him; and had taken and buried Mrs. Holliman's remains; every thing about the house and in it was destroyed or taken off, and the place presented a horrid scene. That Mr. Holliman had two horses that were taken off at the same time, one large sorrel horse worth at least one hundred dollars; the other one an iron gray, worth seventy five or eighty dollars. Deponent

has no doubt that there were drove off two hundred head or more of cattle, that belonged to Mr. H. Holliman; that said Hinchey Holliman had a large stock of cattle, which said deponent states he had seen frequently before said depredation, and afterwards; and that there was not more than one hundred head left. And this deponent further saith, that cattle were at or about that time, viz. the time the cattle were taken from Mr. H. Holliman, worth from eight to ten dollars per head; that this deponent was on the trail of said Indians with cattle at different times, and the trail had the appearance of five or six hundred head having been carried off; that said deponent followed the trail one or more times into Florida, towards the Miccasuky towns: there were also a negro woman named Lotty, and her child, taken away at the same time, belonging to said H. Holliman, and that the same not returned until April, 1822. Mr. H. Holliman stated they had taken between four and five hundred dollars from him in money, of which deponent has no doubt, knowing that Mr. H. Holliman held a considerable amount of money, and Mr. H. Holliman stating that he was not at the house when the attack was made by said Indians on said house, being nearly a quarter of a mile from his house, and hearing the report of the guns, the Indians a yelling, the screeches of his wife, Mrs. Holliman, that he, said H. Holliman, stated he had to fly for his life, without the second change of clothing. Deponent further states from his acquaintance with Mr. H. Holliman and his affairs, he has not the least doubt but the Indians did take and carry off between four and five hundred dollars in money. Deponent saith that he had been in Mr. H. Holliman's house previous to said depredations being committed, and the household and kitchen furniture were worth from two hundred and fifty to three hundred dollars; other small damages done, to what amount deponent cannot state.

GRANDISON BARBER.

Sworn to and subscribed before me, this 1st day of September, 1835.

ALEX. KEAN, J. P.

STATE OF GEORGIA, *Camden County*:

I certify, from a long personal acquaintance with the above named Grandison Barber, and from his general reputation, that his testimony, as in the above deposition contained, is entitled to full credit.

Given under my hand at Centreville, the 1st of September, 1835.

ALEX. KEAN, J. P. C. C.

TERRITORY OF FLORIDA, *Alachua County*:

Personally appeared before me, Charles Waldron, a justice of the peace in and for said county, Enoch Daniels and Abraham Daniels, who, being duly sworn, depose and saith, that they resided on the St. Marys river in the year 1818, and that in the month of January of that year, they were informed that a band of Seminole Indians had murdered the wife of Hinchey Holliman, and committed serious depredations upon his plantation on said river; that they went immediately over to Mr. Holliman's, about five miles distance from where they, the said deponents, resided, early after the Indians had been there, it being the next morning, and they, the said deponents, found no living being at the place except one old negro; that the said deponents went into the house, where they found Mrs. Holliman's remains under the bed, most shockingly murdered, being shot, stabbed, and scalped; that

every thing about the place, and in the house, was destroyed or taken off, and the place presented a horrid spectacle; that there were six or seven hogs shot dead in the pen; that Mr. Holliman had two horses, worth from \$75 to \$100 each, which were taken off at the same time; that the said deponents have no doubt that the Indians drove off at least two hundred head of cattle which belonged to Mr. Holliman, he having been a large stock holder; that at that time there was a negro woman and child taken off, and they were not returned for four or five years after; that Mr. Holliman stated the Indians had stolen between four and five hundred dollars in cash, of which deponents have no doubt, as said Holliman was quite forehanded in the world, and owned ten or fifteen negroes; that there was every sign of the Indians having stolen corn, bacon, and potatoes, to what amount deponent cannot state. The name of the negro woman taken off by the Indians was named Lotty.

ABRAHAM DANIELS, his × mark.

ENOCH DANIELS, his × mark.

Sworn to and subscribed before me, this 17th April, 1835.

CHARLES WALDRON, J. P.

TERRITORY OF FLORIDA, *Alachua County*, July 10, 1835:

From a personal acquaintance with Abraham Daniels and Enoch Daniels, whose signatures are attached to the foregoing affidavit, I consider their testimony entitled to full credibility.

CHARLES WALDRON, J. P.

TERRITORY OF FLORIDA, *County of St. Johns*:

Personally appeared, Anthony Rutant, who being duly sworn, says, that he is an inhabitant of the Territory of Florida, and has resided therein ever since the commencement of the year 1822, and is now sixty-six years of age; that he, deponent, is acquainted with Harman H. Holliman; he, deponent, became acquainted with him, Holliman, in the year 1822, about the latter end of February of that year; deponent then resided at Hope hill, on the St. Johns river, about three miles south of Volutia. As near as deponent can recollect, the said Holliman came to his, deponent's place, for the purpose of recovering some slaves that had been plundered by the Seminole Indians from Georgia, belonging to Hinchee Holliman, and whilst there he, deponent, gave employment to the said Harman H. Holliman; whilst Harman H. Holliman was with deponent, he employed an Indian negro, named Abraham, to go into the nation for the purpose of bringing in the said slaves; and he deponent recollects that Abraham brought in the said slaves, consisting of a negro woman and her child; and he, deponent, recollected that when Abraham returned, that he, Abraham, gave a loud whoop to announce his return. The deponent recollects that there were Indians at his place at this time, and he, deponent, believes that Indians came in with the slaves, accompanied by Abraham. They were brought in from the Indians residing in Florida. Abraham went after the slaves very early in March, and was absent about a fortnight before his, Abraham's, return.

A. RUTANT.

Sworn to before me, the 7th day of July, 1835.

E. B. GOULD,

Judge County Court, St. Johns county.

TERRITORY OF FLORIDA, *County of St. Johns :*

I certify, from a long personal acquaintance with the above named A. Rutant, and from his general reputation, that his testimony, as in the above deposition contained, is entitled to full credit.

Given under my hand at St. Augustine, the 25th day of July, 1835.

E. B. GOULD,

Judge County Court, St. Johns county.

TERRITORY OF FLORIDA, *Alachua county :*

Personally appeared before me, William M. Reed, a justice of the peace in and for said county, Simeon Dell, who being duly sworn, deposeth and saith, that he resided on the Saint Marys river, in the year 1818 ; and that in the month of January of that year, he was informed that a band of Seminole Indians had murdered the wife of Hinchee Holliman, and committed serious depredations on his plantations on said river ; and that said deponent, together with Bennett M. Dell, Abraham Daniel, Enoch Daniel, and perhaps some others, went immediately over the river to Mr. Holliman's, about six miles from said deponent's residence. It was early after the Indians had committed the depredations ; it being the next morning, that deponent with those that accompanied him found no living being at the place : that deponent, with others, went into the house, deponent among the first who entered it, and found Mrs. Holliman's remains under the bed, shockingly murdered, being shot, stabbed, and scalped : every thing about the house and in it was destroyed or taken off, and the place presented a horrid spectacle ; that there were several hogs shot dead in a pen near the house ; that Mr. Holliman had two horses that were worth from seventy-five to a hundred dollars each, that were taken off at the same time : deponent has no doubt there were drove off at least two hundred head of cattle ; as Mr. Holliman was a large stock keeper or holder : as deponent was shortly after on the Indians trail and followed eighteen or twenty miles, and it had the appearance of five or six hundred head having been carried off. There was also a negro woman named Loffy, and her child, taken away at the same time, and the same was not returned until March or April, 1822. Mr. Holliman stated they had taken between four and five hundred dollars from him in money, of which deponent has no doubt ; he (said Holliman) having become quite forehanded in the world, and owned ten or fifteen negroes ; and there was every sign of their having been stolen corn and bacon, potatoes, &c. to what amount he cannot say.

SIMEON DELL.

Sworn to and subscribed before me this 13th day of April, A. D. 1835.

WILLIAM M. REED, *J. P.*

TERRITORY OF FLORIDA,

Alachua county, July 14, A. D. 1835.

From a personal acquaintance with Simeon Dell, whose signature is attached to the foregoing affidavit, I consider his testimony entitled to full credibility.

WM. M. REED,

Justice of the peace for Alachua county.

NEWNANSVILLE, *July*, 1835.

DEAR SIR: I am sorry to trouble you about so small a matter, but circumstances seem to render it unavoidable.

Whilst Major Phagan was agent in the Seminole nation, I laid in a claim against the Indians, which was substantiated in a manner ready for collection, (he said) General Thompson (his successor) says Major Phagan never turned over my account to him. I was, by a requisition of General Thompson, put to the trouble of going through all the formalities and expense of making out my account and proof a second time, and hurried by him to close it by the first or last of October last. Since which I saw him and inquired of him if he thought any thing further necessary in support of my claim; he said not. I have written to General Thompson in relation to my claim several times since, to which I receive no answer. My account was just and very clearly proven by the confession of the individuals charged with the depredation in open council, besides a long chain of legal proof in support of it. I would thank you for other information how I shall proceed to get it.

Yours, very respectfully,

L. GILLELAND.

The Hon. LEWIS CASS.

FORT GILLELAND, *January 27*, 1836.

SIR: I have just had an interview with Mr. Sheffield, sub-agent, on the subject of my small claim against the Indians; he informs me that General Thompson has reported to you on my claim, recommending the payment of one-half the claim, but does not know whether or not General Thompson forwarded all the proof in support of it or not. How General Thompson could have thought proper to curtail the claim with such testimony as supported it, I am at a loss to know.

The claim was founded on damages sustained by the Indians stealing two horses of me; the charge was acknowledged in open council by the Indians; the amount of the claim was proven very fairly by the most respectable testimony to be less than a fair and reasonable charge.

It is only a small amount, yet I am poor and therefore need it. I have been treated thus far very badly about it.

Very respectfully,

Your obedient servant,

L. GILLELAND.

LEWIS CASS, Esq.

ST. AUGUSTINE, FLORIDA, *October 7*, 1835.

SIR: I enclose additional testimony, in the case of the claim of Janet Black, administratrix of Dupont's heirs, which we were advised by General Thompson, was necessary on the case. I hope this will explain every difficulty, and place the justice of the claim beyond the shadow of doubt. It is unquestionably a claim, founded in justice, and the facts are well known

to have occurred, by every Floridian, either from personal knowledge or from general report.

With great respect,

I have the honor to be, &c.

E. B. GOULD,
Attorney for Adm'r.

HON. LEWIS CASS,
Secretary of War.

Personally appeared before me, Joseph Sanchez, a justice of the peace for the county of St. Johns, Antonia Bonelly Leonardy, who being duly sworn, in explanation and continuation, says, that at the time the Indians made the descent upon the settlements of Josiah Dopont, Mr. Pellicer, and deponent's father, in the year 1802, she, this deponent was about thirteen years of age. The persons of her father's family taken by the Indians, were her mother, Mrs. Mary Bonelly, and five children, viz: this deponent, Joseph, Theresa, Catharine, and John; the nine Indians set out immediately with all the plunder that they and the prisoners could carry, and travelled by circuitous routes, and by-paths for the interior of the country. Deponent's family were made prisoners about three o'clock in the afternoon, and were forced to march that day and the following night until daylight of the second day, when they halted and encamped until the morning of the third day, when they started again, and travelled until sun down, and they encamped for the night, and so again on the fourth day, and for twenty-four days from the time of her capture. The party could not travel fast, as the plunder was heavy, and deponent and her sister Mary, who was eleven years old, were obliged to carry alternately their brother John, who was about twenty months old. On the second day after they started from the Mantanzas, they crossed a small river, and afterwards they crossed the St. Johns, where it was very wide, (probably a little lake,) she recollects also crossing a river called Sawannee, in a skin. The skin was stretched out by two cross sticks, and a rim made of wood; she layed down in the bottom very still whilst crossing, and remembers she was afraid to look up. The banks of this river were very steep. On the twenty-fourth day they arrived at a town called Mickasuky, the chief of which she recollects was called Ken-ha-jah. When we were within a short distance of the town, the party halted and proceeded to make a division of their plunder and prisoners, after which we were turned over to some Indian women, who came out to meet us; after which the Indian men went another way, to dance over the scalp of deponent's brother. Whilst living with these Indians, which deponent learned were called by the name of Mickasuky tribe, deponent experienced many hardships and cruelties, and her trials were very severe; and the circumstances and history of her captivity, and that of her family were so peculiar and barbarous, that every thing appears to be fresh to her mind, and she does not think that any think but death can efface them from her memory. The Mickasuky town, where deponent was, she understood from the Indians, was about a day's journey from St. Marks, on the Gulf of Mexico, and a considerable distance from Appalachicola, and within the Spanish boundary of the two provinces of the East and West Florida; deponent's mother and Catharine, Theresa, and John, were detained seven

months; and at the end of this time deponent's father sent one Jack Forrester, with three hundred dollars, to redeem the family, but the Indians not considering that a sufficient sum, detained deponent and her brother Joseph. Deponent was detained fifteen months longer, but her brother Joseph escaped previously to that time, and got down to St. Marks, from whence he was sent by the commander to Pensacola, and from thence to Mobile, New Orleans, Cuba, and finally he reached St. Augustine, in a vessel commanded by Captain Stephen Benet. About twenty-two months after deponent's captivity, her father sent two hundred dollars, being the additional sum demanded by the Indians, and she was then released and delivered up to her brother-in-law, Thomas Pacety, who brought her to St. Augustine, accompanied by Payne, the chief of the Seminoles, and a negro slave belonging to said chief. Deponent further says, that her father and mother, the said Jack Forrester, the said captain Stephen Benet, and her brother-in-law, Thomas Pacety, are long since dead; her sister Mary resides at St. Mary's, Georgia, and that the rest of her family, that are living, reside in the island of Cuba. She has always understood that the Mickasuky Indians were considered, by the Spanish Government, to be under the military jurisdiction of the Governor of West Florida, and not of East Florida.

her
MARY BONELLY × LEONARDY.
mark.

Sworn to before me, this 1st day of October, 1835.

JOHN P. SANCHEZ,
J. P. St. Johns County.

Personally appeared before me, Frederick Weedon, a justice of the peace for St. Johns county, Philip Solana, who being duly sworn, says, that he is a native of East Florida; is now about fifty-three years of age; has most of his life had intercourse with the different tribes of Indians. He was in St. Augustine at the time the Indians made a descent upon the settlements of Josiah Dupont and others at Mantanzas, in 1802, and he saw the dead body of Thomas Bonelly, who had been killed by them in that affair, lying in the market place, in St. Augustine, having been brought up to town in a boat. From his own personal knowledge, and from what he always understood, the Indians who committed the depredations on these settlements were of the Mickasuky tribe. They resided west of the Sawannee, and about a day's journey east of St. Marks, on the Gulf, and within the limits of the Floridas. The Mickasukies were considered as under the military jurisdiction of West Florida, for convenience, because it was much more easy to keep up a correspondence between St. Marks and Pensacola, than between the former place and St. Augustine. When General Jackson entered the Floridas with his army, he destroyed the Mickasuky towns, and drove those Indians east of the Sawannee, and deponent understands that they have since become incorporated with the Seminoles.

FELIPE SOLANA.

Sworn to before me, October 7th, 1835.

T. WEEDON,
J. P. St. John's County.

TERRITORY OF FLORIDA, ALACHUA COUNTY,
November 23, 1835.

SIR: At the request of General Wiley Thompson, agent of the Seminole Indians, I enclose, herewith, my account against said Indians, with the affidavits of Mr. George Braning and myself in relation thereto, with the following explanation. In rendering this account to the agent about one year ago, by mistake, I dated it 1834, instead 1824, as stated in the affidavit, and the consequence was, that the agent was under the impression that this claim came under the intercourse law, and not that of the treaty, therefore, he did not include it in the general report to the Department.

I consider myself justly entitled to interest upon this claim, from the time I sustained the loss, but must abide the custom of the Department in such cases.

Most respectfully,

Your obedient servant,

MALACHI HAGAN.

To the Hon. Lewis Cass,

Secretary of War.

The Seminole Indians, to Malachi Hagan, Dr.
1824. For six head of grown cattle, at \$10 per head - - \$60 00

TERRITORY OF FLORIDA, *Alachua county* :

Personally appeared before me, a justice of the peace in and for the aforesaid county, Malachi Hagan, who being duly sworn, deposeth and saith, that the foregoing account, vs. the Seminole Indians, is just and true, and that the affidavit of George Braning in relation to the same, is a true statement of facts.

MALACHI HAGAN.

Sworn to and subscribed before me this 23d day of November, 1835.

CHARLES WALDRON, J. P.

I certify that I have been personally acquainted with Malachi Hagan for some years, and that his testimony is entitled to full credibility.

CHARLES WALDRON,

Justice of Peace for Alachua county.

FLORIDA TERRITORY, *Alachua county*, ss.

Personally appeared before me, a justice of the peace, in and for Alachua county, George Braning, who being duly sworn, deposeth and saith, that in the winter of 1824, in company with his father Andrew Braning, Malachi Hagan, and a band of eight or ten friendly Indians, with Indian George their chief, who they had taken with them to protect and assist them, pursued two Indians with their families, of the Seminole tribe, from camp to camp, on the head branches of the north prong of Black creek, and they saw signs of meat having been barbecued at their scaffolds and camps; and when they overtook the Seminoles, who they were in pursuit of, they

acknowledged they had killed four head of grown cattle, and had shot two others of the same description, that they expected had died ; and from the description they gave of the marks of the cattle they had killed, they must have been the property of Malachi Hagan, as Malachi Hagan took a leaf from which he cut and described his ear mark, which was a split and under bit in each ear, and they, without hesitation, acknowledged that the cattle they had killed were of that mark. And he further makes oath that he was familiar with all the cattle marks in that section of Florida, and that no person except Malachi Hagan gave that mark, and there were no cattle whatever ranging within six or eight miles of the range in which Malachi Hagan's cattle ranged, and that the cattle killed at that time by the Seminole Indians were no doubt the property of said Hagan.

GEORGE BRANING.

November 19, 1834. The within deposition was sworn to and subscribed before me this day.

CHARLES WALDRON.

Justice of Peace.

ADJUTANT GENERAL'S OFFICE,

Washington, July 25, 1834.

SIR: I enclose herewith a copy of the order assigning Captain Russell to duty, under the orders of the Commissary General of Subsistence, to aid in the removal of the Seminole Indians, which it is presumed will meet the object of your communication of the 21st instant.

I am, sir, very respectfully,

Your obedient servant,

R. JONES,

Adjutant General.

E. HERRING, Esq.

Commissioner of Indian Affairs, Washington, D. C.

ADJUTANT GENERAL'S OFFICE,

Washington, Nov. 24, 1834.

SIR: Herewith you will receive "Order" No. 72, which places you in command of the troops ordered to the interior of Florida. I send also a copy of the report received from Captain Graham, the commanding officer at Fort King, and Captain Russell, who has been there employed under the orders of the Commissary General of Subsistence, on duty connected with the removal of the Florida Indians. The subject of this report will furnish you with the grounds which have induced the movement of the troops, and the occasion of now calling your services into requisition, and on duty in connection with the affairs of the Seminole Indians. To place you in full possession of the subject, and of the present object of the Department, I send you herewith, by direction of the Secretary of War, a copy of his instructions to General Thompson, the Indian Agent in Florida, with a copy of the speech directed to be made to the nation. You are desired to confer freely with the agent and to co-operate with him.

all proper measures in relation to the duties required of him, and in the fulfilment of the one great object of the President in that quarter, the peaceful and harmonious removal of the Indians, according to their treaty with the United States.

I am, sir, with great respect,
Your obedient servant,

R. JONES,
Adjutant General.

Brevet Brig. Gen. CLINCH,
Fort King, Florida.

List of copies of letters from Colonel James Gadsden to the War Department, transmitted to Congress, in answer to a call of the House of Representatives, of May 21, 1836.

Letter dated February 21, 1832.

"	"	March 10,	"
"	"	March 10,	"
"	"	March 17,	"
"	"	April 3,	"
"	"	April 12,	"
"	"	April 15,	"
"	"	May 21,	"
"	"	May 29,	"
"	"	May 30,	"
"	"	May 30,	"
"	"	June 2,	"
"	"	June 29,	"
"	"	February 3,	1833.
"	"	May 1,	"
"	"	December 4,	"
"	"	November 1,	1834.

List of Letters from the War Department to Colonel James Gadsden, transmitted to Congress, in answer to a call of the House of Representatives of May 21, 1836.

From Secretary of War,	dated January 30, 1832.
" " "	" February 23, "
" " "	" June 4, "
" Commissioner of Indian Affairs,	" February 18, 1833.
" Secretary of War,	" December 20, "
" " "	" December 27, "
" " "	" November 28, 1834.

BALTIMORE, *February 21, 1832.*

SIR: On my arrival in this place, I found the supplies I should need for the Indians so very low in price, and there being no difficulty in procuring a vessel and on reasonable terms, to proceed direct to Florida, I concluded to make all my purchases in this city. I have this day completed them,

and now draw on you to meet the expenditures, in favor of Douglass Vass, for fifteen hundred dollars. By this arrangement I shall not only be able to meet the Indians at a somewhat earlier period than that contemplated, (should the agent encounter no difficulty in assembling them) but I shall have the provisions, &c. necessary for their subsistence delivered at the treaty ground on the St. John's river, at a price fully as low as they could have been obtained in Charleston. The unfavorable weather the last two days has occasioned some delay, but I still hope to sail by the middle or the last of the week, certainly.

I shall draw on you, via Charleston, for any funds I may require to meet the incidental expenses of my commission.

Your obedient servant,

JAMES GADSDEN.

Hon. LEWIS CASS, *Secretary of War.*

CHARLESTON, S. C., *March 10, 1832.*

SIR: The want of a conveyance south, has detained me in this place many days longer than was anticipated. I sail to-morrow however for the St. Johns, and shall reach the place of destination by the time fixed with the Indians.

Your letter of the 23d ultimo has been received, and no exertions shall be wanting on my part to accomplish the object of my mission.

I have this day drawn on you for one thousand dollars in favor of the Branch Bank of the United States of this city, to meet the contingent expenses of holding a treaty with the Seminole Indians.

Your obedient servant,

JAMES GADSDEN.

Hon. LEWIS CASS, *Secretary of War.*

CHARLESTON, S. C. *March 10, 1832.*

SIR: As a deputation of Creek Indians have proceeded to Washington, to treat with the United States, for removal and exchange of lands, I have taken the liberty of suggesting the propriety of provision being made, in any treaty concluded, for receiving within the Creek limits, west of the Mississippi, the Seminole tribes, should they be inclined to unite with the Creeks. If this is not attended to at this time, it may embarrass the Government in any disposition it may wish to make of the Seminoles, and defeat any compact I may make with them on the aforesaid conditions.

Your obedient servant,

JAMES GADSDEN.

Hon. LEWIS CASS, *Secretary of War.*

PALATKA, ON THE ST. JOHNS RIVER,
March 17, 1832.

SIR: Detained by head winds, and most unfavorable weather for traveling, I did not reach this place until last night. Only one day, however, later than the period appointed by me, in my communication to the sub-

agent, to meet the Seminole chiefs. I found a deputation from that tribe here, with the information that the head, and most of the other principal chiefs and warriors were on their annual hunt, and that as their supply of provisions had long since been exhausted, it was more than probable that the hunting season for this, would be protracted beyond the period of any previous year. Runners have been sent out in every direction, but as the most frequented hunting grounds extend to the very extremity of the peninsula of Florida, it is not thought probable that a general gathering of the Indians, or of such chiefs as would be authorized to treat for them, can possibly be effected much before the middle of the ensuing month.

In the interim, therefore, I will proceed to the west, and communicate with the towns on the Appalachicola river, and on my return endeavor to effect the objects of the General Government, as to the removal of the Seminole Indians to some more suitable country, west of the Mississippi.

The vessel on board of which I shipped the supplies for the Indians from Baltimore, has not yet arrived. She made the bar of the St. Johns on Monday last, and has, I have been informed, been laying off and on the coast ever since, for a favorable wind to enter that river. Should no accident happen, therefore, she may be expected at this place in three or four days at furthest.

I found (as the memorial from the Seminole chiefs, presented through their agent, to the President, stated) that the crops on this part of the Territory of Florida had suffered very seriously the last year from drought, and that the white as well as the Indian population, were at present in a somewhat distressed state for the want of provisions. The grain supply for the latter, has long since been exhausted, and as there is not in the Indian territory, at this time, corn enough even to plant the crops of the coming year, I shall direct an issue, for temporary relief, from the quantity on board the vessel when she arrives, even previous to holding a talk with the Indians.

They shall be made sensible, however, hereafter, of the motives of this act of humanity, on the part of the Government at this particular period, so that they may not encourage from thence any expectation of being fed in future (as they have hitherto been) by any other than their own personal exertions.

I shall embrace, however, any additional supply of provisions, which it may be necessary in their present condition to furnish, as stipulations in the treaty which may be concluded.

I have thought it proper, from the tenor of your instructions, to confirm in this communication the statement made to the President, and through him, to the Congress of the United States, as to the distress, at this time, of the Seminole Indians, for the want of provisions, proceeding from causes, in this particular instance, beyond their control, that that body may make the necessary appropriation for relief, should it be deemed advisable to do so for this year, even in the event of the failure of any agreement on the part of the Indians for an exchange of lands and a removal west of the Mississippi. They have petitioned for no meat but for 8,000 bushels of corn, deducting what I shall issue at this time, will leave 6,400 bushels, as necessary, from their own statement, until the crop of the next year can be gathered. Should corn not increase in price beyond that paid by me in Baltimore, the above quantity could be delivered at this place for about four

thousand dollars. To meet, however, all possible contingencies, I should say that an appropriation of five thousand dollars would be ample.

Yours, &c.

JAMES GADSDEN.

HON. SECRETARY OF WAR.

PAYNE'S LANDING, April 3, 1832.

SIR: Since writing you on the 17th ultimo, the provision schooner has arrived, and I have made arrangements for transporting the provisions, &c. for the treaty, to this point, equally convenient for the agency and the Indians who are to be assembled. Micoanopa, the head chief, having returned from the hunt, I had an interview with him and several of the subordinate chiefs from the lower towns, at the agency, on the ——. He corroborated the statement previously made by Heal; that from the reduced state of the Indian supplies of provisions, the hunting season has been extended to a longer period than usual this year; that the warriors were just returning from the woods, and that the planting season had commenced. It would be both inconvenient and difficult, therefore, to collect the chiefs and warriors at this time; and that as he was anxious for all of his people to hear what their father, in Washington, had to communicate to them, he wished me to delay the task twenty-eight or thirty days. Unwilling to afford the Seminoles a pretext for again appealing to Congress to be fed the succeeding year, I readily complied with Micoanopa's request, and we have agreed upon the 1st of May as the day for the Indians to assemble at Payne's Landing, on the Ocklewaha river, to negotiate on the subject of my mission. In the mean while I shall, as communicated in my last letter to you, proceed west, and visit the towns on the Appalachicola river, two of the chiefs of which may be important instruments in effecting the wishes of the Government with the whole tribe of Seminoles from their supposed views as being favorable to those wishes, as well as from the acknowledged influence over the Indians of Florida generally. I have directed a small supply of provisions to be issued from the quantity imported by me, as well to enable the Indians to return from the woods to their towns, as to assist them in their planting by furnishing the seed corn necessary.

Your obedient servant,

JAMES GADSDEN.

HON. LEWIS CASS,
Secretary of War.

TALLASSEE, April 12, 1832.

SIR: I am thus far on my way to meet the chiefs of the Appalachicola towns, and have drawn on your Department, in favor of the cashier of the Bank of Florida, for one thousand dollars, which may be necessary to meet the expenditures of my mission.

Yours, respectfully,

JAMES GADSDEN.

HON. LEWIS CASS,
Secretary of War.

ON BOARD SCHOONER *AMBUSCADE*,
On way to Charleston, St. John's River, May 15, 1832.

SIR: I have only time to say, that I have concluded a treaty with the Seminoles, with the condition that a deputation of seven (7) confidential chiefs, who have been designated, should previously visit the Creek country west of the Mississippi, and should it correspond with the representations made of it, then the agreement made is to be binding on the respective parties. I write merely to communicate to you the above fact, that the appropriation necessary to meet the expenses of the exploring deputation might be obtained before the adjournment of Congress, should I, by any accident, be prevented reaching Washington before that period. I am now on my way, and hope to anticipate this letter; if not, the appropriation may be obtained in time for the party to go west, who are willing to do so immediately after the green corn dance, which will commence about the 20th of next month. The chiefs have requested that their agent, Major Phagan, should accompany them, and the Government could not, at this time, appoint a better agent.

Yours, respectfully,
 JAMES GADSDEN.

The Hon. SECRETARY OF WAR.

CHARLESTON, SOUTH CAROLINA,
May 21, 1832.

SIR: I wrote you from the St. John's river, in which I informed you that I had concluded a treaty with the Seminole Indians, with the condition annexed of a previous examination of the country west of the Mississippi, by seven of the head chiefs. I am thus far on my way to Washington, via Baltimore, for which place I shall sail in half an hour. This is to advise you, that I have this day drawn on you, in favor of the Branch Bank of the United States, in this city, for one thousand dollars, to close the expenditures of the mission to the Seminole Indians.

Respectfully,
 Your obedient servant,
 JAMES GADSDEN.

The Hon. LEWIS CASS,
Secretary of War.

WASHINGTON, D. C.
May 29, 1832.

SIR: I have the honor of submitting to the consideration of the President, a treaty which, as commissioner in behalf of the United States, I have concluded with the Seminole Indians. I shall, in a day or two, prepare a report of my operations, detailing some facts and recommendations, which may assist the Department over which you preside, in carrying into effect the objects of the Government, in removing the Indians west of the Mississippi.

Your obedient servant,
 JAMES GADSDEN.

The Hon. LEWIS CASS,
Secretary of War.

WASHINGTON, May 30, 1832.

SIR: The documents furnished from the office of Indian affairs, as derived from the expenses incurred by the Choctaw delegation, do not afford satisfactory data, on which to base an estimate, which may be relied on, of the probable sum which would be necessary to defray the charge of sending a deputation of Seminoles to the Arkansas, as provided for in the treaty lately concluded with that tribe. The more remote position of the Indians, in the interior of the Peninsula of Florida, from the country to be examined, will necessarily add to the amount which may be requisite to meet all the demands for transportation, &c. Assuming, however, 75 cents a day, per head, as sufficient to meet the expenses of each member of the party, "including the cost of horses, tents, interpreters, guides, ferriage, provisions, blankets, clothing, camp apparatus," &c. as furnished from the Indian office, I should suppose that the estimate subjoined will probably be as safe a guide for the War Department, as any I am able, at this time, to prepare. The treaty provides for sending a deputation of 7 chiefs, with an interpreter and agent, making in all 9 persons.

Transportation of 9 persons from the Bay of Tampa, or some other port in Florida, to New Orleans, at \$20	\$180 00
Transportation of 9 persons from Orleans, in steam-boats, to mouth of White river, at \$15	135 00
The same amount on return to Florida	315 00
Six months, or 180 days' expenses of 9 persons, at 75 cents per head, per day	1,215 00
	<hr/>
	\$1,845 00
Contingencies, at 10 per cent.	184 50
	<hr/>
	\$2,029 50

In the Choctaw deputation, the agent who accompanied it, received five dollars per day. Should this be allowed Major Phagan in this case, 900 dollars will have to be added to the above estimate, making a sum of \$2,929 50. An appropriation, therefore, of 3,000 dollars will be amply sufficient to meet all the expenses of the proposed exploring party, embracing all contingencies, to the Creek country.

Respectfully, your obedient servant,

JAMES GADSDEN.

The Hon. SECRETARY OF WAR.

WASHINGTON, May 30, 1832.

SIR: I now enclose you an estimate of the probable expense of an exploring party, west of the Mississippi, which Mr. Verplanck, of the Committee of Ways and Means, thinks it would be more regular to come recommended through you. Should you do so, this sum can be substituted in the general appropriation bill, for the 5,000 dollars therein provided to feed the Seminoles.

I remained in your office several hours this morning, with a hope of seeing you personally on the subject. The estimate the committee of the House would wish to receive this evening, or early to-morrow.

Respectfully, your obedient servant,

JAMES GADSDEN.

Hon. L. CASS, *Secretary of War.*

WASHINGTON, D. C. *June 2, 1832.*

SIR: I have the honor of submitting to the consideration of the President, a treaty or compact, which, as commissioner in behalf of the United States, I have concluded with the Seminole Indians. There is a condition prefixed to the agreement without assenting to which, the Florida Indians most positively refused to negotiate for their removal west of the Mississippi, alleging that they had no knowledge of the country assigned the Creeks in that quarter, and were alike ignorant of the disposition of that tribe to reunite with, or receive them as a constituent part of the same people. Even with the condition annexed, there was a reluctance (which with some difficulty was overcome) on the part of the Indians to bind themselves by any stipulations, before a knowledge of facts and circumstances would enable them to judge of the advantages or disadvantages of the disposition the Government of the United States wished to make of them. They were finally induced, however, to assent to the agreement entered into, and on terms the most favorable which could be obtained, and which will be found, I trust, to harmonise with the general spirit, however they may not accord, with some unessential particulars, with the strict letter of your instructions.

The difficulties in effecting this arrangement, and the unavoidable delay attending the whole negotiation, have exceeded my anticipation, and will be found to have, in some degree, swollen the expenses beyond my estimated calculations. The Indians, as I previously informed you, were scattered in every direction throughout the Territory, and the reduced state of their provisions had induced many of them to extend the hunting season beyond the ordinary period. Some time elapsed before the principal chief of the lower towns could be found, and the gathering of the head men of the Seminoles generally, was impracticable, without the previous issue of some provisions to meet their immediate wants, and to provide for their families while they were engaged in council with the United States commissioner. While on the treaty ground, the half starved condition of many of them, subsisting as they had been for three months previous, on roots, and the cabbage of the palmetto tree, compelled a larger issue of meat and corn than I have ever known to be demanded by Indians before. The issue however was indispensable without creating dissatisfaction, and thereby jeopardizing the success of my mission. I found it necessary therefore to meet all complaints from chiefs on this subject, by an issue of provisions satisfactory to themselves and their half starved followers. I mention this fact to account for the seemingly large quantity of meat and corn in proportion to the numbers assembled, when contrasted with what would have satisfied the like number of white men.

I deemed it most advisable in the provisions of the treaty, and it was more acceptable to the Indians, to give a special sum for the surrender of their right of occupancy and for the improvements abandoned. To have estimated the value of the latter by individuals appointed by the respective parties, would not only have increased the difficulties in the final execution of the treaty, but might have opened the door to subsequent disagreements, requiring further negotiations on the subject.

The payment for property alleged to have been plundered was the subject more pressed by the Indians, and in yielding to their wishes on this head, a limitation has been fixed in a sum, which I think however will probably cover all demands which can be satisfactorily proved. Many of

the claims are for negroes, said to have been enticed away from their owners during the protracted Indian disturbances, of which Florida has been for years the theatre. The Indians allege that the depredations were mutual, that they have suffered in the same degree, and that most of the property claimed, was taken as reprisal for property of equal value lost by them. They could not, therefore, yield to the justice of restitution solely on their part, and probably there was no better mode of terminating the difficulty than by that provided for in the treaty now concluded.

One of the principal objections on the part of the Seminoles to the removal recommended, was the supposed severity of the winter climate of the Arkansas country as compared with the one inhabited by them in Florida. This was most satisfactorily obviated by the provisions for blankets and clothing, to be distributed, and which was the stronger enforced on feelings of humanity. A large majority of the warriors and their families are in a naked condition, and without the means of providing that clothing which would be indispensable in a more northern latitude, however they may not have felt the want of it in the mild climate of Florida.

I did not stipulate in the treaty for subsisting the Seminoles, until their present crops were gathered. I found on more general examination and inquiry, that the lower towns were not suffering, and that those immediately in the vicinity of the white settlements, though complaining of starvation, and had been long without any other provisions than what the woods afforded, were still so improvident, and so entirely under the influence of intemperate habits, as to exchange the bounty of Government, as soon as received, for whiskey. I deemed any further supplies to the Indians of this class not called for by humanity, and as only calculated to defeat the object of their removal to a country better adapted to their wants, and more remote from the temptations of unprincipled traders. I divided the provisions left from the treaty, and which will extend sufficient temporary relief to those who merit or will profit from it.

I have not stipulated in the treaty, though it was understood between the chiefs and myself, that the Government would continue this protection to the Seminoles and their property, by preventing intrusions on their country until they were prepared to remove. To more effectually accomplish this, I would most respectfully recommend the immediate reoccupation of Camp King, near the agency, with a company of United States infantry, with instructions to the commanding officer to assist the agent in confining the Indians within their boundaries, and in preventing an intercourse between them and the whites which may tempt to acts of depredation and violence.

It was the request of the chiefs that their annuity for the present year should be paid before the exploring deputation of chiefs went west. They will be prepared to start as early after the green corn dance as practicable, which will take place about the last of this month, or about the first week of the next. The annuity has hitherto been remitted by a draft on Orleans or Mobile. It would be more convenient to the agent to receive the annuity by a draft on Charleston, as the intercourse with that place is more direct and frequent, and the transmission of the fund necessary would be attended with less difficulty and delay.

The final ratification of the treaty will depend upon the opinion of the seven chiefs selected to explore the country west of the Mississippi river. If that country corresponds to the description given, or is equal to the ex-

pectations formed of it, there will be no difficulty on the part of the Seminoles. If the Creeks, however, raise any objections, this will be a sufficient pretext on the part of some of the Seminole deputation to oppose the execution of the whole arrangement for removal. To your better judgment, therefore, is submitted the direction of the exploration and mission contemplated, so as to insure a perfect understanding between the parties, and to remove all the difficulties which may hereafter interfere to the final emigration of both Creeks and Seminoles, west of the States and Territories.

I owe it to Major Phagan, the Seminole agent, to state that he rendered me every assistance in his power, and lost no opportunity of contributing his influence to the accomplishment of the objects of the mission on which I was engaged.

Respectfully, &c.

JAMES GADSDEN.

Hon. LEWIS CASS, *Secretary of War.*

The towns on the Appalachicola river, were not included in the treaty made with the Seminoles. It was agreed to negotiate with the chiefs separately, and I have submitted to your Department an estimate of the cost and the probable arrangement which may be effected for the purchase of their reservations and for their removal west. Should an appropriation for that object be obtained from Congress, I shall be prepared on my return from New York, in eight or ten days, to receive and execute your further instructions on that head.

Respectfully,

J. GADSDEN.

WASHINGTON, D. C. *June 29, 1832*

SIR: Major Phagan, Seminole Agent, writes me that there is a sub-chief of that tribe, by the name of Tulkee-Emarthla, "who is desirous of going with the deputation to Arkansas. He has two sons and two uncles residing in that country, and I think it would be good policy to let him go, as it will not increase the expense but a mere trifle. He is a man of some influence among his people, and having kindred in the country would make him more anxious to move." The above recommendation is submitted to your consideration.

It will be necessary to advance a part or the whole of the estimated expense for the exploring party of Seminole chiefs, before they leave Florida, and as Major Phagan, who accompanies the expedition, will be absent from the agency for many months, and will consequently have some preparatory arrangements to make, he has requested me to submit to your consideration the justice of a half year's advance of his salary on his departure.

As the sub-agent's presence will be necessary at the agency during the absence of Major Phagan, it may become necessary to make a temporary appointment for the Appalachicolas, in which event, I would submit to your notice, that a suitable person for the office, and as one in whom confidence may be reposed, Mr. Wm. S. Pope, who resides in that neighborhood, and may be addressed at Aspalaga, Gadsden county, Florida.

Respectfully, &c.

JAMES GADSDEN.

Hon. LEWIS CASS, *Sec. of War.*

WASSASSA, *February 3, 1833.*

SIR: Since writing the enclosed, I have received a communication from Major Phagan, who had arrived with his party of Seminole chiefs at Cantonment Gibson. He reports that in consequence of the non-assemblage of the commissioners, the Indians had not, as yet, been able to examine the country to be allotted them. They had been on a visit, however, among the Creeks, and were shortly to go on a great buffalo hunt, west. On the whole, the Major thinks, that with the exception of the want of wooded land, an objection, I believe, which has been made by the Creeks, the Seminoles are much pleased with the country (the soil and water in particular), and that there will be no difficulty in consummating the agreement made at Payne's Landing in May last.

Respectfully, &c.

JAMES GADSDEN.

HON. LEWIS CASS, *Secretary of War.*WASSASSA, JEFFERSON COUNTY, *May 1, 1833.*

SIR: Major Phagan spent the last night with me on his return to the Seminole agency. He has reported, he informs me, the successful result of his expedition to the west; leaving now nothing wanting, but your instructions for the early removal of the Seminoles to the country allotted them on the Canadian fork.

As the Major proceeds direct to Washington, under a permit from the Executive of the Territory, you can personally communicate with him on those plans which may be deemed best for the transportation of the Indians to their new homes. I am inclined to the opinion that, after duly considering all the difficulties attending land and water conveyance, independent even of the repugnance the Indians have to the latter, that you will find the former most advisable. Should you adopt the *water*, a depot on the coast of Florida near the Indian location (and the bay of Tampa alone affords an acceptable point for large vessels), would have to be established. The collecting the Indians at that point; the necessary preparatory expenses for doing so; the expense of delay, should the Indians be detained for the vessels, or of demurrage, should the vessels have to wait for them; the transshipment from sea vessels to steam-boats, on the arrival of the former in the Mississippi; the probable detention of steam-boats for the want of a concert of movement between them and the sea vessels, and the possible arrival of the latter in the Mississippi, when the waters are too low for the former to ascend the Arkansas; are all obstacles of such a character as may, and will, in my opinion, be found to enhance the expense of water transportation considerably above that of a land route. If the latter be previously selected through a settled and well supplied country, and the arrangements judiciously made, depots of provisions might be established at convenient distances, so that but few accompanying wagons, and those principally to convey the children and infirm, would be necessary. The Indians could themselves afford great facilities with their horses, all of which they would wish to carry with them, and could not by water. They have generally a large stock of horses, and would very reluctantly sell. An objection to the land route might be anticipated in the possible complaints for alleged depredations by the Indians on their march. But this can be pre-

vented by making the chiefs responsible, and whose vigilance will prevent irregularities. However, on this, and other subjects, you will derive from Major Phagan all the requisite information. He having been designated by the Indians to accompany them, and their recommendation having been responded to by the commissioners on the Indian territory, gives him a strong claim on the Government for being so employed.

I have been prevented by an uncommon flood in the Appalachicola, interdicting all intercourse with its western banks, from visiting the Indians on that river, as I communicated was my intention in my last letter to you. I have been further induced to postpone the contemplated interview, until the return of Blunt from the Creek nation, where he has been invited, he informs me, to attend a council of the southern towns. They have it in agitation, if acceptable to the Government, to propose as a substitute for the treaty you concluded with them on the conditions agreed with Blunt, and if accepted, to unite their fortunes with that chief, and remove with him immediately. I communicate this information, however, as I received it from Blunt, without any knowledge as to its correctness, or as to who may have first agitated the subject among the Creeks. I feel very confident, however, that the two towns on the Appalachicola, the chiefs of which have hitherto been obstinate, will not long delay accepting the conditions offered them, and that all the Indians in the Territory of Florida may be removed within the next two years at farthest, provided the necessary appropriations be made by Congress.

Respectfully, your most obedient servant,

JAMES GADSDEN.

HON. SECRETARY OF WAR.

WASSASSA, November 1, 1834.

SIR: Captain Russell was with me yesterday, and reports that the Seminoles in a late talk with their agent, General Thompson, have positively refused to remove west, under the stipulations of the treaty of Payne's Landing. Their objections, as I understand from the Captain, are, that it is a "white man's treaty" which they did not understand, as the interpretation of the negotiation was false. From the interval between the negotiation and the execution of the treaty, and the unfortunate delay in the necessary appropriations for carrying it into effect, I had apprehended some movement of this character. Time had been allowed for the exercise of those adverse and secret influences, too frequently, as you well know, interposing to embarrass the Governmental transactions, with its red subjects, and the opportunity from a change of agency, seemed to be propitious to throw obstacles in the way, which could only be met or explained by those who had previously been agents to, or witnesses of, the negotiation with them. I am far, myself, from believing that the Indians have taken a stand, at all hazards, against fulfilling the stipulations of the treaty of Payne's Landing, but rather think their late conduct in council, is but a demonstration to try their new agents, with a view, either to delay, or of ascertaining what better terms may be obtained by a new negotiation with them. I am well advised that individuals behind the curtain, who, under a pretext of sympathy for the Indians, conceal a motive of personal interest, have long since been attempting to persuade the Seminoles, that at the treaty of Payne's

Landing, the commissioner obtained an advantage over them, and that if they objected to that treaty, a new one more favorable to them might be obtained. I have deemed it proper, therefore, after what has occurred, to say to you, that the negotiation held with them was in open council, in presence, not only of all the chiefs and warriors, but of many visitors from neighboring settlements, in addition to those connected with the commission. Knowing that the Seminoles had, on a former occasion, thrown obstacles in the way of the execution of the treaty of Camp Moultrie, alleging that they had signed it under misconception of its terms, and that the interpretations were false, I offered them the option at this time of the same interpreter, Mr. Richards, who I had with me, or one of their own selection; they named Abraham, a faithful domestic of Micaanope, the head chief. In addition, the interpreter of the agent, Cudjo, was present, and Mr. Richards, who I retained for my own satisfaction. On the interpretation of each talk, by Abraham, I referred to the other interpreters as to its correctness, and the chiefs themselves never intimated a doubt on the subject. I mention these facts, which have likewise been communicated to General Thompson, that the department over which you preside, may perceive how fallacious is the complaint made by the Seminoles, should you for a moment be disposed to yield a listening ear to it.

