INDIANS—CREEK AND SEMINOLE.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Information in regard to difficulties between the Creek and Seminole Indians.

DECEMBER 18, 1854.—Laid on the table, and ordered to be printed.

To the House of Representatives:

I transmit a report from the Secretary of War, with accompanying papers, in answer to the resolution of the House of Representatives of the 2d of August last requesting "such information as may be in the possession of the War Department touching the cause of any difficulties which may have arisen between the Creek and Seminole Indians since their removal west of the Mississippi," and other matters concerning the tribes.

FRANKLIN PIERCE.

WASHINGTON, *December* 18, 1854.

WAR DEPARTMENT,
Washington, December 16, 1854.

SIR: I have the honor to submit herewith copies of reports prepared pursuant to a resolution of the House of Representatives of the 2d of August last requesting the President to lay before Congress, at the next session, such information as may be in possession of the War Department touching the cause of any difficulties which may have arisen between the Creek and Seminole Indians since their removal west of the Mississippi, and other matters concerning those tribes.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

To the PRESIDENT.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

ADJUTANT GENERAL'S OFFICE,
Washington, December 15, 1854.

SIR: In compliance with your instructions, I have the honor to furnish the information called for by the resolution of the House of Representatives, dated August 2, 1854, relative to difficulties between the Creek and Seminole Indians since their removal west of the Mississippi river.

I am, sir, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Hon. JEFFERSON DAVIS,
Secretary of War.

ADJUTANT GENERAL'S OFFICE,
Washington, August 11, 1854.

SIR: I enclose a copy of a resolution from the House of Representatives calling for information in relation to the Creek and Seminole Indians. You are desired to collect from any reliable sources that may suggest themselves to you, and report, for the information of the Secretary of War, any information that may bear upon the subject of this resolution.

Very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brevet Maj. Gen. P. F. SMITH,
Com'g Dept. of Texas, Corpus Christi, Texas.

ADJUTANT GENERAL'S OFFICE,
Washington, August 11, 1854.

SIR: I enclose herewith a copy of a resolution from the House of Representatives, calling for information in relation to the Creek and Seminole Indians. You are desired to collect from the officers of your department serving in the neighborhood of these Indians, and from any other reliable sources that may suggest themselves to you, and report, for the information of the Secretary of War, any information that may bear upon this resolution. The report will be made at the commencement of the next session of Congress.

Very respectfully, sir, your obedient servant,

S. COOPER,
Adjutant General.

Brevet Brig. Gen. N. S. CLARKE,
Com'g Department of the West, Jefferson Barracks, Mo.

HEADQUARTERS DEPARTMENT OF THE WEST,
Jefferson Barracks, August 18, 1854.

SIR: I have the honor to acknowledge the receipt of your communication of the 11th instant, directing me to obtain information relative to the difficulties between the Creeks and Seminoles, with the resolution of the House of Representatives.

On the return of Major Winship to these headquarters, it is my intention to send a staff officer to inspect that portion of my department, and his attention will be particularly directed to obtaining information relative to the Indians residing in that portion of country. Major Winship will return probably by the last of September.

If the report is required before the last of October, as much information will be obtained from other sources as practicable.

I am, sir, very respectfully, your obedient servant,

N. S. CLARKE,
Col. 6th Infantry, Bvt. Brig. Gen. Com'g.

Colonel S. COOPER,
Adjutant General, Washington, D. C.

HEADQUARTERS DEPARTMENT OF TEXAS,
Camp above Franklin, Texas, opposite El Paso, Sept. 20, 1854.

COLONEL: I have the honor to acknowledge the receipt of your letter of the 11th of August, enclosing a copy of a resolution of the House of Representatives, in relation to the Creek and Seminole Indians.

I have no information as to the Creek Indians, or of any difficulties that have arisen between them and the Seminoles. All the information about the Seminoles that can be depended on that I have received, is what was contained in my communication from near Fort Duncan, of the 17th August, being a report of an officer sent by Colonel Plympton, by my direction, to obtain information of their designs. I will now send to learn all the facts that can be obtained in relation to the points mentioned in the resolution, and forward them as early as possible.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Maj. Gen., Com'g Department.

