Ratified treaty no. 120, Documents relating to the negotiation of the treaty of September 18, 1823, with the Florida tribes of Indians.. September 18, 1823

Washington, D.C.: National Archives, September 18, 1823

https://digital.library.wisc.edu/1711.dl/KMHQZXZPD4Z449D

RATIFIED TREATY NO. 120

DOCUMENTS RELATING TO THE NEGOTIATION OF THE

TREATY OF SEPTEMBER 18, 1823, WITH THE FLORIDA TRIBES OF INDIANS

Minutes of proceedings of James Gadsden and Bernardo Segui appointed by the President of the United States to hold a Treaty with the Florida Indians

Department of War 7th April 1823

Gentlemen

I have the honor to enclose you a commission from the President of the United States, appointing you commissioners to hold a treaty with the Florida Indians.

The object to be accomplished by the proposed treaty, is the concentration of all the Florida Indians at some suitable point within that territory; and the country South of Charlotte Harbor and the river of that name which empties into it, has been designated for the purpose. Your efforts, therefore will be directed to the attainment of this object. Should there not be a sufficiency of good lands for the accommodation of the Indians in that part of the peninsula designated you are authorized to fix the bound North of Charlotte Harbor & river, so as to take in as much of the country between them and

9-18-23

Tamp

Tampa Bay, as in your judgment may be necessary to give the Indians enough of good lands, and sufficient space considering their habits of life; leaving the conditions to your sound discretion. As it is desirable that the treaty should be held as soon as practicable, you will as early as convenient make your arrangements for that purpose. Confiding in your prudence that the treaty will be held with the least possible expence, it is deemed unnecessary to give you any particular instructions on that point. The principal article of expense will probably be the issue of provisions to the Indians while treating with them. To avoid the delay which a correspondence between the commissioners for the purpose would occasion, Mr Segui being most convenient to the Indians, will fix on the time and place of holding the treaty, after consulting Mr Hernandez the delegate from the Territory and notify Col. Gadsden the other commissioner, thereof. Mr Segui will also ascertain the quantity of provisions that will probably be required and issue his requisitions for the same, on the commissary of Subsistence at St Marks, if the treaty should be held at that place or contiguous to it, or on the commissary at St Augustine, if the treaty should be held there or near it, who will be ordered to obey such requisitions, and charge the amount to the Indian Department. The enclosed circular

circular will be complied with in issuing the provisions, to which, as there has in some instances been great inequality, I particularly call your attention. The Indian Agent Col. Gad Humphreys, who is stationed for the present at St Marks is instructed to obey your orders in all points connected with the proposed treaty, and to prepare the Indians to meet the commissioners at the time and place which may be fixed upon for holding it. For the funds which you find necessary to defray the expences attending the negotiation, you will draw on this department. Your compensation will be at the rate of eight dollars (f8), and that of the Secretary to the commission (whom you are authorized to appoint) at the rate of Five dollars (f5) per diem, for the time actually engaged. The payment will be made on your certificate of honor, specifying the time that you and the Secretary have been actually engaged. Your certificate in like manner will be necessary vouchers for the presents, should there be any distributed under your authority. The treaty when made will be forwarded to this Department.

I have the honor to be your
mo: obedt. Servt
J C Calhoun

Col James Gadsden & Bernardo Segui Esq. Commissioners to hold a treaty with the Florida Indians.

Copy of a circular to Commissioners to hold Indian treaties

Department of war
11th Sept. 1818

Gentlemen

The number and importance of the treaties to be held this year, and the great amount of rations, which must necessarily be issued to the Indians while attending at the treaties, render it necessary that some system should be adopted to govern such large disbursements - I have therefore to request, that you will designate the Indian agent, if he should be present, or in case he is not, some suitable person who shall ascertain the number and component parts of rations daily issued - The manner of issuing and certifying to conform, as near as may be to the mode which prevails in issuing the rations to soldiers, and at the conclusion of the treaty to be presented to you for your approval. Where the rations have not been issued by the contractor for the District /now commissary/ the contract and the conditions on which the rations are furnished, must be certified to the Department

I have &c &c

/Signed/ J. C. Calhoun

Department of war
8th April 1823

Sir

Colonel James Gadsden of Charleston South Carolina, and yourself have been appointed by the President, Commissioners to hold a treaty with the Indians and I herewith enclose your instructions -

Since writing the instructions Col. Gadsden has arrived in Washington, and a copy of them with the commission, has been delivered to him - He will write to you and inform you where you may address him -

I have &c &c

/Signed/ J. C. Calhoun

Bernardo Segui Esqr
Commissioner &c &c
St Augustine Florida

6

Washington District Columbia
9 april 1823

Sir

I have this day accepted of an appointment as Commissioner associated with you to negotiate with the Florida Indians — I shall leave this in a few days for Charleston S.C. where I shall await your notification as to the time and place fixed on for holding the treaty contemplated. I take the liberty of expressing a preference for St Augustine, should that place in your opinion be considered equally eligible for the objects to be accomplished with the other points suggested. At all events I should be in favor of assembling in the vicinity of a military post; as the expences of the mission to say nothing of convenience otherwise, would necessarily be less from the supplies being on the spot, than they would be at an interior position

yrs
J. Gadsden
Commissioner &c

Bernardo Segui Esq
St Augustine —

7

St Augustine E.F. May 1st 1823

Dear Sir

I have received your favor of the 9th ultimo, informing me that you have accepted the appointment in conjunction with me respecting a treaty to be made with the Indians of this Territory. I have also accepted the appointment, and as you desire to know the time and place where we ought to meet, I think that at this time it would be most convenient to meet in this city, where I expect to see you shortly, for the purpose of making the necessary arrangements

I remain very respectfully
yr obt Servant
Bernardo Segui

Col James Gadsden
Charleston (SC)

May 17th James Gadsden and Bernardo Segui, met agreeably to appointment, when it was determined that it would be necessary to consult with some of the chiefs of the Florida Tribes of Indians before the time and place of meeting could be judiciously designated — Expresses were dispatched to Meconopy and others inviting to an interview with the commissioners in St Augustine as early as practicable.

St Augustine 26th May 1823

Sir

— Extract —

I arrived here a few days since and have consulted with Mr Segui as to the preliminary measures necessary to accomplish the objects of our mission. The absence of the Indian agent, who is in Pensacola, and the difficulty of communicating speedily with him had necessarily compelled the commissioners to open a direct intercourse with the chiefs and warriors of the Florida Indians. We have therefore dispatched a messenger for Meconopy one of the chiefs of the Seminole Tribe, and on his arrival will determine the proper time & place of assembling the Indians — I apprehend it will be inconvenient for them to meet us in council before their crops indispensable to their subsistence, are gathered, and the delay, if necessary, cannot result in inconvenience to the country at large, as at all events the objects of the mission may be accomplished before meeting and in full time to obtain the ratification of the Senate. I will thank you however to transmit me from the records of the war

war Department, a copy of Genl Jackson communication in the views of the Indians as derived from their talk held at Pensacola, and particularly the document containing his report of the Indian Population in the Territory — these may be important as

Yrs &c

J. Gadsden

Com'r &c

Hon. J. C. Calhoun

June 4th 1823. Meconopy and some of the chiefs and warriors of the Florida tribes of Indians met the commissioners J Gadsden & B Segui at the Governors office in St Augustine at which meeting, the views of the national Government with regard to the Indians of Florida were generally explained, and the chiefs present were requested to designate the most convenient spot and the earliest period when they could meet the commissioners in council, to listen to the talk from the President of the United States as to the disposition to be made of their nation

The 5th of September

and the crossing place on Moultrie creek in the vicinity of

St augustine and concluded on; and the chiefs present obligated themselves to meet with the other chiefs and warriors of their nation at the time and place appointed.

