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Ratified treaty no. 168, Documents relating to the negotiation of the treaty of May 9, 1832, with the Seminole Indians. May 9, 1832

Washington, D.C.: National Archives, May 9, 1832

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RATIFIED TREATY NO. 168
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF MAY 9, 1832, WITH THE SEMINOLE INDIANS

April 25 1832

Page

and
ap^r 3^o 1832

From

James Gadsden

Relation to the contemplated
treaty with the Seminole
Indians - Says that the
provisions have arrived -

Indian
Office

Washington

✓ Copy

See Mar

down copy

FREE

The Hunt

Apr 6

RECEIVED

Sir.

Paynes Landing
3 April 1832

Since writing you on the 17th ulto. the
Provision Schooner has arrived & I have made
arrangements for transporting the provisions to for
the Treaty to this point equally convenient for
the Agency and to the Indians who are to be
assembled - ^{the scope} The scope 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 18th inst.

He corroborated the statements previously
made by Keat; that from the reduced state of the
Indian supplies of provisions, the hunting season
had been extended to a longer period than usual
this year; that his warriors were just returning
from the woods & that the planting season had
commenced - It would be both inconvenient
and difficult therefore to collect the chiefs
& 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 last 25 or 30 days - Unwilling
to afford the Seminoles a pretext for again appealing
to Congress to be fed the succeeding year I readily
complied with the former request, and we have
agreed upon the 1 of May as the day for the Indians
to assemble at Payne's Landing on the Ocklawaha
river to negotiate on the subject of my mission -

Florida
ms. 2

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 favourable to those wishes; as
well as from their acknowledged influence over
the Indians of Florida generally - I have
directed a small supply of provisions to
be spared from the quantities supplied by me,

as well to enable the Indians to return from the
work to their towns, as to assist them in their planting
by furnishing them seed corn necessary

Yours truly,

James Sackden

The Hon

L. Leaf

to Mr

St. Louis
River May 15. 1832

Free of

James Gadsden

Has concluded a treaty
with the Seminole Indians

copy

of Columbia

Washington

Let Mr

The Mouth

FILE

Office of
Indian Affairs

May 30 1832

On Board Sash Ambuscade
on way to Charleston
J. John Rennie

May 15th - 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 desig-
-nated should previously visit the ^{Creek} Country
west of the Mississippi & 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 ex-
-penses of the exploring deputation, might
be obtained before the adjournment of Con-
-gress, should it, by any accident, be prevented
reaching Washington, before that period.
I am now on my way of 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 special Maya Pha-
-gan should accompany them & the Government
could not, at this time, appoint a better agent.

Yours respectfully

My Hon
S. W. H.

James S. Gordon

May 29 1832

To be filed

Indian
Office

Marked May 29. 1832

Sam Col

James Gadsden

Encloses the treaty made
by him with the Seminole
Indians

copy

Report & Treaty sent
to Resident

no enclosures

Aug 1 - 1831

5-9-32

Mr.

Washington D.C.

May 29. 1832

I have the honor of submitting
to the consideration of the President a Treaty
which as Commissioner in behalf of the
U States, I have concluded with the
Seminole Indians — I have in a
day or two prepare a report of my
operations, detailing some facts and
recommendations which may affect
the Departments over which you preside
in carrying into effect the objects
of the Government, in removing the
Indians west of the Mississippi
The Hon

L. C. Casp
Per War

9-1

James Gadsden

(copy)

Washington D. Columbia
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 U.S. I have concluded with the Seminole Indians. There is a condition proposed 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 coveys 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 dispositions the Government of the U.S. 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 harmonize with the general spirit; however they may not accord with some impartial pas-

5-9-32 8-1

seculars, with the strict letter of your instructions.
The difficulties in effecting this arrangement, and the unavoidable delay attending the whole negotiation, have exceeded my anticipations, 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 U. S. Commissioner. While, on the Great 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

factories to themselves, and their half starved followers. I mentioned 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~~ right of occupancy & 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 more 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 provision for blankets & 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 & enquiry 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

8-4

35

skins as received, for whiskey. I deemed any farther 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 & 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 & myself that the Government would continue their protection to the Seminoles & 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 U.S. 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.

I was the request of the Chiefs that their annuity for the present year should be paid before their 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

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. If that country corresponds to the description given, or is equal to the expectations 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 ensure a perfect understanding between the parties, and to remove all the difficulties which may hereafter interfere to the final emigration of both Creeks & Seminoles West of the States & Territories.

I owe it to Major Phagan the Seminole Agent, to state that he rendered me every assistance in his power, & lost no opportunity of contributing his influence to the accomplishment

45

of the objects of the mission and which I was engaged

(signed)

Respectfully Yours
Chas. Gadsden
James Gadsden

The Hon
Lewis Cass
Secy. 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 8 or 10 days, to receive and execute your further instructions on that head -

Respectfully
Chas. Gadsden