Colonel S. COOPER,
Adjutant General.

[Extract.]

HEADQUARTERS DEPARTMENT OF TEXAS,
Fort Duncan, Eagle Pass, Aug. 17, 1854.

COLONEL: I authorized and directed the commanders of the posts on this river to send agents into Mexico to learn what the bands of Indians are doing there.

Lieutenant Holabird, acting assistant quartermaster, having to visit

the opposite side, in relation to the purchase of corn, was enabled to ascertain on the spot, and from reliable sources, the information which is contained in his report, which I enclose. It will be seen that the number of Indians under Wild Cat has been much overrated, and the intentions of his band misstated; but the evil comes from the band of Lipans, who are stationed by the Indian agent on the Nueces.

* * * * * * * *

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Maj. Gen., Com'g Department.

Colonel S. Cooper,
Adjutant General.

Fort Duncan, Texas,
August 12, 1854.

Sir: I have the honor to submit to the commanding officer the following information concerning the Indians that have crossed from this side of the Rio Grande into Mexico. The information I believe to be, in the essential parts, reliable. The Seminole Indians live at or near Santa Rosa, upon lands furnished them by Mexico, which they cultivate. They have horses, cattle, and mules. They have about fifty warriors, and a number of negroes. These Indians are under the immediate control of Wild Cat, their chief, and they are subject to the military orders of Colonel Castañedo, the inspector general of the neighboring colonies. I look upon the Seminoles as a military colony, under Wild Cat, and his warriors are colonial troops. As *colonial troops* they were employed against the party of Caravajal, and rendered efficient aid in the fight at Ceralvo, in Tamaulipas. It is believed that they are again to be employed for a similar purpose, to guard the passes of the Rio Grande in this vicinity, and prevent any parties crossing to aid the reputed revolutionists; and they would probably be used against any faction opposing Santa Anna. These Indians are known to have a bitter hatred for many of the residents of this side of the river. They are well acquainted with all the positions of the live stock raised and kept on this side, and have an intimate knowledge of all the fords of the Rio Grande. Under these circumstances they would undoubtedly be very troublesome neighbors, particularly if their natural impulses to steal are stimulated by encouragement or countenance from the other side. That such countenance and protection has previouly been given is well known. The Seminoles crossed to this side and stole a large number of animals in the month of March. After crossing the river they went directly to San Fernando, and in the presence of the authorities, civil and military, boasted of what they had done, and publicly announced (Mr. Harrison can make affidavit to the fact) that they (the Seminoles, and particularly Wild Cat) did this with the knowledge and consent of General Cordona, of Coahuila; and that he could not sell the animals again to their proper owners, because he was only entitled to half: the other half was to be delivered to his *Excellency the governor*. No steps, as far as can be ascertained, have been taken to

disprove the evidence of the Indians; and the boldness of the act, together with the cool impudence with which they answered any inquiries on the subject, seem to indicate something very much like protection. All the above, I believe, can be readily proven. I do not think the Seminole Indians have committed depredations since the above affair.

The Lipans are reported to be under their chiefs, Ceyota and Castro; said to number 150 warriors. They seem to be confined to no particular spot; for some time past they have been in the vicinity of San Fernando. There is but one there now, and he appears to be used as a courier to look up and carry orders to the others as they seem to be under the command, and are well known to be under the military protection of Colonel Castañedo. These Indians are only at peace with the State of Coahuila, which embraces the opposite town.

The people of the neighboring State of Tamaulipas raised a force and came against these Lipans; but Colonel Castañedo turned out with a much larger force to protect the Indians, and the Tamaulipans had to retire. One hundred Lipan warriors presented themselves to Colonel Castañedo and wished to be led against their enemies, but their services were declined. This made the Indians suspect treachery, and they withdrew to the mountains; and it is reported that Castro has returned to his old position near Las Moras. I do not know upon what the report is founded. It is generally believed that the Lipans have been sent for to aid the Seminoles in guarding the frontiers from fillibusters, and the interior from revolutionists. I could find no particular charge against the Lipans having stolen from this side since they crossed; but they have animals in their possession they do not own, and some of which are reported to have government marks.