We the undersigned chiefs and warriors of the Seminole tribe of Indians, obligate ourselves with our Tribes and as many chiefs & warriors as the Seminole tribe may delegate to meet James Gadsden & Bernardo Segui commissioners appointed on the part of the United States, to listen to a talk from the President of the United States on the 5th day of September next with a view to the establishing perpetual peace between the white and red men of Florida — In witness whereof we have subscribed our names and affixed our marks

Micanopy or Red Governor — his marke

Oulematche Jumper — his marke

witness — Arnatio L. Dexter
Samuel Fry

St Augustine June 4th 1823

St Augustine 6 June 1823

Sir

Bernardo Segui and myself, commissioners for holding a treaty with the Florida Indians have after consultation with some of the principal chiefs of the Seminole tribe, fixed on the vicinity of St Augustine and the 5 day of September next as the time & place for the proposed meeting. The Seminole tribe will be advised of this determination by the Commissioners direct, and in obedience to instructions transmitted to you from the war Department, we have to request that you will make the necessary arrangements and prepare the Indians living in Florida West of the Suwaney river to meet the Commissioners at the time and place before mentioned. The assistant commissary of subsistence at St Marks will issue on your requisition such quantity of provision as may be necessary to supply the Indians, in their journey to this place —

yrs
J Gadsden
Comr &c

Col. G. Humphreys
Indian agent
St Marks

St Augustine 7 June 1823

Sir

B. Segui and myself commissioners for holding a treaty with the Florida Indians have been instructed by the Department of war to make requisitions upon yourself, or the assistant commissary at this place for such provisions as may be wanted on the occasion – We have designated the vicinity of St Augustine as the place, and on the 5th of Sept. next as the time of meeting – The Indians in the vicinity of St Marks and west of the Appalachacola river may therefore need provisions on their journey to this place, which you will be good enough to issue upon the requisition of the agent – Col Humphreys or in his absence at the time, on that of the interpreter Mr Richards – A supply merely sufficient to subsist the Indians to St Augustine will alone be necessary, they will be provided for otherwise from the subsistence department at this place – Will you be good enough to supply the expressed with rations sufficient to subsist them on their return to St Augustine.

yrs
J Gadsden
Comm.r &c

The asst Commissary of Subsistence
St Marks

St Augustine 7th June 1823

Sir

Enclosed is a copy of a communication addressed to Col Humphreys at St Marks: should he be absent from that post or the nation, you will be good enough to attend to its contents – The Commissioners will depend upon Col Humphreys and yourself for having the Indians West of the Suwaney river assembled at the time and place concluded on – you will acknowledge by the bearer the receipt of this letter

yours –
J Gadsden
Comm.r &c

S Richard
Indian Interpreter
Appalachacola

St Augustine
8 June 1823

Sir

Enclosed are letters to Col Humphreys the asst Commissary of Subsistence at St Marks and Mr Richards Indian Interpreter – You will oblige me by having that addressed to Mr Richards sent to the place of his residence.

on the Appalachacola or in the nation, as it relates to public business of considerable interest to this country. The express with his companion could not be engaged to go beyond St Marks, you will therefore dismiss them with a receipt for the dispatches delivered, and will confer a favor on me by any facilities afforded them on their return — The letters addressed to Pensacola I will thank you to have transmitted by the first opportunity which may offer

Ys
J. Gadsden
Commr &c

The Commanding officer
St Marks —

St Augustine June 9. 1823

Sir

Enclosed are copies of communications from Governor Duval, Col Walton & myself to Col Humphreys Indian agent which you will be good enough to have transmitted to him at St Marks — Should Col Humphreys be absent from that post, you will open the letters addressed to

him and be governed by the instructions they contain

I send you likewise copies of letters addressed to you direct, from Gov. Duval and Col Walton the originals of which have been transmitted through a different channel

The Commissioners appointed to treat with the Florida Indians depend upon Col Humphreys & yourself assembling those residing West of the Suwanny river at the time and place appointed and expect every assistance will be afforded by both of you to accomplish the objects of the mission

Ys
J Gadsden
Commr &c

Stephen Richards
Indian Interpreter
Appalachacola

St Augustine 10th June 1823

Sir

Mr Segui and myself have been commissioned to treat with the Florida Indians, as to their future location in this Territory — Understanding that the agent Col Humphreys is absent from St Marks, we are somewhat

apprehensive that he will not receive the instructions from the war Department, in time to assemble the Indians at the period and place designated.

Doubting in some degree likewise the certainty of the conveyance to St Marks, by the only express we could employ in this place, we have taken the liberty, as a precautionary measure of inclosing a communication through you to Mr Richards with a request that it may be transmitted to him as early as possible by some Indian runner. Mr Richards resides on the Apphalachacola river and I believe at the Ochesee Bluffs. You will excuse the imposition on your goodness; but we ful assured it will afford you pleasure in attending to a request, the accomplishment of which is so intimately connected with business of no ordinary interest

Yr
J Gadsden
Comm.r

John Crowell Esq.r
Indian agent
Creek agency

St Augustine 11 June 1823

Sir

Since writing you on the 26th ultimo Mr Sigui and myself have had a consultation with several of the principal chiefs of the Seminole tribe and have fixed on the vicinity of St Augustine and the 5th of Sept.r next as the place and time of holding the treaty. An earlier period could not have been selected without serious injury to the Indians by trespassing on the harvest season, and without precluding the possibility of a general attendance from the dispersed condition of the Florida Indians occupying a territory of more than 500 miles in extent.

The absence of the agent from St Marks and the uncertainty of letters addressed to Pensacola being received by him in time to accomplish the views of the commissioners, have necessarily forced us to communicate direct with the different tribes, notifying them to attend at the time and place designated. Express have been despatched in every direction and the Indians generally have been distinctly impressed with the idea, that a treaty of amity, settlement and limits, informable to the views of the American Government would be concluded, and that those tribes who neglect the invitation

or

obstinately refuse to attend, will be considered as embraced within the compact formed, and forced to comply with its provisions. You have probably been advised, or may collect from the various reports made to the War Department on Indian affairs in Florida that there is not the most friendly disposition prevailing between the different tribes, and that there is quite a division of opinion among them as to their concentration and location. The Indians occupying the Peninsula (it is believed) are pleased with the selection (South) made by the executive; while those west of the Suwaney river, and particularly within the Appalachacola district, are most attached to their own country, and would prefer, it is said even an emigration west of the Mississippi, to a concentration South of Tampa Bay, as contemplated. At the head of the discontented is Encownatta, an enterprizing daring savage, and if not the only among the principal instigators of the Seminole war. These conflicting interests and opinions will be the chief difficulties the commissioners will have to encounter in affecting a treaty. And altho' there is no doubt as to the ability of the national Government, of dictating and enforcing the terms desired, a resort

resort to that alternative as a matter of policy may be questionable, where the views of the Executive may be affected otherwise amicably. Magnanimity would dictate the latter course, however necessary an exercise of power may be in extreme cases. It has been thought proper to present these facts to your consideration suggesting the policy of additional instructions to the commissioners, conditionally authorizing them to provide for those tribes, that may be disposed to emigrate West. It is possible that all the Florida Indians might be induced to remove, and if so an object so vitally important in a national or territorial point of view will be gained. Florida as a maritime district of the American Union is peculiarly exposed; possessing more than 900 miles of sea coast with capacious Bays or Estuaries easy of access, and her good to her inferior lands bearing but a small proportion, and consequently unsusceptible of a dense population, she must ever be as internally weak, as she is externally assailable. An Indian population under those circumstances connected with another class of population which will inevitably predominate in Florida, must necessarily add to natural weakness, and endanger the security of one of the most exposed, but most important section of the union.