You superior knowledge of the Indian character, and of all the difficulties and embarrassments encountered in negotiating and executing arrangements with them, will be a better guide, under existing obstacles, as to the treaty at Payne's Landing, than any suggestions which could come from me. I may be excused, however, from the particular interest which I feel on this subject, from any seemingly officious solicitude I may manifest, as to the final success of what was most propitiously commenced.

The removal of the garrison at the bay of Tampa, I deemed at the time premature, and *this*, probably with the delay adverted to above, and the temporary uncontrolled influence which interested individuals adverse to the Governmental views, have been able to exercise, from the absence from the nation of the local agent for nearly 12 months, may have been the exciting cause of the present difficulties. You cannot, therefore, in the opinion of the undersigned, too soon, either reoccupy the bay of Tampa, or reinforce the fort at Camp King; so that by a show of military strength, you may demonstrate the ability, promptly to enforce the final resolves of the Government. *These* would be more certainly effected by no change in the existing arrangements, and I feel more than confident, that the very first talk with the Indians to that effect, after the military dispositions suggested have been consummated, will produce a change favorable to the immediate compliance on the part of the Seminoles, with all the stipulations of the treaty of Payne's Landing. There is even now a strong party, as advised by Captain Russell, under the chiefs Fucktalusta Hadjo, and others, who are willing to migrate, but have been threatened by the others, with a view of overawing them. These should be immediately protected, and every facility afforded them for their speedy migration. Their departure would produce the most salutary impression on the whole nation.

Respectfully, your obedient servant,
JAMES GADSDEN.

Hon. LEWIS CASS,
Secretary of War.

WASASSA, December 4, 1833.

SIR: The enclosed letter from Captain Graham, the commanding officer at the Seminole agency, as containing some suggestions worthy of consideration, I have taken the liberty of transmitting to you. The fact of the starving condition of the Seminoles, I think with Captain Graham, may be taken advantage of as facilitating the removal of the Indians. Those in the greatest distress may, no doubt, be induced to migrate so soon as the agents of Government can make the necessary preparations, and be furnished with the funds requisite to meet the expenditures.

I trust, therefore, that the treaty concluded will be presented to the Senate for an early ratification, and that all arrangements for its speedy execution will be matured before the interference of private individuals can influence the Seminoles to an opposition.

There will be no difficulty if the agent, or who may deserve the trust of executing the treaty, acts with decision, and receives instructions of similar import to those sent the Executive of the Territory in relation to Blunt. There should be no tampering with the Indians, or any encouragement given them of the least possibility of a change in the compact they have entered into. I take the liberty of mentioning this from the known fact that already have emissaries been active in persuading the Indians that they have made a bad bargain, and that if they resist compliance with the terms of this agreement one more favorable will be granted them.

The statement in relation to Captain Page I believe to be correct. He acted for some time as sub-agent of Indian affairs in the Seminole nation, and I have understood is not only well acquainted with the head and subordinate chiefs, but is in good favor with them. I entertain very little doubt but that his services might be found valuable in the capacity recommended by Captain Graham.

The deep interest I take in the removal our red brethren from the Territory, of seeing consummated the work which I commenced, is my only apology for the frequent and probably troublesome communications addressed to your Department by

Your most obedient servant,

JAMES GADSDEN.

The Hon. LEWIS CASS,
Secretary of War.

FORT KING, FLORIDA, November 22, 1833.

DEAR SIR: I have taken the liberty to express to you my ideas on the subject of the relations between the Seminole Indians and the United States Government, particularly as a treaty has been concluded by yourself, and confirmed by the authorized agents of the nation (the legally deputed party of chiefs) at Fort Gibson last spring, or the latter part of the winter. The Indians are in distress, I think, on account of provisions, as not an Indian of the Mickasuky tribe have five days' supply of corn or beans, &c. They, as well as the whole nation, are much in want of a supply of blankets; and, as I understand from Dr. Roper, just from Washington city, that Governor Cass, the Secretary of War, says, that the whole of the Seminoles will be removed to the land ceded to them west of Arkansas Territory next year, I think that the sooner that arrangements are made to

commence the removal the better it will be for the nation ; and I think they can be removed, or prepared for removal, much easier in the winter or early part of the spring than if they are allowed to remain until they plant and gather another crop of provisions. They must suffer much, indeed very much, for the want of provisions during this winter and next spring, if they are not supplied by the United States Government ; and should they be so supplied, I think, as I have before intimated, that the agents of the Government will be released from a great deal of trouble and vexation in attempting to emigrate them. I would by all means recommend that Capt. John Page, 4th regiment of infantry, should be sent to remove them. He possesses their confidence in the highest and sincerest manner, and can remove them much easier, I think, than any other person could do. He, you know, is well acquainted with the whole nation, and always was a great favorite, and has more influence over them than any other white man ; he is also willing to undertake that duty. I would also advise that the Indians be vaccinated before they are removed, and would recommend that Dr. Egbert S. Barrows, of Jacksonville, Duval county, East Florida, be appointed to vaccinate them ; he was stationed at this post as attending citizen surgeon from the 7th of May last, until yesterday ; is acquainted with their habits, &c. and is well qualified to do them justice. Dr. Hamilton, who was appointed last year, refused, as the Acting Secretary of War only allowed a hundred dollars. He is about leaving the Territory to reside in Maryland. No physician in this country would travel over the nation and perform the service for less than four or five hundred dollars. Should you think my suggestions worthy of notice please write to the Department, and state to them what steps should be taken, &c. Some person should be immediately authorized to tell the Indians that they will certainly be removed next year, although I believe they will be removed in 1834, yet I am not authorized to say so, but Captain Page ought to be sent here in January or February next if possible. He writes me that he will have taken the last party of Choctaws west by the last or middle of December, and be in Washington city about the first of January, if not sooner. I hope, Colonel, you will appreciate my motives in addressing you on this subject, as since Major Phagan left here in October, 1832, with the deputation, there has been no agent except Mr. Sheffield who was here but a few weeks, and I can learn nothing from the executive office in Tallahassee on the subject of the Indians. Is it a fact that a General Thompson, of Georgia, has been appointed Seminole agent, and do you know where he is? Major Phagan sailed from St. Augustine for Washington city about fifteen days since : he has always been an honest and correct agent at this place, as far as I can learn. Be pleased to make my respects to Mrs. Gadsden, and believe me to be

Most respectfully, &c.

WILLIAM M. GRAHAM,
Captain 4th artillery.

Col. JAMES GADSDEN, *Florida.*

N. B. Will you do me the favor to answer this?

W. M. G.

List of copies of letters from the War Department to General Wiley Thompson, transmitted to Congress in answer to a call of the House of Representatives, of May 21, 1836.

Who from.	Date.	In answer to letters of.
Acting Commissioner Indian Affairs - -	August 29, 1833	
Commis'r Indian Affairs -	December 23, "	December 2, 1833.
Do do	January 30, 1834	
Do do	July 7, "	
Do do	" 10, "	
Do do	November 19, "	October 29, 1834.
Do do	" 20, "	
Secretary of War -	" 24, "	" 24, "
Commissioner Indian Affairs	February 9, 1835	January 19, 1835.
Do do	" 9, "	" 19, "
Do do	" 21, "	" 10, "
Do do	March 2, "	
Do do	April 24, "	March 25, "
Acting Do do	" 30, "	" 30, "
Acting Secretary of War -	May 22, "	April 27, "
Commissioner Indian Affairs	June 8, "	" 28, "
Acting Secretary of War	July 11, "	June 14, "
Do do	" 31, "	" 28, "
Do do	August 12, "	
Do do	" 12, "	July 19, "
Acting Commissioner Indian Affairs - -	" 17, "	" 20, "
Commis'r Indian Affairs -	" 26, "	August 1, "
Do do	September 16, "	" 25, "
Do do	October 28, "	Sept. 23, "
Do do	December 7, "	Nov. 14, "

DEPARTMENT OF WAR,
Office Indian Affairs, August 29, 1833.

SIR: By direction of the Secretary of War, I have the honor to enclose a commission appointing you agent for the Seminole nation of Indians, residing within the limits of the superintendency and Territory of Florida, in place of Major John Phagan, dismissed.

Your compensation will be fifteen hundred dollars per annum, in full for your services and expenses, which will be paid to you quarterly by the superintendent of Indian affairs in Florida, computing from the date of your acceptance of this appointment.

Enclosed you will receive a form of the bond required of Indian agents, which you will please have duly executed and returned to this Department. It must be signed by yourself and two or more sureties, and approved by the district attorney, or judge.

You are requested to report yourself, as early as may be practicable, to His excellency Governor Duval, the superintendent of Indian affairs, at

Tallahassee, from whom you will receive instructions, and the files and records of your predecessor.

Very respectfully, your obedient servant,

D. KURTZ,

Acting Commissioner of Indian Affairs.

Gen. WILEY THOMPSON,

Elberton, Georgia.

DEPARTMENT OF WAR,
Office Indian Affairs, December 23, 1833.

SIR: Your letter of the 2d instant, to the Secretary of War, reporting your proceedings since you took charge of the Seminole agency, has been received and referred to this office.

The only points in your letter which seem to require reply, are in relation to the time when the Seminoles may be expected to remove, and asking permission to cultivate the land adjoining the agency.

It is impossible to say when the Indians will commence their removal, and all that can be said on the subject, at present, is that an appropriation will be asked from Congress immediately, and their removal facilitated by all possible means.

You are at liberty to cultivate the land appended to or connected with the agency, but no assurance can be given beyond the time when the emigration is completed.

No arrangement has yet been made for the appointment of an emigrating agent. When the subject comes before the Department, your application shall receive the most respectful consideration.

I have the honor to be,

Very respectfully,

Your obedient servant,

ELBERT HERRING.

General WILEY THOMPSON,

Seminole Agency, Florida.

Extract of a letter from the Commissioner of Indian Affairs, to Wiley Thompson, dated January 30, 1834.

"The requisite funds for the removal of the Seminoles will soon be provided, and measures will be instantly adopted for their speedy emigration."

DEPARTMENT OF WAR,
Office Indian Affairs, July 7, 1834.

SIR: A proposition has been made to the Department, by the Western Creek chiefs now here, that the Seminoles should give up their right to a separate location west, as a distinct body, and settle promiscuously among the Creeks, as the Eastern Creeks now do on emigrating to the west. They contend that by so doing they would be more cordially received, and

would live more amicably, than if they should be placed in the Creek country as if they were a separate community. This sentiment is pressed with so much earnestness by them, that the Department feels it expedient to have you submit the proposition to the Seminoles, and in making it, you will inform them that it is entirely optional with them to agree to or reject it. That, by their late treaty, they are entitled to a distinct portion of the Creek country for their residence, and that they may insist upon it, or waive the privilege as they please. That the mode proposed by the Creeks, would probably prevent jealousy and collision, and promote the good feeling and prosperity of both tribes; but that the decision rests with them entirely, and must be made of their own free will. In proposing this matter to the Seminoles, be careful not to excite a suspicion on their part, that the Government expects or requires their assent. Their determination must be altogether voluntary, and the proposal to them must be mentioned in such manner as not to throw any obstacle in the way of their emigration.

Very respectfully, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Elberton, Georgia.

Extract of a letter to General Wiley Thompson, Elberton, Georgia.

“DEPARTMENT OF WAR,
Office Indian Affairs, July 10, 1834.

“SIR: The duty of investigating the claims against the Seminoles, for slaves and other property alleged to have been stolen by them, and for the payment of which, seven thousand dollars have been appropriated, is entrusted to you. You will proceed to collect and embody the evidence of the parties, and report all claims that, in your opinion, ought to be considered as within the intent of the treaty. You will be allowed your necessary expenses while performing this duty, and if the circumstances should seem to demand it, a small extra compensation.

I am, sir, &c.

ELBERT HERRING.”

DEPARTMENT OF WAR,
Office Indian Affairs, November 19, 1834.

SIR: In reply to your letter of the 29th ultimo, I have the honor to state, that the Department cannot depart so far from the provisions of the treaty of Payne's Landing, as the chief Emartla and his associates request. It is in the power of Congress only to authorize the measures they propose. The subject will be presented to that body.

I am, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Tallahassee, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, November 20, 1834.

SIR: I am instructed to inform you, that the office of superintendent of emigration will be conferred upon you on the 1st of January next. The compensation is fixed at two thousand dollars per annum. It is the wish of the Department that you should continue to perform such duties of an Indian agent, as may be required for the Seminoles, but no compensation can be allowed, therefor, besides that of superintendent. It is important that great care should be observed in keeping the correspondence and accounts of the two offices. As superintendent, you will address yourself to Gen. George Gibson, commissary general of subsistence, and as agent to this office; until an appropriation is made for the removal of the Seminoles, but one interpreter can be employed; his pay cannot exceed the limit fixed by law.

I am, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Tallahassee, Florida.

DEPARTMENT OF WAR,
November 24, 1834.

SIR: Your communication of the 28th ultimo, to the Commissioner of Indian Affairs, together with the enclosure containing the proceedings of the council held with the Indians at Camp King, has been laid before the President. It is utterly impossible to submit to the demands made by the Indians. Every consideration of good faith and expediency with respect to themselves, and the just and humane policy on the part of the United States, requires their removal in conformity with the stipulations of the treaty. I have no doubt but that you are right, and that the sentiments disclosed by the Indians, are those of interested advisers and not their own. They have stipulated to remove west. They have ceded their country in Florida, and it will soon be sold and occupied by our citizens. Part of the appropriations for fulfilling the treaty have been made, and others will be asked for as fast as required. It is nothing less than insanity or an utter ignorance of their own position, which can induce them under these circumstances to expect to remain. To comply with their wishes, or rather what is represented as their wishes, would be utter ruin to them. I enclose a speech which you will deliver and explain to them, and the suggestions of which you will enforce by such considerations as may occur to you. Orders will be issued this day from the adjutant general's office, for an increase of the military force in the vicinity of these Indians, and Col. Clinch will be directed to take the command in person. You will communicate fully with him, and furnish all the information in your power. The object of this movement is to overawe and restrain such of the disaffected Indians as seem by your report to meditate hostilities. My own impression, however, is, that they will operate upon the fears of their own people, and prevent those who are willing to emigrate from doing so. If any hostilities are attempted, they must instantly be checked by force. If illegal violence is used against individuals, with a view to prevent their emigration or excite disturbances, let the trespassers be arrested and tried by the civil

authority. Assure the well disposed that they will be protected. You will also inform the Indians that all their annuities will be withheld, until they commence in compliance with the stipulations of the treaty. I trust that these measures will induce them to relinquish any design they may have to oppose the fulfilment of the treaty. Should they, however, finally determine not to remove, you will, before any other proceedings take place, report the state of things to this Department, and await further instructions. You will communicate to the commanding officer at Camp King the views herein presented.

Very respectfully, &c.

LEWIS CASS.

To General WILEY THOMPSON,
Seminole Agency.

DEPARTMENT OF WAR,
Office Indian Affairs, February 9, 1835.

SIR: In reply to your letter of the 19th ultimo, in relation to Mr. Center, I have to communicate the approval of the course pursued by you, and to add, that unless he complies with the law in procuring a license, he must be removed from the Indian territory without delay, and forbidden all intercourse with the Indians.

Very respectfully, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Seminole Agency, Florida.

DEPARTMENT OF WAR, OFFICE INDIAN AFFAIRS.
February 9, 1835.

SIR: I have received your letter of the 9th ultimo, with the inclosures. Mr. Steele states that the Indians, of whom you speak, have not been recognised by the Seminoles, and have never received any part of the annuities, and have become incorporated with the Spaniards, pursuing the same occupations. Upon this statement, it is obvious that the Government is not called upon to interfere with them in any way. In determining who were Indians, and as such, entitled to the benefit of treaty stipulations, regard has always been paid to the fact, whether they were recognised as members by the tribe to which they claimed to belong. It is, of course, desirable that the whole Indian population should be removed from Florida. But the Government cannot remove, as Seminoles, persons not admitted to be members of the tribe, by the Seminoles themselves.

Very respectfully, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Seminole Agency, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, February 21, 1835.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th ultimo, enclosing a copy of your communication to Governor Eaton.

The Department is well pleased with your zeal in the discharge of your official duties, and approves your proceedings as communicated in your letter.

Very respectfully, &c.

ELBERT HERRING.]

To General WILEY THOMPSON,
Seminole Agency, Florida.

DEPARTMENT OF WAR,
Office Indian Affairs, March 2, 1835.

SIR: Major Archibald Clark has made application to the Department for its interference, to enable a lady to obtain restitution of some negro property, said to be illegally held from her by the Florida Indians.

I have, therefore, to request that you will afford whatever facilities may be in your power, upon the claim being established by proper proof, before the competent judicial tribunal, to have the property restored to her.

Major Clark has been referred to you, and informed that you will aid him, both with your advice and influence.

I have, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Seminole Agency, Florida.

DEPARTMENT OF WAR, OFFICE INDIAN AFFAIRS,
April 21, 1835.

SIR: I have received your letter of the 25th ultimo, relative to a claim of Mrs. Hanna, represented by Major A. Clark.

According to my recollection, Major Clark imputed no blame to you. Your proceedings in the case are entirely approved by the Department, and left him no good cause of complaint against you, had he seen fit to allege it. His application to this office was for copies of papers with which you could not furnish him.

From the import of your letter, I fear that you have misapprehended mine of the 2d ultimo. It is incumbent on Major Clark, first, to establish the right of Mrs. Hanna to the slaves, before some judicial tribunal; after which, and not till then, you will render him assistance in getting possession of them.

Very respectfully, &c.

ELBERT HERRING.

To General WILEY THOMPSON,
Tallahassee, Florida.

WAR DEPARTMENT,
Office Indian Affairs, April 30, 1835.

SIR: I have received your letter of the 31st ultimo, with a copy of your letter to Mr. Steele.

As you seem inclined to think the subject had not been clearly understood, and as General Clinch had authorized you to express his concurrence in your opinion, the subject has been submitted to the Secretary of War. He has directed me to inform you, that if the facts stated by Mr. Steele are correct, and they are so considered to be here, as they are not controverted, the Indians alluded to cannot be considered as members of the Seminole tribe.

Permit me to observe that this decision does not rest, as you appear to suppose, upon their being, and having long been, without the limits of the country assigned to the Seminoles by treaty. But it is based principally upon the fact, that they have never been recognised as members by the Seminoles themselves. It would be an unequal construction of the same circumstances, to say that they who, because of those circumstances, had never participated in the benefits of any treaty with the Seminoles, should now be obliged to remove by a stipulation in one of the treaties, when removal would be in the nature of a penalty or punishment, as it would withdraw them from the sea, from which they procure their subsistence.

I do not think the consequence would follow this decision that you apprehend. If Seminoles, who have always been recognised as members of the tribe and shared in the beneficial stipulations of the treaties were to remove beyond the limits of their reservation, they would not thereby exempt themselves from the obligation to emigrate. And should any of them so remove, the necessary measures would be authorized, upon your representation of the fact, to bring them back.

This Department fully appreciates the desirableness of freeing Florida of its whole Indian population, but it cannot consider those as Seminoles who are stated by Mr. Steele to be "entirely identified by habit, occupation and intermarriage with people of another nation, of different pursuits and modes of life, and incapable of supporting themselves by ordinary Indian means."

Very respectfully, &c.

D. KURTZ, *Acting Com.*

Gen. W. THOMPSON

Seminole Agency, Florida.

WAR DEPARTMENT, *May 22, 1835.*

SIR: Your letter of the 27th ultimo has been received, and, in the absence of the Secretary of War, it has been submitted to the consideration of the President.

The President approves the decision communicated to General Call, in the letter of the commissioner of Indian affairs, of the 26th March, a copy of which is enclosed. The 7th section of the intercourse act of 1834, to which you allude, was designed to secure to the Indians the means of procuring subsistence by the chase or in the field; and it cannot, by construction, be extended to objects not therein specified. The law does not contemplate the possession of slaves by the Indians, and contains, therefore, no security for property of this kind. If the Indians hold it, they are left free

to its disposition, as they are in the disposition of their skins and furs. The Government cannot assume a power not granted, from an express grant of power over objects of an entirely different character.

The President is of opinion, that the opportunity to sell their slaves, will be an inducement for the Seminoles to remove. Their resources will be augmented, and they will not, upon their arrival west, be possessed of a species of property, which, as stated in the report of yourself, Lieutenant Harris and General Clinch, would excite the cupidity of the Creeks, and be wrested from them by their superior numbers and strength.

Nor is it considered, that the permission to the Indians to sell, would be an inhuman act. It is not to be presumed, the condition of these slaves would be worse than that of others in the same section of country.

In regard to the report which you state has been spread, that it was your object, by refusing to sanction sales, to secure these negroes for yourself and your friends, the obvious remark is, that it will be effectually silenced by your publication of the views of the Department on this subject, and interposing no further obstacle to the purchase of these slaves, than may be necessary to secure their owners a fair equivalent.

I am, &c.

C. A. HARRIS,
Acting Secretary of War.

Gen. WILEY THOMPSON,
Fort King, Florida.

WAR DEPARTMENT,
Office of Indian Affairs, June 8, 1835.

SIR: In answer to your communication of 28th April, I have enclosed a copy of a letter, written by Major General Macomb, to Col. Fanning, prohibiting the admission of any person into the Indian country, in Florida, unless with your permission or that of the War Department.

I am, &c.

ELBERT HERRING.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
July 11, 1835.

SIR: Your letter of the 14th ult. to the President of the United States has been referred to this Department.

He has instructed me to inform you, that in consequence of the representations of Col. Gadsden and Capt. Thornton, that the Seminoles are reluctant to sell their negroes, or to leave them in Florida when they emigrate themselves, and that they are dissatisfied with the arrival of persons among them to buy their negroes, such measures will be taken upon this subject as the intercourse law sanctions.

You are therefore authorized to inform the chiefs, and to give public notice to all others, that no person will be permitted to enter the Indian country to purchase negroes, or for other purposes of trade, without a license

from yourself, as prescribed in the 2d section of the act of 30th June, 1834. The 3d section of this act authorizes you to refuse such license, where you are satisfied that it would be improper for the applicant to reside in the Indian country.

I am, &c,

C. A. HARRIS,
Acting Secretary of War.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
July 31, 1835.

SIR: I have received your letter of the 28th ult. enclosing papers connected with a claim of Gen. Clinch, for negroes killed by the Seminoles. These will be examined when your final report is received. You are aware that no single claim can be paid, until the whole amount of claims is known. For if this exceeds the appropriations, a *pro rata* payment only can be made.

Very respectfully,

C. A. HARRIS,
Acting Secretary of War.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
August 12, 1835.

SIR: I enclose a copy of a letter received from Mr. Gilleland in relation to a claim against the Seminoles.

You will please make an early report of all the circumstances of this case, that, if necessary, the Department may act upon it.

I am, respectfully, &c.

C. A. HARRIS,
Acting Secretary of War.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
August 12, 1835.

SIR: I have received your letter of the 19th ult. in which you ask the action of this Department upon a claim of Col. Humphreys to negroes, who, it is alleged, are the property of an Indian woman, named Culched showa.

Admitting, as true, all the particulars stated by you, on the authority of the Indians and negroes, it would still be improper for this Department to act upon this representation, without any other knowledge of the grounds

of Col. Humphrey's claim. Opportunity to explain or rebut should be afforded him.

You will therefore furnish him with a copy of your letter, and advise him that you have submitted the case to the Department, and inform him that any communication he may choose to make, will be duly considered here, before any decision is made.

I am, very respectfully,

C. A. HARRIS,
Acting Secretary of War.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
Office Indian Affairs, August 17, 1835.

SIR: I have received your letter of the 20th ultimo, relative to the application of Major Clark, for the delivery of certain slaves alleged to belong to Mrs. Hanna.

In reference to your suggestion, that this case is provided for in the sixth article of the treaty with the Seminoles of 1832, I beg leave to observe, that the words in that section are "slaves, or other property stolen or destroyed." These words do not seem to me to embrace the present claim.

In a communication, dated 22d February, 1828, Major Clark represented that Mrs. Hanna claimed the negro woman, Sarah, and her issue, under a deed of gift from her father. The affidavit of Mrs. Hanton states, that the reputed father of Mrs. Hanna sold them to a member of the family of an Indian chief. If a bill of sale had passed at this time, there would evidently be a question of legal title between the parties; and the nature of the case would not be essentially varied by the absence of such an instrument. The claim, therefore, is a proper one for the adjudication of the law courts. If they decide that the deed of gift is the older and better title, it will then be proper for this Department to consider whether an order shall be given, in aid of the decree of the court for the restitution of the slaves claimed to Mrs. Hanna.

You will please furnish Major Clark with a copy of this letter.

I am, &c.

D. KURTZ,
Acting Commissioner, &c.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
Office Indian Affairs, August 36, 1835.

SIR: I have received your letter of the 1st instant, with the accompanying papers. Your course of proceeding in relation to the occurrence appears to have been judicious and proper, and has the approbation of the Department.

Very, &c.

ELBERT HERRING.

Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
Office Indian Affairs, September 16, 1835.

SIR: Your letter of the 25th ult. has been received. Your construction of the 5th article of the treaty of Payne's Landing is doubtless the correct one; it cannot have reference to any claims not existing at the date of that treaty. The date at which General Clinch's claim accrued, must have been overlooked when the letter of the 31st July was written. It is then a claim under the intercourse act of June, 1834, and I return the papers enclosed in your letter of 28th June, that you may take the steps prescribed in the 17th section of that act.

Very, &c.

ELBERT HERRING.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
Office Indian Affairs, Oct. 28, 1835.

SIR: I have received your letter of the 23d ult. enclosing one to yourself from the chief, John Walker, complaining of an outrage committed, or attempted to be committed, upon his property. It is the duty, as it is the desire, of the Government to protect the Indians in their persons and property, and you will therefore communicate with the District Attorney, and furnish him with such information as you may possess, which will have a tendency to lead to the conviction of the perpetrators of the outrage upon Walker. A letter has this day been addressed to Mr. Walker, the District Attorney, requesting him to use all proper means to apprehend and bring to trial the offenders. You will be pleased to inform the chief, Walker, of the steps which have been taken, and assure him of the determination of his great Father to protect all his red children from aggression by the whites.

Very respectfully, &c.

ELBERT HERRING,

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WAR DEPARTMENT,
Office Indian Affairs, December, 7, 1835.

SIR: Your letter of the 14th ult. enclosing certain papers in relation to a claim of General Clinch for the loss of two slaves killed by the Seminole Indians, has been received. According to your desire, the papers were submitted to the Secretary of War; and I am instructed to say, that, under the peculiar circumstances of the case, he would comply with your request if he had the authority of doing so. The law governing the case is positive, and having pointed out the remedy, has left him no room for the exercise of his discretion. I regret that the claim cannot be paid by the Department without submitting it to the Indians, and the affidavits which you sent on touching this matter, are therefore herewith returned. Perhaps, when presented to them, the Indians will allow the claim without produc-

ing the proof, and in such case the affidavits of the negroes could be destroyed, and they escape the threatened vengeance of the Indians.

Very, &c.

ELBERT HERRING.

To Gen. WILEY THOMPSON,
Seminole Agency, Florida.

November 27 1853	George Gibson	D. L. Clinch
November 20	D. L. Clinch	George Gibson
November 15	George Gibson	J. B. F. Russell
November 10	George Gibson	J. B. F. Russell
November 5	J. B. F. Russell	George Gibson
October 30	J. B. F. Russell	J. H. H. A. C. B. S.
October 25	George Gibson	J. B. F. Russell
October 20	George Gibson	Thompson and son
October 15	Robert Thompson	Wiley Thompson
October 10	Wiley Thompson	Wiley Thompson
October 5	Wiley Thompson	Wiley Thompson
September 30	Wiley Thompson	Wiley Thompson
September 25	Wiley Thompson	Wiley Thompson
September 20	Wiley Thompson	Wiley Thompson
September 15	Wiley Thompson	Wiley Thompson
September 10	Wiley Thompson	Wiley Thompson
September 5	Wiley Thompson	Wiley Thompson
August 30	Wiley Thompson	Wiley Thompson
August 25	Wiley Thompson	Wiley Thompson
August 20	Wiley Thompson	Wiley Thompson
August 15	Wiley Thompson	Wiley Thompson
August 10	Wiley Thompson	Wiley Thompson
August 5	Wiley Thompson	Wiley Thompson
July 30	Wiley Thompson	Wiley Thompson
July 25	Wiley Thompson	Wiley Thompson
July 20	Wiley Thompson	Wiley Thompson
July 15	Wiley Thompson	Wiley Thompson
July 10	Wiley Thompson	Wiley Thompson
July 5	Wiley Thompson	Wiley Thompson
June 30	Wiley Thompson	Wiley Thompson
June 25	Wiley Thompson	Wiley Thompson
June 20	Wiley Thompson	Wiley Thompson
June 15	Wiley Thompson	Wiley Thompson
June 10	Wiley Thompson	Wiley Thompson
June 5	Wiley Thompson	Wiley Thompson
May 30	Wiley Thompson	Wiley Thompson
May 25	Wiley Thompson	Wiley Thompson
May 20	Wiley Thompson	Wiley Thompson
May 15	Wiley Thompson	Wiley Thompson
May 10	Wiley Thompson	Wiley Thompson
May 5	Wiley Thompson	Wiley Thompson
April 30	Wiley Thompson	Wiley Thompson
April 25	Wiley Thompson	Wiley Thompson
April 20	Wiley Thompson	Wiley Thompson
April 15	Wiley Thompson	Wiley Thompson
April 10	Wiley Thompson	Wiley Thompson
April 5	Wiley Thompson	Wiley Thompson
March 30	Wiley Thompson	Wiley Thompson
March 25	Wiley Thompson	Wiley Thompson
March 20	Wiley Thompson	Wiley Thompson
March 15	Wiley Thompson	Wiley Thompson
March 10	Wiley Thompson	Wiley Thompson
March 5	Wiley Thompson	Wiley Thompson
February 30	Wiley Thompson	Wiley Thompson
February 25	Wiley Thompson	Wiley Thompson
February 20	Wiley Thompson	Wiley Thompson
February 15	Wiley Thompson	Wiley Thompson
February 10	Wiley Thompson	Wiley Thompson
February 5	Wiley Thompson	Wiley Thompson
January 30	Wiley Thompson	Wiley Thompson
January 25	Wiley Thompson	Wiley Thompson
January 20	Wiley Thompson	Wiley Thompson
January 15	Wiley Thompson	Wiley Thompson
January 10	Wiley Thompson	Wiley Thompson
January 5	Wiley Thompson	Wiley Thompson
December 30	Wiley Thompson	Wiley Thompson
December 25	Wiley Thompson	Wiley Thompson
December 20	Wiley Thompson	Wiley Thompson
December 15	Wiley Thompson	Wiley Thompson
December 10	Wiley Thompson	Wiley Thompson
December 5	Wiley Thompson	Wiley Thompson

EMIGRATION OF INDIANS.

OFFICE COM'Y GEN'L SUBSISTENCE,
June 2, 1836.

SIR: In conformity with the verbal instructions of the Secretary of War, I transmit herewith all the correspondence of this office relative to the removal of the Seminole Indians from the date of the ratification of the treaty of May 9, 1832.

I have the honor to be,

Most respectfully,

Your obedient servant,

GEO. GIBSON, C. G. S.

To C. A. HARRIS, Esq.

Acting Secretary of War.

List of copies of Letters received at the Emigrating Indian Bureau, transmitted to Congress, in answer to a call of the House of Representatives of May 21, 1836.

Name of writer.	To whom written.	Date.
D. L. Clinch -	George Gibson, C. G. S.	November 27, 1833.
George Gibson -	D. L. Clinch -	December 20, "
J. B. F. Russell -	George Gibson -	January 15, "
J. B. F. Russell -	George Gibson -	March 31, 1834.
George Gibson -	J. B. F. Russell -	July 10, "
J. H. Hook, A. C. G. S. -	J. B. F. Russell -	" 28, "
J. B. F. Russell -	George Gibson -	October 1, "
Thompson and same -	George Gibson -	" 26, "
Wiley Thompson -	Elbert Herring -	" 28, "
Wiley Thompson -	Hon. Lewis Cass -	December 12, "
Wiley Thompson -	Hon. Lewis Cass -	" 28, "
Lewis Cass -	Wiley Thompson -	January 1, 1835.
J. W. Harris -	George Gibson -	" 6, "
George Gibson -	Wiley Thompson -	" 7, "
George Gibson -	Wiley Thompson -	" 12, "
Hon. Lewis Cass -	Wiley Thompson -	February 18, "
Wiley Thompson -	George Gibson -	January 27, "
Secretary of War -	General Clinch -	February 16, "
George Gibson -	Wiley Thompson -	" 28, "
George Gibson -	Lt. J. W. Harris -	" 28, "
Secretary of War -	Joel Yancey -	March 2, "
George Gibson -	Wiley Thompson -	" 7, "
George Gibson -	J. W. Harris -	" 17, "
J. W. Harris -	George Gibson -	" 19, "
George Gibson -	J. B. F. Russell -	" 20, "
George Gibson -	J. W. Harris -	" 21, "
George Gibson -	Wiley Thompson -	" 26, "

LIST OF LETTERS—Continued.

Name of writer.	To whom written.	Date.		
Secretary of War	Gov. J. H. Eaton	March	27,	1835.
Secretary of War	Gen. Clinch	"	27,	"
George Gibson	Wiley Thompson	April	1,	"
George Gibson	J. W. Harriss	"	3,	"
George Gibson	Wiley Thompson	"	3,	"
George Gibson	Lt. S. W. Moore	"	4,	"
George Gibson	Jacob Brown	"	5,	"
J. W. Harris	George Gibson	"	6,	"
R. Zantzinger	Gen. Clinch	"	13,	"
Secretary of War	Wiley Thompson	"	14,	"
Secretary of War	Gen. Clinch	"	14,	"
J. W. Harris	George Gibson	"	15,	"
General Clinch	Gen. Jones	"	20,	"
Wiley Thompson	Gen. George Gibson	"	27,	"
Wiley Thompson	Secretary of War.	"	27,	"
J. W. Harris	George Gibson	"	29,	"
W. Thompson & others	Secretary of War	"	24,	"
George Gibson	S. W. Moore	May	8,	"
George Gibson	J. W. Harris	"	9,	"
Act'g Secretary of War	Gen. Thompson, and Clinch, and Lt. J. W. Harris	"	20,	"
J. H. Hook, A. C. G. S.	J. W. Harris	"	23,	"
J. H. Hook, do	Wiley Thompson	"	26,	"
J. H. Hook, do	Jacob Brown	"	27,	"
J. Brown	Gen. Gibson	June	2,	"
J. Brown	Gen. Gibson	"	3,	"
J. W. Harris	Gen. Gibson	"	3,	"
J. W. Harris	Gen. Gibson	"	3,	"
Wiley Thompson	Gen. Gibson	"	3,	"
Wiley Thompson	Gen. Gibson	"	3,	"
J. H. Hook, A. C. S.	Gen. Clinch	"	12,	"
J. Brown	George Gibson	"	13,	"
Wiley Thompson	Act'g Secretary of War	"	18,	"
Wiley Thompson	J. H. Hook, A. C. G. S.	"	19,	"
George Gibson	J. W. Harris	July	1,	"
J. W. Harris	George Gibson	"	20,	"
Wiley Thompson	George Gibson	"	20,	"
George Gibson	Wiley Thompson	"	22,	"
Wiley Thompson	Gen. Gibson	August	1,	"
J. W. Harris	Gen. Gibson	"	3,	"
Joel Yancy	Secretary of War	"	13,	"
Gen. Clinch	Gen. Gibson	"	24,	"
Gen. Gibson	Gen. W. Thompson	"	26,	"
Gen. Gibson	J. W. Harris	"	27,	"
Gen. Thompson	Gen. Gibson	"	29,	"
Secretary of War	Gen. Thompson	"	29,	"

LIST OF LETTERS—Continued.

Name of writer.	To whom written.	Date.
J. H. Hook, A. C. S.	Gen. Thompson	September 2, 1835.
Gen. Thompson	Captain Brown	" 3, "
J. H. Hook, A. C. S.	Gen. Thompson	" 3, "
Secretary of War	General Clinch	October 31, "
Gen. Gibson	General Thompson	November 2, "
D. M. Sheffield	General Gibson	" 2, "
Lieut. J. W. Harris	General Gibson	" 2, "
Lieut. J. W. Harris	General Gibson	" 4, "
Gen. Gibson	Lieut. J. W. Harris	" 4, "
Gen. Gibson	Lieut. J. W. Harris	" 9, "
Gen. Thompson	J. H. Hook, A. C. S.	" 10, "
Captain Brown	General Gibson	" 12, "
Gen. Clinch	Secretary of War	" 13, "
J. W. Harris	General Gibson	" 13, "
General Gibson	General Thompson	" 13, "
D. M. Sheffield	General Gibson	" 17, "
Captain Brown	General Gibson	" 18, "
Captain Brown	General Gibson	" 25, "
S. V. Walker	General Thompson	June 22, "
General Thompson	S. V. Walker	" 23, "
General Thompson	F. R. Sancey	July 5, "
General Thompson	Lieut. C. Smith	" 7, "
Lieut. C. Smith	General Thompson	" 24, "
General Thompson	Col. A. C. Harrison	" 27, "
General Thompson	General Geo. Gibson	November 30, "
General Gibson	General Thompson	December 3, "
Hon. Lewis Cass	D. L. Clinch	" 4, "
General Gibson	Lieut. J. W. Harris	" 4, "
J. W. Harris	General Geo. Gibson	" 7, "
General Thompson	General Geo. Gibson	" 7, "
General Gibson	Captain J. Brown	" 9, "
General Gibson	Captain J. Brown	" 11, "
Lieut. J. W. Harris	General Geo. Gibson	" 30, "
General Gibson	General Thompson	" 31, "
Captain J. Brown	General Gibson	January 2, 1836.
Captain J. Brown	General Gibson	" 6, "
Captain F. S. Belton	General Jones	" 9, "
Lieut. J. W. Harris	General Gibson	" 10, "
D. M. Sheffield	General Geo. Gibson	" 10, "
Secretary of War	General Thompson	" 11, "
Secretary of War	General Clinch	" 11, "
Secretary of War	General Clinch	" 16, "
Lieut. J. W. Harris	General Geo. Gibson	" 17, "
Lieut. J. W. Harris	General Geo. Gibson	" 27, "
J. H. Hook, A. C. S.	General Scott	" 21, "
General Gibson	J. W. Harris	" 21, "
General Gibson	J. W. Harris	" 25, "
General Gibson	Captain J. Brown	" 25, "

LIST OF LETTERS—Continued.

Name of writer.	To whom written.	Date.		
General Gibson	Lieut. J. W. Harris	January	25,	1836.
General Gibson	Captain F. S. Belton	February	1,	
Captain Brown	General Geo. Gibson	"	2,	"
George Gibson	Joel Yancey	"	6,	"
Lieut. J. W. Harris	General Geo. Gibson	"	7,	"
David M. Sheffield	Secretary of War	"	9,	"
George Gibson	J. W. Harris	"	10,	"
J. W. Harris	Secretary of War	"	15,	"
J. W. Harris	George Gibson	"	15,	"
Lieut. J. Van Horne	George Gibson	"	21,	"
Captain Brown	George Gibson	"	24,	"
Major Hook	Lieut. J. W. Harris	September	8,	1835.
J. H. Hook, A. C. S.	Gen. W. Thompson	"	8,	"
J. H. Hook, A. C. S.	General Clinch	"	10,	"
J. H. Hook, A. C. S.	General Thompson	"	10,	"
General Thompson	General Gibson	"	21,	"
General Thompson	General Gibson	"	21,	"
General Thompson	General Gibson	"	21,	"
Lieut. J. W. Harris	General Gibson	"	29,	"
General Thompson	Stephen Richards	October	5,	"
General Thompson	Quartermaster U. S. A.			
	New York	"	10,	"
General Thompson	General Gibson	"	10,	"
J. W. Harris	Secretary of War	"	12,	"
George Gibson	Lieut. J. W. Harris	"	14,	"
George Gibson	D. M. Sheffield	"	14,	"
George Gibson	Lieut. J. W. Harris	"	14,	"
George Gibson	General Thompson	"	15,	"
George Gibson	J. W. Harris	"	15,	"
Secretary of War	General Thompson	"	16,	"
General Gibson	General Thompson	"	16,	"
General Gibson	General Thompson	"	18,	"
General Gibson	Lieut. J. W. Harris	"	18,	"
General Gibson	Captain J. Brown	"	20,	"
Lieut. J. W. Harris	General Gibson	"	21,	"
Secretary of War	General Clinch	"	22,	"
Secretary of War	General Thompson	"	28,	"
General Gibson	General Thompson	"	31,	"
General Gibson	Captain J. Brown	"	31,	"
General Gibson	Lieut. J. W. Harris	"	31,	"
General George Gibson	Lieut. J. W. Harris	March	4,	1836.
Joel Yancey	General Gibson	"	8,	"
General Gibson	Lieut. J. W. Harris	"	11,	"
Secretary of War	Lieut. J. W. Harris	"	12,	"
Secretary of War	Friendly Seminoles	"	12,	"
Lieut. J. Van Horne	General Geo. Gibson	"	19,	"
Lieut. J. W. Harris	General Geo. Gibson	"	23,	"

LIST OF LETTERS—Continued.

Name of writer.	To whom written.	Date.		
D. M. Sheffield -	General Geo. Gibson -	March	31,	1836
Lieut. J. W. Harris -	General Geo. Gibson -	April	4,	"
General George Gibson	Lieut. J. W. Harris -	"	11,	"
General George Gibson	Lieut. J. W. Harris -	"	14,	"
D. M. Sheffield -	George Gibson -	May	7,	"

HEAD QUARTERS

Mobile, November 27, 1833.

GENERAL: Should the Seminole Indians be removed west in the course of the coming year, I take pleasure in recommending Captain John Page of the 4th infantry, as an officer every way qualified to take charge of the removing party, and one that will do justice to the Indians and the Government. The appointment of Captain Page to that duty would, I am convinced, be very gratifying to the Seminole nation, as he is acquainted with all of the chiefs and most of the Indians.

I am, with high respect and esteem,

Your friend,

D. L. CLINCH.

General GEORGE GIBSON,

Commissary General of Subsistence.

EMIGRATION OF INDIANS,

Office Com'y Gen'l Sub. December 20, 1833.

COLONEL: I have received yours of the 27th ultimo, recommending Captain Page for an appointment in the removal of the Seminole Indians. That officer is now engaged in a similar duty west of the Mississippi; and from his efficiency, and his acquaintance with the tribe to which you allude, will, most probably, when the proper time arrives, be employed in its removal.

Very respectfully,

Your most obedient servant,

GEORGE GIBSON,

Com'y Gen'l Sub.

To Col. D. L. CLINCH,

U. S. Army, Mobile, Alabama.

WASHINGTON CITY, *January 15, 1834.*

SIR: I have to request the favor of being placed upon duty connected with the emigration of Indians.

I am, sir, very respectfully,

Your most obedient servant,

J. B. F. RUSSELL,

Captain 5th infantry.

To Gen. GEORGE GIBSON,

Com. Gen. Sub. U. S. Army, Washington.

WASHINGTON, *March 31, 1834.*

SIR: I feel desirous to be employed on duty connected with the emigration of Indians. I have served thirteen years in the army with my company and regiment, and I think there would be found no objections to my being placed on this detached duty.

I have a more particular reason for wishing to be detached on this duty arising from my delicate health, which can only be benefitted by an active life. I was obliged to leave my post last fall in consequence of ill health, and should fear much that a return so soon to the monotony of a garrison life would be very much to my injury. My claims for this duty are as strong as that of any officer of the army, but, laying aside all claims, I am compelled to solicit this favor: considerations that I hope will meet with the favor and acquiescence of the Secretary of War.

I am, sir, with great respect,
Your obedient servant,

J. B. F. RUSSELL,
Captain 5th infantry.

Gen. GEORGE GIBSON,
Commissary General, &c.

EMIGRATION OF INDIANS,
Office Com'y Gen'l Sub. July 10, 1834.

SIR: You are hereby appointed a disbursing agent in the removal of the Seminoles.

The duties of your appointment may be found generally laid down in the "regulations concerning the removal of the Indians," and in so much of the "memorandum" of the Secretary of War respecting the removal of the Indians in 1834, as relates to the tribe to which you are appointed. But your duties will be specifically pointed out hereafter.

You will proceed hence to the Seminole agency, Florida, in pursuance of the directions contained in the "memorandum" herewith enclosed.

Respectfully, &c.

GEORGE GIBSON,
Com. Gen. Sub.

Capt. J. B. F. RUSSELL, *U. S. A.*
Washington, D. C.

Extract from the "Memorandum respecting the removal of Indians during the year 1834." (Dated 8th July.)

"9th. The season being so far advanced; and there being no appropriation for the removal of the Seminole Indians this year, it is not considered advisable to attempt their removal immediately. General Wiley Thompson, the present agent, will be appointed special agent for removal. His compensation will not commence till such time subsequent to the 31st December next, as he may be required to begin his duties. Captain Russell will be appointed the disbursing officer.

"10th. Captain Russell will be directed to repair immediately to Florida, where he will have a personal communication with General Thompson, who will be advised of the views of the Department. They will commu-

nicate to the Indians the intentions of the Government to provide for their removal as speedily as is compatible with their health and other circumstances.