I am sir, very respectfully, your obedient servant,

T. B. HOLABIRD,
Second Lieutenant 1st Infantry.

Lieut. R. W. Johnson,
Adjutant 1st Infantry.

Note.—I was told that the horse stolen from General Smith at Fort Duncan was bought by a secretary of Governor Cordona, and those knowing the fact think he was aware where the horse came from, and how.

The horse was said to be sorrel. A mule was carried over at the same time, but where it was taken I could not ascertain.

T. B. HOLABIRD,
Second Lieutenant, &c.

Headquarters, Fort Duncan, Texas,
October 17, 1854.

Colonel: I enclose herewith a duplicate of a communication made by direction of General Smith relating to the Seminole Indians. He requested me to forward a duplicate direct, he being absent at present from his headquarters. This communication is as full as it could be

made, owing to the difficulty of obtaining facts in regard to the points inquired into to a greater extent.

I am, Colonel, very respectfully, your obedient servant,

J. PLYMPTON,
Colonel 1st Infantry.

Colonel S. COOPER,
Adjutant General U. S. A., Washington, D. C.

HEADQUARTERS, FORT DUNCAN, TEXAS,
October 16, 1854.

SIR: I have the honor to make the following reply to a communication from General Smith's headquarters, under date September 20, 1854, in answer to the following inquiries:

"1. The number of Seminole Indians who have left the country assigned them, and are now in Mexico, near Eagle Pass—men, women, and children.

"2. Whether they or any of them have been engaged in hostilities against the people of the United States since leaving our territory, and the particulars of such acts, and the testimony upon which the information is founded."

The Seminole Indians have with them between 50 and 60 negroes, who are on terms of perfect equality with them, and entitled to as many privileges as though they were Indians. They are armed, and almost invariably accompany them in their depredating excursions.

The whole taken together, including men, women, children, and negroes, number about 318. Of this number about 183 are warriors. At present about 82 of their warriors are regularly enlisted in the army, officered by their own men, who are commissioned officers in the army of Mexico. One company, composed entirely of Indians, is commanded by Wild Cat; the other, made up of negroes only, was, until within a few days past, under the command of a negro known as Gopher John. A few days since his company became tired of him, and they murdered him.

The military commandant of the post opposite this place informed me a few days since that these troops were recognised and paid by the general government. They are now in the neighborhood of Saltillo, operating, it is understood, against the revolutionists.

These Indians are recognised as citizens, and as such entitled to all the privileges allowed the native-born subjects. Formerly they were permitted to vote; but latterly that privilege has been taken from the citizens of Mexico, all the civil officers being appointed now to office by the supreme government. They are furnished with land by Mexico, upon which the women and children reside, and cultivate it. The portion of country set aside for their use is in the vicinity of Santa Rosa, and distant from this place about 100 miles.

Last February a herd of animals belonging to several citizens at Eagle Pass was stolen by a party of Indians. A detachment from this place was sent out, several citizens accompanying it. Papers marked A and B definitely settle the question as to what tribe the Indians be-

longed. The correctness of these papers could not be sworn to, there being no civil magistrate nearer than San Antonio; yet, from the character of the men, their statements are generally believed to be true. The Mexican who was employed in herding these animals also states that there was a negro with the Indians, which fact, of itself, is enough to convict the Seminoles.

One of the owners of the animals—Mr. Herman, a respectable merchant of Eagle Pass—followed the Indians until they arrived in San Fernando, about 30 miles from here, and reported to the alcalde what the Indians had done, and requested him to have his animals taken from them.