It is useless to enlarge on the policy of removing a class of savages from where they may prove dangerous, to where they would be comparatively harmless. Should the executive approve of the view taken on this subject it will be necessary for the guidance of the commissioner, merely to designate the district of country West, which may be offered in exchange for the territory abandoned. In connection with the concentration of the Indians South of Tampa Bay, there are many subjects to which your early attention may with propriety be invited. The Indians hitherto have been formidable in Florida, and the change of flags had not removed from the citizens all apprehensions or all recollections of former impressions. The location South is thought by some injudicious, and though a large majority concur with the executive in the views taken on the subject, all agree that a Military Post within, or near the limits of the nation will be indispensable. The Indians have long been in the habit of keeping up an intercourse and active trade with the Cuba Fishermen, and to this cause principally has been ascribed the encouragement, hitherto given to absconding negroes and the savage depredations committed on

on cattle, Stations &c. There is no difficulty in correcting the evil hereafter; but the presence of a military force will be necessary to the result, and the moment this position is selected and occupied, the source with the excitements to an illicit traffic be removed. The first impressions are with the savage the most permanent, and a judicious location of an adequate force, simultaneous with the concentration of the Indians, cannot but have the happy effect of obtaining such an entire control, as to render them perfectly subservient to the views of government. From conversations held with many who have explored partially the western coast of Florida, I am inclined to think that the Bay of Tampa, presents the most eligible site for a military post, and offers many favorable and healthful positions. More ample information on the subject however shall be collected previous to the accomplishment of the object of our mission and furnished the War Department in time to be acted on should the occupation of the position suggested be approved.

Will you be good enough to

issue orders to the commanding officer at St Augustine to furnish the Commissioners a Military guard if required and provide, and afford such other facilities as may be thought calculated to promote the objects of the mission – As the want of appropriations for holding a treaty must necessarily limit the presents always expected on such occasions, the propriety of sending 8 or 10 Rifles to be distributed as a particular mark of distinction to some of the principal chiefs is suggested to your consideration

I am &c
J. Gadsden

The Hon.ble J. C. Calhoun
Secretary of war

St Augustine June 14th 1823

Sir

I embrace the earliest opportunity of informing you, that the Commissioners appointed to conclude a treaty with the Florida Tribes of Indians have fixed on the crossing place on Moultrie creek about 3 or 4 miles from St Augustine and

and on the 5th of September next, as the place and time of holding the meeting – It is impossible for the want of estimates of population to be confided in to state with certainty the number of individuals who may assemble – Should you however have in deposit, thirty days rations for fifteen hundred persons you will be amply prepared in my opinion to meet all contingencies – I am informed that the Indians generally prefer fresh, to the salt meats usually issued; it would therefore be desirable to have as large a proportion of the former, as would under your instructions be admissible – Moultrie Creek is navigable for boats to a Mr. Fareys where the provisions may be deposited, being within half a mile of the encamping ground selected. I will at any day however previous to that appointed for our meeting, should you be so disposed accompany you to the spot, and will with pleasure afford you any facilities in my power to the accomplishment of the duties of furnishing the Indians devolving on you

I am &c
J. Gadsden
Comm.r

Lt A Brown
A D C U S army

Department of war
30th June 1823

Sir

Your letter of the 11th inst has been received. I agree with you as to the importance to the Territory of Florida of removing the Indians West of the Mississippi, but there are no lands which the Government can assign to them in lieu of those they may abandon, and all the public lands in that direction, that could be so disposed of, are occupied either by the Choctaws, or Cherokees. The Government is, however, willing to encourage the removal of the Florida Indians, as far as it can, and if all, or any part of them, should be disposed to emigrate, and join the Cherokees or Choctaws, or any other tribes farther west that may be willing to receive them, you are authorized to include a stipulation in the proposed treaty on the subject allowing them in the event of their emigration, what may be deemed by the Commissioners a fair consideration for the lands relinquished by them in Florida, and agreeing on the part of the United States to pay the expenses attending their

their removal. Your suggestions relative to the establishment of a Military post will receive due attention. Orders will be given agreeably to your request, through the Adjutant General to the Commanding officer at St Augustine to furnish the commissioners with a Military guard.

The Rifles required for presents at the treaty will be furnished through the Ordnance department. The President has directed that the Governor of the Territory, as is usual, be associated with the commissioners at the proposed treaty, and he will join you accordingly and aid in the negotiation. He was not put upon the commission originally on account of his absence from the Territory. The Indian agent has been ordered to repair to St Augustine, where he will be stationed until further orders, which will enable the commissioners to avail themselves of his services.

I have the honor to be
y. mo. ob. servt.
J C Calhoun

Col James Gadsden
Commr. &c.

Fort St Marks
July 2nd 1823

Sir

The express with letters for Col. Humphreys Indian agent, Assistant Commissary of Subsistence and Mr Richards Indian Interpreter, are received — Col. Humphreys is here and immediately took his letter — I gave him also Mr Richards which he sent off this morning by express — The letters for Pensacola will be forwarded to morrow morning

Respectfully
yr very obt Servt
Geo. C. Mutter
Lt Commdg

Col James Gadsden
Commissioner &c
St Augustine / E F

Fort St Marks / East Florida July 3d 1823

Sir

Your letter of the 6th ultimo notifying me of the time & place appointed for holding the treaty with the Florida Indians, reached me by express on the 1st inst. I have called upon the chiefs west of the Suwaney to assemble here on the 15th at which time I shall communicate to them, this information, and make the necessary arrangements for their meeting the commissioners at the time and place you have mentioned

yr obt Servt
G Humphreys
Indian agent

Col James Gadsden
Comm&r &c

St Augustine July 29th 1823

Sir

Your letters of the 14th and 30th June with the accompanying public documents have been received — Our express to the western part of the Territory of Florida has just returned — He communicated to the Commissioners the intelligence of the arrival of the Indian agent Col Humphreys

Humphreys at St Marks who will use all exertions to assemble the Indians at the time and place designated. No efforts will be wanting on our part to promote the views of the executive, as to the concentration of the Florida Indians

Yrs obt Servt
J. Gadsden
Commr &c

The Hon.ble J C Calhoun
Secretary of war

Continuation of proceedings of Wm P Duval, James Gadsden and Bernardo Segui appointed by the President of the United States to hold a treaty with the Florida Indians

July 15. Wm P Duval as Governor of the Territory of Florida, associated by order of the President of the United States with J. Gadsden & Bernardo Segui, to hold a treaty with the Indians accepts of his appointment and takes his seat as presiding commissioner

July 29 – Commissioners met at the Governors office when George Murray was proposed as Secretary to the commission and

and elected accordingly – The presiding Commissioner requested to notify him of his appointment –

George Murray Esq.r

The commissioners appointed to treat with the Seminole Indians, have directed me to inform you, that they have appointed you their Secretary, and that they expect you will attend not only to the duties as such connected with the contemplated treaty to be held near this city, on the 5.th Sept.r next, but that you will go to the place selected for the Indians to assemble, and mark out the spot for the commissioners and attend to the necessary arrangements for the convenience of transacting their business here