"11th. A plan of operations will be projected by General Thompson and Captain Russell, embracing all the details connected with this matter necessary for the sanction of the Department. They will ascertain when will be the proper time of commencing the removal, the mode of transportation, whether by land or water, the proper route to be taken, the best mode of procuring subsistence on the road, whether by contract or by open purchase, the best mode of procuring wagons, if wagons are required, and generally all the circumstances necessary to a just view and an economical arrangement of the whole affair. If it is judged best that the transportation should be by land, one of those officers will proceed along the route as far as the Mississippi, in order ascertain the facilities of transportation and the means of subsistence, and to enable them to determine on the best course with respect to both.

"12th. If it should be concluded that the Indians had better be transported by water, by the bay of New Orleans, then vessels or steam-boats should be procured on the best terms, and, if convenient, by public proposals. If steam-boats can be got at New Orleans, so as to ascend the Arkansas, an arrangement had better be made for the whole distance; but if not, the Indians had better be transported so far as to be put in charge of the removing officers west of the Mississippi.

"13th. General Thompson and Captain Russell will report the number of persons whom it will be necessary for them to employ, and in doing so they will consult the most rigid economy.

"As soon as the plan projected by them is received here, the Department will act upon it, and communicate immediate instructions for their operations."

EMIGRATION OF INDIANS,

Office Com^dy Gen^l of Sub. July 28, 1834:

SIR: The office of Indian affairs will give you instructions to perform the duties of Indian agent under the act of Congress of June 30, 1834. These duties are to be executed in the absence of General Wiley Thompson, agent for the Seminoles. As you are about to repair to Florida for the purpose of entering on your duty of disbursing agent, and performing that arising out of your selection by the Secretary of War, to transport the annuity due the Florida Indians, you will receive the instructions above mentioned and continue to act under them until relieved by General Thompson, who, it is supposed, will join you ere long with a view to co-operation with you under the "memorandum respecting the removal of Indians in 1834."

Respectfully, &c.

J. H. HOOK, A. C. G. S.

Capt. J. B. F. RUSSELL,

Disbursing Agent Seminoles,

Washington, D. C.

FORT KING, SEMINOLE AGENCY,
October 1, 1834.

SIR : I have the honor to report my arrival at this place, and to inform you that, as soon as the Indians can be collected together to receive their annuity, I shall proceed, with all diligence, to comply with instructions from your office, in relation to the route of the Seminoles in their contemplated movement to the west of the Mississippi. It is pretty well understood here, that the Indians have a strong dislike to a movement by water. A report in relation to every point of your instructions to General Thompson and myself, except the particular route, may be forwarded in a few days.

Respectfully, &c.

J. B. F. RUSSELL,
Capt. U. S. Army.

Gen. G. GIBSON, *Washington.*

CAMP KING, October 26, 1834.

SIR : In obedience to instructions contained in memorandum respecting the removal of Indians, dated War Department, 8th of July, 1834, we respectfully submit the following report :

1st. If the Indians are to be transported by land, they should be required to assemble at Camp King, Seminole Agency, Florida, on the 15th March, 1835 ; allow from that time to the 1st of April, to collect and organize them into convenient detachments or parties, the arranging of teams for the transportation of baggage, and such other preliminary steps as may be found necessary and proper, for so long a march.

Should transportation by land be preferred, we recommend that they move from Camp King by Micanopa and Newnansville, to Suwannee Springs. From thence by the leading ride between the waters of the Oakmulgee and the heads of the Oaklockny rivers, along or near Barnards old trail, to or near Old Fort Mitchell on the Chatahoochie river, and thence by the usual route heretofore pursued by the Creek Indians that have emigrated, to Memphis, on the Mississippi river.

From some of these points, Indians, as well as teams, may be subsisted by open purchase, such as at or in the neighborhood of Fort Mitchell, and various points of the densely populated and cultivated parts of Alabama through which the usual route to Memphis lies. But between such points provisions should be procured by contract. Through Florida subsistence is scarce, and difficult to obtain. Corn will, it is believed, command two dollars per bushel. No flour can be had. Teams are scarce, and cannot be had under five dollars per day, and found. But after passing through the Territory, and the adjacent part of Georgia, the country becomes settled and better cultivated, affording a much better opportunity of obtaining subsistence.

By reference to a map, you will readily perceive that the route by Micanopa and Newnansville, to the Suwannee Springs, which are situated not far south of the southwestern border of the Okefenokee swamp, thence by or near Fort Mitchell or the Chatahoochie river to Memphis, approaches very near a direct line. We assume that from Fort Mitchell it will be proper to pursue the route by which the Creek Indians heretofore emi-

grated. If we are right in this assumption, the trouble and expense which would attend an exploration of the route from Fort Mitchell to Memphis, is saved.

Should it still be thought important to examine that part of the route, it is believed that General Thompson will be able to discharge that duty by the middle of the ensuing February, as he expects to close the business connected with the Seminole agency, in time to effect that object.

The necessary number of wagons and teams to transport the Indians by land, cannot be procured at any one or two places. A part will have to be obtained in Tennessee, Alabama, Georgia, and Florida. The teams coming from Tennessee, and the upper parts of Alabama and Georgia, can be employed in the transportation of subsistence stores to the several depots along the route, as they would have to be paid from the day they set out for the agency. It is supposed that four horse or mule teams and drivers, can be had in Tennessee, and the upper parts of Alabama and Georgia, at three dollars; and in the lower parts of Alabama and Georgia, at four dollars, and found; in Florida, at five dollars, and found. Provisions will bear about the same relative charge. Flour, corn, and pork, can be procured in Tennessee at two-thirds less than in Florida. It is thought advisable, therefore, that the teams and provisions be chiefly hired and purchased in Tennessee, the upper part of Alabama, or the up country of Georgia.

Under this arrangement, it is supposed the Indians may have their rations issued to them as often as every three or four days, and sometimes oftener. Fresh beef, which it is recommended, should be issued while on the march, instead of salt meat, on the score of health and economy, may be taken along in droves, and thus be conveniently at hand, preventing all contingencies on this head.

The transportation of these Indians by water, we are decidedly of opinion, should be preferred under ordinary circumstances. First, because it would be less expensive, perhaps by one-half; secondly, it would be more expeditious, as it is supposed the passage by water might be made, perhaps in three weeks, whereas the passage by land would consume as many months at least; and thirdly, because the Indians could be better managed and prevented from straying, and it would greatly assist in getting off those, who are by age, sickness, or infancy, incapable of moving themselves. The only objections which we can conceive of, as existing against such a mode, is the risk of cholera, or some other malignant disease, which they would perhaps be more liable to on shipboard, than by land, and the difficulty of transporting the ponies or horses, belonging to the Indians. Yet by land, they will not be free from sickness; from great exposure, and from innumerable temptations that may be expected to be placed in their way. To prevent entirely all intercourse with rum dealers, cannot be counted upon. The Indian's horse, next his gun, and at last, the garment from off his back, too strongly enslave him to the cupidity of many unprincipled traders. We would add, that to the many other difficulties of a land route, we cannot but anticipate much trouble in our march through Florida. During part of the winter and spring seasons, a large portion of the country becomes completely inundated on any route we could select within the limits of Florida; and there are many swampy places, some of them extending over fifty miles, which may not always be passable. Add to this, that all the rivers in the Territory, during long and heavy rains, overflow

their banks and spread for miles over the country. It is believed that the Government can make some disposition of the poney in the nation, satisfactory to their owners, either by taking them at a fair valuation and pay for them in money, or other horses, at the option of the owners, when they arrive at their new home; or sending them on by a party of active young warriors, under the conduct of some suitable white man.

We have said that the transportation of these Indians by water, should be preferred, even under ordinary circumstances. We have, however, to report, that from a strict observation, and the public declarations of the most influential chiefs, while convened conformably to instructions, to notify them of the intention of the Government to provide for their removal as speedily as is compatible with their health and other circumstances, we are led most strongly to believe they will never consent, or can be made, to move west, but through coercive means; under which circumstances, we feel it our duty to recommend, most decidedly, that they be transported by water; and to that end, that they be required, by military force, to assemble at Tampa Bay, and thence be shipped for New Orleans.

There are supposed to be, from the most correct information that can be procured, about five thousand souls in the nation. The Indians obstinately refuse to give an estimate of their numbers, their negroes, and their cattle.

In recommending the route by water, we advise that schooners and brigs of two and three hundred tons, be chartered to take the Indians and their negroes to New Orleans, (as it is well ascertained that the steam-boats on the Mississippi river are not so constructed as to navigate the open sea, such as they would be exposed to from Tampa Bay to New Orleans,) and from thence by steam-boats to Little Rock, Arkansas; and should the water be sufficiently high, which fact may be always ascertained at that point, then all the way to Fort Gibson, which would bring them to within a few miles of their place of destination.

The contract for steam-boats had better be made contingently to Little Rock, or Fort Gibson, as the special agent may decide. If only to the former place, the party could be most conveniently placed in charge of the officers who superintend the emigration of Indians west of the Mississippi. It is supposed, however, that at the season of the year specified for the movement, the waters of the Arkansas, will be sufficiently high to admit of the approach of steam-boats to Fort Gibson.

The vessels, large size schooners or brigs, can be more conveniently and economically chartered in New York, than any of the southern ports; and provisions to last the party to New Orleans, can be advantageously purchased and shipped at the same time.

We beg leave to recommend, in the strongest terms, that a suitable person be appointed to accompany the emigrating party as a physician.

By the land route, we recommend as an efficient aid to the special agent and disbursing agent, the following assistants:

One assistant to special agent	-	-	\$4 00 per day.
One do to disbursing agent	-	-	4 00 " "
One conductor to each column of Indians, from 500 to 1,000 each	-	-	4 00 " "
One assistant conductor to each column, to act also as assistant commissary.	-	-	4 00 " "
One physician	-	-	5 00 " "

One interpreter	-	-	-	\$2 50 per day.
Abraham, and Cudjoe, and as many others, as				
there may be columns, as interpreters to				
columns	-	-	-	1 00 " "
One drover to each column	-	-	-	1 50 " "

WILEY THOMPSON.
J. B. F. RUSSELL,
Capt. U. S. Army.

SEMINOLE AGENCY, *October 28, 1834.*

SIR: Permit me to recommend earnestly the appointment of Mr. D. M. Sheffield, late sub-agent, as assistant to the special agent, for the removal of the Seminole Indians.

Mr. Sheffield is a man of acknowledged inflexible integrity, of steady habits, persevering and efficient. As sub-agent, he was faithful and prompt, notwithstanding the pay which he received was too small to excite to vigilant action. I trust, therefore, that the honorable Secretary of War will confirm him as assistant agent.

Presuming that a principal and general interpreter will be necessary in the general operation in removing the Seminole Indians, I earnestly recommend Mr. Stephen Richards. And it is the opinion of Captains Graham, and Russell, that his services here, as interpreter, during the arrangements to be made, preliminary to the removal of the Indians, are very important, as Cudjoe has but a very imperfect knowledge of the English language, and that Richards ought to be called to this post immediately; with their opinion, my own fully corresponds. The employment of Richards, however, ought not to supersede Cudjoe, the present interpreter, for, having been faithful, should he now be dismissed, it might excite in him revengeful feelings. Should the Department think proper to engage the services of Richards, I have no doubt that I can induce Cudjoe to be content with a smaller allowance than has been heretofore made to him.

WILEY THOMPSON,
Agent Florida Indians.

ELBERT HERRING, Esq.

SEMINOLE AGENCY, *December 12, 1834.*

SIR: Your letter of the 24th ultimo, reached me by last night's mail, accompanied by a speech, which I am instructed to deliver to the chiefs of this tribe. In this speech you intimate an intention of removing these Indians in divided portions, at different periods. I beg leave to submit to you, very respectfully, some reasons why they should be removed all at once, and as early as practicable.

There are many very likely slaves in this nation, to a considerable portion of which, there are conflicting claims held by white persons. An Indian woman, named Nelly Factor, inherited from her father a considerable

number, which are claimed by John Winstell, as agent for William Kanard, a Creek Indian, who was a nephew of Black Factor, the father of Nelly, under the old Indian law, which preferred the issue of the sister of the deceased, instead of his reputed children. During the agency of Colonel Gad Humphreys, the contest between Nelly Factor, and William Kanard, was submitted to a council of this nation. The evidence, on which the decision of the question of right was founded, was given by the chiefs Walker, Peehassie, and Econchattemicco, living on the Appalachicola, and Chattahoochee rivers. They state that they were present when Black Factor, on his death bed, willed to his daughter Nelly *all the negroes* which he died possessed of, as owner. On this evidence, the old Indian law was overruled by the council, which set the claim of Kanard aside, and thus confirmed the claim of Nelly. And, strange to tell, the council decided, at the same time, that part of the negroes of which Black Factor died possessed, was the property of one Ann Burgess, a mixed blood Indian woman. These decisions, with the evidence I have recapitulated, are on record, certified by Colonel Gad Humphreys, as agent.

There is no evidence on record, connected with the decision in favor of Ann Burgess, in support of that decision.

I have been informed that Colonel Humphreys was a claimant under Ann Burgess, and that he transferred the claim to Mr. George Center. I have been told that this claim was subsequently set aside by the Council; I presume on the ground, that the evidence which set aside Kanard's claim, gave the whole of the negroes, of which Black Factor died possessed, to his daughter. There is, I am informed, another claim to the whole of the negroes owned by Nelly, in the name of Floyd, founded on a bill of sale, alleged to have been made by Nelly. She says that Floyd imposed upon her by presenting, for her signature, a bill of sale for all of her negroes, instead of a written authority to him to recover some for her. I have seen no person who pretends to say that Floyd paid her for the negroes; on the contrary, the universal impression is, as far as I can learn, that she was grossly imposed upon. None of these claims have been mentioned to me, by the persons interested, except by Kanard, through his agent, Mr. John Winstell. All the other parties interested reside, I believe, in Florida.

Colonel Humphreys was elected a member of the Legislative Council of Florida, and I am authorized by Captain Graham to say, that, with a view to his election, he urged that the Territorial jurisdiction ought, by the Legislative Council, at the next session, to be extended over the Indians. He went to the north, resigned, and another is elected to fill his vacancy. It is said that the claims alluded to, are held in reserve, to be urged according to circumstances, and that a combined effort will be made, during this session of the council, to extend the jurisdiction of the Territory over these Indians, even in defiance of Executive sanction; in other words, by a vote of two-thirds. Were this done, there would be a scramble in the Territorial courts, by these adverse and conflicting claimants, for Nelly Factor's negroes; and she would probably lose them, as Indian laws and Indian evidence would not avail her, but as opposed to an Indian claim.

How many more claims would be set up for Nelly's negroes, or the negroes of other Indians, under such circumstances, cannot be conjectured. I presume that the act of last session of Congress, discontinuing this agency, after the thirty-first of the present month, was passed under the impression that the removal of these Indians would be accomplished within the present

year; as, by the treaty, the Indians are entitled to an agent while they remain here. I therefore suppose that the commencement of the emigration will terminate this agency. If, under such circumstances, a part of the Indians remain, while others are removing, those that may be left will probably fall a prey to the combination, which I verily believe exists, the object of which, I have no doubt, is to keep the Indians here until, by some fortuitous concurrence of circumstances, no matter what, the negroes now in their possession can be wrested from them. I am therefore decidedly of opinion, that the salvation of these people depends upon a removal of them all at once, and as early as practicable. In anticipation of the arrival of General Clinch at this post, I withheld this communication with a view to consult him on the subject; and I am happy to use the authority which he gives me, of saying that he fully accords with me in this opinion. Having been long acquainted with these Indians, the character of the population surrounding them, and the localities of the country, so favorable to the corrupt views and projects of the rapaciously avaricious, he not only considers it very important that the Indians should be removed all at once, and as early as practicable, but to protect them against the possible avarice and ambition of their more numerous brethren of the west, they ought to be located at their new home in a separate body. Candor requires me to say, that at least the protection which would be afforded to these people by settlement in a separate body, against the claim of the Creeks, for a large negro property now in this nation, is due to these people, until an adjustment of the contested claim can be effected, and other personal rights and honorary distinctions secured to them. I beg leave to refer you to my general report, now in the office of Indian Affairs, addressed to Governor Duval, in January last, for my views at length upon this point.

Should an attempt be made by any of the conflicting claimants alluded to, or by any other person, with or without the aid of an act of the Legislative Council, extending the jurisdiction of the Territory over these Indians, to wrest from Indian owners, negroes so claimed, either before or after the Indians may commence their removal, by the intervention of the Territorial authority, or the authority of any State through which they may pass, I shall feel it my duty to resist and perforce, if need be, any and all such attempts, which I am resolved to do, unless restrained by positive instructions from you. According to the intercourse laws, and the regulations of the Department of War, predicated upon those laws, all claims against these Indians should be submitted to the agent, and by him be reported to you. The withholding the claims alluded to, justifies the suspicion that the claimants design to evade the intercourse laws, and the regulations of your Department, by seizing upon some opportunity to avail themselves of Territorial or State jurisdiction, and thus accomplish the contemplated fraud, by excluding Indian laws, and Indian evidence; and this view of the subject affords an additional reason why the Indians should be removed by water, as a removal by water would avoid the embarrassments which might result from attempts to interpose Territorial or State authority, in favor of the claimants, should the movement be made by land.

On the 2d inst. I enclosed to the Commissioner of Indian Affairs, the copy of a letter addressed to me by Mr. Stephen Richards, advising me of the probability of being able to effect the removal of the bands of Indians located on the Appalachicola and Chattahoochee rivers, should I make them

a visit in a short time. With a view to accomplish a final settlement of the business of the late superintendency of Indian Affairs in Florida, I have asked for funds to pay all balances due from the Government. An effort to remove those Indians, as well as the duty of closing the unsettled business of the superintendency, will bring me into the neighborhood of the Chattahoochee river, not very far below where the wretch who swindled Blunt and Davy, is now fattening on the spoils. This man, Beattie, to effect his object, did, I have very little doubt, commit forgery and perjury. He presented a petition in the name of Cochrane, and supported it by his affidavit as Cochrane's agent. Cochrane died shortly after he signed the treaty under which Blunt and Davy emigrated. Beattie could not therefore be Cochrane's agent, nor could the petition which he swore to, have been signed by Cochrane. If I am correct in this view of the subject, Beattie may be convicted, first for swindling, secondly for forgery, and thirdly for perjury, while at the same time an action at law for the recovery of the money, and the negroes of which he swindled those chiefs, may be sustained. If my official duties should carry me into that section of country, may I, with your authority, institute the proceeding suggested above against Beattie?

I have very little doubt, that the instructions of the several suggested prosecutions would force him to a compromise that would reinstate Blunt and Davy, should Beattie have in his possession or power, the requisite means. The three several objects enumerated, if practicable, can be accomplished during the same visit to that section of the Territory, should it be thought expedient to furnish me with the requisite authority and funds.

Yours, &c.

WILEY THOMPSON.

Hon. LEWIS CASS.

SEMINOLE AGENCY, Dec. 28, 1834.

SIR: On the receipt of your instructions, of the 28th ult. I immediately summoned a few of the chiefs adjacent to this place: I told them that I had received a written speech, with instruction from you to deliver it to the chiefs of this nation, and I directed them to consult among themselves, fix upon the day of meeting, and send runners with orders to the chiefs to assemble on the day to be appointed. They replied that a large majority of the Indians were out on their annual hunting expeditions, and widely scattered, as they were and almost entirely dependent for support upon the game which they can glean from the wild forests, (a precarious dependence,) they could not be assembled under two or three months, as many of them having roamed to a considerable distance, would not consent to abandon the pursuit on which alone they can depend to save themselves and families from starvation. I had been previously informed that many of them were roaming that wild tract of country, on the Peninsula, called the Everglades, perhaps a distance of a hundred miles or more beyond the Indian boundary. Satisfied that it would be impossible to collect them in time to effect the contemplated object, I directed the chiefs present to assemble all that could be found, at the earliest day practicable. They appointed the 25th inst. for the meeting, on the evening of which day a few of them arrived. On the succeeding day, chiefs, sub-chiefs, and common Indians, to the number of perhaps one hundred and fifty, met me in coun-

cil, to whom I read your speech, explained it, and enforced it by such considerations as occurred to me, of which however my talk them in council, in October last may in substance be considered a transcript. I repeated what I had told them before, that they would be compelled by force to remove, should they not do so willingly, and I admonished them of the importance to themselves and people, of a faithful and honest relation by them to the absentees of what you said to them.

After the business was disposed of in form, Powell, a bold, manly and determined young chief, who has perhaps been more virulently opposed to removal than any other, made some remarks in the council, evidently under excited feelings: I at once entered into a free and forcible conversation with him, in which I expressed my regret that a chief who had acted so manly and correct in all other matters, should have got his own consent to act so dishonorably, in reference to the treaty of Payne's Landing. He replied, that he looked to the Camp Moultrie treaty as the one in force. I asked him if he did not consider his people free to change one bargain by making another; seeing the force of that, he said, that as I was bound to obey the President, so he was to obey the chiefs over him. I replied that the President backed by the Secretary of War, and the whole Congress, should never compel me to act so dishonorably, as to violate the treaty with his people; that were it possible for this be required of me, I would spurn the President's commission and retire to the bosom of my family; and I told him that he was acting dishonorably, and beneath the dignity of his character, by his obedience to his chiefs in opposition to a solemn treaty. I told him that even with that great fault hanging as a clog on his character, I still loved him, and I still cherished the hope that he would shortly see his error, assume the man fully, then I could receive him as a friend and cherish him in my heart as a brother. I asked how such a man as he is could get his consent to try to cheat the United States, out of the large sum of money they had already paid, under the stipulations of the treaty. I told him that it was grossly dishonorable. I then asked him if any act, or any word of mine, had shown any unkindness, or want of friendship towards him or his people? He, with emphasis, replied, "I know you are my friend and friend to my people." The others gave a like response to a similar question. I then admonished Powell to treat me as a friend by relying on my professions and counsel. During the conversation the other Indians paid devoted, and I thought delighted attention. The result was that we closed with the utmost good feeling, and I have never seen Powell and the other chiefs so cheerful and in so fine a humor, at the close of a discussion upon the subject of their removal.

I have the honor to be,

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Hon. LEWIS CASS.

WAR DEPARTMENT,

January, 1, 1835.

SIR: You are hereby appointed special agent to superintend the removal of the Florida Indians, to the west of the Mississippi. Your duties will

be confined to the east side of the Mississippi, should the Indians go by land; and if by water, to some point of landing on that river, hereafter to be designated. The nature of your duties will be found in the "regulations concerning the removal of the Indians," and in a "memorandum" in relation thereto, both of which will be furnished you by the commissary general of subsistence, who will also give you more specific instructions, and to whom you will report for duty.

It is understood, however, that in addition to the duties confided to you as above mentioned, for which your compensation will be two thousand dollars per annum, you will perform without additional compensation all the ordinary functions of an Indian agent.

Respectfully, &c.

LEWIS CASS.

Gen. WILEY THOMPSON,
Seminole Agency, Florida.

WASHINGTON, January 6, 1835.

SIR: Should the office of disbursing agent, for the removal of Seminole or Florida Indians, become vacated, I desire that my application for said appointment, dated in November or December, 1833, may be favorably remembered.

I have the honor to be, &c.

JOSEPH W. HARRIS,
Lieutenant Dis. Agent, (late of) Cherokees.

Brig. Gen. GEO. GIBSON,
Commissary General, &c.

EMIGRATION OF INDIANS,
Office Com. Gen. Subsistence, January 7, 1835.

SIR: Enclosed you will find your appointment by the Secretary of War, of special agent and superintendent of the removal of the Florida Indians, with a copy of the "regulations," &c. relating to the removal and subsistence of Indians.

As you are to perform the functions of Indian agent, in addition to those of superintendent of Indian removal, you will of course have some correspondence relating exclusively to those functions, such will be addressed as heretofore; but every thing having connection with the duties of your new appointment will be addressed in accordance with the direction at page 1 of the "regulations."

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,
Sup. Rem. Florida Indians, Seminole Indians.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. January 12, 1835.

SIR: Your letter dated 28th October to the Commissioner of Indian Affairs, was referred to me some time since; and I have deferred replying until some additional information should be received with respect to the removal of the Florida Indians.

The recommendation of Mr. D. M. Sheffield, late sub-agent, as assistant agent to special agent; and of Mr. Stephen Richards, as principal interpreter, will receive due consideration. The necessity of the immediate appointment of the latter is not so apparent now as when you wrote. Should you, however, find his presence absolutely indispensable before you can get authority to appoint him, you will temporarily engage him, giving me notice of the same.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Rem. Florida Indians, Sem. Agency.

Extract from a letter of the Secretary of War, dated, War Department, February 18, 1835, to General Wiley Thompson, Superintendent Seminole Removal, Seminole Agency, Florida.

"You will receive from the subsistence office detailed instructions respecting your conduct and compensation. My object in this communication is to convey to you the general views of the President in relation to the course, to be pursued towards those Indians. The letters heretofore received from you, as well as a more recent communication from General Clinch, renders it doubtful whether the Seminole Indians intend to comply with the stipulations for their removal. General Clinch expresses himself decidedly that they will not go unless a respectable force be employed, and that it is very probable that such a force would have to be actually used in effecting the object. Independently of the disastrous consequences that must ensue to themselves from their attempt at a permanent residence where they now are, General Clinch anticipates that such an attempt would involve the neighboring region in war, as well with these Indians as with the runaway negroes among them, and others who might join them. Under these circumstances, the President has deemed it indispensable that they should be required to remove. Orders have been given for four more companies to join General Clinch, making the force under that officer, ten companies. I indulge the confident expectation that the appearance, and proper distribution of this force, together with firmness and discreet conduct on the part of yourself and General Clinch, will induce these deluded people to comply with their own positive stipulations. I enclose copies of the letter addressed to General Clinch, and of the message of the President to the Indians transmitted with it. Although your own duties relate to the necessary intercourse with the Indians, to the business connected with their removal, and those of General Clinch to the command of the military force, and to its proper employment for the protection of the country, and for carrying into effect the instructions given him, still the public interest requires that there should be a free

and unreserved communication between yourself and that officer. You will, therefore, disclose to him fully all your proceedings, and advise with him as to the conduct to be pursued. The first object will be to convene the Indians, and to read to them the message of the President. You will then explain to them fully the stipulations they have entered into, and what is expected from them; and you will announce to them the final determination of the President that they must remove. In addition to this, you will use all your influence, as well in public councils as in private interviews, to induce them to comply with the treaties. It is exceedingly desirable that they should go voluntarily. The President is very reluctant to employ any force in effecting this object, and it must be only done in the last resort, and when all other means fail. One-third of these Indians is to be removed during the present season agreeably to the stipulations of the treaty, and as that proportion first to go, is provided for in the treaty, that part of them will be first removed."

SEMINOLE AGENCY, *January 27, 1835.*

SIR: Your letter of advice, of the 7th instant, accompanied by a letter from the Secretary of War, appointing me special agent to superintend the removal of the Florida Indians west of the Mississippi, was received by this day's mail.

As Indian agent, I am under instructions from the Commissioner of Indians Affairs, to visit the bands of Indians on the Appalachicola and Chattahoochie rivers, on business connected with Indian affairs, after disposing of which, I shall avail myself of permission given, to absent myself from this agency three weeks, and on my return, which will be in five or six weeks, shall be ready and happy to receive your instructions.

With this report of myself to you for duty, permit me to suggest that the military force stationed in, and on the border of this nation, is not large enough to effect the object for which it was intended. A large portion of these Indians are opposed to their intended removal; and I have no doubt that interested designing persons tamper with them for the purpose of inflaming that opposition, in the hope that their removal may be retarded until some projects of speculation, and some fraudulent claims for a considerable number of slaves now in the possession of these Indians, can be successfully prosecuted.

The command at Fort King and at Tampa Bay, is frittered down to a mere handfull, by details of parties to patrol the country adjacent to the Indian boundary, to drive the Indians and keep them within their limits, and commands to guard suspected trading houses near the Indian border. The chiefs most hostile to the intended removal have, very recently, more boldly than heretofore, denounced vengeance against any chief who shall consent to move. There are, as I am informed, many of the Seminole Indians far beyond the Indian boundary, in that wild and swampy region of Florida, called the Everglades, some of whom have not been within their boundary during several years past. The duty of guarding the lines; scouring the adjacent country by detachments of troops to bring strolling Indians within the boundary; protecting the well disposed by prompt and active interposition if need be; patrolling the neighborhood of the Everglades, for the purpose of bringing in the Indians who have wandered off

to that desolate region, and at the same time displaying at the posts military preparations, sufficiently imposing to overawe the refractory chiefs, requires a stronger force.

I have heretofore submitted for the consideration of the Secretary of War, some reasons why these Indians should be removed *all at the same time by water*, and as early as practicable. Do me the favor to inform, at Elberton, Georgia, what the decision of the Secretary of War is upon those points.

If admissible, you will oblige me by forwarding to this agency, blank books and printed forms, suitable to the business which I have to do as special agent.

Yours, &c.

WILEY THOMPSON.

General GEORGE GIBSON, C. G. S.

WAR DEPARTMENT,
February 16, 1835.

SIR: Your letter of the 22d ultimo to the Adjutant General, has been laid before me, and I have now to communicate to you the views of the President on the questions connected with the Seminole Indians of Florida.

It is very clear, as well from your statement respecting the peculiar condition of the Seminole Indians, as from the several considerations applicable to their case, that they cannot remain in the country now occupied by them. They have stipulated in the two treaties, ceding their possession in Florida, that they will remove to the country assigned to the Creek Indians west of the Mississippi. That this removal shall commence immediately after the ratification of the treaties, and that one-third of their people shall remove during each of the three succeeding years. I very much regret that bad counsels have operated to discourage their removal. But it is impossible to yield to any wishes they may express on the subject. I fully appreciate the consequences which you predict as likely to happen, from a forcible attempt on their part to remain. And the safety of that portion of the Territory imperatively requires that the treaty stipulations shall be carried into effect. It is the ultimate decision, therefore, of the President, that they shall be removed. But it is very desirable that they should go peaceably and voluntarily. The whole subject should, therefore, be fully explained to them, and every proper inducement held out for their compliance with the treaties. Let them be reasoned with, and, if possible, convinced. Let every measure, short of actual force, be first used. Let them be made fully aware of the consequences. And then, if it be necessary, let actual force be employed and their removal effected.

It will be perceived by the sixth article of the treaty of April 8, 1832, that the emigration was to commence in 1833. This was rendered impracticable by the condition annexed to the treaty, that a delegation of their principal chiefs should examine the country west of the Mississippi, and signify their acceptance of it. This was not done in time to procure the ratification of the treaty before the last session of Congress adjourned. Since then, this Department has endeavored to make amicable arrangements with these Indians for their removal.

The persons to be first removed will be those described in the 7th article as occupying the Big swamp and other portions of the country mentioned.

Four additional companies have been ordered to join you, and this force will be employed in the protection of the country, and in the removal of the Indians. The superintendence of the business of removal will be committed to General Thompson, who will receive specific instructions for his conduct, and who will be required to communicate with you, and I have to request, that in all matters connected with this subject you will give to General Thompson the benefit of your advice.

A copy of the instructions to him will be transmitted to you as soon as they are prepared.

I enclose also a message from the President of the United States to the Indians. You will be pleased, in conjunction with General Thompson, to summon the principal Indian chiefs together, and to communicate to them this message; and to enforce upon them, as far as you can, the necessity of a compliance with it.

The necessary military orders for your government will be communicated through the proper department.

The whole matter presents considerations of a very important character, and the President relies not less upon the discretion, than upon the firmness of General Thompson and yourself in its management.

Act with as much mildness and forbearance as may be compatible with the main object.

Very respectfully, &c.

LEWIS CASS.

To Brevet Brig. Gen. CLINCH,
United States Army, Fort King, Florida.

To the Chiefs and Warriors of the Seminole Indians in Florida.

MY CHILDREN: I am sorry to have heard that you have been listening to bad counsels. You know me, and you know that I would not deceive, nor advise you to do any thing that was unjust or injurious. Open your ears and attend to what I shall now say to you. They are the words of a friend, and the words of truth.

The white people are settling around you. The game has disappeared from your country. Your people are poor and hungry. All this you have perceived for sometime. And nearly three years ago, you made an agreement with your friend, Colonel Gadsden, acting on the part of the United States, by which you agreed to cede your lands in Florida, and to remove and join your brothers, the Creeks, in the country west of the Mississippi. You annexed a condition to this agreement, that certain chiefs, named therein, in whom you placed confidence, should proceed to the western country, and examine whether it was suitable to your wants and habits; and whether the Creeks residing there, were willing to permit you to unite with them as one people; and if the persons thus sent, were satisfied on these heads, then the agreement made with Colonel Gadsden was to be in full force.

In conformity with these provisions the chiefs, named by you, proceeded to that country, and having examined it, and having become satisfied respecting its character and the favorable disposition of the Creeks, they entered into an agreement with commissioners on the part of the United States, by which they signified their satisfaction on these subjects, and finally ratified the agreement made with Colonel Gadsden.

I now learn that you refuse to carry into effect the solemn promises thus made by you, and that you have stated to the officers of the United States, sent among you, that you will not remove to the western country.

MY CHILDREN: I have never deceived, nor will I ever deceive, any of the red people. I tell you that you must go, and that you will go. Even if you had a right to stay, how could you live where you now are? You have sold all your country. You have not a piece as large as a blanket to sit down upon. What is to support yourselves, your women and children? The tract you have ceded will soon be surveyed and sold, and immediately afterwards will be occupied by a white population. You will soon be in a state of starvation. You will commit depredations upon the property of our citizens. You will be resisted, punished, perhaps killed. Now, is it not better peaceably to remove to a fine fertile country occupied by your own kindred, and where you can raise all the necessaries of life, and where game is yet abundant? The annuities payable to you, and the other stipulations made in your favor, will make your situation comfortable, and will enable you to increase and improve. If, therefore, you had a right to stay where you now are, still every true friend would advise you to remove. But you have no right to stay, and you must go. I am very desirous that you should go peaceably and voluntarily. You shall be comfortably taken care of and kindly treated on the road, and when you arrive in your new country, provisions will be issued to you for a year, so that you can have ample time to provide for your future support.

But lest some of your rash young men should forcibly oppose your arrangements for removal, I have ordered a large military force to be sent among you. I have directed the commanding officer, and likewise the agent, your friend, General Thompson, that every reasonable indulgence be held out to you. But I have also directed that one-third of your people as provided for in the treaty be removed during the present season. If you listen to the voice of friendship and truth, you will go quietly and voluntarily. But should you listen to the bad birds that are always flying about you, and refuse to remove, I have then directed the commanding officer to remove you by force. This will be done. I pray the Great Spirit, therefore, to incline you to do what is right.

Your friend,

A. JACKSON.

WASHINGTON, *February 16, 1835.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub., February 28, 1835.

SIR: The Secretary of War has given you the general views of the President in relation to the course to be pursued towards the Seminole Indians, in the effort about to be made to remove a portion of them to their country west of the Mississippi. The following will contain the necessary instructions for the active operations of removal, in detail.

There are two routes, either of which may be taken; one by land, as indicated in the joint report of yourself and Captain Russell, dated 26th October, 1834; the other by water, also laid down in that report, except that the steam-boats will go from New Orleans to Rock Row on White river, in stead of attempting to ascend the Arkansas.

1st. The land route. The wish of the Secretary of War is that, this

route be not taken, unless the Indians go voluntarily, and the route be at this season deemed practicable. Should this be the case, you will require from the disbursing agent, Lieut. J. W. Harris, the transportation and subsistence in accordance with the regulations. As the extent of the means of transportation and subsistence, must be dependent upon the number of the emigrants, great care will be taken to ascertain their probable number. It is believed that there will not be time to enter into contracts for provisions before starting. The disbursing agent will be specially instructed on this subject.

The Indians will assemble at Fort King at a prescribed time, say two weeks from the date of meeting them in council. They will be fed during the time of assemblage. The day before starting they will be enrolled by heads of families, and divided into three parties of about five hundred each. The parties will start on the same day, but keep an hour's march apart. Lieut. Harris will take charge of the first party, with the care, in his branch of the duty, of the whole; and each of the other parties will be conducted by an officer of the army, who will be guided in the performance of his duties by the instructions given to the disbursing agent.

To each party there will be an assistant conductor, to act also as an issuing agent, whose duty it will be to attend to the witnessing of the issues of the provisions, when they are received under contract, and to make the issues himself when they are procured by purchase. There will also be an interpreter to each party, and, when necessary, a drover or laborer. The whole to be superintended by you.

2d. The water route. Should it be determined to move the Indians by water, the number will be ascertained as nearly as possible; and you will require from the disbursing agent as many tons of shipping as may be deemed requisite to transport them in comfort and safety to New Orleans. The instructions of the disbursing agent will point out what steps he is to take, in regard to the procurement of vessels and steam-boats, and the fitting them for transports. You will see that they are calculated to answer the purposes for which they are intended, and that the emigrants are not crowded.

As soon as the emigrants are on board their respective vessels, they will be enrolled. You will take charge of one of the vessels, the disbursing agent of another, and an officer, to be detailed as before mentioned, of each of the others.

I am impressed with the belief that it will be conducive to the health of the Indians, to stop a few days near New Orleans, before embarking on the Mississippi. This will be done, provided circumstances favor it; for unaccustomed as the Indians are to the restraint and confinement incident to shipboard, it is feared that disagreeable consequences may flow from a continuous travel in that way, from the first place of embarkation to the stopping place on White river, a distance that, under the most favorable circumstances, must take nearly two weeks to accomplish.

A muster will take place when the emigrants go on board the steam-boats, and all changes will be noted in the margin of the new rolls.

The demurrage of both sea vessels and steam-boats, will, of course, be very heavy; it is therefore desirable, that as little time be lost as possible, after the transports are under pay; still it may be proper to stop once or twice on the Mississippi, and suffer the Indians to recruit themselves for a few hours on shore. This is entirely discretionary with you, and will depend upon circumstances of which you will be able to judge.

At Rock Row it may be advisable to delay a day to refresh the emigrants and to prepare for their land travel. Here, prior to starting, the rolls will be corrected, and the land will conform to the steam-boat parties.

At this point you will leave the Indians, and return to Florida, having had such an understanding with the disbursing agent as will enable you mutually to comprehend the course to be pursued, touching the various matters in which concurrent action is requisite.

From Rock Row to their new country, Captain Brown will have made ample preparations for their transportation and subsistence. And to this point it is contemplated to order William Armstrong, Esq. superintendent of Indian removal west of the Mississippi river, who will accompany the Seminoles to their new country.

From New Orleans, each steam-boat will have a conductor, an assistant conductor to act as issuing agent, &c. and an interpreter. If officers of the army accompany the expedition, one will take charge of each boat as conductor. All other agents or laborers will be discharged at New Orleans, at which place their pay will cease.

A physician of skill and character may be employed to accompany the emigrants all the way, to whom will be paid going, not more than five dollars per day, the sum mentioned in your report, with his actual expenses whilst travelling with the Indians, and ten cents a mile with a day's pay for every thirty miles, returning; and no other allowance. Officers of the army, acting as conductors, will get their actual expenses, going and returning. Should a conductor be employed, there being no officer, he will be allowed four dollars per day. Assistant conductors three dollars, interpreters at the wages named in your report, to wit: a dollar a day, if they can be obtained for that, if not, you can give any compensation within the limit of the regulations. The conductor, assistant and interpreter, are entitled to their actual expenses going, and if they return, to ten cents per mile. Their pay will cease immediately on the termination of their active duties. You will be allowed your actual travelling expenses whilst going with the Indians, and ten cents per mile returning. Whatever appointments may be made, will be immediately notified to me, with the date of commencing duty, &c.

The actual expenses of agents will be ascertained by each keeping a memorandum book, which the disbursing agents will furnish, in which will be entered, daily, the expenses incident to the travel. So much of this route being by water, it is believed that such expenditures will be trifling. But the utmost particularity will be observed, for where there is much looseness in the mode of keeping the account, the disbursing agent will not pay.

All payments for transportation and for compensation of agents will be made upon your sanction expressed in writing on the bill, or upon a written requisition.

You will keep a journal of occurrences, commencing with the day of beginning to assemble the Indians. In it you will briefly express every incident of any kind of importance. Experience shows a well kept journal to be of great assistance in the elucidation of the transactions of Indian emigration. It is also calculated to facilitate the settlement of accounts.

If the emigration is by water, the Indian horses may be driven round by land, under the care of a trust-worthy agent, who will be paid \$2 50 a day. He will take with him as small a number of Indians as may be

needed to assist him; to one or two of them a small sum, say \$20, may be given, by way of inducement to exertion and activity. A sufficient amount of money to meet the wants of the party will be confided to the agent, who will be required to exhibit bills for every considerable purchase, with a regular memorandum of his daily expenditures, exhibiting clearly every date, place, and transaction. This book may also be his journal. The disbursing agent will instruct him more particularly. He will be entitled to no return pay, but ten cents a mile travelling expenses to the place of starting.

The Secretary prefers, as you do, the water route decidedly. It is indeed, extremely doubtful whether the Indians can be got through by land. But of this you must be the judge. As soon as possible, after your decision is made, you will write to Captain Jacob Brown, principal disbursing agent, removal of Indians, Little Rock, and inform him of the number of emigrants, and the probable time of reaching Memphis by land, or Rock Row by the water route. It is extremely important that he should receive early and accurate information. In stating the number of Indians, err on the safe side; say rather under, than over, what you have every reason to believe will be the number. If the day of your starting or embarkation, and the probable time of arrival and delay at New Orleans, could be given, the time of arrival at Rock Row might readily be calculated, by estimating the usual time of a passage up the Mississippi to the point of debarkation. If you deem it necessary, you can despatch letters to be placed in the New Orleans post office, by a special messenger.

The general instructions of the Secretary of War, with the foregoing detail, and a copy of Lieutenant Harris's instructions, will, with the regulations, furnish you with an ample fund of information, as regards the nature of your duties and the mode of their performance. There are, however, many things which must be left to your discretion. It is not possible to foresee the contingencies that may arise, and it would be useless to attempt to anticipate them. The utmost confidence is placed in your exercising a wise forecast in providing for the difficulties that beset the enterprise, and in using the powers confided to you in the most energetic, and at the same time, the most benevolent manner. It is all important too, that economy should be observed in every thing connected with the removal. There are so many sources of expenditure, that they must all be guarded with great and unrelaxing vigilance. Let nothing that takes the money of the public needlessly, exist a moment. A most fruitful source of expenditure will be found in the agents. Of these, employ the smallest number that may be consistent with efficiency.

You will find herewith a copy of Lieutenant Harris's instructions, and of a circular respecting the mode in which he is to keep his accounts; together with a copy of the printed regulations. Blank muster rolls will also be sent to you, and forms of requisition for compensation of persons employed. It may be well here to remark, that in cases of disallowance of Lieutenant Harris's payments, made on your requisitions, you become chargeable with the amounts thus disallowed.

Lieutenant Harris will receive an ample supply of funds. Should more be needed, estimates will be made by him on data, to be furnished by you. He will be furnished with money to pay for the Seminole cattle, about which special instructions will be sent you in a few days. The articles stipulated to be furnished under the treaty, will be procured under con-

tract; the blankets at the north; the frocks by you; as to which you will also receive instructions hereafter.

You will please to correspond very freely with this office, touching all matters of interest in the removal. The regulations require weekly reports.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,

Sup. Rem. Florida Indians, Sem. Agency, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. March 17, 1835.

SIR: Enclosed are your instructions for the disbursing of moneys in the removal of the Seminoles. You will proceed to act under them without delay.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieutenant J. W. HARRIS,

Disbursing Agent, Seminoles, Washington, D. C.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. February 28, 1835.

SIR: You are hereby appointed disbursing agent to the Seminole removal, and you will, without delay, proceed hence to the Seminole Agency, Florida.

The Secretary of War's general instructions to General Thompson, the superintendent of the removal, with the instructions in detail of this office, are enclosed; together with other papers calculated to point out to you the situation of affairs among the Seminoles, and to make your duty as disbursing agent plain.

Immediately upon your arrival at the agency, you will confer with Gen. Thompson, who will give you all the information he possesses in relation to your duties.

You will meet his requisitions for subsistence, transportation, and contingencies, and make such preparations for either land or water transportation as he may believe expedient.

In case the emigrants go by land, you will procure the means of transportation to go no farther than some point in Georgia, where other teams and wagons can be procured, which, if not at lower rates, will most probably have the advantage of being of better quality. The transportation thus procured, should by no means go farther than the Mississippi, at Memphis, at which point fresh teams and wagons will be ready under direction of Captain Brown.

Subsistence may at first be purchased from day to day. Afterwards it may be procured on contract, to be delivered at various points. The slowness with which the emigrants will proceed, will give you time to make your arrangements. On your arrival at Memphis, the contracts for subsistence, to be made by Captain Brown, will commence.

The agents to be employed, are mentioned in the instructions to General Thompson.

If the water route is determined on, the superintendent will require you to procure vessels to cross the Gulf of Mexico to New Orleans, and steam-boats to go from that place to Rock Row, on White river. Care will be taken to get no vessels that may not be of sufficiently small draught of water, to approach to within a proper distance of the point of embarkation, and to go through Lake Pontchartrain, whilst, at the same time, they should be safe and commodious as sea vessels.

I will not indicate the point at which you will get the vessels. It is probable that you will have to seek them in more than one place. The steam-boats will be procured at New Orleans, and there may probably be chartered the greater part of the vessels.

It may be doubted whether it will be advisable to engage the steam-boats in advance; the loss in demurrage by the sea vessels, will be sufficiently great, and it is believed, that such is the uncertainty of the time of reaching New Orleans, the expenses of the transportation would be immensely enhanced by pre-engaging steam-boats. And considering that it is desirable the Indians should rest a few days in the neighborhood of New Orleans, it can scarcely be doubted that steam-boats may be procured within the time allotted to the delay at that place. Both the steam-boats and other vessels will be properly fitted for the comfortable accommodation of the emigrants. Your experience in the water transportation of troops and Indians, will readily suggest to you what should be done.