Wild Cat was called up before the alcalde, when he stated that he could not give them up, as half of them belonged to General Cordona, the commander of the district; that he and General Cordona were in copartnership in the pilfering business; and that if the alcalde would keep the animals until he (Wild Cat) could return from Santa Rosa, he would show him the articles of agreement between himself and General Cordona. The alcalde appeared perfectly satisfied, and permitted him to keep the animals. Although Wild Cat's word does not establish the fact that he and General Cordona were in copartnership, yet it is seen that the alcalde believed him, and that these Indians are permitted to depredate on our frontier, the fact being known, if not encouraged by the military and civil officers in Mexico.

A wood party sent out from this post last March was attacked by Indians. A rifle discharged at the non-commissioned officer in charge of the party missed him, but killed the mule he was riding. Although this act of hostility cannot be proven on the Seminoles, yet there can be little or no doubt that it was committed by a party of them, acting directly or indirectly under Wild Cat.

I am, sir, very respectfully, your most obedient servant,

J. PLYMPTON,
Colonel 1st Infantry.

Assistant ADJUTANT GENERAL,
Headquarters Department of Texas, Corpus Christi, Texas.

A.

EAGLE PASS, TEXAS, *October* 15, 1854.

This is to certify, that some time last spring a herd of horses and mules were stolen by the Indians from a resident of this place.

The commanding officer of Fort Duncan sent a party of men in pursuit; and I, as well as several other citizens of this place, joined the party. We trailed the Indians to the point where they forded the river, and arrived there just as they reached the opposite shore. I saw the animals and Indians. The Indians belonged to the Seminole tribe.

A moccasin was left on the American side of the river, just where they entered it, which was a Seminole moccasin, and could not have

belonged to any other tribe. I have resided here for some time, and am well acquainted with the Seminole Indians.

JOHN LEVINS.

Witness—
L. COLQUHOUN.
RD. W. JOHNSON,
Lieut. United States Army.

A true copy:

RD. W. JOHNSON,
Adjutant 1st Infantry.

B.

EAGLE PASS, TEXAS, *October* 15, 1854.

I certify that I was assisting to herd a number of animals, belonging to Messrs. Laing, Jones, and others, last February, when, within a few miles of this place, the herd was surrounded by a number of Seminole Indians, including one negro, stampeded, and driven across the river, by the same Indians. I cannot be mistaken in regard to the tribe to which they belonged. They were Seminole Indians, operating under the orders of Wild Cat.

his
LEONICIA × GENARD.
mark.

Witnesses—
L. COLQUHOUN.
JULIO LAING.
RD. W. JOHNSON,
Lieut. United States Army.

A true copy:

RD. W. JOHNSON,
Adjutant 1st Infantry.

C.

EAGLE PASS, *October* 16, 1854.

This is to certify, that Wild Cat, known as the Seminole Indian chief, has, at various times during my residence at San Fernando, Mexico, come into that city with a number of animals which he reported to have been stolen from the Texas side of the river, and boasted of his capacity to steal from the Americans; and says that he is licensed by the government of Mexico to steal from the American side of the river.

On one occasion he brought into the above named city of San Fernando thirty animals, which he said he had stolen from the Americans, and sold them; "the owner came immediately after them but could not get them," the governor of Coahuila having given an order to the authorities of that city to make it an offence for any person to deliver

any stolen animals to claimants on the opposite side. Given under my hand and scrawl.

JAS. E. GARDNER.

A true copy:

R. W. JOHNSON,
Adjutant 1st Infantry.

FORT SMITH, ARKANSAS, *November* 18, 1854.

SIR: On leaving the headquarters of the department on a tour of inspection to the posts on the Arkansas frontier, I received instructions from the general commanding the department of the west, to investigate and obtain all the information practicable on the following subjects:

1. In regard to the difficulties which have existed between the Creek and Seminole Indians since their emigration west of the Mississippi.

2. Whether the Seminoles or other Indians have left the Territory assigned them by the government, and whether they have been engaged in hostilities against the people of the United States.

I have now the honor to report, in obedience to my instructions, all the information obtained.

Since the emigration of the Seminoles west, under the treaties concluded May 9, 1832, and March 28, 1833, there have existed only two causes of difficulty between them and the Creeks.