Your compensation will be Five dollars per day until the business of the commission shall be completed

Yours with high respect
Wm P Duval
President of the Board of Commissioners –

St Augustine July 29.th 1823

St Augustine July 31st 1823

Sir

As the component parts of the Soldiers ration would not be altogether acceptable to the Indians; it is the opinion of the Commissioners that the smaller parts, such as Soap, candles, whiskey &c may in a degree be dispensed with, and that corn & rice in proportion of the one fourth of the former to the latter may be advantageously substituted for fifty bands of the flour contained in your estimate - one fourth of the meat part of the ration ought to be in good salt pork; and a band of prime Pork, a band of Beef; thirty good hams and 100 lbs of good lard will be wanted for the use of the commissioners -

The Bean part of the ration on reconsideration would prefer retaining: the salt to be encreased to fifty bushels and the other items of your estimate reduced thus - 500 Gals of whiskey - 200 lbs Soap 100 lbs candles, 10 Gals vinegar and the value of the ballance of the vinegar /290 gals/ to be appropriated to the purchase of molasses - The commissioners will require five officers tents, with flies and poles complete, and six camp kettles, and as many tin pans, which you will be

be good enough to procure if not to be had from the depot at St augustine

with respect
yrs

Signed / Wm P Duval
Commr &c

Lt Brown
US army

Department of war
31 July 1823

Gentlemen

I have received a letter from Genl Jackson in which he states that there will probably be some difficulty in concentrating the Indians South, as contemplated by your instructions, and suggest that they may be advantageously located" on both sides of the Appalachacola, extending West ten miles, East to Ocklockney river, and South within five miles of the Ochese Bluffs, so as to leave a free communication between East and West Florida, crossing the Appalachacola at the Ochese Bluffs - The position suggested by General Jackson is believed to be the next most advantageous to the one selected; and if the Indians cannot be concentrated on the latter, rather than the treaty should fail it

it would be advisable to concentrate them on the point suggested by the General and you are accordingly authorized to do so, if it should be found impossible to carry the first instructions into effect – The General also suggests the propriety of a movement of troops to Tampa Bay – It is possible such a movement would have a favorable influence on the negotiation, but as it is now too late to make it with that view, I hope you will experience no inconvenience from it

I have the honor to be
yr. mo obt.
J. C. Calhoun

Col. James Gadsden
Bernardo Segui Esq.
& His Excellency
Wm. P. Duval

Commissioners to treat with the Florida Indians

Sir

St Augustine August 28. 1823

The commissioners appointed to treat with the Indians in this Territory, have been authorized by the

August ~~Sept~~ 26 – The Commissioners met at the Governor's quarters when the following letter was addressed to Capt John Ewing commanding the troops of the United States at this post –

St Augustine August 26th 1823

Sir

The commissioners appointed to treat with the Indians in this Territory, have been authorized by the Secretary of war to make requisitions upon the commanding officer at St augustine for a military guard, and any other facilities, they may require from the command – I have therefore to request that a guard to be composed of an officer and twenty five men furnished with the necessary camp equipage for themselves may be ordered to proceed on Friday next to the situation selected for holding the treaty, on Moultrie brook. It is desirable that two of the men detailed for this service should be carpenters – You are also requested to furnish the following articles if in your power to do so – Viz. One Boat with oars and awning, 4 Spades. 4 axes, 1 auger (inch & quarter) 1 one inch, 1 half inch, 2 hatchets 2 hand saws, 1 cross cut saw

1 Jack

1 Jack plane, 2 hammers, 5 wall tents poles & pins; 2 common tents poles & pins. These articles you will please deliver to the officer detailed for this service, who will be requested to communicate with the President of the board before he proceeds to the encampment

Yr respectfully
Wm P Duval
President of Commissioners

Captain John Cowing
Commanding officer St Francis Barracks
St Augustine

— Reply —

St Francis Barracks
27 august 1823

Sir

I have the honor to acknowledge the receipt of your communication of the 26th inst

On reference to the annexed copy of my instructions from the General commanding the army, you will perceive

that I am only directed to furnish, upon the requisition of the commissioners, a guard to attend them at the place of meeting — In obedience to that order, and in compliance with your requisition, so far as the strength of this garrison will permit, a Subaltern, with one Sergeant one corporal and twelve privates, will be ordered to proceed on Friday next, to the situation selected on Moultrie creek. I regret Sir, that the number of men under my command fit for duty, is so small as to prevent me from furnishing the compliment you require — With regard to the tools to be mentioned in your communication, I beg leave to state, that those belonging to the post, are under the immediate charge of the Qr master Lt Brown, who has received instructions from the chief of his department to answer the requisitions of the commissioners

I am Sir, with great respect
&c
J Cowing
Capt &c

To
His Excellency
Wm P Duval
Governor of Florida
& President of the
Commissioners

27 – The commissioners met at the Governor's quarters, where the following letter was addressed to capt Crowing and his reply received

Sir

I have the honor to acknowledge the receipt of your letter of date

In the requisitions made on you in my letter of the 26th the commissioners were guided by what they deemed necessary "facilities to their operations" and did not apprehend that the liberal constructions of your orders could at this late period, throw any obstacles in the way of a compliance with their wishes – As the proper judges of what was necessary, they have mentioned to you the most reduced guard which would answer their purposes: and they have again through me to repeat their request that, the number men including carpenters be may be furnished – The requisition for tents, boats, tools &c was made on you in consequence of an intimation from Dr Brown, as understood at the time, that those articles were in your possession and that to you must application be made –

I have to request

request as the period of marching is approaching that you will inform me as early as possible this evening, whether our requisition as contained in my letter of the 26th can be complied with

Respectfully

Wm P Duval

President of the Commissioners

Capt J Crowing
Comm'g officer
St Francis barracks
St Augustine

– Answer –

St Francis Barracks
27 August 1823

Sir

I have the honor to acknowledge the receipt of your letter of this date

It was far from my intention in the letter I addressed to you this morning to throw any unnecessary "obstacle in the way of a compliance with the wishes of the commissioners" or to put any other than a liberal construction on the orders I have received – Taking into consideration the situation of the Post committed to my charge; the number and

and disposition of its garrison, and the expected assemblage of a large body of Indians in its neighborhood I stated to you the largest number of men that, in my honest opinion could be spared from this command, in accordance with the spirit of my orders — In order however to prevent any delay in the operation of the commissioners, and to convince them of my desire to afford them all the facilities required by the most liberal construction of my orders, the guard including carpenters, mentioned in your letter of the 26th will be sent to its destination at the time appointed — I send with this for your information a morning report of the garrison, with an explanatory statement —

All the camp equipage, tools, and Qr. master's stores at the Post are under charge of the Qr. master and reported by him to the chief of his department — It did not occur to me when I last wrote, that my order would be necessary to authorise their delivery in your requisition. I shall therefore give an order to Lieut. Brown, early in the morning to furnish out of the public stores at this Post the articles required in your letter of the 26th inst and in

in the event of any being deficient to report the same to you

I am Sir very respectfully
&c &c
J. Erving
Capt. 4th Art.
Commanding

To
His Excellency
Wm. P. Duval
President of the board
of Commissioners —

28 Col Humphreys the Indian agent arrived in St Augustine and reported to the commissioners that the Western chiefs and warriors to the number of 350 with Neomathla at their head would arrive at the encamping ground on Moultrie creek, in the course of the next day, In consequence of which the following letter was addressed to Lieut. H. Brown assistant Commissary of Subsistence

St Augustine Augt 28th 1823

Lieut Brown U States
army —

Sir

I have the honor of informing you that Col. Humphreys the Indian agent of this Territory has

has arrived in Augustine, and brings intelligence that the Indians from the West will arrive at the Camping ground to-morrow evening — The board of Commissioners appointed to treat with the Indians therefore wish you to forward the provisions to the camp as early as possible in the morning, and issue such rations as Col. Humphreys may direct —

with respect
Wm. P. Duval
President of the Comm.