Whether a part or all of the vessels are procured at New Orleans, you will purchase there a sufficient quantity of provisions to subsist the emigrants in their passage; and should any be left, it can be transferred to the steam-boats, or sold. Great care should be taken to have a good supply of water casks, and sufficiently extensive accommodations for cooking on board of all the transports. There are other equally important matters, calculated to promote comfort, cleanliness, and health, which must be attended to, and without which, such is the character of the Indian, the most serious consequences may follow.

In relation to the mode of accountability for the public moneys to be confided to you, I will refer you to the circular herewith, to many of the details of which you will call the attention of the superintendent. I will not enter more minutely into the other matters touching your duties, than I have already done in the foregoing. I confide in the experience you have already acquired, and the energy you have heretofore displayed, for the proper performance of the business assigned to you. I will remark, however, that I look for the happiest results to an unrestrained co-operation and consultation with the superintendent.

Your reports to this office will be as frequent as the nature of the service may permit or require. You will keep a brief journal of occurrences, and also an accurate account of all your personal expenditures. This latter becomes the more necessary, because of the proviso to a law passed on the 3d of March, instant, which now precludes you from receiving the emoluments heretofore attached to the service in which you are now engaged. An account in the aggregate of these expenses, with a certificate on honor of its correctness, will answer.

Complete sets of blank forms are furnished to you, and blank muster rolls and forms of requisition for pay, are with them, for the superintendent.

Funds will be provided for you as follows :

At New York, on which place you may draw	-	-	\$15,000 00
New Orleans	"	"	10,000 00
Tallahassee	"	"	5,000 00
			<hr/>
			\$30,000 00

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieutenant J. W. HARRIS,

Disbursing Agent, Seminoles, Washington, D. C.

WAR DEPARTMENT, *March 2, 1835.*

SIR: You are hereby appointed an assistant agent in the removal of the Seminole Indians. If you accept this appointment you will repair immediately to the Seminole agency, Florida, and report for duty to General Wiley Thompson, superintendent, and by letter to the Commissary General of Subsistence. Your pay will be four dollars a day, to commence on the day of your arrival at your point of destination, and you will receive no other allowance, unless travelling west with the Indians, or returning from that duty; in either case the allowance is expressed by the regulations, of which I send you a copy.

Respectfully, &c.

LEWIS CASS,

Secretary of War.

JOEL YANCY, Esq. *Glasgow, Kentucky.*

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub., March 7, 1835.

SIR: I have received your letter of the 27th January. You will be informed of the views of the President and Secretary of War with regard to the Seminoles, before this arrives; and you would at the same time receive the instructions in detail of this office, but for unavoidable delay. They are completed and will be transmitted to you in a few days.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Rem. Sem. Indians, Seminole Agency, Florida.

GLASGOW, *March 16, 1835.*

SIR: On the 14th instant I had the honor to receive from the honorable Lewis Cass, Secretary of War, the appointment of assistant agent for the removal of the Seminole Indians, with orders to report myself to General Wiley Thompson, at the Seminole agency, and repair thither immediately;

and in case of my accepting the appointment to notify you, which I accordingly do, and shall repair to said agency with all possible despatch, and start in a few days.

I have the honor to be,
Most respectfully,

Your most obedient servant,

JOEL YANCY.

Gen. GEO. GIBSON, *Com. Gen. Sub.*

BALTIMORE, *March 19, 1835.*

SIR: I have the honor to advise you that I have this day drawn upon Manhattan Bank, New York, for \$641 84, payable at one day's sight; this on account of subsistence of Indians; presuming that by the time the bill can be presented for payment funds will be in deposit there to my credit.

The subsistence purchased will be shipped this evening, and wind and weather permitting, I shall sail in the morning for Savannah.

I have the honor to be, &c.

JOSEPH W. HARRIS,

Lt. Dis. Agt. Seminole Indians.

Brig. Gen. GEO. GIBSON,
Commissary General, &c.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub., March 20, 1835.

SIR: Your account for services, &c. as disbursing agent to the Seminoles has been examined, and found correct. The Treasury will advance on this account five hundred and three dollars and seventy-three cents.

Respectfully,

Your obedient servant,

GEO. GIBSON, *C. G. S.*

Capt. J. B. F. RUSSELL,
Dis. Agent Seminoles, Washington, D. C.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. March 21, 1835.

SIR: You will receive instructions from Commissioner of Indian Affairs, to "pay annuities and make the other disbursements for the Indians in Florida." Should this duty not interfere with your duties as disbursing agent, you will perform it; but if it does, you will request General Clinch to appoint some other officer to relieve you from it, which I have the authority of the Secretary of War for saying will be done.

Whatever of correspondence or accounts may be necessary under the instructions alluded to, will be kept separate from those of the removal and subsistence.

Respectfully, &c.

GEORGE GIBSON, *C. G. S.*

Lieut. JOSEPH W. HARRIS,
*Disbursing Agent, Seminoles,
Seminole Agency, Florida.*

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. March 26, 1835.

SIR: I am directed by the Secretary of War to say, that in consequence of the representations received at the War Department, from Governor Eaton, the Seminole Indians will be removed by water. This instruction is deemed necessary because your general instructions provide for removal by water only in a certain contingency.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Sem. Removal,

Seminole Agency, Florida.

DEPARTMENT OF WAR, March, 27, 1835.

SIR: I have had the honor to receive your letter of the 8th instant, and have laid it before the President.

The question presented in it respecting the validity of the obligation of the Seminole Indians to remove from Florida, has been submitted to the Attorney General, and that officer has decided that the obligation of the treaty is not affected by the delay which has taken place in its ratification, but that the Indians may be required to remove in the years 1835, 1836, and 1837. Instructions therefore have been given to General Clinch to proceed to the execution of the measures directed, should he have delayed doing so in consequence of your letter. A copy of the communication to him is herewith enclosed.

The President is fully aware of the difficulties involved in this subject. But from the reports heretofore received from General Clinch, and General Thompson, it is evident that nothing short of the display of a respectable force will induce those deluded Indians to comply with their engagements. There are ten companies placed under the orders of General Clinch for the execution of this duty, and that number is believed to be sufficient to prevent the Seminoles from the commission of any hostile acts. Those officers have been directed to use every means in their power by persuasion and remonstrance to induce the Indians to go. It is with extreme reluctance that the President would assent to the employment of force. But what is to be done? It is manifest that this tribe cannot live where they now are. Every year they are reduced to extreme distress, and time after time applications have been made to the Government to provide the means of saving them from starvation. An ample country has been assigned to them west of the Mississippi, where many of their brethren have already gone, and where, with very little exertion and industry, they can improve and flourish. Advantageous stipulations have been made for them, to secure their comfortable transportation, their subsistence for a year, and such other benefits including annuities, &c. as have been offered to other Indians. Must we then yield to a false humanity, or to the efforts of interested individuals desirous for their own purposes to retain these Indians, and thus suffer them eventually to perish? and this too after having involved the white settlements around them in ruins, which we have reason to fear from the representations that have been made? Or is it not better, by firmness and decision, at once to satisfy them that they must go, and

thus comply with their own engagements; and save them from the destruction that otherwise awaits them?

Your suggestions concerning the propriety of removing them by water, are certainly correct, and the removing agent has been directed to adopt that course if it be practicable.

The statement which you understand them to make respecting the occupation of a separate district in the Creek country west, I consider of no sort of consequence. They are essentially one people with the Creeks, and this land enough, and more than enough, for them and their posterity to the thousandth generation. The whole matter connected with their residence west was satisfactorily arranged by the commissioners in that country.

I cannot, myself, conceive that the prohibition to raise corn, if it could be legally given, and carried into effect, would be either a proper or a humane remedy in this case. It is certainly better to remove them, as they must be removed eventually, than to let them remain and starve by our own act.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

HIS EX. JOHN H. EATON,
Tallahassee, Florida.

ATTORNEY GENERAL'S OFFICE,
March 26, 1835.

SIR: In your letter of the 21st instant, after enclosing to me a communication of Governor Eaton, in which he suggests doubts concerning the validity of the treaty with the Seminole Indians, concluded on the 9th of May, 1832, and ratified on the 9th of April, 1834, in consequence of the delay which took place in the ratification, you requested my opinion upon the validity of the treaty, and upon the right of the United States to remove these Indians in the years 1835, 1836, and 1837.

There is certainly great force in the suggestions made by Governor Eaton; and as the Government, in its relations and intercourse with the Indians, is necessarily obliged to become, for all practical purposes, its own interpreter and judge, it is under the highest obligation to make no claim under the treaty, and to set up no construction of its terms, which are not fairly authorized by its sense and spirit. And if it can be shown that a material change of circumstances, connected with the question of removal, had actually occurred during the period which elapsed between the signing and ratification of the treaty, then it is plain that the Indians can no longer be held to it, unless, by some act since its ratification, they have recognised and affirmed its validity. In the present case, as no time was limited for the ratification of the treaty, as the supplemental articles of the 28th of March, 1833, treated it as yet in existence, although not then ratified by the President and Senate, and as no material change of circumstances is suggested, I think it must be deemed a valid and subsisting treaty.

If the treaty be valid, the particular intent to remove in 1833, 1834, and 1835, must yield to the general engagement to remove in *three years from the ratification*, and the same provision must be made for the unforeseen

case which has now arisen, which was expressly made for the case actually anticipated. It was evidently the understanding and the design of the parties that the removal should commence with the year following the ratification, and the tribe should be removed in about equal proportions, during that and the two following years. Consequently they are now to be removed in the years 1835, 1836, and 1837.

The papers are herewith returned.

I have the honor to be,

Very respectfully,

Your obedient servant,

B. F. BUTLER.

To the Hon. LEWIS CASS, *Secretary of War.*

WAR DEPARTMENT, *March 27, 1835.*

SIR: Governor Eaton has transmitted to the Department the copy of a letter, which he has written to you, on the subject of the removal of the Seminole Indians from Florida.

The doubts suggested by Governor Eaton in that letter, and in one addressed by him to this Department, concerning the validity of the treaty ratified with the Seminoles, in April, 1834, in consequence of two of the years during which they were to remove, having expired, have been considered by the President. On a full examination, however, of the subject, the obligation of the treaty does not seem to be affected by this circumstance, as the postponement of the ratification was occasioned by a stipulation in the treaty, requiring an examination of the western country, and the subsequent assent of the Seminoles, before the treaty could take effect. The ratification was given as soon after it was effected as practicable.

You will therefore proceed under your original instructions. If any delay, however, has occurred, in consequence of this interposition of Governor Eaton, your conduct in postponing the subject will be entirely approved.

Let me, however, add, that in the execution of the task committed to you I am very desirous that no harsh measures should be used which can possibly be avoided. It is only in the last resort, and under the conviction that the peace of that part of the country requires the immediate removal of these Indians, that the measures directed should be resorted to.

Respectfully,

LEWIS CASS,

Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,

Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. April 1, 1835.

SIR: By the 3d article of the Seminole treaty of 9th May, 1832, it is agreed to distribute among the Seminoles as they arrive west of the Mississippi, a blanket and home-spun frock to each individual of the tribe. I have issued proposals for blankets, but as it will be proper to furnish them with such frocks as they are accustomed to wear, it is preferred that you

should procure them. You will for this purpose procure to be made of suitable materials, three or four frocks, each of a different size. These will be exhibited as specimens at New Orleans, in the papers of which place, you will advertise for proposals for delivering 1,500 of them there, on the 1st of October next. The specimen frocks should be made out of good homespun, and in workmanlike manner. They will be put in the office of the Assistant Quartermaster, who will exhibit them to persons disposed to bid.

The bids will be received till the 1st of June, or about the time of your sailing from Rock Row; and the contracts given to the lowest respondent bidder. The Assistant Quartermaster may have them inspected, if you cannot be present, and will ship them to Fort Gibson. As soon as evidence of delivery and inspection is received at this office, the money will be paid. The original bids, and all other papers connected with the transaction, will also be forwarded.

I enclose forms of advertisement, abstracts of bids and contract, with blank contracts and bonds. When the contract is made, you will please to forward an original, reserving another for yourself.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,

*Superintendent Seminole Removal,
Seminole Agency, Florida.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. April 3, 1835.

SIR: I have to-day given General Thompson special instructions on the subject of the cattle to be taken from the Seminoles, and appraised under the 5th article of the treaty. I refer you to the copy enclosed, for particulars. You will see that you are to take with you, west of the Mississippi, the "statement" of the cattle received. This you will give to Captain Bunn, who will be directed by me to advertise for the delivery, in the new country, of as many head as may be required. In the meantime, the statement forwarded to this office from Florida, will enable me to transmit the funds as well to pay those Indians who are to receive cash, as to furnish cattle to those who prefer them.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieut. JOSEPH W. HARRIS,

*Disbursing Agent, Seminoles,
Seminole Agency, Florida.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. April 3, 1835.

SIR: The 5th article of the Seminole treaty stipulates, that the United States will take the cattle belonging to the Seminole Indians, at the valuation of some discreet person to be appointed by the President, and that the owners shall be paid in money or cattle after their arrival west. You will, therefore, proceed to fulfil this stipulation in the following manner:

The cattle of those who emigrate will be taken and valued at what may be considered the fair value in the part of the country where they are taken. They will be distinguished according to the statement enclosed, as cows, cows and calves, bulls, steers, heifers, &c: the number and price of each placed in the appropriate column. The choice of money or other cattle will also be indicated in like manner, as to which, let it be understood, there can be no change.

This duty should be done with great care, and the agent to whom it is confided will be enjoined to use every means of arriving at a proper decision in each case, and of convincing those concerned, that he is right; he will also assure them that they shall receive cattle in every respect as good as those taken, and very shortly after they arrive in their new country.

The cattle will all be branded U. S. and sold at public sale, notice having first been given as extensively as possible. The proceeds will be paid immediately to the disbursing agent, or to a person duly authorized by him to receive them.

As soon as the business is closed, the statement will be forwarded to this office, and a copy kept by you. No certificates will be given to the Indians, but great accuracy will be required in the entry of the names of the owners.

A copy of the statement will be taken west by Lieut. Harris, who will leave it with Captain Bunn. That officer will be instructed to advertise for proposals for furnishing the cattle required, to be delivered after he receives the approval of the statement from me. Lieut. Harris will be instructed to turn over to the agent west, a sufficient amount of funds to pay those preferring money, who will receive the appraisement price.

Assistant agent, Joel Yancy, is designated to carry into effect the foregoing instructions, to which you will add such as you may think proper for his Government, and not inconsistent with these. He will be considered whilst in the actual prosecution of this duty, as performing service equivalent to travelling west with Indians, and will receive his necessary travelling expenses.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,

*Superintendent Seminole Removal,
Seminole Agency, Florida.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. April 4, 1835.

SIR: Having completed your duties as disbursing agent to Western Choctaws, you are hereby assigned to the disbursing agency of the Seminoles. You will report to Captain Brown, at Little Rock, who will, at the proper time, direct you to proceed to Rock Row, for the purpose of superintending the arrangements he may make there for the reception of the Seminoles, about to emigrate under the direction of Lieut. Harris. You will accompany that officer west, and when the Indians arrive in their new country, will take charge of them. Further instructions will be transmitted to you.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieut. S. W. MOORE,

Cherokee Agency, west of Ark. Territory.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. April 5, 1835.

SIR: The Seminole Indians will immediately be removed from Florida. The superintendent, General Wiley Thompson, is actively engaged in making preparations for the commencement of the removal, and the disbursing agent, Lieutenant J. W. Harris, is now on his way to Florida, and will reach the agency in a few days. I am under the impression that the number of emigrants will not exceed twelve or fifteen hundred, but as to this you will be more correctly informed by the superintendent, who is directed to give you information, at the earliest day, of the number; and who will, I do not doubt, keep you apprised of the progress of the removal.

The Indians will cross the gulf to New Orleans, and thence up the Mississippi to Rock Row in steam-boats. From Rock Row to the new country they will travel by land, arrangements for which will be made by you.

At the proper time, and I believe you will find it advisable speedily, you will enter into conditional arrangements for both transportation and subsistence. As to the mode of engaging the former I refer you to the circular herewith, page 6, and to the form of wagon-roll. You have already been apprised that Lieutenant S. W. Moore would be assigned to the subsistence of the Seminoles west. Instructions for that duty will soon be sent to him. Wm. Armstrong, Esq. has been directed to go to Little Rock and co-operate with you in this business. A copy of his instructions is enclosed. He will proceed to Rock Row accompanied by Lieutenant Moore. The latter may make any disbursements necessary before the arrival of Lieutenant Harris with the Indians, but you will take up his vouchers upon your own abstracts.

"The Indians will, perhaps, be accompanied, as far as Rock Row, by other officers of the army besides Lieut. Harris. In this case they may be relieved at that point, if it can be done with safety. Lieut. Moore can take the place of one of them; and should another agent be wanted, Col. Rector can be employed.

"If you had not heretofore been more than once disappointed in the results of emigration, I should now direct you, without waiting to ascertain the number of Indians, to advertise for proposals, distinct from those for provisions to be issued during the removal, for the Seminoles after their arrival on the new lands. For this reason, I prefer you should advertise proposals for the supplies, both during and after the termination of the removal, together. The contracts may be divided, or the bills of the contracts may distinctly show *when* the supplies were delivered. The time of the contract may be *"during the emigration of the Seminoles for Rock Row in 1835, and for one year after the day of their arrival on their lands west of the Arkansas Territory."*

Lieut. Harris will continue to conduct and disburse for the Seminoles until he turns them over to their disbursing agent west, at the termination of their journey.

All payments made by him for services of any description, engaged by Mr. Armstrong or yourself, will be paid for upon requisition signed accordingly. You will pay for subsistence and transportation furnished during the travel from Rock Row. The wagon abstract will have, in each case, on the margin, the statement of Lieut. Harris to the individual performances of the teams.

I will place to your credit in the Union bank of Louisiana, at New Orleans, five thousand dollars on Seminole account.

The cattle of the Seminole Indians will be taken from them under appraisal, for which they will be paid in money or other cattle. I have directed Lieut. Harris to give you the "statement" of the cattle agent. As soon as you receive it, you will advertise for the number of head of the different kind wanted, to be delivered in about sixty or ninety days. Every precaution must be taken to have them of good quality. As the superintendent will send me from Florida a copy of the statement, I shall be able to receive and examine it, and remit to you the requisite funds shortly after the appearance of your advertisement. As soon as you publish it send me a copy.

You will examine well the circular to which I have before alluded. It is full of important and instructive matter. The practical rules it contains will be strictly adhered to. It will be readily perceived that their observance will effectually secure economy in the practical administration, whilst they are not inconsistent with the greatest degree of efficiency.

GEORGE GIBSON.

Capt. JACOB BROWN, *Prin. Dis. Agent,*
Little Rock, Arkansas Territory.

FORT KING, FLORIDA TERRITORY,
April 6, 1835.

SIR: I have the honor to report my arrival at this post, via Baltimore, Savannah, St. John's river, and Miconopy or Wantons.

Respectfully, &c.

JOSEPH W. HARRIS,
Dis. Ag't Seminole Indians.

Brig. Gen. GEORGE GIBSON,
Commissary General, &c.

FORT BROOK, TAMPA BAY, E. F.
April 13, 1835.

GENERAL: This will be handed you by Mr. Winslet, (Indian interpreter,) who has been on important services, in this quarter, for the Government. He arrived here on the 1st day of January last, with General Thompson, Indian agent, since which period he has been rendering his constant services to the Government in the most zealous and efficient manner; and to which I must attribute very much, the prompt, and passive compliance of the Indians, in this quarter, to go and keep within their boundary line, as well as their general sobriety and good conduct, as repeatedly represented to you in my past communications. He has certainly contributed to direct the attention of the Indians, in this quarter, to the propriety and necessity of an observance of their treaty and good behavior. He has done much to check trade and intercourse between the whites and Indians, (particularly in whiskey,) a circumstance which could not have resulted but from Mr. Winslet's vigilance, by being frequently out, (and for considerable periods and distances,) among the whites and Indians. These

are among many services which Mr. Winslet has performed. Indeed such have been the friendly and devoted feeling and exertions manifested by him, in favor of the interest and measures of the Government, in relation to the removal of the Indians, by frequent talks with them, to induce them to yield in all respects a strict compliance with their treaty, that I have frequently concluded that his services and exertions, have been as important and beneficial, as they were properly regarded by General Thompson and yourself, as indispensable; and let me add that the services which have been necessarily required of him could not possibly have been performed without a horse; the expense of which in keeping at this place, he says, and I have it from others, (one of whom keeping forage for sale,) that a horse cannot be properly kept, for frequent and hard riding, except at a great expense. Hay being *three dollars per cwt.* and corn *one dollar and fifty cents per bushel.* Altogether Mr. Winslet's services and conduct, as far as they have fallen under my notice, seem to justify fully the reputation which he is said to have maintained by services heretofore rendered in important and trying times with the Indians: viz., that of being a friendly, zealous, and devoted servant of the Government in his capacity of interpreter and otherwise. As Mr. Winslet thinks himself entitled soon to some compensation for his services, and will mention the subject to you, I have thought it due to him, to urge with you the propriety and justice of his being as well and sufficiently compensated as possible.

I am, general,

Most respectfully, &c. yours,

R. A. ZANTZINGER,

Brevet Major 2d Art.

Brigadier Gen. D. CLINCH,

Commanding U. S. troops in Florida.

WAR DEPARTMENT, *April 14, 1835.*

SIR: I send for your information and government the copy of a letter this day addressed to General Clinch.

Respectfully, &c.

LEWIS CASS,

Secretary of War.

General WILEY THOMPSON,

Supt. Sem. Rem. Fort King, Florida.

WAR DEPARTMENT, *April 14, 1835.*

SIR: Your letter of the 19th ultimo, to the Adjutant General, has been laid before me, and I have conversed with the President on the subjects therein referred to.

Your views seem to me to be equally judicious and humane. Certainly there is not the slightest wish to oppress the unhappy Seminoles, who have stipulated for their own removal. But their continuance where they now are, for any length of time, is absolutely impossible; and the sooner they are satisfied of this fact, the better it will be for them. Still, however, I should much prefer a voluntary and peaceable removal, to one effected by force.

It would only be in the last resort that the Government would be willing to compel them to comply with their own engagements. And it would be better to suffer a temporary inconvenience, if thereby their feelings could be quieted, than to require them to remove without their own consent. The matter, therefore, is referred entirely to your discretion, and to that of General Thompson. If they should all be willing to go this year it will certainly be better to remove them. But if they are opposed to this, and will generally agree quietly to remove by the first of March, or as soon thereafter as the necessary arrangements can be made, then they may be suffered to remain until that time. But in that case let a written agreement be drawn up stating the reason of the delay, their entire readiness to remove by that time, and to go in a body by such route as you and General Thompson may think best for them, and most economical to the Government; and let this agreement be signed in open council by all their influential men. It is my decided opinion that they had better go by water; and every proper inducement should be held out to them to assent to that measure. Still, however, if their repugnance should prove invincible that point may be yielded to them.

Should the Seminoles, however, peremptorily decline to pledge themselves peaceably to remove next season, you will then proceed to carry into effect the instructions heretofore given. A copy of this communication will be addressed to General Thompson for his information.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,
Commanding at Fort King, Florida.

FORT KING, FLORIDA TERRITORY,
April 15, 1835.

SIR: I have the honor to acknowledge your circular of the 21st instant, accompanied by general order No. 14, relating to the construction of the proviso to the Harbor Bill, passed by Congress on the 3d March, 1835.

My letters to you of the 9th, 10th, and 16th ultimo, contain my sentiments as to the legality of detailing officers of the army for duty as disbursing agents, conductors, &c. in the removal of Indians without their previous voluntary consent, and without an adequate compensation for their extra services and responsibilities. These sentiments remain unchanged; and I enter, respectfully, but firmly, now, as I did then, and shall, upon all occasions, when I conceive my rights invaded, my protest against such details.

I have the honor herewith to cover my account current for the first quarter, with its necessary abstracts and vouchers.

I regret that I am unable to give you any satisfactory information as yet, with regard to the removal of the Florida Indians. - Generals Thompson and Clinch, conforming their conduct to the pacific nature of their instructions from the honorable Secretary of War, have conceded to the chiefs their request that they might be allowed until the 20th instant, to assemble in general council at this place, when they promise to give their final decision. Until this council is over, we can do nothing.

I have no hopes, myself, of effecting a voluntary removal of the Indians this season. And should the chiefs ask, in a proper manner, permission for their people to remain in this country until the coming winter, I shall advise that it be granted to them, upon their solemn pledge, that at that season, and upon a fixed day, the *whole body* of the *Florida Indians*, shall begin their journey to the west. This should be accorded to them as a very great favor, and as another great proof of our forbearance and friendship. It promises a much happier result to undertake to remove the *whole body of these Indians* at once, and at that time, than to begin now to emigrate them by *thirds*.

It will be the 24th instant, at least, before the decisions of the council are known; from the 5th to the 10th of May, before I can reach New Orleans; and as neither sub-agents have been appointed, nor means of transportation, &c. as yet sought for in consequence of the uncertainty of every thing here, it will be at the shortest, and under the most favorable circumstances, the first of June before these people can be embarked at Tampa Bay. They will then be exposed upon the gulf to the waters of the Mississippi and White rivers, in the month of June, perhaps July, a season when, during the past year, both the malignant cholera and yellow fever raged in those regions. Should a portion of this third fall victims to either of these diseases, we shall stand but a poor chance of removing the remaining *two-thirds who are left behind*.

Should it be resolved to make the attempt by *land*, they will hardly get off before the first of July, and will then have about twelve hundred miles to march, over, for the most part, a *bilious* country. In this case they will reach their new homes, *if ever*, somewhere in the early part of *November*.

By my returns, it will be seen, that at Baltimore, I purchased eight hundred bushels of corn; and at Savannah, twenty-four and a half bushels of salt. In case of removing the Indians, it will be fortunate that I did so; if not, I think I can dispose of it without loss. The natives are much pressed for want of bread stuff. Should we come to terms, I shall propose to furnish the corn to the needy in part payment of their *annuity*, and account for the same reciprocally to your office and to the Indian Bureau. These provisions are at present securely stored at Black Creek, eighty miles from the agency.

Corn cost me at Baltimore sixty-seven cents per bushel. Salt at Savannah about seventy-two cents per bushel: the former commands here at from one dollar fifty cents to two dollars: the latter two dollars, and difficult to be had upon these terms.

I have the honor to be, &c.

JOSEPH W. HARRIS,

Lieut. Dis. Agent of Florida Indians.

Brig. Gen. GEO. GIBSON, *Com. Gen. &c.*

FORT KING, FLORIDA, April 20, 1835.

SIR: On assuming the command of the troops in Florida, I was impressed with the importance of procuring men of firmness and integrity of character, to act as Indian interpreters at this post, and at Fort Brooke, who were well acquainted with both the English and Indian languages, and also firmly attached to the cause of emigration. From a long acquaint-

ance with Mr. Winslet, who had acted with me in the Creek country eighteen years ago, together with the strongest recommendations in his favor by General Thompson and Captain Graham, I engaged him to perform the duties of Indian interpreter at Fort Brooke, and the enclosed letter from Major Zantlinger, the commanding officer at that post, will inform you of the important services rendered by Mr. Winslet in the capacity of interpreter. When the arrangement was entered into between Mr. Winslet and myself, I stated to him that I could not say what his compensation would be; but that I would state his case to the honorable Secretary of War, who, I had no doubt, would be willing to give a liberal compensation, provided his services entitled him to it. I feel confident that he has been zealous and active in the cause, and that he has rendered important services since his employment at Fort Brooke; and I respectfully and strongly recommend his claims to the liberal consideration of the honorable Secretary of War.

I remain, with high respect,
Your most obedient servant,

D. L. CLINCH.

Brevet Brig. Gen. R. JONES,
Adjutant General, Washington, D. C.

SEMINOLE AGENCY, April 27, 1835.

SIR: Lieutenant J. W. Harris will enclose to you a copy of the joint report to the Secretary of War by General Clinch, Mr. Harris, and myself relative to the emigration of the Seminole Indians.

Should the course recommended, meet the approval of the Department, the report will indicate the necessity of correspondent changes in your instructions to Mr. Harris and myself.

If the Department approves the arrangement which is submitted, there will be no employment here for Colonel Yancey, who arrived at this place on the 19th instant, until November or December, as the Indians do not begin to gather their cattle the second time in the year, until about that period. During the intermediate time, it is to be expected that the obstinacy of the malcontent Indians will be made to yield. Until a large proportion of them do yield, it would be difficult, not to say impossible, for Colonel Yancey to accomplish the object of his appointment, as the refractory Indians have not yet consented to surrender their cattle: and if an attempt were made to value the cattle of the friendly Indians under existing circumstances, it might produce unpleasant and embarrassing collisions. Besides, the Indians will be compelled to use a considerable portion of their cattle for subsistence during the summer.

Colonel Yancey desires to know whether he is to be allowed travelling expenses from his residence to this place? The regulations answers the question; but he urges that a similar allowance has heretofore been made to others.

For the purpose of reducing the refractory Indians to a sense of their dependence, and to withhold from them the means of doing mischief, I have prohibited the sale of arms, powder, and lead, to them.

When active operations commence under your revised instructions (should a revisal of them become necessary), I shall need the aid of an

active man as assistant to the special agent, to assist me "in the discharge of the more important duties connected with emigration." Allow me to express, very respectfully, a hope that the appointment will be given to *an efficient man of sober, steady habits.*

A total prohibition of the sale of powder and lead, to the refractory Indians, will deprive them, to some extent, of their ordinary means of subsistence, unless, as has been reported, they have a considerable deposit of those articles. I submit to you whether the order shall be somewhat relaxed, or whether rigidly enforced?

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Gen. GEO. GIBSON, *Com. General, &c.*

SEMINOLE AGENCY, April 27, 1835.

SIR: Application was made to me this morning for permission to purchase negroes of the Seminole Indians, under a letter from the office of Indian Affairs, addressed to General Call, in which the commissioner says, that as there is no law prohibiting the sale of slaves by Indians, there is no necessity for the interference of the Department to allow to the Indians a privilege which they already have.

The intercourse laws prohibit the purchase of an Indian pony, by a member of civilized society, without permission from the agent; and why? but because the Indian is considered in a state of pupilage, and incapable of protecting himself against the arts and wiles of civilized man. If the Indian's interest in a pony is of so much importance in the estimation of the Government, as to require such strict guards to be thrown around it, the protection of his interest in his slave should be esteemed more important, by as much as the latter is more valuable than the former species of property. If, in the regulation of the sale of ponies, the United States exercise a rightful power, the obligation on them to guard the interest of the Indian in his slave, is greatly more imposing.

The negroes in the nation dread the idea of being transferred from their present state of ease and comparative liberty, to bondage and hard labor under overseers, on sugar and cotton plantations. They have always had a great influence over the Indians. They live in villages separate, and, in many cases, remote from their owners, and enjoying equal liberty with their owners, with the single exception, that the slave supplies his owner annually, from the product of his little field, with corn, in proportion to the amount of the crop; in no instance, that has come to my knowledge, exceeding ten bushels; the residue is considered the property of the slave. Many of these slaves have stocks of horses, cows and hogs, with which the Indian owner never assumes the right to intermeddle. I am thus particular on this point, that you may understand the true cause of the abhorrence of these negroes of even the idea of any change. And the indulgence so extended by the owner to the slave, will enable you to credit the assertion, that an Indian would almost as soon sell his child as his slave, except when under the influence of intoxicating liquors. The almost affection of the Indian for his slave, the slaves fear of being placed in a worse condition, and the influence which the negroes have over the Indians, have all been made to subserve

the views of the Government. Indians and negroes were assured, at the formation of the treaty at Payne's Landing, that their removal west would, more than any thing else, secure a continuance of their present relations, and hence the stipulation contained in the sixth article of that treaty. I have uniformly told these people (Indians and negroes) that they will find their greatest security in a removal west; and I have given them a pledge that I will do every thing in my power, consistent with the just rights of others, to save blacks from worse bondage, and to counteract the operations of interested intermeddlers. I have long since declared that I will not permit a sale of any slave, unless it be clearly dictated by *humanity*. This course, added to the indefatigable exertions which General Clinch and myself have made, has secured the results which you have exhibited in the accompanying report.

To counteract my efforts, it is now whispered among the malcontent Indians, that my object is to secure the negroes to myself or other white men, and the moment I am called upon to meet this new difficulty, a party of whites arrive at the agency, with what they consider a permission from the War department, to purchase slaves from the Indians. Were this to be made known, the impression which is now sought to be made, that I design to get negroes into the hands of the whites, would be immediately matured into a fixed conviction, which would, I fear, entirely mar our prospects, as it is reasonable to suppose that the negroes would en masse unite with the malcontent Indians. Fortunately the application was first made to me. I explained to the gentleman who made the application the danger to be apprehended, should the object of their visit be made known, and forbid their saying any thing on the subject; they promptly pledged themselves to be silent. I repeated to them the declaration, that nothing should induce me to permit or sanction the sale of any negro, unless it should be clearly dictated by *humanity*; and to the above reasons I added that something is due to the negro himself. His state is one of ease and comparative freedom, to secure a continuance of which, solemn pledges have been made to him, and I should feel that I was accessory to the enslaving a freeman, if I were to permit the sale of one or more of them, to favor the views of those who, for their own aggrandizement, may wish to purchase.

I have thus been prolix in the development of the views and motives which have prompted my course, because, with the most respectful deference to the Department, I should consider any other an abandonment of the principles of the treaty, and of *humanity*.

If the substance of the letter to which I have referred, shall unfortunately become generally known, I fear that many will thence take license and rush into the nation, with a view to every variety of speculation. Should this happen, and be tolerated, God only knows what the consequences will be. Fearless of consequences, I will, to the extent of the means within my control, restrain any and all persons from entering into the nation for such purposes, until I receive instructions from you upon the subject.

WILEY THOMPSON.

HON. LEWIS CASS.

FORT KING, FLORIDA TERRITORY,
April 29, 1835.

Brig. Gen. GEORGE GIBSON,
Com. Gen. &c.

SIR: I have the honor to acknowledge your letters of the 21st and 27th ultimo; as also of the 3d instant, together with papers accompanying the same. Your instructions, as conveyed therein, will be complied with. Enclosed herewith is also a copy of the joint report of Generals Clinch and Thompson, and, through the courtesy of those officers by which, since my arrival here, I have been invited to a seat at their councils, of myself, to the hon. Secretary of War, of recent proceedings relating to the removal of the Florida Indians.

From this it will appear that the officers and agents of Government have felt themselves called upon to defer any further attempt to remove these Indians until the coming winter; and that they deem it expedient, instead of one-third, to endeavor *simultaneously* to remove *every Indian in Florida*. The reasons for those decisions, as embodied in the report, will, I think, prove satisfactory to you; as also those for selecting from the middle to the close of January for the commencement of the voyage. In addition to the reasons given therein, we are more likely to meet with a favorable stage of water, either in the Arkansas or in White River, in February and in March, than in any other months. Should the waters of the former river be up when we reach them, I think it may be both practicable and prudent to land our charge upon some point of the Canadian, perhaps in the Seminole territory. This would save much time, trouble, and expense; but should not be undertaken without the sanction of the western agents.

My plan would be to engage steam-boats under obligation to transport the emigrants, water permitting, either to Rock Row, Little Rock, or some point on the Canadian river, within the Seminole territory, "to be decided by the special agent or myself hereafter." Changes, of course, to be regulated by the point of final debarkation. Upon our arrival at the mouth of the Arkansas river, our advices from Captain Brown would instruct us whether to proceed to Rock Row, or to ascend the Arkansas to Little Rock; and upon our reaching the latter place, it would be time enough to decide whether it would be prudent to prosecute our journey upon the water. My previous advices to Captain Brown, as to the probable time of my reaching the mouth of the Arkansas river, would enable him to judge whether the waters would, at that time, favor our ascent to Little Rock. By the last mail I corresponded fully and freely with Captain Brown, asking his advices on these and other questions connected with our removal, and preparing him for our failure to effect an emigration the present season. I shall continue to advise him as the business progresses. I shortly expect to receive, through General Thompson, the report of the collector at Tampa Bay, showing the draught of water that may be "brought in" to various points upon the Bay.

There is a small cape upon the Bay called Gadsden's point, from 20 to 30 miles below Fort Brooke, which I understand is easily accessible by land, and to which, if my recollections serve me, in the spring of 1832 I myself carried in from 11 to 13 feet of water. Should I, upon a critical examination, find this point as desirable as I am sanguine to think I shall, brigs of a larger class, and ships of the smaller, may be employed with the greatest advantage, both as to economy and health, in the transportation of our Indians.

The means of transportation across the Gulf should be obtained at New York. At the season we shall require them here, vessels are sailing in *ballast* from that port to New Orleans *in quest of freight*, and would stop in at *Tampa Bay* and accomplish the service required at a much less rate, probably 50 per cent. than that for which vessels would *leave their market* at New Orleans, or Mobile, to make an *express trip for the purpose*.

I would not advise furnishing a greater amount of transportation than will accommodate *three thousand* individuals. In my own opinion the census of the Florida Indians, if taken, *would not much exceed that number*, including negroes. It is generally thought to be about 5,000. Should a greater number than this be assembled, the surplus might be retained under a competent officer, the special agent or myself if necessary, until transport could return from the Balize. This should not detain the main body a day; the parties should be independent of each other. With regard to the purchase of subsistence, I shall solicit advices from the assistant commissary of subsistence, New York and New Orleans, respectively.

My further plan would be to proceed to New York, in the month of October, and from thence to New Orleans, to advertise for bids, and to close my contracts for vessels at the former, and for steam at the latter place. The business I of course wish to *superintend in person*, and to be distinctly understood by my contractors. At this time, too, I can make choice of markets for the purchase of subsistence.

The suggestion of "disembarking the Indians at some point below New Orleans, and of engaging steam-boats after my arrival in the Mississippi river," I would respectfully recommend should be abandoned: first, because there is no point in the neighborhood of New Orleans, where the disembarkment could be effected, under other than circumstances highly unfavorable; and secondly, to engage steam-boats after our arrival, would consume too much time, during which we should be daily adding so much to our expenses of subsistence and contingencies, and to the expense of the health of our company. On the contrary, I would prefer engaging my steam-boats to meet me at any time between the 1st and the 20th of February, at the Balize, upon a notice of three days. This notice I would be able to *forward* in season, after we begin to collect the Indians, and I should, in my calculation of time require to cross the gulf, assume the average voyage. The transportation I hope to employ will be of too heavy draught to enter Lake Ponchartrain, and even if not, I think it would be preferable to take steam at the Balize, where the steam-boats would drop along side of the transports, and an exchange of freight, &c. would at once take place, to undergoing the additional delays and expenses of 1st, disembarkation; 2d, loading of canal boats or rail-road cars; 3d, transportation to the city (4 miles); 4th, drayage to the steam-boats; and 5th, reshipment.

After accomplishing my business at New Orleans, I should return by post, direct to this place, where I would be able to arrive in season to superintend the duties of my department in collecting the Indians.

In your letter of instructions to the special agent, I observe you have directed that the poneys belonging to the Indians, shall be sent by land to the new country, and in the copy, covered to me, of your communication to said officer of the 3d inst. relating to the appraisement of cattle, it would appear doubtful whether under that term you embrace *hogs*. To the latter I thought it my duty to call your attention, although I do not doubt your intention that these animals shall be appraised and disposed of

together with the cows, cows and calves, &c. otherwise, what satisfactory or equitable disposition can be made of them. As to the arrangement of the poneys, proposed by you, justice to the Indians requires that it should be objected to. It is extremely doubtful how many of these beasts, under the guidance of a man who has no personal interest in them, and of a responsibility, that can be hired at \$2 per day, with Indians only to assist him, through such a country, and in a journey of *twelve hundred miles*, would ever reach their point of destination. Probably very few, and those so broken down as to be of little value. The loss would be occasioned by the stealth, fatigue, diseases, and accidents, consequent upon so long a journey, through so wild and broken a region, whose sparse population is composed of the most lawless ingredients.

I would respectfully recommend that the Indians should be required to pack all their poneys into Tampa Bay, which should be the point of assemblage. This will save the employment of a number of baggage wagons. Then the poneys should be turned over to the appraising officer, and together with the surplus cows and calves, hogs, &c. over and above what we shall require for subsistence in assembling, should, after having been duly valued, be driven under the charge of an officer of the army, the appraising officer, and suitable drivers to Tallahassee, where upon, ample previous notice, they should be disposed of at public sale.

I would also urge upon the Department the propriety of our being left in the uninterrupted selection of our sub-agents; respectfully suggesting that we who are upon the spot, and who personally observe the obstacles with which we are opposed, are not better judges of the material required for our aid than those who are absent. This assistance as far as practicable should be selected from the army; and I would request that Gen. Clinch be ordered to answer the requisitions of the special agent upon him for conductors, &c. to the extent that *officers and non-commissioned officers* can be spared. The special agent requires an efficient assistant special agent, and for the reasons above given, I think he should be authorized forthwith to appoint one. His duties are arduous and must continue so to be until the Indians are removed. The state of things here is such as to require his constant vigilance to counteract the effect of the influences of designing men; and the Indians and the negroes require much looking to.

We have now fixed upon a definitive time for the *simultaneous removal* of all the Indians of Florida. We have told these people why, in friendship to themselves, we have not removed them this spring. It is too late to parley with them further. Promptness and energy are required from all quarters. Of you we ask that which has already been written, and that our *final instructions*, and our *last orders*, may be forwarded to us as speedily as practicable.

General Clinch should be required to report whether he has sufficient force to co-operate with effect, in case it should become necessary to resort to violent means in collecting these Indians; and, if he has not, it should be granted to him; and this reinforcement should be here in *November*.

As the season approaches, runners will be despatched through the nation to warn all good Indians to assemble, of their own accord, at Tampa Bay, on the 1st January. A few days should be allowed for the well disposed to come in, and we should give ourselves the *remainder of the month for collecting the obstinate*, and these should be brought in gently, if practicable; tied, and at the *point of the bayonet, if necessary*. On the first of February, at the farthest, we should commence our voyage.

In assembling the Indians, I shall propose to establish a depot of rations at this place, and another about 40 miles below, between this and the point of assemblage. At these the several parties of emigrants can, under their respective chiefs, receive provisions sufficient to subsist them to Tampa Bay.

It will be seen by the report enclosed, that it is recommended to provision these starving Indians, at least partially so, for a few weeks; and that it is advised to distribute the corn I report on hand, amongst them. In a former communication, I recommended it should be given in part pay of their annuity. I think it would be better *if possible* to give it to them.

In my answer to the letter from the Indian commissioner, requiring me to pay the annuity, &c. I protested as usual to the principle, and *consented to do the duty*. I do not know that it will interfere with my other calls. If it should, I shall avail myself of the authority granted in yours of the 21st ultimo.

I have as yet received no advices from the 2d Auditor of funds deposited at Tallahassee. Agreeably to your letter of instructions, there should be \$5,000, in deposite there to my credit, over and above the Indian annuity, &c.

I am authorized to say, the special agent concurs in the sentiments and suggestions of this letter.

I have the honor to be, &c.

JOSEPH W. HARRIS,
Lt. Disb. Agent, Florida Indians.

FORT KING, FLORIDA, April 24, 1835.

To the Hon. LEWIS CASS, Sec. of War:

SIR: In compliance with the instructions which we have received, from time to time, relating to the removal of the Florida Indians, we have, under the pacific policy so strongly enjoined by yourself, exercised our capacities to the best of our abilities, and we have now the honor to submit to you the following report:

About the time the President's talk to the chiefs and warriors of the Seminole nation was received, a council of some one hundred and fifty of the principal of those chiefs and warriors had assembled, by a previous understanding, at this place, to consult with the agents of Government on matters touching their national welfare. The opportunity was considered favorable to the reading of the talk, and it was read. The chiefs and warriors assembled listened to it attentively, and the effect produced was evidently favorable to our wishes.

Jumper, upon this occasion, expressed the sentiments of the chiefs, declaring that they had listened attentively to the talk; but that upon so important a question, and when they saw so large a body of their people unrepresented in the council, they could not assume the responsibility to decide. He asked for *thirty days* to bring together a fair representation of the whole nation. This council was on the 29th ultimo. Until the 20th of April was granted to him to summon a general council of the chiefs of his nation.

Owing to the absence of several chiefs whose presence was desirable, this council did not convene until the 22d instant. Several hundred of the

Seminole were then present, composed of the chiefs and principal warriors of the nation.

The council was opened by the special agent, who explained to the Indians the friendly nature of our relations with them up to the present time; its disposition to promote their good; and his own hopes that they had now assembled to fulfil their promises and to act like honest men. The treaty of April, 1832, was then read to them, and fully explained, and they were bade to listen to the last talk that their great father, the President, would make to them on this side of the waters of the Mississippi. The talk having been read, they were told that we were ready to hear their decision.

Jumper was again the speaker of his nation. He expressed sentiments opposed to the treaty and to a removal from their present homes; yet sentiments, solicitous of our friendship, and averse to a hostile resistance should we employ force to oblige them to go. He was followed by others who spoke as he did; and the day was wasting in unmeaning talk and idle objections, when General Clinch briefly and firmly declared to the chiefs assembled that "the time of expostulation had passed; that already too much had been said, and nothing had been done; that the influence of the agents of Government, their powers of persuasion and of argument had been exhausted, both in public councils and in private interviews, to induce them to do right; that we had lingered long enough in the performance of our duties to have averted, had they been willing, the evils which threatened their foolish resistance to the fulfilment of pledges solemnly and fairly made by them, and that now it was time to act. He had been sent here to enforce the treaty; he had warriors enough to do it, and he would do it: it was the question now whether they would go of their own accord, or go by force? With this they were told they might depart, and until the morning was given to them, to think upon what had been said.