By the 1st article of the treaty concluded May 9, 1832, it was stipulated that the Seminoles should be received as a constituent part of the Creek nation, and be readmitted to all the privileges as a member of the same, and an additional extent of country, proportioned to their numbers, to be added to the Creek country for that purpose. By the treaty of March 28, 1833, the boundaries of this additional extent of country were defined, and by the treaty with the Creeks of February 14, 1833, it was stipulated that the Seminole Indians of Florida, whose removal "to this country is provided for by the treaty of May 9, 1832, shall also have a permanent and comfortable home on the lands hereby set apart as the country of the Creek nation; and thus (the Seminoles) will hereafter be considered a constituent part of said nation, but are to be located on some part of the Creek country by themselves."

Under the above positive stipulations the Creeks have always regarded the Seminole nation as under their government and laws, and merely constituting one of the districts into which the nation is divided, each district being governed by sub-chiefs.

The Seminoles, however, have steadily refused to come under the control of the Creek government and laws, considering themselves a separate nation, and not subject to the Creek government in any manner whatever. They have steadily refused always to join the Creeks in their annual council, although invited by them every year to send delegates in the same manner as the other districts of the nation. This has been the principal cause of difference between the Creeks and Seminoles.

Another serious cause of difficulty between individuals of the two nations came into existence about December, 1848, at the time when the Seminole negroes were held at Fort Gibson under the protection of the government, and from the possession of the Seminoles claiming them as property. About this time, by a decision of the Attorney General, (to which I beg leave to refer you for information on the subject,) the right of property in all these negroes was restored to the Seminoles, and, by direction of the Secretary of War, dated August 5, 1848, they were turned over, at Fort Gibson, in the presence of the Seminole sub-agent, to the chiefs of the tribe. Owing to the severity of the winter, these negroes were not removed from Fort Gibson until the early part of spring. Now a wide field was thrown open to speculators, both whites and Indians, and many of these negroes were purchased by the Creeks, Cherokees, and white men, from Seminoles who had no shadow of a claim. They all removed, however, to the Seminole country, and retaining their arms, maintained their separate organizations in towns, most of them being located at Deep Fork and Wewoka.

For the action of the general then commanding the 7th military department, the superintendent of Indian affairs, and the Seminole sub-agent, I beg leave to refer to their correspondence on file at the head-quarters, department of the west; and to facilitate reference to them, I enumerate them as follows: Sub-agent's letter to General Arbuckle, of July 16, 1849; General Arbuckle's reply, dated July 26; to communication from superintendent of Indian affairs, dated July 20, 1849; General Arbuckle's letter to Adjutant General, dated July 31, 1849; General Arbuckle's letter to General Belknap, dated August 2, 1849; superintendent's letter, dated August 18, 1849, in answer to General Arbuckle's letter to him, dated August 13, 1849; letter of General Arbuckle to Adjutant General, dated August 14, 1849; certificate of Lieutenant Flint, dated August 14, 1849; and letter of General Arbuckle to superintendent, dated September 10, 1849; General Arbuckle's letter to Creek agent, dated September 10, 1849; General Arbuckle's letter to Adjutant General, dated September 14, 1849. From this correspondence, and conversation with some of the principal Creek chiefs and other persons well acquainted with the condition of affairs in both nations, I have obtained the following facts:

It is well known, both in the Seminole and Creek nations, that immediately after the death of old Micanopy, one of the principal chiefs of the Seminole nation west, Coacoochee was ambitious to be chosen head chief of the nation, and on the selection of Jim Jumper he became much dissatisfied, and was disposed to resist all operation of the Creek laws, notwithstanding that by treaty stipulations the Seminole nation formed a separate district under the Creek government. He (Wild Cat) was strongly influenced by Gopher John, and others of the chief negroes, to resist any interference in reference to the condition of the negroes, and was urged by them to resist all influence of the Creeks over the Seminoles. All these negroes turned over to the Seminole nation were congregated in small towns through the district—principally, however, in Deep Fork and Wewoka. They retained their arms, and lived under no restraint whatever from their owners; in fact they seemed to be regarded by the chiefs as common property, and the ne-

groes considered themselves free, and merely under the guardianship of those Indians who claimed them as property in Florida before the emigration west. It is much to be regretted that this condition of these negroes was owing, in a great measure, to the interference on the part of some officers of the government in their behalf, to maintain them in a partial state of freedom, after the decision of the government that they were, to all intents and purposes, slaves, and that the ultimate title to them, as property, was to be left to the Indians themselves, without any intervention on the part of the government.