On Saturday the 30th of Aug. Col. Gadsden repaired to the encampment on Alachua Creek, where the guard required had previously arrived — Neo-mathla with the Western Tribes had arrived the day before — On the 2nd of Sept. Micanope and Jumper with the Southern tribes reached the encampment —

Friday the 5th The Commissioners all present, but as the Indians had some preliminary matters to settle among themselves, the talk was postponed until the 6th

6th at 11 O'clock the chiefs Neo-mathla, John

Blunt, Tustillago Conchatimico, Sticker, Mulatto King, and other chiefs & warriors to the number of more than 70 met the Commissioners in Council, when after Neo-mathla had been declared by Jumper to be the head of the Florida Indians, which was assented by the Indians present, Col. Gadsden delivered the following talk —

Friends & Brothers

General Jackson told Creek-ma-
"thla, two years ago that the Americans had purchased
"Florida from Spain, and that the President of the United
"States would send commissioners to speak his mind to
"the Seminoles — The President has now appointed Governor
Duval, Mr Sequi & myself these commissioners. Listen then
"to the talk of your Great Father, the President of the United
"States — Listen to what he has commanded us to say to
"you —

"Many years ago false Prophets and evil disposed men
"from across the water deluded the Creek nation — the young
"warriors became mad, and the old men forgetful — They

raised

"raised the Red Sticks in war, and inhumanly massacred
"women & children — General Jackson with his warriors
"marched into the nation, subdued the deluded and made
"friends with those who burned the Tomahawk and sued for
"peace — Your father the President of the U States like a kind
"parent forgot this disobedience, and placing his brick brothers
"by themselves they are now a rich, happy and friendly people —
"Some of the Red Sticks however fled into Florida, and uniting
"with absconding negroes, built a fort on the Appalachacola —
"The fort was destroyed by the americans and with it hundreds
"of Redmen & negroes were slain — Four years ago these same
"Red Sticks, with the false Prophets McQueen & Francis and
"bad men from across the water, poisoned the minds of some of
"your warriors — Fort Hughes on the Flint river was attacked
"and a boat with sick men, and women and infants taken on
"the Appalachacola & their scalps borne away in triumph, Gen.
"Jackson was again ordered to march into your country and
"you all know, that he burnt your Towns, destroyed your
"corps and at Mickasukey Swamp punished them a deep
"of your men — He could have pursued the fugitives this

"side of the Swamp and have driven you into the ocean,
"but having taken the Prophets & white men who deluded
"you, he punished the guilty and spared the innocent

Friends & Brothers

"Your father the President is willing to
"forget all that has passed — He is willing to bury the Tomahawk
"and extend to you the arm of friendship — He would
"that his Red & white children should live in peace — To
"secure this he will do for you what he has done for the Creeks —
"He will not permit you to be scattered all over Florida — He
"will place you by yourselves, mark your boundaries, protect
"your property, prevent his white men & the crackers from dis-
"turbing you — Separate you from false prophets & bad men
"from across the water; place an agent among you to let him
"know your wants; educate your children and give you those
"articles of clothing, Iron, lead, powder &c of which you stand
"in need — We hear there are among you some of the old Red
"Sticks that belong to the Creek nation — They have lands given
"them above, and must return to their nation, unless you who
"were born in & belong to Florida will receive them — If so they
"must live in the same lands with the Florida Indians — you

"will think on this Subject and when you next meet the Commissioners
"let them know your wishes — You must likewise come pre=
"pared to give us the names of the different chiefs, the names
"& numbers of the different towns; where those towns are situated
"and the population of each; That your father the President
"may know how much lands you may require; and the quantity
"of merchandize that will be necessary for you —

Friends & Brothers

More than 300 years ago the whitemen lived
"across the great duck Cast — The Seminoles then a tribe of
"the Creek nation; hunted along way to the west across the
"great water where the Sun sets — The Yemassees then exhabited
"Florida — Some two hundred years ago, more than one hundred
"years before the Seminoles ever saw Florida, the Spaniards conque=
"red and made peace with the Yemassees — They divided the
"country between them & lived like friends and brothers — The
"Spaniards then had Forts, Towns and cultivated fields at
"St Augustine, Swanny, St Pedro or Chata-hatchie,
"Tallahassee, and St Marks — Ferdinand de Soto a
"Spanish chief, long before the Seminoles ever saw Florida, landed
"at the Bay of Tampa, and marched through and enquired all
that

"that land where now stands Ocheepuck — Sasy-chee
-u-chaty — Pelak-le-kaha and Okihumkee —

Some one hundred years ago You (the Seminoles) left
"the Creek nation; where you had lands enough, and where the
"game was plenty — You were then strong; the Spaniards and
"Yemassees were weak — you drove the Spaniards into Saint
"Augustine; you burnt their forts, destroyed their fields and
"exterminated the Yemassee nation — You made slaves of their
"women, and you killed & scalped their warriors — The white men
"are now strong & the Seminoles are weak — The white men are
"like the fruit & leaves on the trees, which blossom and increase
"annually — The Seminoles like the deer of the forest that might
"be hunted to their destruction — The white might take vengeance
"for what you did the Spaniards & Yemassees: but we will not —
"We will forget what has passed — Like a kind father the
"President says to you there are lands enough for both his white &
"Red children — His whites are strong & might exterminate
"his Red; but he will not permit them — He will protect
"his Red children — He will place them by themselves,
"mark their boundaries, so that there shall be no more dis=
=putes between his children; no more wars; but all live like
friends

"Friends & Brethren.

Friends & Brothers.

The Hatchet is buried – The muskets the white men's arms are stacked in peace – Do you wish them to remain so? Listen then to the talk of your father the President – He wishes the Red Stick eternally buried; he drinks with you the black drink, he exchanges with you the white feather, he unites in the feather dance and eagle tail song – He smokes with you the pipe of eternal peace –

Return to your camp – think well on what your Father through us has said to you – Meet the Commissioners in council again on Monday next and let us know where you are now settled; the names of your chiefs and towns; your population & then listen to another talk from your father, the President of the United States

At the conclusion of this talk the council broke up, the chiefs promising to reply to it on Monday –

Monday 8 – In consequence of bad weather there was no business done this day –

Tuesday 9 – The chiefs and warriors met the commissioners, at 10 O'clock, Neomathla replied to the talk delivered on Saturday and stated that the Florida Indians had determined to incorporate with their tribes, the fugitive Creeks, and the Red Sticks who were among them –

Wednesday 10th This morning the chiefs and warriors met the Commissioners at 8 o'clock, and Col. Gadsden delivered the talk which follows

Friends & Brothers

We are happy you have received as brothers those of the Creek nation among you — We are glad to learn that the Red men are united — May they long continue so — We repeat to you what was said at our first meeting, that it is the will of your father the President of the U States, that his white & red children should live like friends & brothers — To secure this he will do for you what he has done for the whites — He will place you by yourselves, protect your property and supply your wants — He wished you to go South where you can have lands enough to plant and for the grazing of cattle — you are now scattered all over Florida, some north, some South — At the north his white men have already come into the country — already he hears of complaints from both his white & Red men — To prevent any disturbances he must remove his Red children from that quarter and unite them with those at the South — At the North he cannot separate them without driving white men away — He cannot guard you against the Creeks who

live

live too near & may trespass on your lands & property before we know it — At the South where lands are plenty and good, and where your hunting grounds are & your father can do for you all that he promised —