On the morrow, the 23d instant, they were called upon to give their final answer. Micoanopa, the head chief was absent, on the plea of sickness, but evidently through a shuffling disposition to shun responsibility. In the course of the morning *eight principal chiefs gave in their assent to abide by the stipulations of the treaty*; five remained opposed to it.

The special agent, General Thompson, had, upon the first intimation in the council of this day, of further resistance on the part of chiefs, demanded of the chief Jumper, "whether Micoanopa," by whom he knew the movements of a number of them to be controlled, "intended to abide by the treaty or not?" And when Jumper finally confessed that he was *authorized* to say that Micoanopa *did not*, he promptly declared that "he no longer considered Micoanopa as chief; that his name should be struck from the council of the nation; that he should treat all who acted like him in the like manner, and that he would neither acknowledge nor do business with him, or with any others as a chief, who did not honestly comply with the terms of his engagements; that the door was, however, still open to them if they wished to act honestly. In consequence of this the *names of the five opposing chiefs* were struck from the council of the nation. And to this decision on the part of General Thompson, we attach important and highly favorable results; and do fully concur with him in deeming the measure both expedient and called for by the occasion.

The friendly chiefs, however, whilst consenting to go to their new country, begged that they might not be hurried away; "they did not expect to

have gone this year; the season was far advanced; and they wanted time to make and gather in their corn, and to settle all their little business."

The lateness of the season was an objection to the removal that had seriously presented itself to our judgments, and we had given it mature consideration. Our conclusions were that it was a vital objection; and that we were called upon by humanity, by the interests of the unfortunate people, and by the best interests of the service in which we are engaged, to desist from any attempt to remove them until the coming winter. Should the trial be made, we could not under our present great disadvantages expect to embark the "one-third of the Seminoles" ordered to be first removed, (or even one-third of the whole nation, pick them up where we could,) until the middle, perhaps the last of June. We would then have midsummer to accomplish their voyage in; and all the dangers of malignant cholera and the various summer diseases of the southern and western waters to encounter. Under such auspices we had every reason to apprehend a fatal result to our enterprise; and from such a result we have every reason to dread the most deplorable effects upon the after interests of the removal. In addition to this we would have robbed this *one-third* of their present year's crop. We would neither have given them an opportunity to have reaped what they have planted here, or to have reached their new country in season to sow and reap. To have made the trial by land would have been even more objectionable; besides, your orders condemning that mode of removal had been received by the last mail.

Under these considerations we deemed it our duty to say to the friendly chiefs, that "we would give their people until the 1st of December next to reap their corn and to complete their preparations; but that as soon after that time as we could make ourselves ready, every *Indian in Florida would be started upon his journey to the new country*;" and we strongly urge upon your consideration the policy of this decision; and that the Indians of Florida be removed in a body. Should misfortunes then unhappily befall the expedition, we will at least have nothing to dread from its blighting effects upon future emigration. We would recommend from the 15th to the last of January as the most fitting season to embark the emigrants at Tampa Bay. They would then reach their new homes in all probability from the middle to the last of March, thereby avoiding the winter of a more northern latitude, and securing to themselves all the advantages of spring.

These people are exceedingly desirous that they should be distinct and separate from the Creeks; should have their own agent, and their own blacksmith. In this, in addition to the reasons which would naturally prompt them to such a request, they have one in which their rights and interests are likely to be immediately involved, and perhaps sacrificed. The Creeks have for some time made claim to certain negro property in this nation, the justness of which the Seminoles deny; and the latter are apprehensive that when they and the Creeks become associated, their rights must yield to the stronger party.

The last season was one of great drought in the Seminole country, and there is a great consequent scarcity of corn; and the severity of the winter has been the destruction of many of their cattle. Owing to this there is a proportionate suffering amongst the Indians for want of provisions. Their situation is truly distressing, and feelingly calls for relief. They ask through us that relief of our Government, and that "they may receive

bread for a few weeks!" And we earnestly and respectfully recommend both this and their previous petition to your favorable consideration.

There are *eight hundred bushels of corn* now in the hands of the disbursing agent, purchased in anticipation of the removal of a portion of these Indians this season; and which will not be disposed of until we can learn the pleasure of the Department; and this corn would do much to allay the pressing cravings of the starving Seminoles.

Should our proceedings as above reported meet with the approbation of the Department, as we honestly hope they will, an early sanction of them will enable us to carry into operation our plans for the ensuing winter with the greater effect.

With every consideration of respect,

We have the honor to be, sir,

Your most obedient servants,

WILEY THOMPSON,

Sup. Rem. Sem. Indians.

JOSEPH W. HARRIS,

Lt. Dis. Agent Indians.

D. L. CLINCH,

Brev. Brig. Gen. U. S. A.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub., May 8, 1835.

SIR: There will be shipped immediately from New York, seventeen bales of blankets, to care of Lieutenant A. Drane, Assistant Quartermaster, at New Orleans, which he will have transported to you without delay. They are intended for the Seminoles about to emigrate from Florida. You will pay the freight from New Orleans, and have the bales carefully examined and stored. The expenses incident to them will be charged to Seminole account.

Instructions for the distribution of the blankets will speedily be sent to you. A copy of the invoice is enclosed

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Lieut. S. W. MOORE,

Disbursing Agent Seminoles,

Care of Capt. J. Bunn,

Pr. Dis. A. I. R., Little Rock, A. T.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub., May 9, 1835.

SIR: I have received yours of the 15th April, covering your accounts for the first quarter, 1835. The purchase of corn and salt is approved. Your advice of the results of the council of the 20th April, is waited for with much anxiety.

Blank forms of accounts and sent to you.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Lieut. JOSEPH W. HARRIS,

Dis. Agent, Florida Indians, Fort King, Florida

WAR DEPARTMENT,
May 20, 1835.

GENTLEMEN: Your report of the 24th ultimo, detailing your proceedings with the Seminoles assembled in general council, has been received and submitted to the President; and he has instructed me to communicate to you his views upon the several subjects embraced in it.

From your report, it appears that eight of the principal chiefs have signified in writing their determination to abide by all the stipulations of the treaties of Payne's Landing, and Fort Gibson, and that five of the principal chiefs refused to acknowledge them. The assent of the chiefs is to be attributed, it would seem, to the declaration of General Clinch, that if they declined to remove voluntarily, they would be removed by force. The President approves of the declaration, upon a full consideration of the circumstances under which it was made. The Seminoles had trifled sufficiently long with the most solemn treaty obligations, to which they had in the first instance acceded, with a full understanding of their character; and the consequences of which they had had, during three years, full opportunity to perceive and appreciate. It is apparent, from your report, that further argument and persuasion would have been fruitless. The Government was, therefore, bound to give effect to the treaty of 1832, to secure the well being of the Indians, and the prosperity of the Territory from which they had agreed to emigrate.

The deposing of the five chiefs by General Thompson is a measure of more questionable character. Such a proceeding has hitherto been unknown in our intercourse with the Indians, and is an interference in their internal concerns, of which neither party has recognised the right. Its immediate effect, by overawing the Indians, may be, seemingly, beneficial; but it is to be apprehended that the reaction will be injurious.

The influence of the chiefs is hereditary, or has been acquired in the field, or in the council; and it is not easily broken. They will be excited by this act, intended as a disgrace and punishment, to oppose more rigorously the project of emigration. And they will have little difficulty in finding instruments and means for this purpose, in the comparatively wealthy negroes mingled with them, and in the facilities for concealment which the extent and character of the country afford. It is the opinion of the President, therefore, that the question of deposing these chiefs should be submitted to the chiefs, or to the Indians assembled in council, and, if confirmed by a majority of either of them, the vacancies should be filled by an election. This is in conformity with the usual course of proceeding among the tribes, and will obviate the evil result to be apprehended from the course that has been pursued. The deposition will then be the act of the nation, or of its constituted authorities, and not of an agent of the Government.

The reasons for delaying the removal, which you have stated, justify that measure. That such delay might be necessary was contemplated by the Department, as you will perceive by the letter to General Clinch of the 14th April. If, as stated in that letter, the Indians will generally agree quietly to remove by the time you have designated, and will signify their agreement in writing, in the manner therein pointed out, no objection will be made to the postponement. But the Indians must understand that their removal will then be enforced in conformity with the treaty.

It is considered unnecessary to maintain a separate agency for the Semi-

noles west of the Mississippi. They will be located in the section of the Creek country assigned to them by the commissioners in Arkansas, and placed under the same agent. If he fails to protect their property from the encroachments of the Creeks, Major Armstrong, the acting superintendent of the western territory, will apply the appropriate remedy. The smith's establishment, provided for the Seminoles by treaty will, of course, be continued.

The Commissary General of Subsistence will give instructions for distributing the eight hundred bushels of corn, now on hand to the Indians.

Respectfully, &c,

C. A. HARRIS,

Acting Secretary of War.

Gen'ls THOMPSON and CLINCH, and Lieut. J. W. HARRIS.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. May 23, 1835.

SIR: Your communication of the 29th April, enclosing the joint report of Generals Clinch and Thompson and yourself, to the Secretary of War, on the subject of the removal of the Seminole Indians, is received. The acting Secretary of War has, under the direction of the President, acted upon the report, and it will be seen mainly assented to what has been performed and recommended. The operation of the emigration will be suspended till January next. In the meantime the agents will, it is hoped, so far understand the intentions of the Indians, as to undertake the task of removal with a great degree of certainty with regard to the consequences.

The various propositions contained in your report shall be duly considered; and as they involve nothing that needs immediate action, no decision will be made upon them until the return of the Secretary of War.

The President has decided, in answer to the petition of the Indians, that they may receive bread for a few weeks, that the eight hundred bushels of corn in your hands be issued to them. Although this is not contemplated by the regulations and instructions, there must be some rule in making the issue. You will, therefore, keep a regular account of the time of issuing, the number of persons, &c. entering the whole on an abstract and provision return, certified by the superintendent. These things, it will be seen, may tend to give a superior degree of authenticity to the transaction.

The advice, of the five thousand dollars deposited in the bank of Tallahassee, was sent to you by the Second Auditor, addressed to that place. He will transmit you a duplicate.

Respectfully, &c.

J. H. HOOK, U. S. A.

Act. Com. Subsistence.

Lieutenant JOSEPH W. HARRIS,

Disbursing Agent, Florida Indians, Fort King, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. May 26, 1835.

SIR: Your letter of the 27th ultimo is at hand. The copy of the report alluded to has been received from Lieutenant Harris. The War Department has apprised you of the determination of the President as to the several matters treated of. It is decided that the removal of Indians may be deferred till the time proposed, January, 1836, prior to which time this office will take into consideration all the circumstances that have a bearing upon the subject, with a view to such modification of the instructions as may be requisite.

You remark in relation to the postponement of the removal, that if the arrangement is approved, there will be no employment for Colonel Yancey till November or December. It is decided by the President, to whom your letter has been submitted, that it would be inexpedient to send Colonel Yancey home after the reception of this letter, with the view to the recalling him in the fall; because the expenses of the travel, all which he has to defray, would be inordinate, compared with his income. Besides, the President believes; as he has been ordered to Florida, he should be retained a reasonable time; and that some duty or other may possibly be found for him to perform, prior to the commencement of active operations.

The proposition to appoint an efficient man, of sober habits, as an assistant to the special agent, &c. will receive the attention it merits. It shall be submitted to the Secretary of War, after his return to this city, and I doubt not will meet his approbation.

The acting Secretary of War has deemed it proper, also, to submit to the President the fact, stated by you, of having prohibited the sale of arms and powder and lead, "for the purpose of reducing the refractory Indians to a sense of their dependance, and to withhold from them the means of doing mischief."

The President is of opinion, that this prohibition will not produce any good, and may be a source of additional irritation. The Indians, he thinks, will get arms and ammunition at all events. He directs, therefore, that your regulation be repealed.

Respectfully, &c.

J. H. HOOK, U. S. A.
Act'g Comm'y. Sub.

General WILEY THOMPSON,
Supt. Removal Seminoles, Fort King, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. May 27, 1835.

SIR: Your letter of the 2d instant is received. The reason for which you have not advertised for contracts to supply the Seminoles on their way westward, are entirely satisfactory in themselves; but more particularly so, in consequence of information recently received at this office, that those Indians desire to remain till next winter, when it is expected that they will all, or nearly all, remove. The indulgence has been granted them by the direction of the President. You have been, doubtless, apprised by Lieutenant Harris of the wishes of those Indians and of the agents of the Government among them, and you may, therefore, look upon it as settled, that

no removal will take place this season. January next is the appointed time. You will, therefore, withdraw your advertisement for proposals to furnish the year's subsistence to the Seminoles.

Allusion is made by you to indiscreet publications in a Memphis paper, as the source of great loss to the contractors, for supplying the emigrant Creeks of last season. It is gratifying to learn that those who suffered from the deception, are satisfied with your course. It is hoped that no agency in the publications has been traced to any one then having a connection with the emigration of the Indians. The concessions which you have made to those disappointed contractors, meet, therefore, with approval, and, it is believed, are fortified by considerations of good policy as well as liberality. But, as the Seminoles will not remove until next January, would it be expected by the individuals alluded to, that their privilege should be extended beyond the time specified, in which they are allowed to furnish Indian supplies, so as to embrace those Indians. As this privilege embraces all emigrants, who may remove, to the 30th September next, it may possibly enable them to supply the Creeks, who, it is expected, will go over in considerable bodies by that time. In this case the expediency may be doubted of any extension of the time, but if any is given, it should not go beyond December. In all this, it will be well to have the transaction authentically made, and properly understood, so that no difficulty may hereafter arise.

As it is the determination of the Department to economise to the utmost extent, consistent with expediency, it will be proper to reduce every expenditure growing out of the anticipated removal of the Seminoles, and if any agents or others have been employed by you, they will be discharged or suspended.

JAMES H. HOOK.

Captain JACOB BROWN,

Principal Disbursing Agent, Little Rock, A. T.

LITTLE ROCK, A. T., June 2, 1835.

SIR: I am just in receipt of a communication from Lieut. J. W. Harris, disbursing agent for the removal of the Seminole Indians, informing me that those Indians would not be removed this year. In consequence of this information special agent Armstrong has left for Nashville. No arrangements have been made in anticipation of this movement, that will, in any manner, involve the Government in consequence of this failure.

Lieut. Moore, who was some time since ordered to this place, has not yet reported. He informs me that he has applied to be relieved; and as the Seminoles will not emigrate the present season, the detail of an officer for that purpose is not now necessary. I can at any time relieve him of his disbursing duties on account of Indian annuities.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. Army,*
Disbursing Agent, Indian Removal.

General GEORGE GIBSON,

Com. Gen. Sub. Washington, D. C.

LITTLE ROCK, ARKANSAS TERRITORY,
June 3, 1835.

SIR: I cover herewith abstract of bids received for supplying the Seminole Indians in their new country with subsistence up to the 31st December, 1836.

Although it is believed there will not be any emigration the present year, yet I deemed it best to close the contract, in as much as an early emigration next year may be looked for, and as the offer to supply is as low as it is possible for any one, at any future time, to furnish subsistence in that country.

The securities for the contract reside at a distance from this place, and to whom the bonds have been forwarded for signature; so soon as signed and returned one of the contracts will be covered to your office.

Very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. Army,*
Dis. Agent Indian Removal.

Gen. GEORGE GIBSON,
Com. Gen. of Sub. Washington, D. C.

P. S. I would here remark that the competition would have been much greater, had the party of Seminoles reached this section of the country as was intimated that they probably would do, in the published notice for proposals.

J. B.

FORT KING, FLORIDA,
June 3, 1835.

SIR: I have the honor to report to you that under cover with your letter of the 17th March last, I was advised per letter of instructions dated 28th February, that the sum of *thirty thousand dollars* (\$30,000) would be ordered to my credit at the several banks of New York, New Orleans, and Tallahassee. That on the 19th March ultimo, I was advised by the Second Auditor that *ten thousand dollars* (\$10,000) had been directed to be deposited at the *Union Bank at New Orleans*, subject to *my order*; and that on the 16th of May, 1835, my *first draft* on said bank, dated 24th April, 1835, and for the amount of *three hundred and eighty dollars and eighty cents*, (\$380 80) was *protested for nonpayment*, after having been regularly presented and rejected by the cashier. Will the Department ask of the Treasury an explanation of this?

It is the first time I ever had a draft protested, and it is highly mortifying to my feelings to think that I have been subjected to the indignity now; and that my name has been hawked about the streets of Mobile and New Orleans affixed to a dishonored paper.

I need not point out to one of your experience, sir, the inconveniences that are likely to accrue to service from such awkward embarrassments. To prevent a repetition of them, as far as I am concerned, I have the honor to report to you that I have this day apprised the Treasurer of the United States that "I shall acknowledge accountability for no moneys whatsoever that may hereafter be appropriated to be disbursed by me, until I have been first advised of their *safe deposit* by the cashiers of the deposit banks

themselves, and that credit has been given to me for the amount upon the books of the bank."

This protest was received on the night of the 1st instant. By the morning's mail, the first since receipt, I shall cover the Second Auditor's letter of the 19th March, to the cashier of the Union Bank, and shall politely request him to apprise the cashier of the Branch Bank, State of Alabama, at Mobile, (by whom it seems my check was first presented and by him promptly forwarded,) upon what authority I drew the draft.

With very great respect, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent, Florida Indians.

Brig. Gen. GEORGE GIBSON,
Commissary General, &c.

FORT KING, FLORIDA, June 3, 1835.

SIR: As after the receipt of your answers to my previous letters, your instructions with regard to the disposal of corn on hand, &c. there will be no call for any further services here until the fall of the year; I would solicit from you permission, for my health's sake, to pass a month or two at the medical springs of Virginia. From thence, if my suggestions are approved, I can proceed to New York and New Orleans, to secure sea and river transportation supplies, &c. previous to my return here. My departure, of course, subject to the veto of the special agent.

I have the honor to be, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent Florida Indians.

Brig. Gen. GEORGE GIBSON,
Commissary General, &c.

SEMINOLE AGENCY, June 3, 1835.

SIR: A few days ago, Powell, one of the most bold, daring and intrepid chiefs in this nation, and one that has been more hostile to emigration, and has thrown more embarrassments in my way than any other, came to my office and insulted me by some insolent remarks. He had done so before, and I then apprised him of the consequences, should he venture to do so again. He apologized, and I forgave. On this occasion I confined him in irons, as I was fully satisfied the crisis had arrived when it became indispensable to make an example of him. On the next day after he was arrested, he sent to me a proposition to sign the acknowledgment of the validity of the treaty, and begged that I would release him. I informed him that, without satisfactory security that he would behave better and prove faithful in future, he must remain in confinement. He sent for some of the friendly chiefs and begged them to intercede for him; they did so. I then informed him that I would put his sincerity to the test by releasing him, and relying on his word to come in five days, meet those friendly chiefs, and in council subscribe to the acknowledgment of the treaty. He replied that he would not only do it himself, but that he would bring others with him; for that having been brought to proper reflection, he was perfectly

satisfied that the course which he had been pursuing was well calculated to ruin him and his people. True to his professions he this day appeared with seventy-nine of his people, men, women, and children, including some who joined since his conversion, and redeemed his promise. He told me that many of his friends were out hunting, whom he could and would bring over, on their return. I now have no doubt of his sincerity, and as little that the greatest difficulty is surmounted.

Very respectfully,

WILEY THOMPSON.

Gen. GEO. GIBSON.

SEMINOLE AGENCY, *June 3, 1835.*

SIR: I have deferred any action on your instructions of the 1st ultimo, until the Department shall decide upon the recommendation made by Gen. Clinch, Lieut. Harris, and myself, as the decision may make a change of those instructions necessary.

By the 3d article of the treaty of Payne's Landing, "the United States agree to distribute, as they arrive at their new homes in the Creek Territory, west of the Mississippi river, a blanket and a homespun frock, to each of the warriors, women and children, of the Seminole tribe of Indians."

The ordinary dress of the Seminole females is a wrapper, and petticoats of the same material. If, under the above quoted article of the treaty, the females are to be furnished with a dress of the form usually worn by them, it will, I presume, be proper to exhibit specimens of that dress also, and contract for a proper proportion of them to be made.

WILEY THOMPSON.

Gen. G. GIBSON, *Com. Gen. Sub.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. June 12, 1835.

SIR: Your letter of the 20th April, in relation to the employment of an interpreter, was referred, on the 13th of May, to the Indian office, and was not acted on there, because the subject to which it relates was deemed to belong peculiarly to the emigration of Indians. It was accordingly referred to this office a few days since. General Gibson is absent, and I therefore consulted the Acting Secretary of War upon it. He declines giving any instructions on account of the length of time which has elapsed since the man was employed. It is proper, therefore, that the matter should lie over till the Secretary of War returns, when it shall be attended to.

Respectfully, &c.

J. H. HOOK, *U. S. A.*

Act. Com. Sub.

Brev. Brig. Gen. D. L. CLINCH,
U. S. Army, Fort King, Florida.

LITTLE ROCK, A. T. June 13, 1835.

SIR: Herewith I have the honor to transmit a contract, with bond entered into on the 3d instant, for supplying the Seminole Indians with subsistence, from the 1st proximo, to the 31st December, 1836.

Very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. Army,*
Dis. Agt. Indian Rem.

Gen. GEO. GIBSON,
Com. Gen. Sub. Washington, D. C.

SEMINOLE AGENCY, June 18, 1835.

SIR: Your letter of the 21st ult. addressed to General Clinch, Lieutenant Harris, and myself, has been received, in which you say that "the assent of the chief is to be attributed, it would seem, to the declaration made by General Clinch, that if they declined to remove voluntarily they would be removed by force." This declaration had been previously made by General Clinch, and repeated by myself, under the authority of the Department. As you add a grave expression of approbation of the act of making it on the occasion referred to, it would seem that the sentence quoted above was intended as a reply to a remark in my letter to the Secretary of War of the 27th of April. When I say this course, (referring to the assurances which had been given to the negroes and Indians that removal west would, more than any thing else, serve to perpetuate their present relations,) added to the indefatigable exertions which General Clinch and myself have made, has secured the results which you have exhibited in the accompanying report. If you will do me the justice to believe that I have been honest, frank, vigilant, and faithful, in the discharge of my official duties, my apology for thus noticing your remark (should an apology be thought necessary) will be obvious to you.

Five of the principal chiefs, with several of the sub-chiefs, who acknowledged the validity of their treaties on the occasion referred to, had informed us, previous to the day on which General Clinch made the declaration to which you refer, that they were in favor of emigration, and they promised to take open and decided ground in council, but were deterred by their fears of those opposed to emigration. The chief Fue-e-luster Hajo, whose arrival had been delayed by sickness, reached the agency in the evening (after the council had adjourned) of the day on which General Clinch made the declaration. I gave to him, in my office, a view of the state of matters, and in reply to my remark that the friendly chiefs who had been in council that day were too timid, said, that if he should lose his life for doing his duty, he had but one to lose; and that sick as he was, he had come for the express purpose of declaring himself openly in council in favor of emigration. Some of the other friendly chiefs were present, and, inspired with confidence by the firmness of Fue-e-luster Hajo, they came out decidedly in favor of emigration, in open council, the succeeding day. Far be from me a disposition to withhold any thing from General Clinch, for indeed his course and exertions here are worthy of all commendation; but I felt it due to myself to notice your remark by giving a concise statement of facts.

I have not deposed any chief or chiefs of this nation. According to the

custom of these Indians, their national council is composed of the chiefs and sub-chiefs, some of whom had, on the occasions referred to, as well as on previous occasions, declined to acknowledge the validity of their treaties. I was instructed to commence the removal. Many questions preliminary to, and intimately connected with, removal, must, of necessity, be adjusted with these people in council. The idea of submitting such questions to those who obstinately persist in opposition to removal, struck me as being altogether absurd. I therefore declared in council, that I would no longer consider the malcontents as chiefs forming a part of the national council for the adjustment of questions touching the subject of their emigration, unless they should, on reflection, come to the conclusion to do their duty, by acknowledging the validity of their treaties, which I trusted they would soon do, as they would thereby be reinstated in *all* their privileges as members of the council; and that I should henceforth look to the chiefs who had acknowledged the validity of their treaties, with such as may subsequently sign that acknowledgment, as representing the whole nation in council in the adjustment of the questions referred to.

The internal concerns of these people have been no further interfered with by me, of which they are sensible, as the malcontent chiefs have continued to exercise their usual authority and privileges in all other respects. If a modification of this regulation should be thought requisite, do me the favor to instruct me on the subject.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Mr. C. A. HARRIS.

Acting Secretary of War.

SEMINOLE AGENCY, June 19, 1835.

SIR: Your letter of the 26th ult. has been received. I had no idea that it would be expedient to send Colonel Yancey home, with the view to recall him in the fall, if he would be thereby subjected to the loss of the expense of travel, because, as you properly observe, the expense would be inordinate compared with his income. It occurred to me as being possible that the Department might, under the existing circumstances, give him leave of absence until the fall, and pay the expense of his travel. Such an arrangement would have been a great relief to him; and the indulgence would have been such as his age and previous service might, to some extent, justify. In any view of the subject, I feel it my duty to call the attention of the Department to it.

Colonel Yancey informs me (of which I believe I apprised the Department) that assistant agents, connected with the emigration of Indians, have been, in some instances heretofore, allowed the expense of their travel from their residence to their post. If such has been the case, permit me to express a hope that the same liberality will be extended to him. He has frankly informed me that he is poor, and that his pecuniary circumstances and condition are embarrassed. The expense of his long travel from his residence to this post will, if he is compelled to defray it, be somewhat oppressive to him. I make this appeal with some confidence, because I have no doubt that one object with the Department in appointing Colonel Yancey

to this service, was to afford him pecuniary aid. I promptly repealed the regulation which prohibited the sale of arms, powder, and lead, to these Indians. Yet I am satisfied that its operation had been salutary, and I believe it would have continued to be so if it had been maintained.

WILEY THOMPSON.

Major J. H. Hook,

Acting Commissary General of Subsistence.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. July 1, 1835.

SIR: Your communications of the 3d ultimo are received. You have my permission to pass a month or two for the recovery of your health, at the medicinal springs of Virginia, or elsewhere, if it meets the sanction of General W. Thompson, special agent.

On application to the Treasury, in reference to the remittance of \$10,000 to New Orleans, the officers of that Department exhibited the receipt of the cashier of the Union Bank of Louisiana, dated the 9th April last, for the amount, and of instructions to hold the same subject to your order. Your check has, therefore, been improperly refused. It may be remarked, the other remittances have also reached their destination.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Disbursing Agent, Seminoles, Fort King, Florida.

FORT KING, FLORIDA,

July 20, 1835.

SIR: I have the honor to acknowledge the receipt of your communications of the 9th and 23d May.

Enclosed with this, are Joel Yancey's receipts for \$184, being amount of pay due from 1st June to 16th July inclusive, forwarded in blank receipt agreeably to your directions.

My quarterly returns will be covered by the next mail. They have been delayed chiefly through inability to sit at my table. Your earliest advices are again respectfully solicited, concerning sundry suggestions made in the report of Gen. Thompson, &c. of the 24th, and in my letter of the 29th of April last.

I have the honor to be, &c.

JOSEPH W. HARRIS,

Lt. Disb'g Agt. Florida Indians.

Brig. Gen. GEORGE GIBSON,

Commissary General, &c.

SEMINOLE AGENCY, *July 20, 1835.*

SIR: On the 3d ultimo I addressed you on the subject of the frocks to be furnished to the Seminole Indians under the 3d article of the treaty of Payne's Landing, entered into between the United States and the Seminole Indians in 1832.

If the transportation of these people to their new home, is to be by water, as I trust it will, the port of New York should be visited by the disbursing agent, for the purpose of obtaining transports, where they can be more readily obtained, and on more favorable terms than at any other point. Should this be determined on, I submit to you whether it would not be best to contract in that city for the requisite number of frocks? Should you agree with me in opinion, that a better contract can be obtained in New York, than in the city of New Orleans, specimen frocks can, under your instructions, be sent to Washington or New York, and the contract filled in time for the frocks to be shipped by the transports from the city of New York.

Respectfully, &c.

WILEY THOMPSON.

Gen. GEO. GIBSON.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. July 22, 1835.

SIR: I have to-day received yours of the 19th ult. Colonel Yancey is right in regard to allowances having been made to assistant agents for travelling expenses from their places of residence to their posts. But the rule is now established, as a reference to the circular of the 28th February last, of which you have been sent a copy, will show, "that the pay of no agent will commence till he reports for duty to his immediate superintendent."

Respectfully, &c.

GEO. GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Supt. Removal Seminoles, Sem. Agency, Florida.

SEMINOLE AGENCY,
August 1, 1835.

SIR: I herewith enclose to you statements of agents and others employed in the removal and subsistence of the Florida Indians in the two first quarters of the present year.

Do me the favor to send me a supply of blank forms for these quarterly returns.

In the operation of appraising and selling the cattle belonging to the Seminoles, it will be necessary to select some point or points, convenient for an assemblage of the white settlers who may wish to purchase. I am much at a loss in making the selection. Should the sales be made at this post, or any point within the Indian boundary, a host of speculators would thereby be brought into the nation, many of whom, it is to be feared, would throw embarrassments in our way by tampering with these people. It is a fact, notorious here, that too large a portion of the population bordering upon these Indians, are so disposed; and that I am in bad odor with them because I have been able (thank heaven), to restrain, to some considerable extent, their swindling practices upon the Indians, by keeping the former without, and the latter within, the Indian boundary.

Alachua county lies adjoining the northern boundary of the Indian reservation, which, with the next adjoining county, contains a considerable population. The village of Micoanopa, is in Alachua county, twenty-six miles from this post, and about seventeen from the Indian line. I therefore suggest Micoanopa, or some convenient point between that and the line, as one place of sale. Some place in the neighborhood of Pilatka, on the St. John's river, might be selected. Another point favorable to the object may be selected on the St. John's river, east of the reservation.

Your advice and instructions are respectfully solicited.

Respectfully, &c.

WILEY THOMPSON.

Gen. G. GIBSON.

FORT KING, FLORIDA, *August 3, 1835.*

SIR: I have the honor to acknowledge yours of the 1st ultimo, obligingly granting me permission to pass a month or two at the Virginia Spa, or elsewhere, for the recovery of my health.

In consequence of the lateness of the season, and my present state of health forbidding immediate journeying, I shall be unable to avail myself of your polite indulgence. I have also the honor to forward, under cover with this, my account current, statement of agents, and return of provisions for the second quarter, illness having chiefly prevented my making these returns before.

The present prospects of emigration are promising. It is probable the superintendent of the removal will shortly make his requisition upon me for subsistence and transportation. Should he require water carriage, I shall doubtlessly set out for New York by the close of this or the commencement of the coming month. Should land transportation be required, I cannot too soon be making ready, if it is contemplated to remove the Indians before the spring. It must be constantly borne in mind that the Mississippi bottoms, indeed the land for one hundred miles west, after crossing the river, is impassable in the months of January, February, and March.

I am, sir, with great respect, &c.

JOSEPH W. HARRIS,
Disb. Agent, Florida Indians.

Brig. Gen. GEORGE GIBSON,
Commissary General, &c.

SEMINOLE AGENCY, *August 13, 1835.*

SIR: Since I have been here I have not troubled you with any communication, knowing that the various and ramified duties of your office would sufficiently occupy your attention in corresponding with the principal Indian agents, exclusive of those in subordinate capacities, among which I am here; but, seeing that in my commission of the 2d of March last as an assistant agent in the removal of the Seminole Indians, (west,) reference is made to a provision in the printed instructions transmitted me then, relative to what compensation I should be entitled to in going west with a detachment of Indians, I have concluded, as it was alluded to in

my commission, that it was contemplated by you that I was to go, as a part of my duty, as assistant agent. Under that impression, I applied to General Thompson, the special agent for advice and instructions, and he preferred my applying to you, which I do now, that I may know explicitly when the time of starting shall arrive, and even before then, whether it is your pleasure and expectation that I am to go, and knowing that you are the dernier resort in case of any ambiguity, I make this appeal to you for your decision; and having had a daughter married spring before last, who has with her husband settled in Boonville, on Missouri river, I could go by and see her on my way home. Please to send me your decision as soon as convenient after the reception of this.

I am, sir, with sentiments of great respect,

Your friend and obedient servant,

JOEL YANCEY.

The Hon. LEWIS CASS,

Secretary of War, Washington City.

P. S. As the removal of the Indians west of the Mississippi is the object the Government has in view, and as I am commissioned as an assistant agent in that service, I conclude that my services as an auxiliary would not cease previous to their arrival west of the Mississippi river.

Very respectfully, your obedient servant,

JOEL YANCEY.

ST. AUGUSTINE, *August 24, 1835.*

GENERAL: I have the honor to request your attention to the subject of a communication, made to the Secretary of War by me last spring, in favor of a Mr. Winslet, for services, &c. rendered as interpreter to the troops stationed at Tampa Bay and its vicinity, which I learned was referred from the War Department to the Department under your control. Mr. Winslet has long been an active and faithful friend to the cause of emigration, and in his present character of interpreter, &c. at Tampa Bay, has rendered important services, and been at very great expense, as will appear by reference to a letter addressed to me by Major Zantzinger, which accompanied my communication to the Secretary of War. Your attention to this subject will be an act of justice to a faithful agent of the Government, and will be acknowledged by me.

In haste, I remain, general,

With high respect and esteem,

Your friend,

D. L. CLINCH, B. B. &c.

General G. GIBSON.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. August 26, 1835.

SIR: I have just received yours of the 1st instant, and hasten to reply to it, that so far as the subject of which it treats is connected with the removal of the Florida Indians, it may be disposed of speedily.

In my letter of the 3d of April, ultimo, you will find full directions as to

the mode of procedure in the sale of cattle; and I refer you to that letter by which I wish you particularly to be governed, except that it will not be necessary to brand the cattle, in as much as those frauds which that was intended to prevent, cannot be practised, if all the Indians remove at once.

You recommend several points at which sales should be made. I have no objection to your pursuing the course indicated. In fine, I leave to your discretion every part of the business, not necessarily affecting my instructions above referred to; for I feel confident you will exercise it for the benefit of the Indians.

Assistant agent Yancey has been pointed out as the person to perform this duty. It will, I believe, require at least one other person; and you are authorized to employ such person at four dollars a day, in full of all expenses. But you will, before the agents undertake the duty, see that they comprehend properly the mode of its performance, that they may be able to furnish you such information as is demanded by the instructions to be embraced in the "statement of cattle."

A copy of the "statement" will be furnished to me as soon as it is made.

Lieutenant Harris recommends that the "hogs" belonging to the Indians, should be considered as cattle, and valued and sold accordingly. This cannot be done. He also recommends that the poneyes should be packed into Tampa Bay, just before embarking, and there sold at public sale, after valuation by the appraising agent. I would approve of this course in preference to their being driven round by land; but it must not be understood that the United States will furnish other poneyes in lieu of them, west of the Mississippi, or, as in the case with their obligations with regard to cattle, that they will pay the Indian the difference between the valuation and the sale. But I should desire, in case the plan of packing them in and selling them would answer, that every facility be given by the agents by way of securing to the Indians the full value of their poneyes. You will consider this maturely, and report to me upon it without delay.

I will advert to the postscript of your letter of 27th April last. The letter was replied to, but you recommended in the postscript, evidently in connection with the former part of the letter, that an assistant agent of *sober, steady habits*, should be employed to aid in the removal, in case it is procrastinated in accordance with the joint report made by General Clinch, yourself, and Lieutenant Harris. I am directed to say, that, if the present assistant agent is incompetent, he will be suspended by you; and if the grounds of the suspension be approved, he will be discharged. But I cannot conceal the desire, that, if with proper admonition, he may be able to perform his duty, you should consent to his continuance in service. I do not apprehend any difficulty in supplying competent assistants: they will, without doubt, be obtained from the military service, as contemplated by the instructions you have already received. If it can be done, the agents shall consist of officers and non-commissioned officers, selected under the direction of General Clinch, from his command; of this you will be duly informed.

I have consulted the Secretary of War, in regard to the Indian frocks, and have recommended the procuring them at the north. You will, agreeably to the intimation in your letters of the 3d June and 20th July, have specimens made, say three sizes for males and females, each. And, that there may be the least practicable delay, you can ship them to Baltimore, Philadelphia, or New York, according as the first opportunity may serve,

addressed to the quartermaster of the United States Army at either place. You will at the same time advise me of the shipment, and write by mail to the officer to whom the frocks are sent, stating to him that I will instruct him further in relation to them.

Lieutenant Harris's going to New York is approved. Instructions in relation to his duties will be forwarded to him there, of which you shall have copies.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Gen. WILEY THOMPSON,
*Superintendent Seminole Removal,
Fort King, Florida.*

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. August 27, 1835.

SIR: I have just received yours of the 3d instant. Your going to New York is entirely approved. But I have been unable, until now, to instruct you on the subject of the Seminole removal. The Secretary of War has only returned to this city within a few days; and the press of other matters has hitherto precluded action upon many of the propositions contained in the joint report of Generals Clinch, Thompson, and yourself. You will find enclosed a copy of a letter of yesterday's date, to General Thompson; it will inform you upon some of the matters connected with your duties. As soon as you can do so, you will report to me the result of your inquiries in the port of New York for transportation. Shortly after that reaches me, you shall receive definite instructions in regard thereto. Whatever engagements it may be thought proper to make, must of course be based upon the prospects of the removal; and it is hoped that you have an understanding with the superintendent, by which you may be enabled through the most accurate information to be conveyed to you, to run as little risk as possible of the expenditure of money unnecessarily. I am willing, however, even with no additional assurances beyond those you have received from your own observation and experience, that you should proceed with the business on hand.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieut. JOSEPH W. HARRIS,
*Disbursing Agent Seminoles,
New York City.*

SEMINOLE AGENCY,
August 29, 1835.

SIR: I herewith submit to you a general plan of operations for the removal of the Seminole Indians. You will perceive that I have, in the adoption of this plan, been compelled to predicate my estimates upon conjecture. The impossibility of obtaining a census of the nation, added to the continued obstinate disaffection of some of the principal chiefs and their followers, forms a prolific source of perplexity and embarrassment.

I have resorted to all practicable means of information to ascertain, with a probable approach to precision, the actual number of the whole Seminole people; and I am induced to believe, that it but very little exceeds three thousand. Upon the voluntary assent of all the chiefs, a successful and correct valuation and sale of the Indian cattle mainly depends. Should a portion of the chiefs, or any one of them, persist in their refusal to surrender their cattle, loss to the Indians, or to the United States, will inevitably accrue, as the disaffected chiefs with their followers must be assembled at the point of the bayonet. In that case it will, perhaps, be impossible to identify their cattle, as it will be necessary, after taking custody of them, to keep them closely guarded until they reach their new home. The importance of cutting off all intercourse, as far as practicable, between the whites and the Indians, forbids the selection of any point within the Indian limits, for the exposition of the cattle for sale. I have, therefore, concluded to select two points on the Indian border, at which, on given days, cattle will be received from such Indians and Indian negroes as may voluntarily surrender them there, and cause them to be immediately appraised, branded and sold; of which sale ample previous notice shall be given; and rely upon taking advantage of circumstances to accomplish the appraisement and sale of the cattle belonging to the disaffected. If some plan could be devised and executed, by which the Indian poneys could be disposed of here, instead of sending them over land to Arkansas, it would relieve the Government from considerable trouble and expense now, and much perplexity in future, as there can be but little doubt that during a transportation by land, many of the poneys would die or be lost, and the balance reach the new country broken down, which would produce great dissatisfaction among the Indians, and would lay the foundation of numerous claims for indemnity. In my letter of the 20th ultimo, addressed to you, I suggested the expediency of a contract being made in New York for a supply of Indian frocks under the 3d article of the treaty of Payne's Landing, provided the disbursing agent should visit that post for the purpose of obtaining transports. As Lieut. Harris will visit New York for the purpose of procuring six transports, I venture to recommend that he be instructed to contract, in that city, for the requisite number of frocks, and ship them on board the transports which he may obtain. The material and the labor of making it into frocks can be obtained in New York on terms more favorable to the Government than in New Orleans. Besides, there is no homespun here of the requisite quality, out of which to make specimen frocks, and it is a considerable distance from this post to where they can be obtained. On the 3d of June last, I addressed to you an inquiry, as to the propriety of furnishing to the Seminole females, wrappers and petticoats, the form of dress usually worn by them, instead of the frock, (which is exclusively worn by the males,) as provided for by the treaty, to which I have not yet received an answer. These considerations have induced me to suggest the arrangement, as above described, and I have furnished Lieut. Harris, with an Indian frock, to be exhibited as a sample of the form. Lieut. Harris can select the requisite quality. Should you disapprove of this suggestion, do me the favor to apprise me immediately, and tell me whether any, and if any, what number of female frocks shall be made. I am decidedly of the opinion that individuals detailed from the army, as conductors, assistant conductors, laborers, &c., would be most effective and economical, they having had more experience than citizens. Besides, judging from my knowledge of the white population in this section

of country, I do not think a sufficient number of competent persons could be obtained here to fill those stations. The present temper of many of these Indians, added to the restless, irritable, and fiery temperament which characterize the Seminoles generally, suggests the propriety of a sufficient guard on board of each transport, to enforce subordination and maintain a proper police. I shall soon greatly need the aid of some efficient man, as assistant special agent; my recommendation of Mr. David M. Sheffield is already before you, whom I beg you will consider in nomination by me for that appointment. The names of the interpreters, and all others to be employed, shall in due time be reported to you.

I think Lieut. Harris will need the aid of an assistant in the performance of the arduous duties devolving upon him. As the appraisement and sale of the Indian cattle is to be a forced business, I submit to you the importance of associating some intelligent active man with Colonel Yancey in the performance of that duty.

I submit herewith copies of my letters of the 28th instant, one addressed to General Clinch, one to the Governor of the Territory, and one to Lieut. Harris. You will perceive from my letter to Lieut. Harris, that I have confided much to his experience, judgment, and discretion, a confidence which, I am sure, you will not consider misplaced.

Lieut. Harris will visit Washington on his way to the north, to whom I beg leave to refer you for such explanations as you may desire, and for general information relative to the existing state of affairs here.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Superintendent removal.

Gen. G. GIBSON.

WAR DEPARTMENT, *August 29, 1835.*

SIR: Since my return to the Department your letter of the 18th June has been laid before me.

It is not necessary for me to enter in much detail on the subject presented by you. I understand from Mr. Harris that he communicated to you the President's views on the subject of the chiefs whom you declined to recognise in all questions connected with the removal of the Seminoles. I understand that the President deemed this course an incorrect one; and it seems to me obviously liable to strong objections. We do not assume the right of determining who shall be the chiefs in the various Indian tribes; this is a matter of internal police which must necessarily be left to themselves. And if, when we have a grave matter for adjustment with one of the tribes, we undertake to say it shall be determined by a particular class of individuals, we certainly should render ourselves obnoxious to censure. It appears to me the proper course, upon important questions, is to treat directly with the tribe itself; and if they depute their chiefs, or any other individual to act for them, we must either recognise such authority or abandon the object in view.

I do not doubt the correctness of your motives; I have every confidence in your faithful and zealous execution of your duties; and I have every reason to be satisfied with your general course, and with the results that are in

prospect. I do not see that this difficult and delicate affair connected with the removal of the Seminole Indians, particularly in the state of mind evinced by them, could have been managed with more prudence and judgment than it has been done by General Clinch and yourself.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

General WILEY THOMPSON,
Supt. Sem. Rem. Sem. Agency, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. September 2, 1835.

SIR: In consequence of the important character of a letter addressed to you from this office, under date of the 26th ultimo, a copy thereof is herewith enclosed.

Address this office as heretofore.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Acting Com. Sub.

General WILEY THOMPSON,
Sup. Sem. Rem. Fort King, Florida.

SEMINOLE AGENCY, *September 3, 1835.*

SIR: I herewith enclose for your information a copy of the "general plan of operations" which I have adopted for the removal of the Seminole Indians to Rock Row, on White river.

The disaffection of several of the principal chiefs of this tribe, with their immediate dependants, renders it utterly impossible to obtain a correct census of the tribe. I have assumed that the round number of three thousand embraces all of every description. This assumption is based upon the best attainable data; and yet the estimate is involved in much uncertainty, as indeed, the successful progress of the whole enterprise is.

I will promptly apprise you of the progress of my operations, and of any changes that circumstances may render indispensable or unavoidable.

Respectfully, &c.

WILEY THOMPSON,
Supt. Seminole Removal.

Captain J. BROWN.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. September 3, 1835.

SIR: The Secretary of War has received a letter from assistant agent Yancey, who is desirous of going west with the emigration. If the original plan of removing one-third at a time, had been acted upon, it might be very proper for him to remain behind; but his services will not be wanted.

in Florida, after the emigration starts, and, therefore, the Secretary is willing that he shall accompany it to the west of the Mississippi.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Acting Com. Sub.

General WILEY THOMPSON,
Sup. Rem. Sem. Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. September 8, 1835.

SIR: Agreeably to an intimation already given you, application has been made to the Secretary of War for a detail of officers and non-commissioned officers to act temporarily as agents in the Seminole removal. Instructions have issued from the office of the Adjutant General to General Clinch to detail from his command "four officers and six non-commissioned officers or privates, provided this number can be detailed without injury to the service." They will act under the direction of General Thompson and yourself, according to circumstances.