All the difficulties between individuals of the Creek and Seminole nations have grown out of this condition of these slaves; and the negro chiefs have exercised a controlling influence over the Seminoles, and have induced them to resist the government and laws of the Creek nation. The Creeks became dissatisfied that these negroes, armed and regularly organized in small towns, should occupy their country in this condition; and, influenced by speculators among themselves, Cherokees, and white men who had bought up claims to some of the negroes, were desirous to have them disarmed and reduced to an actual condition of slavery, that the chiefs of the Seminole nation might decide in council on all claims to this property, and that the slaves might be turned over and possession of them gained. It is to be regretted also that the sub-agent for the Seminoles was at this time engaged in the collection of a claim on a large portion of these negroes; and I mention the fact as leading to much discontent on the part of many of the Seminoles, who claimed that their slaves were alienated from them by their chiefs without a shadow of title. At this time, it appears that Wild Cat, discontented from having lost his influence in the nation, resolved to do all in his power to retain the negroes in separate towns, and to keep them armed and almost in a perfect state of freedom. It was at this time also he laid his plans to leave the Seminole nation to go to Mexico, and desired to take as many Seminoles and negroes with him as possible.

From the official documents already cited, it appears that he (Wild Cat) represented himself as acting under instructions from Jim Jumper, the principal chief, and, in connexion with George Cloud, another chief, obtained the interference of General Arbuckle to preserve these negroes from getting into the hands of speculators, many of whom had obtained them by fraudulent means and obtained fraudulent titles to them. The government of the Creek nation, finding that this condition of these negroes was likely to lead to disturbance, and that the negroes were armed contrary to their laws and prepared to resist by force any attempt to disarm them or to change their condition, represented the facts to the government without taking any active measures to enforce their laws. It was at this time when Wild Cat, seeing a determination on the part of the Creeks to enforce their laws in regard to these negroes, left the Seminole nation, taking with him a number of Seminoles, variously estimated from twenty-five to forty-five. I think, from all I can learn, the number was about thirty-five. Gopher John also went with him, taking about thirty negroes. These were all that Wild Cat persuaded off with him at this time. It appears that at this time the Creek nation had abandoned all claim to these negroes, and they

were regarded by the Creek nation as the property of individuals of the Seminole nation. To show the views of the principal chief of the Creek nation, Roly McIntosh, in regard to the operation of their laws over the Seminole nation, and particularly over this kind of property, I beg leave to refer you to a letter from McIntosh to General Belknap, then commanding Fort Gibson, dated June 10, 1850—original on file in office of headquarters of department of the west.

From all the correspondence above cited, it appears that all the facts had been set forth to the government; that, for certain reasons set forth by the superintendent of Indian affairs and the Seminole sub-agent, application had been made for an armed force to bring these negroes into subjection; and, also, that no force was furnished, and the application urgently resisted by the military authority on the ground that to disarm these negroes and scatter them would serve only to alienate them from the Seminoles—that speculators would get hold of them and carry them out of the country.

It appears, however, that this non-interference on the part of the military, to disarm and reduce these slaves to a state of subjection, tended to hasten the result anticipated in furnishing the armed force. Had the application been granted, in all probability the titles to these slaves would have been settled by the Seminole chiefs in council without interference on the part of the Creeks, and the speculators could not have obtained half the number.