Friends & Brothers

The game is scarce if not destroyed — The Buffalo, the deer & the bear have disappeared — you have hunted them from the face of the earth — The same great Spirit however who gave and had taken away the Buffalo, the bear and the deer has likewise given you the Cow, the Sheep & the Hog — He has pointed to the land which will yield the corn, the potatoe, the Sugar cane and the cotton — He commands you to follow the example of your white brethren — To live at peace with them, to cultivate the earth and learn your squaws to spin — you will then have food enough, clothing enough — your great father will enable you to do these things He will give you good lands enough to the South, to cultivate; He will furnish you with cattle to stock your farms and ploughs, hoes & such other articles as you may require —

think well on what has been said to you —

Friends & Brothers

— Beware of false Prophets — listen not to those who pretend to be your friends, who speak with forked tongue — like the bad men from across the water they will delude you to your ruin — are you not tired of wars? Have you not suffered enough? innocent victims of the folly of others? — Brave warriors though they make wars are desirous of peace — Brave warriors, though they despise death do not madly contend with the Strong — your nation stands alone; if the peace & friendship now offered is refused the poison of bad men will ruin you — Follow then the advice of your Great father — He is your friend and will do all in his power to make you happy — Go then to the South where he directs — Live in peace and friendship with the white men and you will become a rich and a happy people —

Thursday 14th This day at 11 Oclock the chiefs & warriors met the Commissioners, and Micomathla replied at length to the Talk delivered yesterday by Col Gadsden he "objected to the location of the Indians South, because the soil was poor, and not capable of supporting them — the sea lie, being on each side of them, bad men from on the Big water would see his young men and give them bad advice without his having power to prevent it — We are (he said) poor and needy, we do not come here to murmur or complain, we want advice and assistance — We rely upon your justice and humanity, we hope that you will not send us South, to a country where neither the Hiccory nut, the acorn, nor the persimmon grow, we depend much upon these productions of the forest for food; in the South they are not to be found — For me (he said) I am old and poor, too poor to move from my village to the South, my cabins have been built with my own hands, my fields cultivated only by myself — I am attached to the spot improved by my own labor and cannot believe that my friends will drive me from it —

The Commissioners advised the chiefs to return to their camp and take time to consider upon what they had heard

Monday 15.— That day the outlines of a Treaty was read by the Commissioners to the chiefs and warriors. they asked leave for time, to consider of it—

Thursday the 18th. The chiefs and warriors, having had under a consideration the Treaty read to them on Monday last, and the Commissioners in council and without hesitation signed the treaty of this date — The number of chiefs who signed was Thirty one

Friday the 19th An additional article was added to the Treaty and signed to the chiefs whose names as now mentioned in it

Saturday the 20th Presents of homespun, calicoes, lead Powder &c were distributed to the Indians, and on Sunday 21st — they departed for their homes, perfectly satisfied

Tuesday Sept 16th Che-malkla with the other head men and chiefs met the commissioners in council – A return of the Indians population in Florida was handed in, from which it appears that the total amount is 4.883 souls – Che-he-malk-la objected to stating the number of negroes in the nation – The chiefs then, at the request of the commissioners gave in the names of the different towns, their situation, the names of chiefs who rule them and which is as follows –

Towns	Chiefs	Miles
Cohowofache	Che-malkla	23 N b/ W from St Marks
Tallahassa	Chefixico Hajo	20
Okchumpkee	Miconope	60 SW from Volusia
Taphulga	Che-malk lochee	30 – C/ Appalachacola & 1 mile North Forbes purchase
Totoawathla	Checonhatamico	W side Chatahoochy 10 Miles above the forks

Towns	Chiefs	Miles
chokoucklla	Mulatto King	W side Appalachacola 4 miles below the forks
Jolee	Blunt	60 Miles above the mouth of Appalachacola — on West Bank —
Spanawatka	Cochrane	2 Miles below Jolee on the same side
Oscilla	Latafixico	At the mouth of Oscilla river on the East bank
Chathlokhouchy	Woxaholakta	On little river 40 miles E of Appalachacola
Yumersa	Mac Hajo	Head of Sumulga Hatchee river 20 miles — N of St Marks —
Lochchiocha	Okeskaamathla	60 miles E of Appalachacola and near — Okelokne —
Mouleo	Tukchuslu Hajo	East side Sumulga Hatchi 20 miles — N of St Marks —
Hiamonee	Chowastic	5 Miles from the Georgia line on the East Bank of Okelokne river

Tuckagulga	Ben Burgess	On the east bank Okelokne between — that & Hiamonee —
Wasupa	Toshatchismico	2 Miles East Sumulga Hatchy 18 miles from St Marks
Hatchcalamocha	Amathla Hajo	near Drum Swamp 18 miles W of New Mickasuky town
Ebetulga	Mickicooche	10 miles E of the old Mickasuky town
Toponanulka	Obiatee	3 miles W of New Mickasuky
Selusa	Hoamathla	Head of Oscillee river
Ahosulga	Hockokhatola	5 miles S New Mickasuky town
Mickasuky (New)	Tustkameha	30 miles West of Suwaney river
Sampala	Che-mathlo chee	26 miles above the forks of the Appalachacola — on the West bank —
Hetahabtee	Minwhomathla Hajo	7 miles E of W from Sampala
Chohalabokhulka	Yahola Hajo	West side Suwaney above its junction with — Alapaha —
Wellika	Lathloa mathla	4 Miles E Tallahassa towns
Wuchitolcha	Holahta mico	E side Suwaney between that and Santa Fee

Continued

Towns	Chiefs	Miles
Talakhacha	Tallis hajo	West side of cape Florida on the sea coast
Tohopitcaliga	Chokehipkalana	East of the last Town 30 miles
Lokschumpa	Lokepokea, Takoada Hajo	Head of St Johns river —
Ahapapkea	Ochestustanuka	Head of Okelewaha
Apalakasocha	Cuchematchoche	20 miles west from the Head St Johns
Yulaka	Philip or Cmathla	on the West side of St Johns river 35 miles from Volusia or Dexter
Tallahassee or Spring Gardens	Uchee Tustchulka or — Billy —	from Volusia 10 miles
Etanie	Checota Hajo	West of St Johns, East of Black creek
Tustlalahuckalka	Mac Hajo	West of Walatcoochee 10 miles
Yalacasooche	Yalaka boko	Mouth Okelawaha

Camp Gadsden near Pensacola
21 September 1823

We have to inform you, that on the 18th we concluded a Treaty with the Florida tribes of Indians and in terms, as we believe, calculated to promote their future comfort and welfare, as well as the interests of the Territory in which they reside —

The Florida Indians will be concentrated South — The location an interior one not approaching the sea coast at any point nearer than 15 miles — since few reservations in the effectual extent have been made in Fla. of Chief Tustenuggee Hajo; Cuchatemico Lettuns, near of Blunt, Tustalla-Hajo; Cuchatemico Tomeadvanced in cultivation — Blunt & Tustenuggee have long been friendly to the American and rendered essential service to General Jackson during the military operations in Florida —