You were addressed at New York from this office on the 27th ultimo. Enclosed is a copy of a letter of the 3d instant to General Thompson.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Acting Com. Sub.

Lieut. JOSEPH W. HARRIS,
Dis. Agent Sem. Fort King, Florida.

EMIGRATION OF INDIANS,
Office. Com. Gen. of Sub. September 8, 1835.

SIR: There will be a detail, at a suitable time, to be indicated by you, from the command of General Clinch, of four officers and six non-commissioned officers, "provided this number can be detailed without injury to the service." They will act as temporary assistants in the Seminole removal under the direction of yourself and Lieutenant Harris, according to circumstances.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Act. Com. Sub.

Gen. WILEY THOMPSON,
Sup. Removal Seminoles, Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. September 10, 1835.

SIR: During the absence of the Secretary of War from this city, your letter to the Adjutant General in relation to the claim of Mr. Winslet, for compensation as interpreter, with an enclosed letter to you from Major Zantzinger on the same subject, was referred to this office. No decision.

could be made, as it had not been officially made known before his employment that Mr. Winslet's services were necessary, until the Secretary's return; since which the first opportunity has been taken of calling his attention to it. The following is the decision which has been made known to the superintendent. That Mr. Winslet be allowed two dollars and a half a day for the period during which he has necessarily used a horse, and at the rate of forty dollars a month at other times. If his services should be demanded in future, the superintendent will employ him on the above mentioned terms.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Acting Com. Sub.

Brevet Brig. Gen. D. L. CLINCH,
U. S. Army, St. Augustine, Florida.

N. B. Since writing the foregoing, your letter to the Commissary General of Subsistence, dated 24th ultimo, has come to hand.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. September 10, 1835.

SIR: General Clinch has recommended that Mr. Winslet, employed by you as interpreter, be allowed compensation for his services. The Secretary of War has decided that whilst Mr. Winslet necessarily used a horse in performance of the duty, he be allowed two dollars and fifty cents a day, at other times at the rate of forty dollars a month.

If his services are needed, you are hereby authorized to continue him at the same rate of emolument. It will be proper, in your requisitions for his pay, to certify to the fact of his having used a horse whenever the higher pay is allowed.

Respectfully, &c.

J. H. HOOK, *U. S. Army,*
Acting Com. Sub.

Gen. WILEY THOMPSON,
Sup. Seminole Removal, Fort King, Florida.

SEMINOLE AGENCY, *September 21, 1835.*

SIR: In compliance with your instructions of the 26th ultimo, relative to Indian poneys, I have the honor to report, that the settlement on and about Tampa Bay, exclusive of the cantonment at what is called Tampa, does not consist of more than twenty to thirty families, as I am informed and believe, and a majority of them quite poor. This settlement is separated from the other settled parts of Florida, by the Seminole country. The distance which intervenes between the Tampa settlement and the nearest civilized settlers is, perhaps, more than one hundred miles. I do not think that more than from twenty to thirty poneys could be sold at that point, for any thing like an equivalent.

I do not believe that the Indians could be induced to assent to the arrangement which you suggest. They might possibly be induced to consent to the experiment being made in a more thickly populated section of the Territory, especially if I could personally superintend such experiment

to guard their interest. I have been laboring to induce the Indians to embrace every opportunity to sell their ponies; and during the past spring and summer, somewhere about fifty were sold at very good prices.

I have had a thought of proposing to the Indians, the plan of selling their ponies at the times and places, when and where the cattle are to be sold. Public notice of the sale of the cattle could also embrace the ponies, and sales of the latter could be made privately or at auction, as the respective owners might prefer, and still a surplus will be on hand to be disposed of here, or driven over land to Arkansas.

I do not know what disposition can be made of the hogs. The continued disaffection of many of the Indians presents, in the ponies, cattle and hogs, a source of much anxiety and perplexity.

Respectfully, &c.

WILEY THOMPSON.

General G. GIBSON.

P. S. I herewith enclose a copy of my letter to Captain J. Brown.

SEMINOLE AGENCY, September 21, 1835.

SIR: Your letter of the 26th ultimo, has been received, and I advert separately to your reply to the postscript to my letter of the 27th of April last. My recommendation that an efficient man of *sober steady habits*, should be appointed to aid the special agent in the performance of the higher duties of his station, was made under the influence of my general impressions, and deep conviction of the importance of those qualifications in public agents, especially when engaged in a service as arduous and delicate as this is. Candor, however, demands of me the admission, that the reported and apparent habits of the assistant agent (now here) about that time were calculated, somewhat, to force that conviction more deeply into my mind. About the period referred to, I admonished him in a respectful and friendly, but plain manner. He promptly corrected what was thought to be wrong, and his habits have ever since been, (as far as I know,) sober and steady. He is, I think, honest and faithful, and heartily disposed to afford me all possible aid in forwarding the views of the Government. I have no intention or wish to suspend him: on the contrary I should derive much satisfaction from being able to serve him, as I believe him to be an honest and needy man. He will be fully competent to the performance of the duty assigned to him, aided as he will be in obedience to your instructions. I have hitherto considered Col. Yancey an assistant agent, appointed in conformity to the 5th article of the treaty of 1832, with the Seminole Indians, for the purpose of valuing the cattle to be surrendered by them. The 4th paragraph under the head of "special agents" in the "regulations concerning the removal of the Indians," induced me to suppose that the nomination of ordinary employees in removal of the Indians, would be expected of me; hence my recommendation of Mr. D. M. Sheffield. If, however, it was intended that Colonel Yancey should fill the station for which I recommended Mr. Sheffield, I must frankly, (with great reluctance) say, that I do not think he will be of much service. I ought to have the aid of a ready writer, quick of apprehension, enterprising, and of business tact. The duty of thus expressing my opinion, is the more

unpleasant, because it is not natural to suppose that Colonel Yancey would be able duly to appreciate my motives.

Very respectfully,

Your obedient servant,

WILEY THOMPSON.

Gen. G. GIBSON.

SEMINOLE AGENCY, *September 21, 1835.*

SIR: Your letter of the 29th ult. has been received, and I am gratified to learn that you approve of my general course in the performance of my official duties. In drawing up the joint report of Gen. Clinch, Lieutenant Harris and myself, addressed to the Department, Mr. Harris used terms which, as I understand by the Acting Secretary's letter, induced the President to suppose that I had *deposed* five of the principal chiefs: the President disapproved of the deposition of the chiefs by a Government agent. If I had deposed the chiefs, I should have been in error. Mr. Harris has since informed me, that he did not intend to convey the idea which was entertained by the President. In the hurry of the moment, the phraseology of the sentence was overlooked. My declaration on the occasion was simply, that I should no longer consider the disaffected as chiefs forming a part of the national council, for the adjustment of questions connected with emigration; but that I should in future consider those chiefs who acknowledge the validity of the treaties, as representing the whole nation, in the adjustment of such question; and I have done so because it appeared to me to be absurd to submit questions in contemplation of the emigration, to those who had directly negatived the main question. Not long since, the route to be pursued in the removal became the subject of discussion between myself and the friendly chiefs, and I had considerable difficulty in obtaining their unconditional consent to the adoption of the water route. In this, however, I finally succeeded. If the question had been submitted to the chiefs generally, I have no idea that the same conclusion would have been arrived at. The question as to the route, involves the main question, which regards the removal; the main question has been negatived by the disaffected; they would therefore have objected to the water route, especially as the friendly chiefs were disposed to do so, which would have confirmed the latter in their opposition. I was of opinion that such questions ought to be submitted alone to the friendly chiefs, as it is determined that the treaty shall be carried into effect, *in disregard* of the objections of the disaffected chiefs. If I am wrong in this view of the subject I desire to be put right. I have not attempted to depose any chief, nor have I interfered in the internal concerns of these people, further than is expressed above. A large portion of these Indians are in a very destitute condition. If the stipulations of the treaty may, in your judgment, be so far departed from, I would recommend that the blankets and frocks, to be furnished in compliance with the treaty, be delivered to the Indians when safe on board the transports. This would afford them much relief, without which, I fear, many will suffer much. I was instructed by you, during the last fall, to inform these Indians that the next annuity would be paid them in their new country. The friendly chiefs say their people are in a suffering condition, and they ask, as a favor, that the next annuity be paid before

the removal commences, to enable them to supply themselves with clothing. It has occurred to me that it may have a good effect, to say to them (were I authorized to do so) that the annuity shall be paid to them at the general rendezvous, on Tampa Bay. The traders can be induced to furnish goods there, and many Indians, now disaffected or indifferent, might thereby be lured to that point. I have always been entirely opposed to any and every thing having a semblance of bribery; but my observations upon the state of things here, have brought me, through mature reflections, to the conclusion that a small sum of money, judiciously used here, would serve the cause of humanity and consult economy. Several of the principal chiefs obstinately persist in their disaffection: three of these are influential, each having a considerable number of adherents. If these could be induced to yield, I think our operations would then be harmonious. There is also a very influential negro in the nation, who loves money, I believe, as well as any person I ever saw; I allude to Abraham, whose name is known at the Department. This man accompanied the Seminole delegation to the west as interpreter. He has (in my possession) Major Phagan's certificate, that he is entitled for his service to two hundred and eighty some dollars, for which Major Phagan, on the presentation of Abraham's receipt at the Department, received credit. Abraham says he never gave a receipt; that he has been imposed upon; and he is consequently more indifferent upon the subject of emigration, than I think he would otherwise have been. I have little doubt that a few hundred dollars would make him zealous and active. Should the course suggested be considered admissible, I would advise that no money be paid, but on the production of the effect desired. The production of the desired effect would, in my estimation, justify the means proposed to be used, as thereby, loss to the Indians of poneys, cattle, and hogs, and perhaps bloodshed, would be prevented, and a consequent and corresponding saving of expense to the Government.

I have the honor to be,

Sir, very respectfully,

Your obedient servant,

WILEY THOMPSON.

Gen. GEO. GIBSON,

Com. Gen. Sub. &c.

SMITHVILLE, N. C. *September 29, 1835.*

SIR: I have the honor to report to you, that I left the Seminole agency on the 4th inst. That on my journey to Charleston, I was attacked with the common bilious fever of the country; that at Charleston I was detained with this ten days, when considering myself well enough, I embarked in the steam packet for Norfolk, and was left sick at this place four days since. My fever has abated, and if opportunity offers, I hope to be in Washington in 7 to 10 days at farthest. Am too weak at present to proceed by land. I write this chiefly to advise the Department, that should it consider the delay too great, they may appoint my successor.

Enclosed with this, I have the honor to cover a plan of operations in detail for the removal and subsistence of Florida Indians, submitted by myself to the special agent, General Thompson; also, estimate of subsistence, based upon said plan, together with letters of advice. This docu-

ment contains pretty much all my present ideas upon the subject, including my own duties, manner of getting up and closing contracts, &c.

In the hands of Gen. Thompson, at the agency, are all vouchers of disbursements on file; file of official letters received; statement of moneys due United States, and where located; as also subsistence received, issued, and on hand. These will, together with such advices as Gen. Thompson can readily give, place a beginner about as much at home in the business as I am.

I also forward by this mail an Indian hunting shirt, as a pattern for those called for by the treaty. I concur with Gen. T. in thinking it would be economy to have them made up in New York; also, that *warriors hunting shirts* are not adapted to *females*; they require the *petticoat and wrapper*. The former commencing at the waist and covering the feet, the latter of simple cloak fashion, without a cape, to extend half way below the knees. The latter I would recommend should be estimated for in cloth, and given to the squaws to be made up by themselves. As these Indians are removing to a colder climate, and as great many of them are almost, and many quite naked, it would be humanity to give them a homespun of mixed cotton and woollen, the more flashy colors, the more pleasing to the Indian. I consider the population, including negroes, not to exceed 3,000, of which I should say 1,600 are females.

The special agent has repeatedly applied for an assistant; I think the welfare of the service requires he should have one of his own selection.

Accept, sir, my best wishes, &c.

JOSEPH W. HARRIS, *Lieut.*

Disb'g. Agent, Florida Indians.

Brig. Gen. GEO. GIBSON,

Com. Gen. &c.

ST. AUGUSTINE, October 5, 1835.

SIR: Active operations, connected with the removal of the Seminole Indians, will soon commence, and I desire the aid of your services as an interpreter, in return for which I can only offer to you the highest rate of compensation that the regulations of the Department of War will allow. I have heretofore informed you what the prescribed allowance is; and satisfied as I am that your services in that station are requisite, and will be of importance in the accomplishment of the enterprise, I tender to you that appointment at the rate of allowance suggested. If you accept, you will report to me at the Seminole agency, for duty, on the first day of the ensuing month, or as soon thereafter as possible, to accompany me through the Seminole nation for the purpose of exploring the route by which the Indians, who are to assemble at the agency, will pass to the general rendezvous on Tampa Bay, and to select points for encampment on the route. Your compensation will commence from the date of your report of yourself for duty. Should you decline, you are requested to inform me without delay.

Respectfully,

Your humble servant,

WILEY THOMPSON.

Mr. STEPHEN RICHARDS.

ST. MARY'S, GEO. *October 10, 1835.*

SIR: In pursuance of instructions from the Commissary General of Subsistence, I have this day made arrangements to ship on board the schooner *Maria*, Captain Olmstead master, of and bound to New York, from this port, a small box addressed to you, containing samples of Indian dresses, to be held by you, subject to the order of the Commissary General of Subsistence.

Very respectfully,

Your humble servant,

WILEY THOMPSON,

Superintendent Seminole Removal.

To the QUARTERMASTER

of the U. S. Army, at New York.

ST. MARY'S, *Oct. 10, 1835.*

SIR: I furnished Lieutenant J. W. Harris (as I heretofore informed you) with a ready made Indian frock, which he will take with him to Washington. In compliance with your instructions of the 26th August last, I have this day deposited with Doctor Henry Holland, health officer of this post, a small box, directed to "the Quartermaster of the United States Army" at New York, containing two Indian frocks and three Indian petticoats and wrappers, to be shipped on board the schooner *Maria*, Captain Olmstead master, of and for New York. She is expected to sail on the day after to-morrow. These frocks, petticoats, and wrappers, with the frock in the possession of Lieut. Harris, give the three sizes, in accordance with your instructions. It was impossible to obtain good material, and the necessity of furnishing the samples "with the least practicable delay," put it out of my power to have the work executed in as good style as it would otherwise have been, and ought to be done. The frocks, petticoats, and wrappers, therefore, show the form or fashion, and order of trimming *only*. Permit me to suggest that the material to be used should be of a texture calculated to protect these Indians from the cold of a higher latitude than they have been accustomed to. I herewith enclose to you a copy of my letter to the Quartermaster of the United States Army at New York; also a copy of my letter to Mr. Stephen Richards, whose services as interpreter are indispensable.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Superintendent Seminole Removal.

Gen. GEORGE GIBSON, *Com. Gen. &c.*

WASHINGTON CITY, *Oct. 12, 1835.*

SIR: Permit me respectfully to call your attention to the following points connected with the removal of Florida Indians.

1st. The time fixed for assembling these Indians for removal, is the 8th January, 1836. It is necessary that prompt and efficient measures should be adopted to accomplish this object; among which are an increase of military force at Fort King, say from *two* to *four* companies. Authority to the

special agent, General Thompson, to draw at *discretion* upon Gen. Clinch for officers, non-commissioned officers, and privates, to serve as conductors, assistant conductors, and butchers. Also to require of commanding officer at Fort Brooke (Tampa Bay) a party of soldiers to erect cattle pens, issuing house, &c. at general camp. To require troops to guard emigrants on board transports, at camp, and in assembling.

2d. The treaty of 9th May, 1832, allows a hunting shirt to each warrior, woman and child. The shirt will be of no service to the women; they require *petticoats* and *wrappers*.

3d. The special agent, General Thompson, indispensably requires the services of an assistant special agent. The appointment of David M. Sheffield would be agreeable to General Thompson; his address Windham, Connecticut; presence at agency needed forthwith.

Also, as connected with the Indian bureau, arrearages are due to General Thompson for services as Indian agent proper, for the last quarter of 1834, and for expenses, &c. whilst on duty with Appalachicola Indians. Wages and expenses due to Roberts, his interpreter with said Indians. Nearly one year's salary to Cudjoe, a negro, and regular interpreter at the Seminole agency. Wages and expenses for Winslett, a white man, interpreter, &c. by sanction of the Department, at Fort Brooke, Tampa Bay. These moneys are much needed by those to whom they are due; and I was expressly requested by General Thompson, upon my departure from Florida, to lay the matter directly before you.

I have the honor to be, &c.

JOSEPH W. HARRIS, *Lieut.*

Disb. Agent, Florida Indians.

HON. LEWIS CASS, &c.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. October 14, 1835.

SIR: You will find, in one of the letters despatched from this office to New York, directions in regard to the procuring transportation, which contemplated your reporting to me before entering into arrangements. I have since read attentively your detailed plan, together with one of a very similar character, received from General Thompson, and approve of them as exhibiting nothing inconsistent with the spirit of the general instructions of 28th February ultimo. I do not, then, consider it to be requisite that you should make any report and await instructions regarding the transportation. I have submitted to the Secretary the projects of contracting in New York for vessels: 1st, for a sufficient number to transport three thousand Indians at once; and 2d, to transport from fifteen hundred to two thousand, calculating upon a second trip. He is rather inclined, taking into view the great uncertainty of the numbers, that the second mode be adopted, but leaves the matter to you; and you will be guided by your own views of expediency, formed as they must be after the most mature reflection, and likely to be modified or confirmed by what you may learn in New York. You will, therefore, without delay, advertise for proposals to furnish vessels of a proper burden, and forward to this office a copy of the advertisement. The time at which the transports should be at the proper point of embarkation may be from the 15th to the 20th January.

You will, besides advertising for transport vessels, invite proposals for a

supply of frocks and blankets for the Seminoles. In accordance with your recommendation, there may be procured one-half hunting shirts, made after the pattern exhibited in this office, and one-half petticoats and wrappers, or for the latter cloth alone. The material may be, if you think it may be acceptable, as it certainly will be more comfortable to the Indians, a mixture of wool and cotton. The price for each garment must not exceed two dollars, that being the amount appropriated.

Of blankets, there will be seven hundred pairs wanted of the sizes and weights following:

300 pairs of $2\frac{1}{2}$ points, weighing about 6 to $6\frac{1}{2}$ pounds;

250 pairs of 3 points, weighing about $7\frac{1}{2}$ to 8 pounds;

150 pairs of 4 points, weighing about $8\frac{1}{2}$ to 9 pounds.

All of the kind called Mackinaw, and of the very best quality. Packing, inspection, and delivery to be included in the bids.

The above mentioned articles will be paid for, upon the reception here of the bills, certificates of inspection, &c. with your receipts; or, should it be necessary for you to leave New York before they can be procured, upon the receipts of Colonel Stanton, who will be requested to give his attention to the business.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieut. JOSEPH W. HARRIS,

Disbursing Agent, Seminoles, New York City.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. October 14, 1835.

SIR: You have been recommended by General Wiley Thompson and Lieutenant J. W. Harris for the appointment of assistant agent in the removal of the Seminole Indians from Florida. You will consider this your appointment, and, if you accept it, you will proceed without delay to report personally to General Thompson at the agency in Florida, who will designate your duties. Your compensation will be four dollars a day, to commence on the day of your departure for the south, which you will please announce to me. Should you go west with the Indians, you will be allowed your actual expenses, and returning to Florida ten cents a mile for transportation.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Mr. D. M. SHEFFIELD,

Windam, Connecticut.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. October 15, 1835.

SIR: Yours of the 29th August, with a plan of operations, has been at hand some days; and, as I daily awaited the arrival of Lieutenant Harris, I did not reply to it. He at length reached this city, having been detained on the way by an attack of illness; remained one day, and took his departure for the north, whither I have despatched the instructions, a copy of

which is enclosed. You will perceive that, with regard to the number of Indians for which to procure transports, Lieutenant Harris has been left to act according to his own discretion; if for fifteen hundred or two thousand, then there will be a second trip, and I am inclined to believe it would be safer to get but sufficient transportation for two-thirds of the whole estimated number, as there may be disappointment in assembling them notwithstanding all your exertions; and should you assemble them all promptly, the delay will be in some measure compensated by the reduced price at which transports may be obtained in consideration of traversing the Gulf twice instead of once.

I conceive you understand fully my views respecting the cattle, as detailed to you in a letter of 3d of April, and I believe you will be prepared to meet any contingency. I do not feel safe in anticipating every possible case of difficulty.

The poney's will, I fear, be a source of vexation, and I wish something could be done that would prevent the necessity for sending them west by land. I leave the matter with you to act upon as well as you can, under the original instructions, and the letter of the 26th August. But, as far as you can do so, you will not fail to impress the Indians with the belief that the United States will not be bound for any accidents on the way.

I have already replied to that part of your letter of the 20th July, recommending that Lieutenant Harris should procure frocks for the Seminoles in New York. When that reply was written, I believed Lieutenant Harris to be on his way northward; but it appears he did not leave Florida till much later than I was led to expect. What was written to you, therefore, is, as you are now aware, superseded by the instructions more recently given. Lieutenant Harris recommended the cloth to be issued to the females, to be made by them into petticoats and wrappers; this, it is presumed, he mentioned to you, and that it will meet your approbation. I have left it discretionary with him; and also to procure cloth of a mixture of cotton and wool.

Lieutenant Harris has also been instructed to procure blankets in New York. Eight hundred and fifty pairs are now stored at Fort Gibson, and seven hundred and fifty pairs more will be forwarded as soon as the proper steps of advertising, &c. are gone through with. These last and the frocks can be distributed at Rock Row.

You have been apprised that a detail of officers and soldiers might be had upon your requisition on General Clinch. It is possible instructions may be obtained for a more extensive detail. And a guard will, I am under the impression, be allowed to accompany the transports. You shall speedily be informed.

In accordance with your recommendation, to which Lieutenant Harris, when here, added his, Mr. David M. Sheffield has been appointed your assistant agent, and directed to report to you. He has been addressed at Windham, Connecticut, and at Tallahassee. As you recommend the association of some active and intelligent man with Mr. Yancey in the valuation and sale of cattle, might not Mr. Sheffield be thus employed?

The details laid down by you and Lieutenant Harris agree substantially with each other, and accord with the views I have entertained, and mainly with the instructions heretofore given. He has, it appears, submitted his to you. The time of assemblage, &c. may be according to your notion of

expediency. My letter to Lieutenant Harris fixes the time for the transports to be at Tampa Bay from the 15th to the 20th of January.

Respectfully, &c.

GEO. GIBSON, C. G. S.

To Gen. WILEY THOMPSON,

Sup. Rem. Seminoles, Seminole Agency, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. October 15, 1835.

SIR: Enclosed you will find a copy of a letter just addressed to General Thompson.

It is proper to say to you that, if no further directions are given to you, you will have the blankets and frocks shipped to New Orleans, care of Lieut. Drane, and marked, besides, "Capt. Jacob Brown, mouth of White river."

The Secretary of War is willing you should engage a physician in New York, on the terms verbally stated by you to me when here, to wit: He will proceed in one of the transports, and be allowed only his actual expenses in travelling to the Seminole agency; his pay according to previous instructions to commence when he is put on duty in the active operations.

On reflection, I am of opinion it will be proper to purchase a portion of the provisions that may be wanted on the gulf passage and up the Mississippi to Rock Row, at New York; and having again examined your estimate, approve the quantities therein stated, to wit:

200 barrels of pork.

100 " of flour.

2,000 bushels of corn.

60 " of salt.

This contemplates, you will perceive, by reference to your estimate, the use of the Seminole beef cattle, as suggested by you, and you are left to seek at New Orleans as much more as the emigration may require; whilst, should any thing occur to disappoint the anticipations formed as to the number of emigrants, little or no loss will take place.

GEO. GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Disb. Agt. Seminoles, New York City.

WAR DEPARTMENT,

October 16, 1835.

SIR: Lieutenant Harris has addressed me a letter on certain subjects connected with the removal of the Seminole Indians. These are:

First. That certain assistance should be furnished to you by the Military Department. The Adjutant General will write to Gen. Clinch requesting him, as far as circumstances will permit, to comply with your requisitions on this point.

Second. That wrappers should be substituted for hunting shirts for the Seminole women. This, Lieut. Harris has been authorized to do, and to make the necessary arrangements.

Third. That David M. Sheffield be selected to aid you in your duties. The Commissary General has written to Mr. Sheffield, who is stated to be at Windham, Connecticut, authorizing him to report to you, in person, for this duty.

Fourth. The arrangement of certain pecuniary matters connected with your accounts, and the payment of persons at your agency.

On inquiring at the Indian Bureau, I find that you have already been written to on these matters, as some explanations were necessary; and it is presumed, on the receipt of your letter, that these will be furnished and the funds may be remitted.

Respectfully, &c.

LEW. CASS,
Secretary of War.

General WILEY THOMPSON,
Sup. Sem. Removal, Sem. Agency, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. October 16, 1835.

SIR: I enclose to you a copy of a letter written yesterday to Lieutenant Harris. It contains matters which it is important you should be acquainted with.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,
Sup. Sem. Removal, Sem. Agency, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. October 18, 1835.

SIR: I have just received yours of the 10th inst. apprising me of your having shipped sample frocks to New York, and have instructed Lieut. Harris to receive them and pay the freight.

The calling upon Mr. Richards for services, as interpreter, is approved.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,
Sup. Sem. Removal, Sem. Agency, Florida.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. October 18, 1835.

SIR: General Thompson has complied with my directions to him of the 26th August, and shipped from New York a box of Indian frocks, &c. as samples of the size and kind required. The box is consigned to the Quartermaster United States Army, New York. You will pay the freight. It is probable you will receive the frocks in time to be of service in the pro-

curing of those you are authorized to contract for ; if not, you need not wait their arrival. I send you a copy of General Thompson's letter.

GEO. GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Disbursing Agent, Seminole Indians, N. Y. city.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. Oct. 20, 1835.

SIR : On the 5th of April last, in anticipation of a removal of the Seminoles from Florida, instructions were addressed to you from this office, that you might be prepared for their reception at Rock Row. It subsequently happened that, by agreeing to defer the removal until January, 1836, the prospect of a general, instead of a partial, removal, was attained.

The arrangements are such, that all, or a greater part of those Indians, must remove at the appointed time. No further delay will be granted, and therefore a great degree of promptitude may fairly be calculated upon. It is estimated by the superintendent and disbursing agent, that at least three thousand persons will emigrate ; and the intention is to start from Tampa Bay about the 20th January, and to reach Rock Row by the 10th or 15th of February, and immediately proceed for the Seminole country west.

As soon as you receive this letter it will be proper to advertise for proposals for both subsistence and transportation ; and, as stated in the letter before referred to, you will advertise for the complete ration whilst the Indians are on the route, and for a year afterwards, making one contract or two, as you may think expedient. I refer you to the form of wagon roll, and the circular transmitted to you heretofore.

As there will not, for some time, be an emigration of Cherokees, Lieutenant Van Horne can be spared from the Cherokee nation to take charge of the Seminoles, and at least to commence the business of issuing subsistence. I shall therefore instruct him to report to you at Little Rock, at such time as you may appoint between the 1st of January and the 1st of February next, when you will communicate to him all that may be required for the performance of his new duty. He should be at Rock Row some days before the arrival of the emigrants, and all the arrangements for transportation and subsistence properly made. When the emigrants arrive, they should be arranged as nearly as possible in accordance with the original muster rolls, and marched westward, and subsisted in distinct parties. Those conductors that may be required to go through to the new country will do so, the remainder will be discharged or sent back by Lieutenant Harris or his assistant.

The expenses of the movement should not commence before the day of starting from Rock Row. This arrangement will perhaps be attended with some difficulty, because of the disappointments suffered by contractors heretofore, in the failure to remove off the Choctaws, Creeks, &c. But you may make the assurance of a removal so strong as, without doubt, to get those concerned to agree. Indeed I should not object to your making a moderate allowance to the persons employed, if there should be no removal.

The accounts of expenditures for the active operations between Rock Row and the new country will be rendered by you. I am desirous that the business of the removal should be so conducted as to make the whole

matter perfectly intelligible here. The division of the emigrants into parties, with separate conductor, teams, &c. and the subsistence of those parties by separate requisitions entered on separate abstracts, the agreement of the issues with the rolls, the entering upon the rolls, the changes on the route, &c. All these things are to be carefully attended to, with every other precaution calculated to promote the public interest.

Lieutenant Van Horne will be prepared to subsist them for one year from the date of their arrival in their new country. The contractors will deliver, at two or three points most convenient for the Indians, at which cribs may be erected at the public expense. The issues will be made after the manner laid down in the instructions to Lieutenant Van Horne of the 14th January last; and his relations to you as Seminole disbursing agent, will be those laid down in the letter to you of the 17th December, 1832.

You will communicate from time to time, before the period of departure from Florida arrives, with the superintendent and disbursing agent. The latter you can also address at New Orleans, and those agents will inform you in due time of the number of the emigrants, the time at which they may be expected to reach New Orleans and Rock Row, and of any other matters calculated to influence you in your preparations.

Economy in the disbursements must characterize the whole procedure: therefore, not only should the expenses be made to commence the day the active operations from Rock Row begin, but those expenses should be merely adequate to the actual wants of the service. No agents will be hired except the return of those who accompany the Indians should make it necessary.

All payments of what character soever for expenditures on the route, will be made on Lieutenant Van Horne's certificate to the supply, or to the performance of the service. No exception will be made to this rule, even where other agents draw provision checks on the contractor; for that officer will see that the rolls support such issues, and will certify the abstracts.

I have directed the purchase of blankets and frocks for the Seminoles at New York. It is believed they will reach Rock Row in time to be distributed there. Of the frocks there will be a full supply, giving one to each individual; but of the blankets but a partial supply, the remainder being already stored at Fort Gibson. These latter will be distributed as soon after the arrival of the Indians as possible. As soon as the purchase is completed, the articles will be shipped, via New Orleans, to your address at Rock Row. You shall be supplied with a bill of lading and invoice, and instructions will be given by which you will be guided in the distribution.

I refer you to my letter of the 5th April for the mode of procuring cattle for the Seminoles. It is there said that the statement of the cattle would be handed to you by Lieutenant Harris, a copy having first been transmitted to this office, upon which a remittance of money would be made to you.

You will forward an estimate, in detail, for the removal of three thousand Indians from Rock Row to the new Seminole country, and the funds shall be supplied.

GEO. GIBSON, C. G. S.

Capt. JACOB BROWN,

Prin. Dis. Agent, Rem. Ind. Little Rock, A. T.

NEW YORK, October 21, 1835.

SIR: I have the honor to acknowledge your several letters of the 27th August, 3d and 8th September, and of the 1st, 14th, 15th and 18th instant, together with the respective documents accompanying the same. Also to forward the Courier and Enquirer, and the Times, containing my advertisements for proposals to furnish transportation, subsistence and Indian goods.

I have only been waiting the accomplishment of sundry preliminary arrangements, to secure the successful fulfilment of my duties here, to address the Department. How far my labors will be crowned with so happy a result, is more than I can now divine; but I shall not conceal from you my apprehensions of embarrassment in the closing of the contracts for which I have invited bids. A disposition to extortion and to combination; the withdrawal of the lower in favor of the higher bids; and the rejection of contracts on the eve of signature, I learn from excellent authority and my own present observation, are the obstacles most likely to oppose me in the commercial world of this busy city. I advise you of this in prudence only, and with the hope that all things may go on smoothly. But that I may be prepared, at the worst, with suitable instructions from yourself to meet such a contingency; armed with discretionary power to proceed either at once, without loss of time, into the open market here, and charter or purchase, wherever I shall find the vessels, provisions and goods desired, or to transfer my market to New Orleans, would, I think, secure the service from the evil results likely to grow out of the machinations of crafty and avaricious men.

You will perceive, by reference to the newspapers forwarded, that I advertise for *fourteen hundred hunting shirts*, and for thirteen thousand yards of plaided woolseys, (the former to be made of the like kind of woolsey); and this material for comfort and economy I believe will be found to answer our purposes. The 13,000 yards of woolsey is a liberal estimate for petticoats and wrappers. The box of patterns, shipped by General Thompson, has not yet arrived. Should they in season, I shall be able to estimate more correctly, and shall contract for the amount only required, be it more or less than that advertised for, keeping constantly in view the price authorized by the act of appropriation.

I have assumed eighteen hundred Indians as the number most favorable to the interests of service to make arrangements for the transportation of at one time. I am satisfied that I can make ready provision for the removal of an excess of that number, should there be a general and prompt assemblage of emigrants, and we ought to collect at least that number.

I have advertised for provisions, agreeably to your instructions of the 15th instant, excepting for corn, which is now held at \$1 12 per bushel, and is likely to rise. This and the balance of subsistence required may be got at New Orleans, and such portion as shall be needed at Tampa Bay, shipped there by some one of the St. Marks traders, at a saving of from \$600 to \$1,000, probably.

The blankets, as described in your letter of the 14th, I have in vain searched for throughout the market. Good Mackinaw blankets, of the following patterns, are the best for sale, viz:

4	points,	none to be had.
3½	do	weighing from 8½ to 9½ pounds.
3	do	do 7½ to 8½ do.
2½	do	do 5½ to 6, large.

Shall I receive such as these, should those of the pattern given by you not be bid for?

In your letter of the 15th instant, you have directed me to forward the "blankets and frocks, through Lieut. Drane to Capt. J. Brown, mouth of White river." It was the advice of the superintendent, Gen. Thompson, that in consequence of the naked and comfortless state of a large portion of the Seminoles, that their frocks, shirts, wrappers and petticoats, and I do not know but what the blankets also should be shipped on board of the transports at New York, to be distributed to the Indians immediately after embarkation at Tampa Bay; and this advice I think should be followed.

I have also the honor to ask whether upon the accomplishment of my duties in this city, I shall proceed direct to New Orleans, to make arrangements as recommended in my communication to Gen. Thompson, of the 23d August last, a copy of which is with you, for supplying river transportation, &c.

Communications from the Department will find me in this city until the 7th proximo; and should I proceed direct from this to New Orleans, at the latter place until the 1st of December. I should be at the Seminole agency at furthest by the 20th of December, and hope to be there by the 15th of that month.

I have the honor, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agt. Florida Indians.

Brig. Gen. GEO. GIBSON,
Commissary General, &c.

WAR DEPARTMENT, Oct. 22, 1835.

SIR: Your letter of the 8th instant, to the Adjutant General, has been laid before me.

I am well aware of the disagreeable nature of the duties entrusted to you; but I rely with confidence upon a faithful and judicious execution of them. It is very desirable to accomplish the object of removing the Seminole Indians without the application of actual force, and cannot but hope that such will be the result. You will of course proceed to embark and remove those first who are willing to go, postponing any decisive course with relation to the refractory ones till the others have set out. My impression is, that they will then all peaceably follow. Should they not however do so, agreeably to those treaty stipulations and arrangements they have entered into with you, you will proceed to carry into effect your instructions. All proper remonstrances and representations, however, should be previously made. It is out of the question under any circumstances to leave a lawless banditti, as they would then be, if not removed, to form the association, which you apprehend with the negroes, and involve the frontier in blood.

I have submitted to the President your proposition for the employment of a mounted military force; but there is under existing circumstances no authority for this measure.

There is no appropriation authorizing it; nor can the case yet be brought within the constitutional power of the President to call into service an additional force for the defence of the country. A few days since, on

the representations of Lient. Harris, two additional companies were placed at your disposal, and I have this day directed the Adjutant General to put two more companies under your orders. This will give you a force, as I understand, from the Adjutant General, of fourteen companies, making an aggregate of 700. This force, it appears to me, must be sufficient for all the purposes required.

The President is disposed to direct a revenue cutter to aid your operations, if one can be spared for that purpose. He will consult with the Secretary of the Treasury, and the result, if favorable, will be communicated to you.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

Brev. Brig. Gen. D. L. CLINCH,
United States Army, Fort King, Florida.

WAR DEPARTMENT, *October 28, 1835.*

SIR: I have just received your letter of the 21st ultimo. On the most mature consideration, I cannot agree to the suggestion you make on the subject of the payments of influential Indians, in order to procure their co-operation in the removal of their people. Were the question an open one, there are still no funds at the disposition of this Department which could properly be applied to this object. But the policy is a doubtful one, probably worse, and in a moral point of view it is liable to strong objections. So far as any of the Indians are competent to aid you in the performance of those duties for which assistance must be employed, it is certainly proper to give them the preference. This is the uniform practice, and is confirmed by the principles of the 9th section of the act of June 30, 1834. Such a proceeding operates as an encouragement to the Indians to improve themselves and to become qualified to instruct their tribes. If, therefore, in the business of removal, you find any of the Seminole Indians sufficiently faithful and intelligent to be useful to you, and if their services are required, agreeably to the instructions you have received, you are at liberty to employ them instead of white persons. But further than this I deem it improper to go. I trust that by proper representations you will be able to convince the Seminoles of the necessity of their faithfully executing the treaty they have formed; and for this purpose I have to request that no exertions may be spared. Should they, however, utterly decline compliance, the course indicated in my letter of October 22, to General Clinch, must be pursued.

I see no objection to your recommendation that the annuities may be paid when the Indians are collected for embarkation. The original instructions left to yourself and Lieutenant Harris the determination of the time and place of payment, and he will be again written to on the subject.

In looking at the treaty I do not see that there is any authority for issuing the blankets and frocks before the Indians arrive in their new country. The disbursing agent will, however, have them ready, and they can be shown to the Indians, in order that they may be satisfied they will receive them, agreeably to the assurances which have been given.

Your explanation respecting the interview held by you with the chiefs,

and the course taken in relation to submitting to them the question of removal, appears to me to be satisfactory.

I have directed that a draft for the sum of \$15,400, payable to the Seminoles by the second article of the treaty of 1832, should be remitted to Lieutenant Harris. The draft will be upon New Orleans where he will be able to procure the specie, and take it with him in order to make the payments stipulated by the treaty.

Respectfully, &c.

LEWIS CASS, *Secretary of War.*

Gen. WILEY THOMPSON,

Sup. Sem. Rem. Sem. Agency, Florida.

P. S. Major Phagan having filed here the proper receipt of Abraham for his pay as interpreter, and received credit for the amount, it would be unsafe and inconsistent with the rules of the Department to set aside the receipt, and pay the claim now presented.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. October 31, 1835.

SIR: Enclosed you will find a copy of a letter of instructions, in relation to the Seminole removal, addressed from this office to Captain Brown on the 20th instant; and also a copy of a letter of this day addressed to Lieutenant Harris, at New York. You will find enclosed a copy of a letter this day addressed to Captain Brown.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Sem. Rem. Sem. Agency, Flor.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. Oct. 31, 1835.

SIR: In the letter of instructions, dated the 20th instant, for the removal of the Seminoles after they reach Rock Row, you were informed that the distribution of blankets, &c. would be made at that place. This will not be so; it has been deemed expedient to order their distribution at Tampa Bay.

GEORGE GIBSON, C. G. S.

Capt. JACOB BROWN,

Principal Dist. Agt. Little Rock, A. T.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. October 31, 1835.

SIR: Your letter of the 21st instant was not received until yesterday. The postmark of the envelope was not observed, but it is probable the delay took place from your keeping the communication on hand several days,

on account of the importance of its topics and the necessity of carefully digesting them. The newspapers which you say you have forwarded have not come to hand. Please to forward other copies.

It is apprehended on your part that the attempt to make contracts for transportation, provisions and goods, will lead to extortion and imposition; and you therefore wish to be empowered to go into the open market for the procuring of these articles. So far as regards the two first, there is no objection to your doing so; but the last must, in compliance with the conditions of the 13th section of the act of Congress entitled "An act to provide for the organization of the Department of Indian affairs," approved 30th June, 1834, be purchased "upon proposals to be received, to be based on notices previously to be given."

The steps you propose to take with regard to the corn, are approved. You state that you can find no such blankets as those described in mine of the 4th instant, but that the blankets you can procure are of $3\frac{1}{2}$, 3 and $2\frac{1}{2}$ points, there being no four points. On comparing the weights of these blankets, I find the difference to be considerable only in the $2\frac{1}{2}$ points, and these of $5\frac{1}{2}$ and 6 pounds weight, would, I suspect, be sufficiently heavy. You are therefore authorized to procure them of the sizes above named, and of the weights mentioned by you, to wit:

$3\frac{1}{2}$	points from	$8\frac{1}{2}$	to	$9\frac{1}{4}$	pounds.
3	"	$7\frac{1}{2}$	to	$8\frac{1}{2}$	"
$2\frac{1}{2}$	"	$3\frac{1}{2}$	to	6	"

The letter of the 15th instant directed, in case no further instructions were given to you, to have the blankets and frocks transported to New Orleans for the purpose of being sent to the mouth of White river, as it was contemplated to have them distributed at Rock Row. But on reconsidering the matter it would appear to be preferable that the distribution during the inclement season at which the removal will take place should be made in Florida. You will ship them on board one of the transports for Tampa Bay. Full instructions for the distribution shall be transmitted to General Thompson.

You will consider yourself fully authorized to procure what part of the transportation and provisions you may, upon a full view of the circumstances in which you are placed, and taking carefully into consideration the prospects of success at New Orleans, deem proper; and on leaving New York you will proceed direct to New Orleans, with the purpose there to complete the requisite preparations.

GEORGE GIBSON, C. G. S.

Lieut. S. W. HARRIS,

Dist. Agt. Seminoles, New York City.

WAR DEPARTMENT,
October 31, 1835.

SIR: Enclosed I transmit a copy of a letter from the Secretary of the Navy, by which you will perceive that the necessary instructions have been given to the commanding officer of Pensacola, to direct one of the vessels

under his command to co-operate with you agreeably to your views and wishes. You will communicate with the officer who may command her.

It was found, on conversing with the Secretary of the Treasury and the Secretary of the Navy, that a vessel of a proper class could be furnished by the latter more conveniently than a revenue cutter could by the former.

Respectfully, &c,

LEWIS CASS,
Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,
U. S. Army, Fort King, Florida.

EMIGRATION OF INDIANS.

Office Com. Gen. Sub. November 2, 1835.

SIR: Your letters of 21st September have been received two or three days. In respect to the poneys and hogs you must act as well as you can under the powers already conferred upon you. I regret to think that a sale of them would result in a serious loss to the Indians, but you are already apprised that the United States cannot guaranty their appraised value; or, in fact, do more than facilitate the disposing of them unless, as regards the poneys, the Indians choose to have them sent by land.

You are, I suppose, fully satisfied ere this on the score of an assistant agent. Mr. Sheffield has been appointed, and is, most probably, on his way south. It is gratifying to hear that the course of the other agent is such as now to meet your approbation.

Respectfully, &c.

GEORGE GIBSON, C. G. .S

Gen. WILEY THOMPSON,
Sup. Sem. Removal, Seminole Agency, Florida.

TALLAHASSEE, *November 2, 1835.*

SIR: Your favor of the 14th October has come to hand, appointing me Assistant agent in the removal of the Seminole Indians from Florida. I accept the appointment cheerfully, and am making arrangements to leave here for the agency as early as possible, which will be in the course of a few days. I will advise you of the time of my departure.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. M. SHEFFIELD.

To GEORGE GIBSON, Esq.

NEW YORK, *November 2, 1835.*

SIR: I have the honor to acknowledge the receipt of yours of the 31st ultimo, by this morning's mail. I write in haste to urge that, if practicable,

I may be advised by the return mail whether the *United States soldiers* are to accompany the Florida emigration as guards?

This is an *important consideration* with those who propose to *contract* for transportation as well as at the *insurance offices*, and should be *definitely answered* before the contract is closed.

I have the honor to be, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent Florida Indians.

COM. GEN. SUB. U. S. Army.

CITY OF NEW YORK, *November 4, 1836.*

SIR: I have the honor to acknowledge your two letters of the 2d inst. and to return to you enclosed with this the accounts of Colonel Yancey and the letter from Mr. Rogers covered with one of them.

Colonel Yancey was last paid to include the 16th July. Wishing to bring his accounts within the regular quarter, I directed the next bills to be made out for services rendered for the balance of the third quarter. This entitled him to pay for seventy-six days, the one-half of which is thirty-eight days. Hereafter his accounts will be made out quarterly.

As for vouchers for drayage of corn, by referring to bill of purchase of that article you will see it was regularly charged as an *item* therein and paid for, which I considered the proper way of rendering the account, as it forms a portion of the disbursement actually made on account of subsistence. Should, upon further consideration, a separate voucher for drayage be required by you, it can be obtained by addressing a line to the merchant who furnished the corn at Baltimore.

I would respectfully suggest the propriety of my proceeding at once into the open market on my arrival at New Orleans, and contracting for transportation and provisions there without the preliminaries of advertisement, &c. I shall be unable to leave this city at best until Saturday afternoon, the 7th instant.

Most respectfully, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent Florida Indians.

COM. GEN. SUB. U. S. Army.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. November 4, 1835.

SIR: Your letter of the 2d inst. is received, and in reply I have to state that the Adjutant General has been instructed to order a detail a non-commissioned officer and six or eight men to accompany each transport, independent of conductors, &c.

GEORGE GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Dis. Ag't Seminoles, New York.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. November 9, 1835.

SIR: Yours of the 4th and 6th instants are at hand. The latter covering estimate and accompanied by three patterns of cloth for Seminole frocks, &c.

With regard to procuring transportation and provisions at New York or New Orleans, it seems to me that my letter of the 31st October, the receipt of which you have not acknowledged, is quite satisfactory. You are in fact authorized to do as may seem most conducive to the public interest.

There is no objection to your taking from Messrs Suydam and Jackson one hundred and twenty-five pairs of three points to make up the deficiency of two and a half points blankets.