The Treaty with other Vacancies will be

forwarded you by Lt Humphreys who leaves this in a few days for Washington

Signed Wm P. Duval
James Gadsden
B. Segui

Department of War
30th June 1823

Sir

By a letter recently received from one of the commissioners, it appears that the Florida Indians cannot from their dispersed situation and without injury to them be assembled earlier than the 5th September next, which will enable the President to avail himself of your services at the proposed treaty; and for which purpose he has directed that you be associated with the commissioners in the negotiation you will accordingly join them and unite your efforts with theirs to accomplish the object intended to be effected by it. A copy of the instructions to the commissioners and of a letter of this date to Colr. Gadsden, are enclosed for your information. The same allowance will be made to you while actually engaged in this business as is made to the commissioners, which will be paid on a similar certificate from you, as is required of them

The continued severity of the sickness of the Sub-agent from whom I have lately heard, will prevent him from resuming his duties before, perhaps late in the fall you will make the best arrangement you can for the management of the Indian

Department at St augustine, in the mean time; it is presumed, however, that the presence of the Indian agent there in pursuance of the order which has been given to him, will superside the necessity of any arrangement on the subject — a copy of the order is enclosed

I have the honor to be,
&c &c
J. C. Calhoun

His Excellency
Wm P. Duval
St Augustine
Florida

Governor Duval to Mr Calhoun

Hon.ble John C. Calhoun
Secretary of war

St augustine July 15th 1823

Sir

I have the honor to acknowledge your letter of the 30th of June last together with a letter of instructions dated the 7th of april last, directed to Col James Gadsden and Bernardo Segui Esq; commissioners appointed to hold a treaty with the Florida Indians, also copies of two letters from your department dated the 30th of June last, one addressed to Col James Gadsden and the other to Col Humphreys Indian agent — I accept with pleasure the appointment which the President has conferred on me as Commissioner to be associated with Col Gadsden & Mr Segui, for the purpose of holding a treaty with the Florida Indians and I beg you will assure the President, that any effort on my part shall be made to accomplish this desirable object

with high respect
I remain &c &c
Wm P. Duval

St Augustine
26 September 1823

Sir

On the 21st instant you were advised by mail of our having concluded a Treaty with the Florida Tribes of Indians — The 2d article of the Treaty, accompanying this will inform you of the boundaries assigned them, which with the other articles agreed on, will be found in our opinion to correspond with the spirit of our instructions, as well as the humane policy of our government — The want of a knowledge of the country South of Charlotte Harbor, and the impossibility of inducing competent individuals to explore, or of obtaining any satisfactory information relative to that region, necessarily prohibited the Commissioners from confining the Indians to that quarter agreeably to the views of the Executive as first expressed in our instructions — A northern Location, though desired by a majority of the Indians, was violently opposed within the limits recommended by General Jackson, to have extended beyond those limits would have been injurious to the best interests of Florida — A Southern location was objected to by the Indians on the ground that the country South of Tampa did not contain

a sufficient quantity of good land to furnish the subsistence of life — That force only could drive them into those limits, and that they are well convinced that the americans possessed the power, and they not the ability to resist — The Indians therefore threw themselves on the protection of the United States, and appealed pathetically to the humanity of the commissioners not to locate them in a country in which they must inevitably starve — We know nothing of the country but from vague, and contradictory representations; the appeal therefore was listened to so far as to embrace within the limits assigned the Indians a small tract of country about 30 miles North of Tampa Bay, containing within its boundaries many of the settlements of the Southern chiefs — Even this extension North was not considered as removing the objections urged; to satisfy therefore all parties and convince even the Indians of the humane disposition of the american government towards them, an article was inserted that if on examination by the commissioners it appointed to run the line it should appear that there was not a sufficient quantity of good land within the limits allotted them, then the North line should be extended so as to give satisfaction on this point — The reservations made in the

Appalachicola district were in favor of six influential chiefs, whose assent to the Treaty could not have been obtained without this equitable provision for them & their connections — They are all represented to be men of industrious habits, and who have made some advances in civilization — Blunt and Tustee-Hajo have been long friendly to the Americans, and rendered essential services to Genl. Jackson during the operations in Florida, in the termination of which they were permitted to reside where they now do under the protection of the United States, with a promise that when the Indians in Florida were disposed of, the provisions now made for them should be taken into consideration — We view these reservations as among the most favourable terms of the Treaty; The lands allotted each Chief and their connections are so limited, as to force the occupants into the civil habits and pursuits; while so large a subtraction is made from the Indian population to be concentrated, as to render that population more easily managable

The treaty however was the best we could effect and we are inclined to the opinion that the boundaries to which the Indians have been limited will be found, on reflection, to be the most judicious in a national, as well as Territorial

point of view — Justice has been done to the Indians by assigning to them a sufficient quantity of tillable land, with the addition of an extent of Territory alike favorable as hunting grounds, and for grazing of cattle; while the position is so central as to admit of being encircled by a white population capable of overawing and controlling their uncivilized propensities —

We deem it our duty before closing our mission to invite your attention to some important subjects as intimately connected with the accomplishment of the views which have dictated the policy pursued by the United States towards the Indians — It was a misfortune to Florida as a frontier Territory and with her maritime exposure to have any Tribes of Indians within her boundaries — It would have been a National benefit to have removed them to a more interior position; but as this seems to have been impracticable, the only course left was that which has been adopted — The confining the Indians within certain limits and in that part of the Territory least objectionable — This being accomplished it is indispensable for the benefit of the Indians, as well as the future security of Florida that

all intercourse with foreign countries or Individuals exercising influence over them be cut off, and that an exclusion should be obtained and maintained by the American Government

This is only to be effected by the immediate establishment of military posts at the Bay of Tampa, Charlotte Harbor and at some other point near Cape Florida on the Eastern coast, with such other salutary laws regulating the Trade with them as your own sound judgment may dictate — It is scarcely necessary to state to you that a majority of the Indians now inhabiting the Territory of Florida and included as parties to the Treaty just effected, are wanderers, if not refugees from the Southern Indians — Many of them are of the old Red Stick party whose feelings of hostility have only been suppressed not eradicated, and even the native Seminoles have ever been of a most erratic disposition — These Indians are now scattered over the whole face of Florida, but a small portion of them having any settled residence; a majority wandering about for such a precarious subsistence as the esculent roots of the woods, or the misfortunes of our navigators on the Florida Keys may afford.

To bring together these discordant and fermenting
to embody such a population within prescribed limits,
to conquer their erratic habits will require in some favorable
exercise of authority, with the presence of a military establish-
=ment adequate to enforce it — These posts therefore, in our
opinion, should be established before the boundary line is run
and marked — Such a military disposition of an adequate
force would produce an impression upon the Indians, most
favourable to an immediate concentration within the limits
allotted —

The military establishments recommended
from the protection they would afford, will further induce
an early settlement of the country now open to the enterpri-
=se of emigrants; the presence of which population will
assist materially in forcing the Indians within the limits alle-
=ted them & in obtaining that control so much desired —

As an act of Justice to Lieut. Ripley who
commanded the detachment of Troops on the Treaty ground,
and of Lieut. H. Brown the assistant Commissary of Subsistence —
we most chearfully testify to the zealous, active & faithful
discharge of the various duties assigned them —

Col. Humphreys Indian Agent and Mr Richards
=terpreter likewise rendered us essential services during
=complicated difficulties we had to encounter — In assem-
=bling and marching the Western Indians through a wild-
=ness of 250 miles in extent to the Treaty ground
have been exposed to privations and expenses giving
Strong claims on the Department of War for extra co
=mpensation; the equitable adjustment of which is submitted
to your consideration by

Your most obedt. Servts

Wm P. Duval
James Gadsden
Bernardo Segui

The Hon
J C Calhoun
Sec of war

Sept. 26th

The commissioners met this day at
the quarters of Govr. Duval, and having signed

Mr. O. Duvall & others
Comm.
Journal of the proceedings
of the Commissioners appointed
to hold a treaty with the
Florida Indians.