Your estimate proposes two quantities of cloth for the wrappers and petticoats; the larger will overrun the stipulated price of two dollars if the cloth be of the best quality. But inasmuch as there will not be so many emigrants as the estimate for the frocks, &c. contemplated, there will be a sufficiency of money to meet the extra cost. You will, therefore, procure the cloth in accordance with the larger proposition.

The samples of domestics marked No. 2 and 3 will not answer.

The answer you have given to the inquiries whether compensation would be made for losses by the stranding of transports is agreeable to regulations.

The blankets and other goods will, as at first provided for, be shipped via New Orleans, to Captain Brown at mouth of White river. They cannot be distributed in Florida. Independently of other objections they will arrive too late.

GEORGE GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Dis. Agent Sem. New York City.

SEMINOLE AGENCY, November 10, 1835.

SIR: Your letter of the 10th of September relative to the compensation of Mr. Winslet as interpreter, has been received, from which I perceive that he is considered as having been employed by me, to aid in the emigration of these Indians. If such had been my understanding of the subject, I should certainly have reported the fact to the office of Commissary General of Subsistence, promptly, as it would have been my duty to have done. I have, heretofore, considered him as interpreter to the military post at Tampa, employed for the express purpose of accompanying commands sent from that post, to scour an extensive tract of wild country, for the purpose of preventing the Indians wandering beyond their boundary in that direction. The Secretary has, in his decision, perhaps very properly, connected his service with the emigration, as the service rendered by him necessarily tended directly to aid the emigration. Your instructions relative to the subject shall, as far as practicable, be strictly pursued; but I must apprise you that the post at Tampa, where Mr. Winslet is employed, is more than one hundred miles from my point of location; and that it will, therefore, be out of my power to certify to the fact of his having rendered services; the requisite certificate can, no doubt, be given by Major Zantinger, to whose command Mr. Winslet has been, and is subject. Permit me to suggest that to make Mr. Winslet's services, as interpreter, efficient it was indis-

pensable for him to keep a horse ready at a moment's warning to attend commands in their excursions, to restrain the Indians within their limits, which I am informed he has constantly done. What then shall be the rule by which to determine the portion of time for which he shall be allowed the highest rate of compensation?

Please afford me the aid of your instructions upon the subject.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Supt. Sem. Removal.

Major J. H. Hook,

Acting Com. Gen. Sub.

LITTLE ROCK, November 12, 1835.

SIR: The contractor for supplying the Seminole Indians in their new country, John G. Jonett, having left the country, and no probability of his returning, charged as he is with the crime of murder, his securities, Lorenzo N. Clark and L. C. Sadler, are willing to fulfil the contract, provided the receipts for the delivery of the rations can be given in their names, or that the fulfilment of the contract can be so secured to them, as will enable them to get the pay from Government without delay, for the deliveries made under the terms and stipulations of the contract.

I have informed them that a course satisfactory in that respect would be adopted, and have directed them to be prepared to fulfil the contract. I have, therefore, to request to be informed what course will be the most acceptable to the Department, in relation to the delivery under this contract, by the sureties, so that no difficulties or disappointments may arise in their obtaining pay for furnishing the subsistence.

From the circumstances above stated it will be impossible for them to obtain a transfer of the contract.

I have the honor to be,

Your most obedient servant,

J. BROWN, *Capt. U. S. Army,*

Principal Agent Indian Removal

Gen. GEORGE GIBSON,

Com. Gen. Sub. Washington, D. C.

FORT KING, November 13, 1835.

SIR: I have the honor to acknowledge the receipt of your letter of the 22d ultimo. I consider it unnecessary to repeat what I have so fully expressed relative to the removal of the Indians. Your last communication will, however, cause me to change a part of my plan. It was my intention to let things remain quiet until the friendly Indians had assembled here, then to demand the murderers of Dalton, and if they were not promptly given up, to strike at a large body of the Micasukey tribe, now assembled for the protection of the murderers, and headed by two or three of the *old red sticks*, and if possible take the murderers and headmen; turn the first over to the civil authority, and keep the latter as hostages, until we reac

Tampa, and put them on board the transport. If we permit this body of unfriendly Indians, assembled with the avowed purpose of protecting a party of murderers, to remain where they are, it will, I fear, have a very bad effect on the minds of the timid and wavering. The first duty of a soldier, however, is to obey, and your orders and instructions shall be carried out, as far as my humble abilities, and the means placed at my disposal, will enable me to do so.

I am, with very high respect,
Your most obedient,

D. L. CLINCH,
Brevet Brig. Gen. U. S. Army.

The Hon. LEWIS CASS, *Sec. of War.*

CAMDEN, PENN. Nov. 13, 1835.

SIR: I have the honor to acknowledge your letters of the 31st ultimo, and of the 9th instant; also to enclose with this, contracts and bonds for furnishing transports, and provisions, and goods for Indians, together, with the original bids, and articles of agreement with a physician to accompany the emigrants.

Your instructions relating to blankets have been complied with. In my estimate for woolseys I labored under an error but recently discovered. The wrapper is *not* the garment of cloak fashion, described in one of my late letters to you, but the loose Spencer spoken of in my last. And as this will enable the Department both to answer the expectation of the Indians, and to fall within the original appropriation of two dollars per garment, I have adopted the aggregate of the second paragraph of the estimate accompanying that letter for the amount to be contracted for. The patterns said to have been forwarded by General Thompson, have not been heard from. I consequently caused patterns of three sizes of shirts to be made of the quality both of the material, borders and trimmings, and of the fashion required; have sealed them, as also the pattern blankets and woolseys, and have left them, except the former, which are necessarily at present in the hands of the tailor, with Colonel Staunton, as the standards of inspection hereafter. I had much trouble in finding a suitable style of goods for the Indian garments, and that which I have chosen I think will be acceptable to them. It is infinitely better in quality than any thing they ever had before, is bright and showy in its colors, is durable and comfortable. Their taste, too, has been consulted in the borders and trimmings. Having no patterns for the petticoats and wrappers, I have left the article in piece to be made up by the females. It is to be regretted, I think, that their fine garments cannot be worn when they seem to be most needed, I mean in the cold season, whilst upon their journey. Many of these people, I have said before, are quite naked, and if the obstacles which are opposed to the distribution of the frocks and woolseys are *not* insurmountable, I would still urge the sending of them to Tampa bay. It will not only contribute greatly to their comfort, but will produce, I think, a desirable effect upon the conduct of the Indians. I do not think the probable lateness of their arrival an objection. The goods should not be distributed until the emigrants are embarked, and after that time the issues may be speedily and correctly made upon the muster roll. I do not even see objections to the distribution of the blankets. There will be quite enough of them for those who come in voluntarily, the others may wait for them. Should you still,

however, determine to forward the goods direct, via New Orleans to Rock Row for distribution, I would urge that the contractors be advised thereof, and be allowed a more distant day for delivery. It is exceedingly difficult just now to find workmen in New York to make up the shirts in time. Should they be shipped for New Orleans by the 25th December, they will be at Rock Row in time, I think. And the frank, friendly, and business-like manner in which this house has met all my calls upon them, entitles them to every honest indulgence. The contract for provisions, seeing that they are to be delivered at Tampa bay, at present rates of the provision market, is a very good one. I shall buy such as I may want, hereafter, in the open market at New Orleans.

The transports I have not obtained on such good terms as I had anticipated; yet on mature consideration I think them reasonable enough. Vessels of the class required, are of much less length of hold and breadth of beam than I believed them to be. They are in considerable requisition; are obliged to be at large outlays, and the compensation agreed upon is not more than a fair equivalent for the service, even should all things go smoothly with the contractor. I have, since my last, further investigated the merits of the New Orleans and Mobile markets, and have found them rather unpromising. Two or three persons whose vessels are now in those ports, whose intention it is to winter them in the gulf, and who, consequently, can afford to perform the service required, upon as low terms as any body have made offers at the rate of \$10 and \$12 per head, generally proposing to carry double the number in one of these small craft than I have thought prudent to allow. One of them offered to carry three hundred individuals in his little schooner, a craft capable, perhaps, of carrying one hundred and twenty, and thought he might possibly afford it at \$10 per head for that number. Upon the whole, considering the superior advantages accruing to service from the employment of one person, or company, over the divided interest of vessels chartered indiscriminately, having discouraging advices of the prospect of success at the south on better terms, and anticipating, if any thing, a change for the worse, in consequence of the recent rise of the western rivers rending the freight market more brisk, and finding a person who had associated with himself several respectable ship owners, both desirous and capable of taking the contracts for subsistence as well as that for transportation, the latter on conditions partially of the terms concluded in the former, and thinking the opportunity of having the business performed in a business-like and satisfactory manner, better than I would be likely to find elsewhere in the limited time at my disposal, I gave him the contract.

I have also secured the services of an intelligent and highly recommended young gentleman, to accompany the Indians as attendant physician. I closed my business at New York at three, and left in the mail at four P. M. We have been detained here a short time; in a few hours I shall be on my road again for New Orleans. I hope to be able to leave that city for Fort King by the 5th or 6th of December at furthest. I have also the honor to acknowledge the warrant of Secretary of Treasury for \$15,400, payable at New Orleans; and to request that all further remittances be made upon New York.

I am, sir, with very great respect, &c.

JOSEPH W. HARRIS,

Lieut. Sub. Agent, Florida Indians.

To COM. GEN. SUBSISTENCE,
United States Army.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. Nov. 13, 1835.

SIR: Enclosed you will find a voucher of Joel Yancey for thirty eight day's service. Your requisition is not written on the back of this voucher, nor did it accompany Mr. Roger's letter in which the duplicates were forwarded. You will please immediately to forward a requisition according to form.

Respectfully, &c.

GEORGE GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Seminole Removal, Seminole Agency, Florida.

TALLAHASSEE, Nov. 17, 1835.

SIR: I shall leave here to-morrow morning for the Seminole agency, to report myself to Gen. Wiley Thompson, as you have advised, and apprise you of it, according to promise in my letter of the 2d instant. I should have left here before, but I had some business in the superior court, (which is in now in session,) which I was obliged to attend to, previous to my departure.

I have the honor be,

Very respectfully,

Your obedient servant,

D. M. SHEFFIELD.

Gen. GEORGE GIBSON, C. G. S.

LITTLE ROCK, November 18, 1835.

SIR: I have the honor to acknowledge the receipt of your communication, dated the 20th and 24th ultimo; the former covering copy of an order for Lient. Van Horn, to report to me at this place, &c.

The letter addressed to me, under date of the 6th of September last, was received on the 30th following, and I cannot find that its receipt has been acknowledged. In reference thereto, however, I would here remark, that the investigation required, by those instructions, in relation to the sinking of the Creek and Quapaw presents, cannot be gone into, for some months to come, as the master of the boat in which they were sunk, P. Peltinguit, and who is one of the owners, is absent from this section of the country, and will not return for some months, as above stated. I have furnished him with a copy statement of what is required, and have urged him to be prepared with the necessary evidence, at as early a period as possible.

I have received from the superintendent of the removal of the Seminole Indians, a copy of his general plan of operations adopted and to be observed in their removal, and I shall most cheerfully co-operate and do every thing in my power to carry the same into effect; and it shall also be my aim to carry into effect, most fully, your instructions in relation to the emigration of that tribe of Indians. You probably have forgotten that there is already a contract for subsisting the Seminoles after they reach their new country, to the 31st December, 1836; and I have notified the sureties for that contract (the principal, J. G. Jouett, having left the country), to be prepared to

make issues whenever called upon, and in quantities as shall be required under the stipulations of said contract. I therefore deem it proper to delay making proposals for a contract to furnish the emigrants in their new country, until I hear further from you on that subject. It is my wish that the present contract may stand, as I think it reasonably low. The persons also who are to fill it are responsible and persevering men, and from the notice they have received from me, are making arrangements to carry the same into execution. I shall immediately issue proposals for contracts to supply the stands on the route, from Rock Row to the new Seminole country, with subsistence and forage, and also for wagons and teams to carry through their baggage.

You refer me to the form of a wagon roll, to be observed in the employment of teams, as having been forwarded: none has ever been received at this office. In the letter of the 5th of April last, (with which the circular of the 28th December was received) I am referred to the form of wagon roll; the last clause of the paragraph in relation to wagons and teams, in the above circular, says that forms will be supplied; none, however, as above stated, have been received. Among other information in the letter of the 20th ult. and in relation to the purchase of blankets and frocks for the Seminoles, it is observed, that "as soon as the purchase is completed, &c. the articles will be shipped via New Orleans, to your (my) address, at Rock Row." If it is not too late, on the receipt of this, allow me to suggest that the destination of that property be changed to this place, Little Rock, unless it is intended that the property shall be at New Orleans on or before the time the Seminoles reach there, so that it may be sent in the steam-boats that convey them to Rock Row. But, should the property arrive at New Orleans after the Indians have passed there, it ought to come to this place, instead of Rock Row. There are no settlements at Rock Row, nor none in its vicinity where public property ought to be left. Hence, should it reach there before the arrival of the Indians, or after they have left, there would be no one to receive it, and it might be left, as it probably would be, at some point difficult not only to find, but to get at, by which much delay in getting the property to destination might be incurred.

It is to be regretted that the movement of the Seminoles had not been fixed at a more genial season of the year: to be marching through this section of the country, at midwinter, is very severe upon half-clad Indians; and February is the most severe of our winter months. In March, all the streams are high, and roads almost impassable: a few loaded wagons and teams break them up, and renders them, in places, a complete bog.

Besides, at that season of the year, team oxen and horses are generally poor; the season for preparing for crops is at hand, and people are loth to engage their teams in any employment that takes them far from their homes; and where they must necessarily be greatly exposed to wet and cold. Under these circumstances, inducements, with strong assurances, must be held out, otherwise but few teams will be likely to engage for the trip. Another difficulty is, that there are but few teams in the section of country where the emigrants will land. Within the circle of fifty miles from Rock Row, I am confident that twenty teams suitable for the service, cannot be found. There is no immediate competition, and hence owners of teams will have their own price, or they will not take employment. I have ample time, however, and shall, in the execution of this duty, as hitherto, observe the greatest possible economy. I have to acknowledge the receipt of your

letter, dated the 9th October. It came to hand on the 2d inst. I have been under the impression that the monthly statements of letters received and written, as called for by the addition to circular of July 28, made on the 1st ult. was intended to supersede the current acknowledgment of letters as hitherto observed.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. A.*

Pr. Dis. Agt. Ind. Removal.

General GEO. GIBSON,

Com. Gen. Sub. Washington, D. C.

LITTLE ROCK, *November 25, 1835.*

SIR: I enclose herewith special estimate of funds to defray the expenses of removal and subsistence of the Seminole tribe of Indians, from Rock Row to their new country, west.

I have also forwarded to your address, by this mail, a paper containing my advertisement for subsistence and teams, that will be wanted to subsist and remove those Indians on the route of emigration as therein designated.

The stands placed at K. Potts and at Scott's six mile creek, are not noted on the map I forwarded some time since; and that their location may be known, have to state that the stand at Potts's, is about half a mile from Logan's, on the road leading to Old Dwight. The road by this stand intersects the military road about three miles from "Logan's." The distance is not increased by passing that place, and contiguous thereto is good water and ground for encamping, "Scott's," at six mile creek. This creek is not laid down on the map; its position on the route is distant from Short mountain, westward, seven miles.

There is also an error of distances which I wish corrected. From Choctaw agency to Sans Boinee, Coffees crossing, is, from the best information I can get, not less than forty miles; and from thence to the crossings of the Canadian, near the north fork, thirty miles. These distances are put down on the map, twenty miles each; less thirty miles, on that section of the route, than it should be.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. A.*

Pr. Dis. Agt. Ind. Removal.

General GEO. GIBSON,

Com. Gen. Sub. Washington.

June 22, 1835.

SIR: There were several of my neighbors out in the woods the other day, and were fired on by the Indians, and three of them badly wounded, for which they demand satisfaction of you, you being the proper person; and if they can get no other satisfaction, they are determined to take it on them, if they don't keep on their own side of the boundary line. We are

going to start on a scout on the 25th inst. to cruise on the line, and if we find any that refuse to be taken, we shall deal with them as they deserve. My company consists of one hundred men, and there are about the same number from the upper county and elsewhere, that volunteer their services for to take the route.

Please to send me an answer, and some advice on the subject.

Yours, in haste,

S. V. WALKER.

SEMINOLE AGENCY, *June 23, 1835.*

SIR: Your letter of yesterday's date, was handed to me this evening, by Mr. Warren. I regret the occurrence of the circumstance referred to by you, of which I heard before the arrival of your express. I have made a demand on the nation for the Indians who committed the outrage. Tomorrow the chiefs are to assemble here for the purpose of ordering the delivery of the depredators over to the civil authorities. I have no doubt they will be given up. I am much pleased to learn that you, with your company, and a company from an adjoining county, intend to scour the country on the Indian border in the direction you indicated, as I have no doubt it will have a salutary effect upon the Miccasukey Indians, who are the most troublesome of any belonging to the nation, especially if the operation should be directed by prudence and proper discretion, as I trust it will. You are aware of the delicate character of our relations with these people, and that all causeless irritation should be avoided. The outrage complained of is, in all, calculated to excite indignation and alarm; but I do not consider it as evidence of a settled purpose or any considerable portion of these people to commit hostilities; and I trust that the result of the ensuing three or four days will evince the correctness of my opinion. I have to request, therefore, that you will not, during your excursion, cross the Indian boundary, nor permit any act to be done which would tend to irritate the Indians, that can be reasonably avoided. If you can extend your search to and beyond the Suwaney river, it will enable you to accomplish the object of driving the Indians within their boundary. Should you fall in with any, try to get possession of them without bloodshed; take their guns and packs from them, and I think it will have a good effect on them, to lodge them in jail. The idea of a jail carries terror to the Indian's mind.

Be so good as to keep a strict register of the guns, &c. that may be taken, so that they may be turned over to this office, and eventually returned to their owners.

Very respectfully,

Your humble servant,

WILEY THOMPSON.

Indian Agent.

To Captain S. V. WALKER.

SEMINOLE AGENCY, *July 5, 1835.*

SIR: I sent an express some days ago, to request the attendance of such of the citizens, who were engaged in the unfortunate affair, which recently

occurred in your county, with a small party of Indians, (as could come to this place,) to do so, for the purpose of making an examination of the Indian prisoners, seven of whom are in custody, with a view to determine whether it will be proper to trouble the court with the trial, and charge the public with the expense of all of them, I have examined six of them, who say there were *but eight* Indians in the party; that *two only* fired on the whites; that six were *disarmed by the whites before the firing commenced*, and that they could not therefore have fired, if they had been so disposed. If this statement be true, and it so far agrees with the statement which, as I have heard, the whites make, the six Indians alluded to, were only guilty of going beyond their boundary. If so they would be subject to no other penalty than that inflicted by the Indian law, which is severe, and the chiefs are ready to inflict that. The wounded Indian is subjected to a more serious charge, and ought, I think, to be punished by the civil authority. I make a tender through you to the civil authority of Alachua county, of the whole of them, and request that you will inform me, whether the whole, and if not the whole, what portion of them will be claimed by it. You are aware that the demand for them must be based upon admissible affidavits, charging them with a crime, punishable by the civil authority.

Very respectfully,

Your humble servant,

WILEY THOMPSON.

Indian Agent.

F. R. SANCEY, Esq.

Judge of Alachua County Court.

SEMINOLE AGENCY, July 7, 1835.

SIR: Some days ago I sent Mr. Winslett to request some of the citizens, who were engaged in the late unfortunate occurrence with a party of Indians, in Alachua county, to attend an examination of the Indian prisoners at this place, for the purpose of coming to a conclusion, as to the propriety of sending them to that county for trial. I done so, because judging from the statement made by the Indians, and the statement that I heard that the party of whites gave of the affair, I thought it probable that the citizens would be of opinion, that the six Indians who were disarmed by the whites, before the firing commenced, were guilty of no crime, but going beyond their boundary and killing a cow, and that it would therefore be improper to trouble the court with their trial, and charge the public with the expense of their transportation, imprisonment, and trial. The chiefs are ready to inflict the penalty of the Indian law upon them, which is severe whipping. The owner of the cow, that was killed, will have a claim upon the nation for her value. The other prisoner is subject to a more serious charge, and ought to be punished by the civil authority. I wrote to F. R. Sancey, Esq. judge of Alachua county court, making a tender of all the prisoners, through him, to the civil authority of the county, and having heard that you are on your way to his neighborhood, I beg the favor of you to present the letter to him, (and send this to him as it more fully explains my views) and request of him an answer. It is important that the subject should be immediately attended to, as the Indians begin to complain of delay. Judge Sancey lives in three miles of Newnansville.

I am told that Mr. Winslett stated, that if the citizens did not attend on the day appointed, I would release the prisoners. He misunderstood me, as I never had an idea of releasing them, until I fully discharged my duty, in making a direct and regular tender of them to the civil authority. Please bring Judge Sancey's answer with you.

Very respectfully,

Your humble servant,

WILEY THOMPSON,

Indian Agent.

Lieut. C. SMITH.

CAMP KING, July 26, 1835.

SIR: On the 9th of July, I delivered your letter to Francis R. Sancey, Esq. judge of the county court of Alachua; also a communication addressed to myself, in which you express a desire to co-operate with the civil authority, in a full investigation of all the circumstances, which lately occurred between a party of the Seminole Indians and several citizens of Alachua. After reading the communications referred to, Judge Sancey stated to me, that he should be obliged to postpone writing to you upon the subject in question, until he could see the parties interested in the affair, and have their statement and views, as to the disposition of the Indian prisoners.

At your request I read your letter to many respectable citizens. The original I herewith enclose.

I am, very respectfully,

Sir, your most obedient servant,

CONSTANTINE SMITH,

Lt. 2d Reg. Art.

Gen. WILEY THOMPSON,

Sup. of Indian Affairs,

Seminole Agency, East Florida.

SEMINOLE AGENCY, July 27, 1835.

SIR: On the 7th inst. I wrote to Francis R. Sancey, Esq. judge of Alachua county court, making a tender of the Indian prisoners now in confinement, through him, to the civil authority. My letter to him was delivered by Lieutenant C. Smith on the 9th inst. Eighteen days has since transpired, and I have not yet received an answer, notwithstanding the short distance which separates Judge Sancey from this post; I have therefore decided to release them to the chiefs, now assembled, on their pledge, (which they have given to me) to deliver them up, should they be hereafter called for.

I request, therefore, that you will order them to be sent to my office, where the chiefs are assembled.

Very respectfully,

Your humble servant,

WILEY THOMPSON.

Col. A. C. HAMMIN.

SEMINOLE AGENCY, *November 30, 1836.*

SIR: About the 14th inst. I was informed that five of the chiefs, friendly to emigration with their people, amounting to from four to five hundred, had fled to the vicinity of Fort Brooke on Tampa Bay, for protection. On the 26th inst. Charley Emarly, the most intelligent, active and enterprising chief in this part of the nation, friendly to removal, was murdered by those opposed to the removal: this murder was effected through the agency of a sub-chief, (Povodly) who professed to be and was considered friendly. The consequences resulting from this murder, leaves no doubt that actual force must be resorted to for the purpose of effecting the removal, as it has produced a general defection among those Indians now in the nation, who were pledged to remove voluntarily. What effect it may have on those assembled at the Bay, I can only conjecture; they are in a deplorable condition, separated from this post by the whole extent of the Indian territory, a distance of upwards of one hundred miles; remote from those sections where supplies are produced, and in the vicinity of a post which has no extra provisions, and which is dependent upon sea transportation for supplies of every description. Destitute of the means of subsistence, it is to be feared they, too, will return to the nation, and, from necessity, become disaffected. I had advertised the sale of Indian cattle, to commence on the 1st of the ensuing month, but the murder of Charley Emarly, and the threats of the hostile Indians, produced such a panic among those who would have surrendered their cattle, as to defeat that operation totally. In all probability, the obstinacy and treachery of these Indians will supersede the necessity of any valuation and sale of their cattle, as these will be lost or destroyed in the conflict which is now inevitable. If any of the Seminoles should be able to surrender their cattle to me in compliance with the treaty, during the struggle, I will take such measures as I may think best calculated to secure the interest of all concerned. We must not lose sight of the removal of at least a considerable portion of these people at the appointed time. These refractory people should, and will, (on a concentration of the forces under General Clinch,) be forced to yield, or they will be crushed. A determined movement upon them will, perhaps, reassure those disposed to be friendly, and convince those who are hostile, of the folly of any attempt to resist.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,

Sup. Sem. Removal.

Gen. G. GIBSON.

EMIGRATION OF INDIANS,
Office of Com. Gen. of Sub. Dec. 3, 1835.

SIR: Your letter of the 10th ult. is just received. There will be no difficulty in regard to the paying of Mr. Winslet for his services as interpreter. It was thought best that the certificate of his having served should proceed from the superintendent; because it was believed, notwithstanding his being actively employed a considerable distance from your point of location, that you were cognizant of the appointment, and could certify to the duties having been performed. But Major Zantzinger's certificate will be per-

fectly satisfactory, and that gentleman can state the facts respecting the keeping of a horse. If Mr. Winslet did so of necessity constantly, let him be paid accordingly.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Gen. WILEY THOMPSON,

Sup. Sem. Removal, Sem. Agency, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. Dec. 4, 1835.

SIR: Yours of the 13th November, written at Camden, Pennsylvania, and enclosing contracts for furnishing transport, provisions, and goods, for the Seminole Indians, and with a physician for his attendance during the emigration, came duly to hand.

The course you have pursued in regard to the contracts, and the manner in which you have thus far carried out the instructions of this office, are approved.

This office would most cheerfully allow the distribution of the blankets, frocks, &c. before emigration, but the treaty provides it should take place after. The best that can be done by way of mitigation of the influence of the season upon the Seminoles, will be, to make the distribution at Rock Row. This can, I doubt not, be effected, with the exception, of course, of that portion of the blankets sent west.

GEO. GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Disbursing Agent Seminoles, New Orleans.

WAR DEPARTMENT, December 4, 1835.

SIR: I have just received your letter of the 13th ultimo. When I requested, in my letter to you of the 20th of October, that force should not be applied in the removal of the refractory Seminoles, until those of the tribe who were disposed peaceably to go had proceeded to their embarkation, I did not intend to prevent all proper measures for the apprehension of the Indians who had been concerned with the murder of Dalton. On the contrary, I concur fully in your suggestions, that these persons should be arrested without delay. And you are authorized to proceed in such manner, and at such time, as you may judge expedient to arrest them, and to deliver them over to the civil authority.

Respectfully, &c.

LEW. CASS,
Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,

U. S. Army, Fort King, Florida.

CITY OF NEW ORLEANS, LA. Dec. 7, 1835.

SIR: I have the honor to acknowledge your letter of the 18th ultimo, and the enclosure, with this statement of letters received and written in November.

I arrived at this city on the evening of the 1st inst. only; this, in consequence of unavoidable delays on the road. I have been engaged since my arrival in collecting the necessary information to complete my arrangements for the removal and subsistence of the Florida Indians. But in consequence of the uncertainty of the arrival at the Balize of the emigrants to be first embarked, the terms offered are too disadvantageous to the economy of service to admit of my closing a contract. I have satisfied myself by inquiry through the best houses here, that there will be no risk in deferring my engagements until the arrival of the party at the Balize. I have interested a suitable agent to be upon the look out, and to warn masters of a certain class of steam-boats, that they will probably find a cash employment by being in port between the 25th and 31st of January next. I shall take passage on board the fleetest sailer of our sea transports, and shall part company in season to be at the Balize a few hours before the rest. I shall immediately repair to the city and conclude my arrangements. My agent is furnished with a copy of the stipulations I shall require, and is also authorized to have an eye upon the provision market. Provisions are now unusually high; the produce of the year has not yet come in; and I shall consequently buy at present only such as is indispensably needed to subsist the emigrants at Tampa Bay.

I shall leave to-morrow morning for Fort King. Please address to this city. Captain Brown has recent advices from me, relating, however, to my arrangements and individual opinion as to the success of the emigration. I have had no advices from the Seminole agency since I left there, viz: the 4th September last.

I have the honor to be, &c.

JOSEPH W. HARRIS, *Lieut.*
Disbursing Agent, Florida Indians.

General GEORGE GIBSON,
Commissary General of Subsistence.

N. B. Please advise me if the deposit banks are not bound to give drafts on the north or south, as the interests of service may, in the opinion of disbursing agents, require?

J. W. H.

SEMINOLE AGENCY, Dec. 7, 1835.

SIR: Your letter of the 13th ultimo, with Colonel Yancey's account enclosed, was received by last mail. I regret that the hurry of the moment when it was enclosed to you, caused me to overlook the necessity of making my requisition for the payment of it. You have it herewith returned; the omission supplied. The Indians in this section of the nation, immediately succeeding the murder of the chief, Charley Emartla, assembled at the towns called Big Swamp and Long Swamp. On yesterday morning I received information that they have all disappeared; their destination is the subject of various conjectures here. There are only thirteen Indians who have come in to

this post. We can obtain no runners, as the Indians here are afraid to venture out of sight of the post; we have, therefore, not yet ascertained what direction they have taken. I have no doubt that the object of the whole body of the disaffected is to retreat to the wild region on the peninsula of Florida, in the neighborhood of what is called the Everglades. Holate Emartla, and his four co-chiefs, with their people, are still in the vicinity of Fort Brooke, on Tampa Bay. Captain Fraser has informed me that they suffer much for provisions, and I have requested him to make such economical issues to them, as the extra supplies which he has in store will admit; and to afford them all possible protection, as I very much fear it is a prime object with the hostile Indians to destroy the whole party. The maintenance of Holate Emartla and his party in their present position, I consider of great importance, as their dispersion would serve to encourage the disaffected and correspondingly depress those friendly to emigration. Besides, by maintaining him and his party there, we present a rallying point for such as may be disposed to come in after their panic subsides. For these reasons I have requested Captain Fraser to issue provisions to them. Marauding parties of Indians have recently burned a few houses beyond the Indian boundary, and stole some horses. These, with other circumstances, induce me to consider the Indians as decidedly in a state of hostility.

Very respectfully,

Your obedient servant,

WILEY THOMPSON,
Superintendent Seminole Removal.

Gen. GEORGE GIBSON.

EMIGRATION OF INDIANS,
Off. Com. Gen. of Sub. Dec. 9, 1835.

SIR: I acknowledge the reception to-day of your letter of the 18th ult. It had not been forgotten that a contract had been made for the subsistence of the Seminoles, but it was believed the contractor might not fulfil it, in consequence of the procrastination of the removal, and compulsion in such a case, or purchasing for the outset, must not be resorted to. Still it is by no means intended to say that the withdrawal of contractors under any pretence should be countenanced. A letter received from you on the 3d instant, dated the 12th November, states the difficulty in which this Seminole contractor has involved himself, and asks whether the securities may fulfil the contract, in such manner as that they can get pay for the rations delivered by them. There is no doubt of this; the bond recognises their right to do so, and the receipt may be given to them as securities of Jouett. Should any question, in regard to the profits, arise hereafter between them and Jouett, or his heirs, that would be another matter, and would, perhaps, have to be decided judicially.

The wagon roll was transmitted to you; you will find another copy herewith.

You remark that it would be preferable the blankets and frocks intended for the Seminoles should be sent to Little Rock, rather than to Rock Row. The intention was that they should be *distributed* at the latter place, but they will be landed at the mouth of White river, and can assuredly as well

be distributed there as at Rock Row. Should the property arrive at New Orleans, or mouth of White River, after the Indians have passed, you will have it transported to Fort Gibson; but you will make immediate arrangements to pay the freight at the mouth of White River, where it may arrive before the Indians reach that place.

The time at which the Seminoles are to be removed is of their own selection. I regret, as well as you do, that they could not be got to emigrate at a more genial season. I trust, however, to the known ability of those employed, to direct the movements throughout, for overcoming the obstacles which may present themselves.

The monthly acknowledgment of letters will do, except especial action is immediately required.

GEORGE GIBSON, C. G. S.

Capt. JACOB BROWN,

Pr. Dis. Agt. Rem. Ind. Little Rock, A. T.

EMIGRATION OF INDIANS,

Office Com. Gen. of Sub. December 11, 1835.

SIR: Immediately after the arrival of the Seminole emigrants at the mouth of White river, you will, (should the blankets, frocks, &c. intended for them have reached that place,) distribute among them those articles, according to the following rules. The treaty guaranties to every man, woman and child, a blanket and a frock, and it is estimated that there are about three thousand Indians. Eight hundred and fifty pairs of blankets, have already been sent to Fort Gibson for them, and seven hundred pairs of blankets, with fourteen hundred frocks for males, and materials for sixteen hundred wrappers for females, will be sent from New York in a few days. There will then be at the mouth of White river, blankets for fourteen hundred, and frocks, &c. for three thousand persons. Both blankets and frocks are of three sizes to wit:

Blankets, largest size	-	-	-	-	-	300
second size	-	-	-	-	-	750
third size	-	-	-	-	-	350
						<u>1,400</u>
Frocks, largest size	-	-	-	-	-	600
second size	-	-	-	-	-	500
third size	-	-	-	-	-	300
						<u>1,400</u>

The material to be distributed to the females will be in about the following proportion according to Lieutenant Harris's calculation.

					Yards.
To the largest size, say 700 persons	7½	yards each	-	-	4,550
second size, 600 "	5½	do.	-	-	3,300
third size, 300 "	4	do	-	-	1,200
					<u>9,050</u>

The 1,700 blankets at Fort Gibson will be distributed immediately after the Indians reach the new country.

The articles will be delivered to the Indians in such manner that every one may get his due; but the receipts or acknowledgments of the chiefs and head men will suffice. The delivery will be made in presence of the agents for removal, and certified to by them. A form of "abstract" is herewith and also a "quarterly statement of treaty articles." On the latter you will charge yourself with the full quantity of each article received, and credit yourself with the delivery on the former. The statement will be rendered quarterly as long as any articles remain in your hands.

Yours, &c.

GEO. GIBSON, *Com. Gen. Sub.*

Captain JACOB BROWN,
Prin. Dis. Agent, Little Rock.

FORT KING, FLO. *December 30, 1835.*

TO COM. GEN. SUBSISTENCE, - *U. S. Army :*

SIR: I have the honor to report to you my arrival at this post, which I reached on the evening of the 28th instant, having been delayed by unavoidable detainures upon the road several days beyond the time I fixed upon for the accomplishment of my journey.

I regret that it becomes my first duty after my arrival here, to be the narrator of a story which it will be, I am sure, as painful for you to hear, as it is for me, who was almost an eye witness to the bloody deed, to relate to you. Our excellent superintendent, *Gen. Wiley Thompson*, has been *most cruelly murdered by a party of the hostile Indians*, and with him Lieutenant Constantine Smith, of the 2d regiment of artillery, Erastus Rogers the sutler of the post, together with his two clerks, a Mr. Hitzler, and a boy called Robert.

This occurred on the afternoon of the 28th instant, between three and four o'clock. The troops, with the exception of Captain Lendrum's company of the 3d artillery, had been withdrawn on the 26th, to reinforce General Clinch, at Lang Syne plantation, preparatory to his striking a blow at the families of the Indians supposed to be concealed in the swamps and hammocks of the Withlacoochee river, with the hope of bringing on a general engagement. The departure of the detachment had rendered precaution more necessary, and all those attached to the fort or agency, had been required to move within the picketing. General Thompson slept within the defences, and passed the greater part of the day at the agency office, about 100 yards beyond the works. The sutler had moved his goods into the fort, but was in the habit of eating his meals at his house, some six or eight yards off, skirting a thick hammock to the northwest of us. His clerks ate with him.

On the day of the massacre Lieutenant Smith had dined with the general, and after dinner invited him to take a short stroll with him. They had not proceeded more than 300 yards beyond the agency office, when they were fired upon by a party of Indians, who rose from ambush in the hammock, within sight of the fort, and on which the sutler's house borders. The reports of the first rifles fired, the war-whoop twice repeated, and, after a brief space, several other volleys more remote and in the quarter of

Mr. Rogers's house, were heard, and the smoke of the firing seen at the fort.

Upon the first alarm Captain Lendrum drew in his men, who were for the most part busily engaged without the pickets, securing and strengthening the defences. Expecting an assault from the hammock immediately fronting and flanking the fort, and not then knowing of the absence of General Thompson and the others, thinking the firing was but a feint to draw him out to be cut off. Shortly, however, the fact was made known to him, and about the same time several whites and colored people, who had escaped from the sutler's house, came running in and apprised Captain Lendrum that Mr. Rogers, his clerks and themselves, had been surprised at dinner; and that the three former had, in all probability, fallen into the hands of the Indians.

It was at this moment that Lieut. Colonel Crane, of the army, and myself, with an escort of six mounted militia upon jaded horses, arrived at the fort, by the rear of the hammock from which the ambush arose. A command was instantly despatched to succor, and pursue, if not too late: But the butchery had been as brief as it was complete, and the last whoop that had been heard was the signal for a precipitate retreat, and the savage perpetrators were already beyond the reach of our small force.

The bodies of General Thompson, Lieutenant Smith and Mr. Kitzler, were soon found and brought in; those of the others were only discovered this morning. That of General Thompson was perforated with *fourteen* bullets and a deep knife wound in the right breast. Those of Lieutenant Smith and Mr. Kitzler, had each received two bullets, and the head of the latter was so broken that the brains had come out. The bodies of the two found to-day were most shockingly mangled; the heads of each very much broken; the body of Mr. Rogers was penetrated by seventeen bullets and that of the boy by two. All, saving the boy, were scalped. The remains of these unfortunates were decently and properly interred to-day.

The cowardly murderers are supposed to be a party of the Mickasookee tribe of 40 or 60 strong, under the traitor Powell, whose shrill peculiar war-whoop was recognised by our interpreters, and the one or two friendly Indians we have at the fort who know it well.

Two expresses, soldiers, were despatched upon fresh horses on the evening of this horrid tragedy, with tidings of it to General Clinch; but from our not hearing from him or them, we are apprehensive that they were cut off. We are also exceedingly anxious for the fate of the two companies which had been ordered up from fort Brooke, and which should have been so a week ago, of whom we can learn nothing. Our communication with Tampa is cut off.

I am apprehensive that the hostile disposition is a very general one. All the upper Indians, with but a few exceptions, who were friendly since the council of April last, have gone over to the war party. We are told that Micanopy, the head chief, is opposed to hostile measures, though still objecting to emigrate, and has ordered all his people to remain neutral. Upon this statement I place no reliance. There may be in all, from 5 to 600 people in the nation who will consent to remove peaceably. I hear that there are from 3 to 500 already assembled at Tampa Bay. The rest will fight and must be whipped first.

I regret exceedingly, sir, to be the bearer of such unwelcome and melancholy tidings to you, and wish in my heart that the interests of your

Department could wear a more promising aspect in this quarter. From my *conversation* with *yourself* and the hon. Secretary of War, when at Washington in October, which led to the appointment of "David M. Sheffield as an assistant agent," I conceive him to be the proper temporary successor of the late superintendent, and I have advised him to assume the duties of the office. He is a gentleman without experience, to be sure, in the official station to which he is so suddenly called; but he possesses a fund of plain, unpretending, practical common sense, which, in my opinion, will render him every way competent to fill, with efficiency, the vacancy occasioned by this melancholy casualty. Whatever assistance my own experience may be to him has been most cheerfully tendered, and will always be at his command.

My present advices will be that the agents of the removal, shall repair to Tampa Bay as soon as our communication shall be opened; that such Indians as we shall find assembled, with the exception of the warriors and boys whose services may be required by General Clinch, shall be embarked on board the transports as they arrive, both for their better security, and to insure the fidelity of the males who shall be employed as above. At the expiration of the "lay days" required by the contract, it will be best to discharge such of the transports assembled at Tampa Bay, whose services will not be required to sail with such of the emigrants as shall be then collected, whom I will accompany as far as New Orleans; there forward to Rock Row, and remain myself to furnish transportation and subsistence to such as shall come after, and to make the necessary settlements with contractors, &c. To leave at Tampa Bay such vessels as, in likelihood, will be required before those of the first party can return from the Balize, and to let the Indians be closely confined on board of these as they are brought in, until it be deemed expedient to despatch a second party; and so of a third, until all are removed. Should there be no promise of removing in all, a greater number than that for which sea transportation has been contracted, viz: eighteen hundred, it will probably be more economical to retain, upon demurrage, a reasonable time, than to discharge the transports whose services will eventually be required. Of the expediency of choice in these adoptions I can only judge hereafter.

As soon as practicable I shall aid Mr. Sheffield in examining the papers of General Thompson, in taking an inventory of the property, and in adopting such measures as, in our judgments, shall best secure the service and his heirs from further suffering from his bloody taking off. The returns due from me as disbursing agent will be speedily made out and forwarded.

I would respectfully suggest that you recommend to the hon. Secretary of War, that the annuity due to the hostile Indians, shall be retained to defray in part the expenses of this war, and that the slaves who shall be captured, whom I believe to have been generally active instigators to our present troubles, be sold at public sale, and the proceeds appropriated to the same object.

Without prejudice to my duties in your Department, I have considered that the present posture of affairs called for my temporary services in the field, and upon my arrival at Lang Syne plantation, the head quarters of General Clinch, I placed my military capacities at the disposal of that officer. Two companies have been daily expected at this post from Fort Brooke for some time past, and four in all are now hourly looked for. It is strange they have not arrived before. I was ordered by General Clinch to

accompany Lieutenant Colonel Crane to this post with the hope of our finding this reinforcement already here, and to aid in bringing it up to form a junction with the combined forces of himself and General Call upon the Withlacoochee. The present strength of these Generals amounts to something upwards of 200 United States troops and 500 mounted militia. In consequence of the non-arrival of the companies from below, and the weak condition of Fort King, Colonel C. and myself are to remain here until further orders.

Accept, sir, &c.

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent, Flo. Indians.

Since writing the foregoing, which I had hoped to have forwarded ere this to the nearest post town, we have had news of the safe arrival of our expresses at General Clinch's head quarters. One of them returned here today at about 1 o'clock, P. M. He brings us for news that the forces of Generals Clinch and Call were brought into action on the left bank of the Withlacoochee river, about 40 miles from here, on the afternoon of Thursday, the 31st ult. In consequence of the depth of the stream and want of boats, the troops were crossed slowly, some by a single canoe, some by swimming. About 200 regulars and a few militia had been crossed, and General Clinch and a number of the officers were engaged at the river in constructing a temporary bridge to cross the militia, whose horses would not swim, when they were suddenly set upon by the Indians. Our troops had been formed in the pine barren upon which the hammock borders about one quarter of a mile from the river. Arms had been piled, and according to accounts they were somewhat scattered and taken by surprise. The order of battle was promptly taken I believe, and for *fifty minutes* a sharp skirmishing ensued. The Indians were much concealed by the hammock; our men were much exposed in the open pine barren. From the accounts I suppose the enemy to have been driven back, and, from some good cause doubtlessly, our troops were recrossed the river before night set in; and the next morning retreated to Lang Syne. But few of the militia, says the report, were in the battle, and their determination to return immediately to their homes, is the conjecture we hazard as to this precipitate retreat. It is calculated the enemy were from 200 to 300 *strong*. Our force was rising of 200 regulars, and more than 500 mounted militia. Our loss 4 killed and 40 or 50 wounded, amongst the latter, Captain William Graham, 4th infantry, and Lieutenants Graham and Maitland of the 3d. and Ridgely of the 2d artillery. It is thought the enemy's loss was from 30 to 40 killed (probably exaggerated) and many wounded.

The above has been corroborated by the arrival of Lieutenant Talcott, 3d artillery, who was in the action. All agree that the Indians fought well.

Respectfully, &c.

JOSEPH W. HARRIS,

St. Dis. Agt.

Sunday night, Jan. 3, 1836.

The troops from Tampa have not yet arrived and we feel exceedingly anxious about them. It is said a *soldier's knapsack* was found on the battle ground of the 31st; dropped by one of the enemy.

J. W. H.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. December 31, 1835.

SIR: I have to acknowledge the receipt of your communications of the 30th ultimo, and 7th instant.

Respectfully, &c.

GEO. GIBSON, C. G. S.

General WILEY THOMPSON,
Supt. Seminole Removal, Fort King, Florida.

LITTLE ROCK, *January 2, 1836.*

SIR: Herewith I have the honor to transmit three contracts with bonds, to supply the Seminole Indians with subsistence and forage, and for wagons and teams to transport their baggage, on the route of emigration from Rock Row, to their new country west; and

I am, sir, very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. Army,*
Prin. Dis. Agent, Indian Removal.

General GEO. GIBSON,
Com. Gen. Sub. Washington, D. C.

LITTLE ROCK, A. T. *Jan. 6, 1836.*

SIR: I have to acknowledge the receipt of your letters dated 7th, 9th, 10th, and 11th ultimo, covering form of wagon roll, abstract and quarterly statements of property received and issued to Indians.

The instructions in relation to the delivery of the blankets and frocks to the Seminoles, at the mouth of White river shall be attended to.

Very respectfully, I am sir,

Your obedient servant,

J. BROWN, *Capt. U. S. Army,*
Prin. Dis. Agent, Indian Removal.

General GEO. GIBSON,
Com. Gen. Sub. Washington D. C.

FORT BROOKE, TAMPA,
January 9, 1836.

SIR: I have the honor to forward this, by express, to Saint Marks, and by the same opportunity have communicated with Governor Eaton and General Clinch, and have referred the former to Mr. Steel, of the custom-house department, who will wait upon him at Tallahassee, and afford him many useful details.

No attack has yet been made on this post, though we have constantly expected it, as the enemy is round us, and, as we suppose, in force, and very audaciously stealing horses and cattle close to our picket; six horses

were carried off yesterday, and a negro, from whom they will doubtless get what information they want.