No. 3.

9-18-23

Camp Moultrie Creek
21 Sept 1823

Sir

- Copy -

We have to inform you, that on the 18th we concluded a Treaty with the Florida Tribes of Indians & on terms, as we believe, calculated to promote their future comfort and welfare, as well as the interests of the Territory in which they reside.

The Florida Indians will be concentrated south - The location an interior one not approaching the Sea coast at any one point nearer than 15 miles - Some few reservations on the Appalachicola of limited extent have been made in favour of Blunt, Tuski-Hajo; Econchatemico & others & Men of industrious habits, and who have made some advances in Civilization - Blunt & Tuskehajo have been friendly to the Americans & rendered essential services to Genl Jackson during the Military

6-1

9-18-23

Operations in Florida

The treaty with other documents will be forwarded yet by Col Humphreys who leaves this in a few days for Washington

Respd

The Hon Wm P Duval

J H Calhoun James Gadden

B Lyon

Received. (R. 50)

Gadsden.

Earth about Tiger Creek

21 Sept 1823

Proportion of the Indian Chiefs

Treaty with the Florida Indians

6-2

U-5

St. Augustine
20. Sept. 1823.

Sir:

On the 21st instant you were advised by mail of our having concluded a Treaty with the Florida Tribes of Indians. The 2d Article of the Treaty, accompanying this will inform you of the boundaries assigned them, which with the other articles agreed on will be found in our opinion to correspond with the spirit of our instructions, as well as the humane policy of our Government. The want of a knowledge of the Country South of Charlotts' Harbor, and the impossibility of inducing competent individuals to explore, or of obtaining any satisfactory information relative to that region, necessarily prohibited the Commissioners from confining the Indians to that quarter agreeably to the views of the Executive as first expressed in our instructions. A Northern Location, though desired by a Majority of the Indians, was resolutely opposed within the limits recommended by Genl Jackson; to have extended beyond those limits would have been injurious to the best interests of Florida. A Southern location was objected to by the Indians

9-18-23

on the ground that the Country South of Tampa did not contain a sufficient quantity of good land to furnish the subsistence of life – That force only could drive them into those limits, and that they were well convinced that the americans possessed the power, and they not the ability to resist – The Indians therefore threw themselves on the protection of the U States; and appealed feelingly to the humanity of the Commissioners not to locate them in a country in which they must inevitably starve – We knew nothing of the Country but from vague, and contradictory representations; the appeal therefore was listened to so far as to embrace within the limits assigned the Indians a small tract of Country about 30 miles North of Tampa Bay, containing within its boundaries many of the Settlements of the Southern Chiefs – Even this extension North was not considered as removing the objections urged; To satisfy therefore all parties and convince even the Indians of the humane disposition of the American government towards them, an article was inserted that if on examination by the Commissioners &c appointed to run the line it should appear that there was not a sufficient quantity of good land within the limits allotted them, then the North line should be extended so as to give satisfaction on this points –

The reservations made in the Appalachicola district were in favor of six influential chiefs, whose assent to the Treaty could not have been obtained without this equitable provision for them & their connections – They are all represented

to be men of industrious habits, and who have made some advan=ces in civilization — Blunt & Tuske-Hajo have been long friendly to the Americans, and rendered essential services to Genl Jackson during the operations in Florida, on the termination of which they were permitted to reside where they now do under the protec=tion of the United States, with a promise that when the Indians in Florida were disposed of, the provisions now made for them should be taken into consideration — We view these reservations as among the most favourable terms of the Treaty; the lands allotted each chief & their connections are so limited, as to force the occupants into the civil habits and pursuits; while so large a subtraction is made from the Indian population to be concen=trated, as to render that population more easily manageable

The Treaty however was the best we could effect and we are inclined to the opinion that the boundaries to which the Indians have been limited will be found, on reflection, to be the most judicious in a National, as well as Territorial point of view — Justice has been done to the Indians by assi=gning to them a sufficient quantity of tillable land, with the addition of an extent of Territory alike favourable as hun=ting grounds, and for the grazing of cattle; while the position is so central as to admit of being encircled by a white population capable of overawing and controlling their inci=vilized propensities —

We deem it our duty before closing our mission

to invite your attention to some important subjects as intimately connected with the accomplishment of the views which have dictated the policy pursued by the U States towards the Indians — It was a misfortune to Florida as a frontier Territory and with her maritime exposure to have any Tribes of Indians within her boundaries — It would have been a National benefit to have removed them to a more interior position; but as this seems to have been impracticable; the only course left was that which has been adopted — The confining the Indians within certain limits, and in that part of the Territory least objectionable — This being accomplished it is indispensable for the benefit of the Indians; as well as the future security of Florida that all intercourse with Foreign Countries or Individuals exercising an influence over them be cut off, and that an exclusive control be obtained and maintained by the American Government — This is only to be effected by the immediate establishment of Military posts at the Bay of Tampa, Charlotte Harbor, and at some other point near Cape Florida on the Eastern Coast, with such other salutary laws regulating the Trade with them as your own sound judgement may dictate — It is scarcely necessary to state to you that a Majority of the Indians now inhabiting the Territory of Florida and included as parties to the treaty just effected, are wanderers, if not Refugees from the Southern Indians — Many of them are of the old Red Stick party whose feelings of hostility

have only been suppressed not eradicated, and even the native Semenoles have ever been of a most erratic disposition — These Indians are now scattered over the whole face of Florida, but a small portion of them having any settled residence; a majority wandering about for such a precarious subsis=tence as the esculent roots of the woods, or the misfortunes of our Navigators on the Florida Keys may afford —

To bring together these discordant and fermenting materials; to embody such a population within prescribed limits, & to conquer their erratic habits will require in some degree the exercise of authority, with the presence of a Military establishment adequate to enforce it — These Posts therefore, in our opinion, should be established before the boundary line is run and marked — Such a Military disposition of an adequate force would produce an impression upon the Indians most favourable to an im=mediate concentration within the limits allotted —

The Military establishments recommended from the pro=tection they would afford, will further induce an early settlement of the country now open to the enter=prise of emigrants; the presence of which population will assist materially in forcing the Indians within the limits allotted them & in obtaining that control so much desired —

As an act of justice to Lt Ripley who commanded the detachment of Troops on the Treaty ground; & of Lt H Brown the Asst Commissary of Subsistence we most cheerfully testify to the zealous, active & faithful discharge of the various duties assigned them.

Col Humphreys Indian Agent; & Mr Richards the Interpreter likewise rendered us essential services during the complicated difficulties we had to encounter — In assembling and marching the Western Indians through a Wilderness of 250 miles in extent to the Treaty ground, they have been exposed to privations & expenses giving them strong claims on the Department of War for extra compensation; the equitable adjustment of which is submitted to your consideration by

Your Most Obt Servants

Wm P Duval
James Gadsden
Bernard Segui

Commrs. Ter. Fla.
J. Gadsden
Secretary
Commissioners
26 Sept 1823
Certified to the
Secretary of War
with the Treaty
and Journal.

7-6

The Hon
J. C. Calhoun
Sec War

9-18-23