Nearly the complete number (4 wanting) of transports for the emigration service have arrived, and the agent for the contractors is very anxious to know what they have to do on the 15th, the day on which their performance of the agreement is to commence; Lieutenant Harris, the agent for the United States, being yet absent.

Looking to the contingencies of the campaign, already, I trust, gallantly commenced by the Floridians and Georgians, as auxiliaries to General Clinch, I have advised the chief Holate Emarila, of the probable want of the best qualified and active young men and warriors of his force, to serve as guides, scouts, &c. To this, he promptly and cheerfully acceded, should he be advised to that effect by the agent. His whole force is on duty every night around the work, and perhaps a mile or two in advance; they have their pirogues ready for retreat if pressed, as I could by no means receive them in the work. I have issued them 75 blankets, of which 55 were purchased. We are without any information from head quarters. One great reason for this express to Saint Marks, is to communicate either with Gen. Clinch or Governor Eaton. The vessel is a store schooner on demurrage, and at no more expense than demurrage she performs this useful duty.

I have the honor to be,

Your obedient servant,

F. S. BELTON,

Captain Artillery Commanding.

To General JONES,

Adjutant General.

FORT KING, FLORIDA TERRITORY,
January 10, 1836.

SIR: I have herewith the honor to cover to you my account current, property return, and statement of agents, and return of provisions, for the 4th quarter of the year 1835. I send no estimate for the current quarter. It is impossible for me to draw up other than a *form*, in the present position of affairs. Just now, I would not hazard a conjecture, even of *twenty-four hours* into the future.

Our communications with Tampa Bay remain closed, and not a word has been heard from there since the breaking out of hostilities.

As soon as the road is open, I shall repair thither.

I have the honor to be, sir,

With very great esteem,

Your obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent, Florida Indians.

To COM. GEN. SUBSISTENCE,
United States Army.

SEMINOLE AGENCY, FORT KING,
January 10, 1836.

SIR: I have the honor herewith to enclose to you the quarterly statement of agents and others employed in the removal and subsistence of the Florida Indians, for the quarter ending on the 31st December, 1835. This duty has devolved upon me, from the distressing occurrence of the death of the late superintendent, General Wiley Thompson, of which, I presume, you have been advised by the disbursing agent, Lieutenant J. W. Harris, by whose advice, in conjunction with that of Colonel Crane, I am (for the time being) acting as superintendent of the Seminole removal.

I have the honor to be,
Very respectfully,
Your obedient servant,
D. M. SHEFFIELD.

GEORGE GIBSON, Esq.
Com. Gen. Sub. Washington City.

WAR DEPARTMENT,
January 11, 1836.

SIR: General Clinch has this day been informed, that as soon as the Indians have been reduced to submission, they must be properly secured and embarked, as soon as possible, on board the vessels provided for them, and proceed to their destination west of the Mississippi. You will cause to be provided the proper transportation, agreeably to the instructions heretofore given, and exert yourself to remove them as promptly as possible.

Respectfully, &c.
LEWIS CASS,
Secretary of War.

General WILEY THOMPSON,
Sup. Seminole Removal, Fort King, Florida.

WAR DEPARTMENT,
January 11, 1836.

SIR: I am instructed by the President to say to you, that you will continue your operations against the Indians until they are reduced to submission. You will grant them no pacification but upon their unconditional surrender, and with a distinct understanding that they embark immediately on board the vessels that have been provided, and proceed, without delay, to the country that has been set apart for them west of the Mississippi river. All the necessary arrangements for that purpose, will be made in conformity with the previous instructions by General Thompson, in conjunction with yourself. From the state of the feeling manifested by the Indians, it will be proper that the necessary guards should accompany them, and for this, you will provide as, in your opinion, circumstances will require. When a pacification is granted to the Indians, they must place themselves immediately under your control, and must be properly secured until they can be embarked. Such of them as you can ascertain have been guilty of private

murders, previous to the commencement of hostilities, or any other infractions of the laws, you will apprehend and deliver over to the civil authorities for examination.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,
U. S. Army, Fort King, Florida.

WAR DEPARTMENT,
January 16, 1836.

SIR: I have just learned, with much regret, that General Thompson has been killed by the Indians. I have to request that you will assign some officer to perform the duties entrusted to him, so that there may be no delay in the removal of the Indians. Let him be guided by the instructions which have been given on this subject. It is proper, however, to remark, that no compensation for this duty can be allowed under the law, except his actual travelling expenses.

Respectfully, &c.

LEWIS CASS,
Secretary of War.

Brevet Brig. Gen. D. L. CLINCH,
U. S. Army, Fort King, Florida.

FORT KING, *January 17, 1836.*

SIR: I have herewith the honor to forward the last half quarterly accounts of Joel Yancey for \$184, agreeably to former instructions.

I make this payment upon the requisition of the acting superintendent, Mr. Sheffield, in consequence of the determination of this officer and myself to proceed forthwith to Tampa Bay, by the way of St. Marks, chartering a small vessel at the latter place for this purpose, and of the wants of the said Yancey requiring that he should have money.

When I last wrote to you I had hoped to have been at Tampa Bay before this. The route, however, remains closed, and General Clinch is not at present, he informs me, in force to spare an escort, and will not be, he thinks, short of fourteen or fifteen days. This will not enable me to reach Fort Brooke under twenty or twenty-one days with the best of fortune. If I am lucky upon the route I have adopted, I may get there in *nine days*, my only regrets are not having adopted it before.

Not a word as yet from the troops at Fort Brooke, or those who were to have come from thence; we are more than ever anxious about them.

It is the general opinion now, I believe, that there are from four to five hundred warriors in the field of the hostile party, and they give daily and, to us, mortifying proofs how *much they have been underrated*. Nearly *one-half*, indeed I believe more than *one-half*, of General Clinch's available re-

gular force is employed in the *transportation of provisions*, the balance is hardly strong enough to defend itself within its picketings.

I have the honor to be, sir,

Respectfully your obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Ag't Florida Indians.

To Com. Gen. Sub. U. S. Army.

TALLAHASSEE, FLORIDA, *January 27, 1836.*

Finding after writing the above that I should out-travel the mail, I have been its bearer this far upon its journey. I am just in from St. Marks where I have been disappointed in not being able to get immediate passage for Tampa Bay. I shall be able to do so on Saturday. I heard the first tidings of the melancholy fate of Major Dade's command when within fifty miles of this place only.

The account is necessarily vague; the main points of it, however, are sufficiently corroborated.

There is no doubt that eight gallant officers, and upwards of one hundred brave soldiers, the elite of the five companies then at Fort Brooke, have been overwhelmed by numbers, and most inhumanly butchered by our savage foe. From all we can learn both officers and men fought desperately, and to the latest breath nobly acquitted themselves of their duties to their country.

It is currently believed that Micconopy, the head chief of the Seminoles proper, was present and directed or sanctioned the attack. Also, that all the Indians and negroes not with the troops are under arms, and that they have been strongly reinforced of late by runaway and stolen negroes. The enemy is evidently in greater strength than I had imagined, probably not to exceed *one thousand warriors*, although the more popular opinion is that the number nearer approaches *two thousand*.

I learn that there is rather more than five hundred friendly Indians at Tampa.

I shall be unable to decide definitely upon the discharge of transports until I reach Fort Brooke, as soon after which time as opportunity offers, I shall write to you. Please address me in duplicate to New Orleans and Fort Brooke, Tampa Bay, Florida.

Respectfully, your obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Ag't Florida Indians.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. *January 21, 1836.*

SIR: I have the honor to send you copies and extracts from communications addressed to this office on the subject of Seminole Indians, and of several communications addressed to General Clinch and General Thompson. When you have leisure to peruse these papers you will find in them useful and interesting information, particularly in Lieutenant Harris's letter of the 31st ultimo, and the postscript of the 3d instant, I take the liberty

to say of Lieut. J. W. Harris, 3d artillery, (our disbursing emigrating officer in Florida) that he has not his superior, of his grade, in the army. His business habits are unsurpassed, and he is in every way a highly accomplished and most efficient officer.

Very respectfully, &c.

J. H. HOOK,
Major U. S. Army.

To Major General Scott, U. S. Army.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. January 21, 1836.

SIR: Your communication, dated Fort King, 30th December, together with your letter of the 31st instant, your account current, monthly return of provisions, received and issued, and your account of letters written and received, are received.

In the present uncertain and unsettled state of Indian affairs in Florida, I can give no further definite instructions; but having entire confidence in the zeal and intelligence of yourself and Mr. Sheffield, commit to your good judgment and sound discretion, under the approbation of the commanding officer of the troops in Florida, the proper and necessary measure to be pursued in the immediate removal of the Seminole Indians to the west of the Mississippi.

The future rendition of the statement of letters written and received, agreeable to circular of the 1st October, 1835, is no longer required.

GEORGE GIBSON, C. G. S.

Lieut. J. W. HARRIS,

Dis. Ag't Seminoles, Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. January 25, 1836.

SIR: Your communication of the 30th December, 1835, is received, and I regret to learn that your anticipations as therein expressed are more than realized.

Please keep this office constantly informed of the state of affairs around you.

GEORGE GIBSON,
Com'y Gen'l Sub.

Lieut. J. W. HARRIS,

Dis. Ag't Seminoles, Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. January 25, 1836.

CAPTAIN: Yours of the 1st and 2d instant, together with your monthly return of letters, abstracts of bids and contracts, are this day received.

Lieut. Harris has been instructed to keep you constantly apprised of the movements of the emigrating Seminole Indians. The most disastrous accounts have been received from Florida. The Globe of this morning gives Captain Belton's official account which furnishes the last intelligence this office is in possession of.

I must commit to your sound discretion the propriety of discharging or otherwise, the teams engaged. You are quite as capable as myself of judging of the present prospects of the Seminole emigration. I can give no definite instructions at this time.

GEORGE GIBSON,
Com. Gen. Sub.

Capt. J. BROWN, *Principal Disbursing Agent,*

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. January 25, 1836.

SIR: You will keep Captain Jacob Brown, at Little Rock, constantly informed of the prospect of Seminole emigration, in order to enable him to judge of the necessity of making contracts for transportation, and you will please make him duplicate communications on the subject.

GEORGE GIBSON, *C. G. S.*

Lieut. J. W. HARRIS,
Dis. Ag't Seminoles, Fort King, Florida.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. February 1, 1836.

SIR: As Lieutenant Harris, the disbursing agent for the removal of the Florida Indians, is prevented from being at Tampa Bay by insurmountable obstacles, I must look to you for the temporary performance of the duties which would devolve upon him, and desire you to exercise your discretion touching the propriety of detaining or discharging the transports which may have arrived, and may arrive, at Tampa Bay. They allow ten lay days, after which a demurrage is provided for by the twelfth article of the contract, of twenty cents per diem, per ton, as registered on each and every vessel employed under this contract, that shall be detained by the said Harris, his agent, or successor in office. Should you think proper to discharge them, please have the Indian goods which are on board them forwarded to the quartermaster at New Orleans, with instructions to have the goods stored from this office. The transports were to be at Tampa Bay on the 15th of January, 1836.

Respectfully, &c.

GEO. GIBSON, *C. G. S.*

Captain F. S. BELTON,
Fort Brooke, Florida.

LITTLE ROCK, A. T. *February 2, 1836.*

SIR: I leave this to-day for the mouths of White and Arkansas rivers, for the purpose of meeting the Seminole emigrants, in order to make the issue of blankets, &c. to them, as directed in your communications of the 9th and 11th of December last. I shall be absent, for the purpose of accomplishing this duty, from fifteen to twenty days. Of this, however, much depends upon the early arrival of the emigrants. The 10th instant is the period fixed for their arrival at Rock Row; hence, they ought to be at the mouth of White river by the 6th or 7th. The recent news of their determination not to remove, and the reports of a most horrid massacre, (which God grant may not prove true,) induces a belief that there will be little or no emigration of that tribe at present. Be this as it may, every arrangement is made to receive them at Rock Row on the route of emigration, and in their new country.

I am, sir, very respectfully,

Your obedient servant,

J. BROWN, *Captain U. S. Army,*
Pr. Disb. Agent Indian Removal.

General GEO. GIBSON,

Com. Gen. Sub. Washington, D. C.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. February 6, 1836.

SIR: The Secretary of War directs me to say that, owing to the present situation of the Seminole Indians, there being no prospect of any but a forced emigration by the military, he conceives there is no further necessity for your services; and directs that your present employment in the Seminole emigration, and of course your pay as agent, will cease on the receipt of this letter.

Respectfully, &c.

GEO. GIBSON, *C. G. S.*

JOEL YANCEY, Esq.

Ass. Ag't Sem. Removal, Fort King, Florida.

ON BOARD BRIG HALCYON,
Near Fort Brooke, Florida, February 7, 1836.

SIR: I have herewith the honor to cover my statement of letters for the month of January.

Also, to report to you that I arrived here, via St. Mark's, on the evening of the 3d instant. The acting agent, Mr. Sheffield, did not accompany me farther than Tallahassee. He was to have joined me again at St. Mark's on the evening of the day preceding that of the departure of our vessel for Tampa, at which time I received on board a letter from him apprising me that his excellency Governor Eaton had so strongly urged the propriety of his proceeding to the towns of the Appalachian bands, to endeavor to persuade those Indians to join the forces then raising under General Call in their campaign against the Seminole Indians, that he had yielded to the

Governor's request, and would speedily join me at Tampa Bay." In the mean time, Mr. S. desired me, in his absence, to discharge the duties of his office.

Immediately, upon my arrival, I reported to Major Belton, the officer commanding the fort, and received from him such intelligence as he was in possession of with regard to our Indian relations. It appears that a body of friendly Indians, composed of the bands of Holate Omartla, Cotchee Micco or Fuckeelustee Hajo, Hotulkee Ohola, and Econhatteem Micco, amounting to from 450 to 460 strong, assembled at this place early in December, in consequence of the murder of Charley Omartla, and the advice of General Thompson, the late agent, and have been subsisted here since that time. In consequence of the naked and destitute circumstances of these people, partly arising from the natural poverty of their condition, partly from the necessary precipitancy of their retreat, some issues have been made, unauthorized by the letter of the laws which govern the two departments which just now I have the honor to represent in Florida, and which *every day events* would not have justified; yet which, under the then existing circumstances, to have denied, would have been *inhuman*.

They were starving, and were *fed*; naked, and pinched by the inclemencies of winter, and *blankets* have been given to them: defenceless, (for the garrison was at one time too weak to afford protection without its pickets, and the defences too contracted to admit of so large a number within,) and a few rifles have been issued to them. An abstract of these will be furnished to me at an early day, and a proper statement, explanatory of the exigencies under which the issues were made, will be forwarded by me for the sanction of the proper authority.

I also found at anchor in the bay a fleet of thir'een transports, which had been ordered out by my contractor, in compliance with my requisition, and the terms of his contract. These had for the most part been in waiting for several weeks.

After fully deliberating upon the prospects of a removal, I decided upon discharging *eight* of these vessels, and retaining the *five largest and best*. I would have discharged *two* others, had I not been apprehensive of the discouraging effect it would have produced upon the friendly Indians, as the three would have been quite and more than sufficient for the transportation of them, and, in emergency, of a couple of hundred more. My hopes of obtaining a reinforcement to our corps of emigrants are very faint.

Those who are here of the friendly chiefs express a wish to be at once removed; and yet a willingness, I think reluctantly expressed, to aid our forces in bringing their "mad countrymen" to reason. It is the wish of General Clinch to organize the friendly warriors as a body of scouts and spies, and he considers the services they might render invaluable. It was also the decided opinion of his excellency Governor Eaton, when I had the honor to pay my respects to him at Tallahassee, that these Indians should be retained for the present. For themselves, they will admit of no separation; their families must be where they are.

On this account I defer further action, until the arrival of Mr. Sheffield, or of contrary advices from General Clinch.

There are some vague rumors amongst us that that the hostile Indians have been whipped above and are retreating southward. These I think relate to some hostile demonstrations that were made on and in the neighborhood of Fort King previous to my departure from that post, and which re-

sulted in nothing worth talking about. I observed, however, as I came down the coast, numerous smokes to the south of Wythlacoochee river, as if the enemy was in force in that quarter. Smokes are also daily seen in this neighborhood in several directions.

I discharged the superfluous transports on the evening of the 5th instant. In consequence of the "sixteen lay days" stipulated for under contract, those vessels were entitled to but *five days charges* for demurrage.

In haste, I have the honor to be, sir,

Respectfully, your most obedient servant,

JOSEPH W. HARRIS,

Disb. Agent and Sct. Sup. Florida Indians.

To. COM. GEN. SUB.

United States Army.

P. S. The schooner Motto, bringing Major Zantzinger of the army, and intelligence that Lieutenant Colonel Twiggs, with seven hundred troops, mostly militia, were to have sailed from New Orleans on the 4th instant, arrived here yesterday. Colonel T. is looked for hourly.

TALLAHASSEE, Flo. February 9, 1836.

SIR: I have the honor to state to you, that some few days after the lamentable death of Gen. Wiley Thompson, which took place on the 28th ultimo, I by the advice of Gen. D. L. Clinch and Lieut. J. W. Harris, the disbursing agent, took upon myself the responsible duty of acting as superintendent of the Seminole removal and agent for the Florida Indians, and knowing that you had been advised of the fact by Lieut. Harris, I have deemed it not important until the present time to write to you upon the subject myself. My duty as superintendent of removal, now calls me to Tampa Bay, for which place I expect to leave on the day after to-morrow. Lieut. Harris and myself left Fort King on the 28th ultimo, with a view of going to Tampa, for the purpose of embarking the friendly Indians assembled at that place, and discharging such of those transports which are there waiting, and not immediately wanted. We were obliged to come by way of Tallahassee and St. Marks, as the hostilities of the Indians was such as made it extremely dangerous to go through the nation. On the 27th ultimo, Lieut. Harris left this place for Tampa, and I should have accompanied him but for being advised by his Excellency Jno. H. Eaton, to proceed to the Appalachicola river, for the purpose of endeavoring to organize those Indians to join some companies of militia, who are about to proceed to the Seminole nation. I succeeded in obtaining eleven who expressed their willingness to do so, and arrived here with them on Sunday morning last, which will make my arrival at Tampa, some ten days later than I had anticipated it would have been; but I still hope to be in time to attend to every business it may become necessary for me to attend to, as superintendent of the removal. Should it become necessary to forward any communications to me, they had probably as well be directed to Fort

King, as they will be forwarded to me from that place to Tampa, should the way be opened between the two places at the time of their arrival.

I have the honor to be,

With great respect,

Your obedient servant,

DAVID M. SHEFFIELD,

Act. Sup. Seminole Removal.

To the Hon. LEWIS CASS,
Secretary of War.

EMIGRATION OF INDIANS,
Office Com. Gen. Sub. February 10, 1836.

SIR: You will, as soon as it is practicable to do so, after the termination of hostilities, take as accurate a census as can be made of the whole number of Seminole Indians and negroes of the nation, distinguishing their sexes, and showing also the number of males above and under the age of sixteen.

You will also, by every means in your power, ascertain, with as much precision as you can, the number of Seminole warriors, and effective negroes, slaves, or allies, arrayed against the United States at any time during the existence of hostilities, and forward the required information to this office, for the Secretary of War.

GEO. GIBSON, C. G. S.

Lieut. J. W. HARRIS,
*Disbursing Agent, Seminoles,
Fort King, Florida.*

FRAZIER'S REDOUBT, FORT BROOKE, FLORIDA,
February 15, 1836.

SIR: I have the honor to enclose through you, to the President of the United States, a talk of the Seminole chiefs and warriors now on terms of amity with our Government, to their "great father." It was delivered to me by Fa-lot-e-o-math-la, the principle chief of the friendly party, in the presence of the warriors then assembled at this post, with the exception of the chiefs Tus-tee-nug-gee-Hajo and Fis-hat-ke-mee-co, who were absent, but whom I am authorized to say concur in what the old chief has said. This talk I forward by the earliest opportunity which has presented itself, viz: by a vessel which will sail to-day for Pensacola or New Orleans.

The untimely taking off of our late superintendent, General Thompson, and the absence of all other agents, connected with the Florida removal, have made me think it incumbent upon myself, with the approbation of my seniors, temporarily to assume the duties of that office. David M. Sheffield, who was appointed by you assistant agent to the removal, in October last, and who will relieve me in these duties, is daily expected here.

In submitting through you the enclosed sentiments to the venerable authority to whom they are addressed, I respectfully beg leave to call your individual attention to each of them respectively, and to say with what pleasure I can recommend them to your personal notice for their truth, their justice, and their propriety

It is true that these unfortunate Seminoles have thus far proved themselves to be our fast and very valuable friends; true that they have been faithful to their contract; true that they have been severely sufferers by it. It is just, that whatever has been duly promised should be given to them: just, that they should not be the losers by their friendship and their faith; and but liberal, and (with a forecast to the effect to be produced on other tribes by the *example* of these devoted friends, and its *reperad*) but prudent, that they should be greatly the gainers by it; and it is proper that in times like these our Government should hear the sentiments which it seems to me are offered in humility and in reason, of their allies, and should be seasonably reminded of its obligations and of its pledges.

The murder of the chief Charley O-Math-la, by Powell and his confederates, in November last, was followed up by the immediate abandonment of the friendly towns, and the precipitate retreat of their inhabitants, to this post or protection, more than one month before the time fixed upon for their assemblage for removal; and here they have quietly remained ever since our steadfast friends, honestly foiling the intrigues of their countrymen in arms, and alike defying their counsels, their entreaties, their promises and their threats. In furtherance, they have efficiently aided our cause by sending out their young men as scouts and spies, and have thereby imparted to the commanding officer of your troops here, much valuable information; and latterly they have done more. On the evening of the 8th instant, the day after the talk was made, which is here enclosed, and from which, and from their previous conversations, I had understood that they did not wish to fight against their countrymen, and which disposition I approved. Upon their learning that our foe was *in force* in the neighborhood, and that a party was committing depredations within a few miles of their camp, of their own accord sallied out with a few citizen settlers who found themselves here, and maintained an obstinate combat with the enemy for several hours, retreating only before vastly superior numbers, and gaining the fort not until night was setting in. In this skirmish their loss was small, but it was sufficient to test their sincerity; its amount was *one missing*, supposed to have *been killed*, and *two wounded*, who are provided for and are doing well. It is believed that their opponents suffered much more severely. Furthermore when Major General Gaines, with a light brigade of United States troops and Louisiana volunteers, under the command of Lieutenant Colonel Twiggs, fourth infantry, took the field on the 4th instant; they again urged that they might be permitted to go out also, and were permitted to do so after having been repeatedly told that that proof of their friendship was not required of them.

Circumstances, over which your agents had no control, prevented their reaching this place before the 3d instant, upon which day I succeeded in arriving, hereby adopting the circuitous route, via St. Marks. Here upon my arrival I found those people embodied, and both ready and desirous to be carried to their new country; and here also, I learnt from the commanding officer of the post, Captain Belton, of the army, the history of their fidelity and of their troubles, and of the feeling and principle which prompted that officer, and which must ever redound to his honor, to cast aside every selfish consideration, and cheerfully assuming the responsibilities which humanity, and to his belief, the true interests of his country called for, to relieve the wants their sufferings so pressingly solicited; and to prove himself, as they expected, the representative of their great father, to be their

kind protector and friend. They came to him hungry, and he gave to them meat and bread; cruelly pinched by the inclemencies of winter, naked and destitute, and he gave to them blankets; without the means of defending their wives and children (whom he could not in prudence, either with regard to the safety of his little garrison or to its health, admit within his narrow defences,) and he bought for them a few rifles. I need not I am sure say more to exonerate this officer from any liability to which this generous procedure may have exposed him; and I hope I have said enough to entitle him to a grateful notice.

Previous to my arrival there was no officer or agent of our Government present who felt himself authorized to direct the embarkation of the Indians assembled here. Upon my landing my first opinions were in favor of an immediate removal of the families already collected. Farther consideration, however, upon consulting with General Gaines, in which the wishes, as verbally expressed to me, of his Excellency Governor Eaton and of General Clinch, that the friendly warriors should be organized into a corps of scouts and spies. My belief in the valuable service these warriors might render in that capacity, and their own wishes to serve as such, together with the hope that a brief campaign might result in a considerable reinforcement to the emigrating party, being duly considered, I determined to await the result of at least the first action.

General Gaines contemplates moving a few miles to the southward in the direction of smokes which have been seen for some days past, and from thence on to the hammocks of the Withlacooche, which are thought to be the strong holds of the foe, and where it is believed he is in force and will venture an engagement; and where, should a combined attack be made by the forces, from above and below, simultaneously, we may hope for the most decisive results.

Again and respectfully urging upon your earliest consideration and action the several petitions and sentiments contained in the talk of the chiefs enclosed and of this letter,

I have the honor to be, sir,

Most respectfully,

Your very obedient servant,

JOSEPH W. HARRIS,

Lieut. Dis. Agent, Acting Sup. Flor. Indians.

HON. LEWIS CASS,
Secretary of War.

Talk of the friendly Seminole Chiefs Ho-lat-e-o-marth-la, Cot-chee-mi-co, or Fuc-kee-lustee-hajo, Hotul-kee-o-ho la, and E-con-hat-kee-micco, to their great father the President of the United States.

OUR FATHER: We wish to say something to you. It is because we wish to follow the advice which your agent, who has been so cruelly murdered by some of our crazy red men, always gave to us. General Thompson was our good friend and always gave us good talk. He told us, and told Charley O-marth-la, Ho-tul-kee-o-marth-la, and the other chiefs, who last spring declared themselves willing to obey our great father, and to remove to another country, when we were all together, that whilst our people were true friends and kept their words, that our great father would protect them, and make them comfortable; and that they should never lose any thing by being good

friends. We said then that this talk was good, and that we would remember it. We have done so. Our brother Charley O-marth-la has been killed for this by those of our countrymen who wished him to forget his word, and to become your enemy; and these bad men have frightened some of the others who were then with us to forget their words, and to join them. But as we were not frightened into doing what we knew was wrong, we have come into your fort, and have placed ourselves beside your people like true friends.

Could our father now see us, he would see us with all our people around us, at the place where we were told to come; and from whence the big canoes were to carry us to our new country; we are here, and are ready to go. If we did not mean to go we would not have been here, but with our mad brothers in the red path. We believe that our great father is our very best friend. General Thompson has always told us so, and he always told us the truth. We have sent several talks to you, through our friend who is dead, and we now send you this, to shake hands with you, and to say that though the chief of the Seminoles, Micanopy, has shed blood, yet we will not; that we have joined the white men, and wish to remain beside them shedding no blood, but waiting patiently to be carried to our new homes.

When some of us [this talk is given by Ho-lat-e-o-marth-la, in behalf of the chiefs, and he was one of the delegation who was sent west,] went out with our former agent, Major Phagan, to look at the country that was to be given to us, we met there the chiefs whom our great father had sent to meet us to show us the country, (the board of Indian commissioners.) These chiefs told us, before we agreed to go to live in that country, many things that we were glad to hear; and that we should have our own trader, and our own blacksmith, and that they would try and get for us an agent separate from the Creeks. We hope all this will be so. At that time we asked that our two traders in this country, (Mr. Erastus Rogers, the late sutler at Fort King, and Captain Saunders, the present sutler at Fort Brooke,) might be our traders there; but, as one of them is now dead, we ask only for the other, Captain Saunders, and this because we have traded long with him, and we know him. We believe that our father will give us a better ~~blacksmith~~ than we can recommend. We want one who can work well; who is good natured, and who will help us cheerfully.

Our father, it is now more than nine moons (Ho-lat-e-o-marth-la, and his people, owing to the threats of his enemies, and the advice of the late agent, were obliged to flee from their towns last spring to the neighborhood of the Tallahassee country, and had hardly settled down again when they were obliged to retreat to this place,) since we were driven from our homes owing to our taking the talk of our great father; our homes have been burnt; our ponies (twenty-eight in number) have been stolen from us, our provisions destroyed, and probably some of our cattle driven away. But we believe that our father is just, and that our losses will be made good to us.

Our father, we have seen much trouble since this division came amongst our people; our lives have been constantly threatened, and we have lived unquiet and unsafe in our towns; and we have felt as if we had, and indeed, for some moons past, have had no home; and this because we have been your fast and true friends. We are now poor and destitute. When we get to our new country, and our money is paid to us, many people will

come with complaints and with claims, and will want it, and much of it will perhaps be given to them.

Our father, we shall in this way suffer from the faults of our countrymen who have spilled the blood of so many of your people, and who are now fighting against you ; and who will be glad to see such suffering come upon us ; we think that those who have been spilling like water the blood of white men ought to be thankful if they come off with their lives ; and we then to us who have remained true to you should be given all that has been promised by the treaty.

Our father has promised us that we shall never be moved from our new country ; that we may there live under our own laws and customs ; and that it shall be our own country forever. When we are settled there, we want a paper from our father giving us a right to our country.

Our father, we have said our talk ; we wished to say it whilst we lived, for in these times we know not how soon we may be amongst the dead. We hope that our father will find our talk good.

HO-LA-TE-O-MARTH-LA, his X mark.
FUC-KEE LUSTEE-HAJO, his X mark.
HO-TUL-KFE-O-HA-LA, his X mark.
E-COM-HAT-KEE-MIC-CO, his X mark.

In presence of

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent and acting Sup. Flor. Indians.

S. W. HULSE, *M. D.*

his

JOHN X MUSLETT, *Interpreter.*

mark.

Fort Brooke, Florida, February 7, 1836.

FRASERS REDOUBT, FORT BROOKE, FLORIDA,
February 15, 1836.

SIR: I have the honor, herewith, to enclose to you copies of a letter addressed by me to the honorable Secretary of War, of this date, and of a talk sent by the friendly Seminole chiefs, to the President of the United States, accompanying the same. I beg leave, respectfully, to call your particular attention to the sentiments and petitions contained therein, and to solicit your friendly interests in the furtherance of them.

These papers, together with my letters addressed to your office of the 30th December, 1835, 10th January, 17th January, and 7th February, 1836, place you in possession of all official information that I am at present prepared to give.

I am alone here, that is, unaided in your department. My duties bind me more closely to the transports and the pickets, than, as a soldier who may never enjoy another opportunity of seeing service, I could wish ; but if I succeed in securing your approbation, by proving myself useful to you in any capacity, I shall be satisfied.

Wishing you every happiness, I remain, sir,

Your most obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent and acting Sup. Florida Indians.

To COM. GEN. SUB.

United States Army.

ROCK ROW ON WHITE RIVER,
Arkansas Territory, Feb. 21, 1836.

SIR: No emigrant Seminoles have yet arrived; and in this isolated place, I can get no positive information as to whether any part of the tribe will reach here or not. Twenty-three teams have been in readiness, waiting here most of the time since 10th instant. There are now sixteen waiting. Some passengers in a steam-boat from the mouth of White river, reported here, that they saw Captain Brown at that place about the 15th instant, on his return from New Orleans to Little Rock, I have been unable to get any late information from Florida, and regret that Captain Brown did not write by the steam-boat referred to; either directing the discharge of the teams here, or giving information as to whether any Indians are expected to arrive. I have heard nothing from him since 10th January, when he directed me to repair to this place. As he did not avail himself of the opportunity to direct the discharge of the teams, although just from the neighborhood of the Seminoles, I am led to think it possible that a party may still arrive; and shall, therefore, not take the responsibility of discharging the teams for a few days, hoping that I may receive certain information.

The contractor informs me that, besides the teams waiting here at expense to the Government; there are fifteen or twenty others near by, that he has at command, on the arrival of the party. I proposed to give a final discharge to the sixteen teams now under pay, and who are very impatient to get away, provided he would make use of the fifteen or twenty teams referred to, to transport the party in case of its arrival, and such others excepting the sixteen, as might be needed.

I made this proposition to save all expense to Government, but he declines acceding to it. I have written to Captain Brown desiring him to give me the earliest advice.

Very respectfully,

Your obedient servant,

J. VAN HORN,
Lieutenant Infantry.

Brig. Gen, GEORGE GIBSON,

Com. Gen. Subsistence, Washington.

LITTLE ROCK, A. T. Feb. 24, 1836.

SIR: I returned to this place last evening, and have this morning despatched an express to Rock Row, with orders to discharge all the teams that may be assembled at that place for the purpose of removing the Seminole Indians. The express will reach Rock Row to-morrow in the course of the day, to which date payments for the teams that may have assembled for the purpose of removing the Seminoles, will be made.

There is little probability of any of the Seminoles reaching Rock Row before the middle of next month, and then, if any, the number must be small—say 500 or so—in fact, no calculation of numbers or of the period of arrival, can, at this time, be made. I shall, nevertheless, be prepared to send any party or parties of the Seminoles that may reach this Territory, without delay, to their new country.

I have apprised the contractors connected with this removal, of the delays, and the small number, in all probability, that will emigrate, so that they may shape their arrangements in accordance thereto.

The Seminole goods, consisting of blankets, plaid, linsey, &c. ordered to the mouth of White river, reached that place early this month, but as the object for landing them at that place, that of distribution, having in a measure ceased, and as my duties elsewhere required my presence, I deemed it best to order those goods to this place, where they now are, and will remain until further instructions in relation to the disposition of them are received.

I reported some time ago, the arrival at this place of several boxes, containing rifles and blankets, shipped from Columbus, Alabama, for the Creeks. No instructions have yet been received for further disposition of this property.

I have to acknowledge the receipt of several communications with enclosures, &c. dated as follows; one of the 6th, two of the 12th, one of the 22d, two of the 25th, and one of the 30th of January last.

The references and instructions therein contained, shall be attended to.

I am, sir, very respectfully,

Your obedient servant,

J. BROWN, *Capt. U. S. A.*

Pr. Disbursing Agent, Indian Removal.

Gen. GEORGE GIBSON,

Com. Gen. Sub. Washington, D. C.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. March 4, 1836.

SIR: Yours of the 7th ult. dated at Fort Brooke, is received. Your disposition of the transports is entirely approved.

Keep me constantly apprised of every thing of interest appertaining to the Seminole Indians.

Respectfully, &c.

GEO. GIBSON.

To Lieut. J. W. HARRIS,

Dis. Agt. &c. Fort King, Florida.

FORT DRANE, *March 8, 1836.*

SIR: Yours of the 6th ult. was received by me at Fort King, on 1st inst. and I perfectly agree in opinion with the Secretary of War, that the removal of the Seminole Indians will have to be by coercion, and consequently a military operation, and that my services as an assistant agent are not necessary; and although misfortune makes me need the pay, yet, sir, I had rather be out of the service than to be drawing the money of the Government without the rendition of any equivalent services.

In am, very respectfully, sir,

Your most obedient servant.

JOEL YANCEY.

Gen. GEO. GIBSON, *C. G. S.*

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. March 11, 1836.

SIR: Enclosed for your information is copy of a letter from Mr. Jackson, and my reply. Five thousand dollars were remitted to meet the draft, and I will immediately direct another deposit to your credit in the Manhattan Bank, of ten thousand dollars.

Respectfully, &c.

GEO. GIBSON.

To Lieut. J. W. HARRIS,

Acting Sup. Sem. Rem. Fort King, Florida.

WAR DEPARTMENT, March 12, 1836.

SIR: I enclose a message to the friendly Seminole chiefs, in answer to their talk to the President, transmitted in your letter of the 15th ult.

You will deliver it to them, and enforce the views presented in it, by such considerations as may occur to you. I will also thank you to transmit such a report on the subject of their losses, as will enable the Department to judge whether any thing can be done for them under the existing laws. They have suffered greatly, and behaved with unexampled fidelity, during the perilous crisis. So far as the power of this Department extends, I am prepared to show them every reasonable indulgence. I cannot, however, go beyond the provisions of the laws.

I see no difficulty upon your statement on the subject of the provisions issued to them. The other issues that have been made, shall be judged of as soon as the papers reach here. Your general views meet my entire concurrence, and I have only to add, that I am exceedingly desirous that these people should be removed as speedily as possible, and established comfortably in the country provided for them west of the Mississippi.

Respectfully, &c.

LEW. CASS.

Lieut. J. W. HARRIS,

Acting Sup. Sem. Rem. Fort Brooke, Florida.

WAR DEPARTMENT, March 12, 1836.

MY FRIENDS: Your letter to your great father, the President of the United States, has been laid before him, and I am directed by him to say to you, that he highly appreciates your faithful conduct during the difficulties in which you have been placed. Many of your people have behaved badly, and have brought destruction upon themselves. You have, however, kept your promises, and have not shed the blood of a white man. This shall long be remembered.

Your great father hopes you will speedily remove to the country provided for you west of the Mississippi, and establish yourselves there, where you can live comfortably and provide for your women and children.

As to your request on the subject of a trader, I see no difficulty in its being granted. On your arrival in the west you will be under the superintendence of an agent of the Government, who, by law, possesses the

power of licensing traders among you. He will, no doubt, be disposed to yield to your wishes by the selection of your friend, Captain Saunders. In like manner he will provide for you also a good blacksmith.

Lieut. Harris will be written to on the subject of the losses you have experienced. Until detailed information is received from him I cannot tell you what course will be taken.

Nor can I, at present, say any thing on the subject of the claims which will be presented against you for the misconduct of some of your people. That matter must await such an examination as may be given to it at the proper time.

I again renew the assurances before made to you, that the country assigned for your residence west of the Mississippi will be guarantied to you as long as you choose to occupy it

Your friend,

LEWIS CASS.

To the CHIEFS of the friendly Seminoles
at Tampa Bay.

NEW ORLEANS, March 19, 1836.

SIR: A few days after I wrote to you from Rock Row, the teams were discharged by direction of Captain Brown. I remained there until the end of February, expecting to hear from Captain Brown. Receiving no instructions from him, and having been informed by the receiver of public moneys at Fayetteville, Arkansas, that he had not sufficient funds to cash the two drafts which you forwarded me, I repaired to this city, where it will likewise be more convenient for me to take charge of any party of Seminoles that may emigrate.

Captain Brown is now with me, and by his direction I shall proceed to-day to Mobile, for the purpose of obtaining the *Railway corn mills* for the Cherokees and Creeks.

Captain Brown informs me that Lieut. Harris has informed him that a party of four hundred and forty-six Seminoles might be expected here about the 10th of the present month. They have not yet arrived.

Very respectfully, sir,

Your obedient servant,

J. VAN HORN, Lt. 3d Infantry,
Dis. agent Sem. Removal.

Gen. GEORGE GIBSON,
Commissary General Subsistence.

FORT BROOKE, FLORIDA, March 23, 1836.

SIR: I have this moment received your letter of the 4th January, enclosing the Secretary of the Treasury's decision in relation to deposits, dated 2d of January, 1836.

This is the only communication, I have received from the Department of later date, than the 18th November last; and my correspondent at New Orleans, who is authorized to receive my letters from the city post office, writes that no official communications had come to hand, as late as the 5th

inst. Should any other, than the above acknowledged letters, have been addressed to me, at any place, since the 18th November, 1836, I should request that copies of them should be forthwith sent to New Orleans; also, please forward a copy of the treaty, of the 9th May, 1832, to the same office.

I hope my estimate, dated 10th December, 1835, has ere this been acted upon, and the funds located as required, viz: \$10,000 at New Orleans, and \$26,056 14 at New York. Circumstances which, I am satisfied you fully appreciate, have prevented me complying with your circular, 1st October, 1835, in relation to the estimates. I am well satisfied we shall require every cent estimated for by me on the 10th December, and I am afraid much more. In a day or two, I will endeavor to forward an estimate, based upon the most reasonable materials I can command.

Col. Lindsay's brigade, consisting of the Alabama and Florida volunteers, a corps of Louisiana infantry, and a detachment of U. S. marines, left here yesterday, to assume the position assigned to it, in a co-operative movement, to be made upon the hammocks of the Withlacoochee, by the forces of Gen. Scott, on the 25th inst. The columns of Generals Clinch and Eustis are advancing; the former from Fort Drane, and the latter from the St. Johns river, via Volusia. The movement is considered a judicious one.

Upon the departure of General Gaines', brigade from this post, on the 14th ultimo, that officer carried with him most of the friendly warriors, promising that they should return in a few days. A part of those have recently come back, the remainder still continue with the brigade, lately commanded by Gen. Gaines, and which itself has never returned. In consequence of the lateness of the season, and the rapid approach of warm weather, I recently advised with Mr. Sheffield, that, as we received no intelligence from Gen. Clinch, we should urge the Indians, already assembled here, to embark. We did so, promising that the warriors who are absent, should be speedily sent after them. But the idea of a division, is exceedingly repugnant to them; they will not consent to leave any of their friends behind them; and from what I could gather from the chiefs who have recently seen General Clinch, it must be the wish of that officer that they should not be embarked for the present.

I have the honor to be, sir,

Very respectfully,

Your most obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Agent, Florida Indians.

To COM. GEN. SUB. U. S. Army.

FORT BROOKE, March 31, 1836.

SIR: I have the honor herewith, to enclose to you a statement of agents and others employed in the removal and subsistence of the Seminole Indians, for the quarter ending 31st of March, 1836, and a statement of cattle belonging to the Seminole Indians, delivered at Fort Brooke, in the quarter ending, 31st December, 1835, and 31st March, 1836; also a receipt for 22,500 lbs of fresh beef, the proceeds from the slaughter of ninety-three beeves, calves and yearlings, the property of Seminole Indians, assembled at Fort Brooke for emigration. Since which time I have received seventy

hides, weighing 696 lbs, which I sold at 7 cents per lb. and received the money, (\$66 92,) which I shall pay on sight, to Lieutenant Harris, the disbursing agent.

I have the honor to be,

Your obedient servant,

D. M. SHEFFIELD,

Ast. Agent and acting Sup. Sem. Rem.

To Gen. GEO. GIBSON,

Com. Gen. Sub.

FORT BROOKE, FLORIDA, April 4, 1836.

SIR: I have, herewith, the honor to cover to you my account current, returns of property and of provisions, and statement of agents for the first quarter of 1836.

I forward no statement of letters, for I have received but one during the quarter, viz: of January 4th, from your office.

We hear, by Indian runners this evening, that the columns of General Scott's army are in movement upon this post, having effected nothing upon the Withelecocooche.

I have but little hope that any thing decisive will be effected this campaign.

I have the honor to be, sir,

Respectfully, your obedient servant,

JOSEPH W. HARRIS, *Lieut.*

Dis. Agt. Seminole Indians.

To Gen GEO GIBSON,

Commissary General, &c.

EMIGRATION OF INDIANS,

Office Com. Gen. Sub. April 11, 1836.

SIR: Yours of the 23d is this day received. Enclosed are copies of sundry communications heretofore addressed to you, and also a copy of the treaty you ask for. In addressing you at Tampa Bay I forwarded a duplicate of each letter to Fort King.

You will perceive that \$15,000 were deposited to your credit in the Manhattan Bank at New York, on the 11th and 12th of March. To-day I have required the additional sum of \$11,000, to be deposited to your credit in the above named bank; and \$10,000 to your credit in the Union Bank of Louisiana, New Orleans. Write frequently. Every description of information is interesting, and of course desirable.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieutenant J. W. HARRIS,

Disbursing Agent, Sem. Rem. New Orleans.

EMIGRATION OF INDIANS,
Office Com. Gen. of Sub. April 14, 1836.

SIR: Until further advised, you will consider yourself as superintendent of the emigration of the Seminole Indians, and will be governed by the orders and instructions of the general commanding in Florida.

The Department has every confidence in your zeal and intelligence, and relies on your best exertions to effect the removal of the Indians.

Keep me constantly apprised of every thing of interest.

Respectfully, &c.

GEO. GIBSON, C. G. S.

Lieutenant J. W. HARRIS,

Disbursing Agent, Seminoles, Fort King, Florida.

TALLAHASSEE, May 7, 1836.

SIR: I have the honor to enclose to you herewith a muster roll of the Seminole Indians which were at Fort King, and which were to be removed, in compliance with an order from Major General Scott, which is also herewith enclosed. I left Fort Drane on the 28th ultimo, and arrived in this place on yesterday, the distance is one hundred and ninety miles. I shall leave for St. Marks on to-morrow; and from what I can learn, shall be enabled to embark for New Orleans in the course of two or three days. There was an Indian, by the name of Billy, left at Fort Drane (with Gen. Clinch) with three children, his wife, with another Indian woman, having been taken from near Fort King by the hostile Indians. It was thought best by General Clinch that these four should not be removed at this time.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. M. SHEFFIELD,

Ass. Agt. and Act. Sup. Sem. Rem.

To the Hon. GEORGE GIBSON,

Com. Gen. Sub. U. S. Army.

HEAD QUARTERS ARMY OF FLORIDA,

Tampa Bay, April 9, 1836.

ORDERS No. 34.—The embarkation of the friendly Indians for their new country, west of the Mississippi, will commence the morning of the 11th instant, at the latest; it is expected that all who are now here will be on board the transports by the 13th. The acting superintendent, Mr. Sheffield, will repair to Fort King as soon as practicable, to obtain the papers of the agency, and to put the friendly Indians at that place in movement for the same general destination west of the Mississippi, by any route that may be found most practicable, at the joint request of Lieut. Harris, the disbursing agent, and of the acting superintendent. Lieutenants Jones and Mead, (both of whom are invalids, and unfitted for the arduous duties of the field,) are assigned for duty with the emigrating Indians. Those officers will ac-

cordingly, embark with the Indians at this place. Acting assistant surgeon Halse is relieved from army duty, and will report himself to Lieutenant Jones, as the surgeon and physician of the emigrating Indians; now about to embark.

By command of Major General Scott.

JAMES GADSDEN,
Quartermaster General.