For an accurate statement of what occurred in the Seminole nation at this time in reference to the difficulties between Creeks and Seminoles about these slaves, I refer you to a letter from Brevet Captain Dent, 5th infantry, on duty in the Seminole nation, to General Belknap, then commanding the 7th military department, dated July 15, 1850. The party of Creek Indians and others, mentioned in this communication, was composed entirely of individual claimants, basing their claims solely on purchase from the Seminoles, and of other persons who were actually paid by those interested to assist in disarming the negroes. Every man in the party not interested in the property, and taking part in the transaction, was paid for his services by those interested. It is a fact that the Creek government did not interfere with this matter at all. It cannot be doubted that it was the desire of the principal chiefs of the Seminole nation to favor this action on the part of their agent and the Creek claimants to the negroes; for as soon as they found the party in sufficient force to disarm the negroes, they immediately, in council assembled, acceded to the transaction, and actually assisted in turning over the negroes to the claimants.

I ascertained the fact that at this time about two hundred of these negroes, under Jim Bowlegs, an intelligent negro, started to join Wild Cat in Mexico. They were pursued, however, by this same party of Creeks and traders, and overtaken in the vicinity of Fort Arbuckle. The negroes resisted, and some were killed; a few of them escaped, but nearly all were taken and brought back to the nation. This system of trading for these negroes is still kept up, and, in my opinion, the sooner the Seminole nation gets rid of them, the better. All of the intelligent Creeks and licensed traders in the nation agree in the statement that these negroes exercise a most pernicious influence over the Seminoles.

They endeavor to incite them to violate the laws of the Creeks, and, perfectly free from all restraint by the Seminoles, encourage them in riotous conduct and drunkenness. The conduct of the Creek nation to the Seminoles has been that of continued forbearance and non-interference with them. The Seminoles maintain the principle that they are entirely independent of the Creeks, and not under the operation of their laws. The Creeks have forborne compelling compliance with the treaty stipulations rather than create a disturbance, and they put up with daily violation of their laws, because they fear forcible resistance on the part of the Seminoles. The laws of the Creeks in regard to the introduction of liquor are very severe, and with their own people strictly enforced; but the Seminoles violate these laws at pleasure, and introduce large supplies of liquor into the country unmolested.

In concluding my report on this subject, I must remark that the Creeks and Seminoles generally disclaim any difficulties having existed between them since their emigration west.

The Seminoles, claiming entire independence of the Creeks, enact in council their own laws. This right, although not conceded them by the Creeks, has not been objected to, on account of their desire to maintain peace. The only cause of strife and contention between individuals of the two nations, has existed in the slave property and the fraudulent sale of slaves, which has been continued since their emigration west, and will be continued until they are all sold out of the Seminole nation.

These negroes have increased greatly in numbers, and there are still a great many scattered through the nation.

2. The number of Seminoles, or other Indians, who have left the country assigned them, and whether they, or any of them, have been engaged in hostilities against the United States since leaving our territory?

In the winter of 1849, Coacoochee, (Wild Cat,) a Seminole sub-chief, as I have before stated, left the Seminole nation, taking with him Gopher John, an intelligent negro chief, about thirty-three Seminoles, and thirty negroes. It is stated that they went to Mexico, and engaged to wage war for the Mexicans, on the Comanche Indians. In the fall of 1850 he returned to the Seminole nation; and in relation to his motive and actions there, I refer you to the following communications on file at headquarters, department of the west: Letter from Creek chiefs of Canadian district to *Roly McIntosh*, principal Creek chief; one from *McIntosh* to General *Belknap;* and one from General *Belknap* to General *Arbuckle*. On inquiry, I find that Wild Cat, on his return to the Seminole nation, endeavored to entice off many of the young Seminoles and negroes, as he asserted, to wage war against the Comanches. He did not succeed, however, in getting any increase to his party, except a few negroes, as the Creeks,immediately on hearing of his arrival, took active measures to prevent it, and he was compelled to leave the Seminole nation for fear of being taken. On his way back to Mexico, he succeeded in persuading quite a large band of Kickapoos to accompany him.

These Kickapoos were then composed of two small bands, living in the western part of the Creek country, on the Canadian, and some of them on the Washita, in the vicinity of Fort Arbuckle: one band,

under the chief *Pa-na-ce-hah*, numbering about five hundred men, women, and children; and the other, under the chief *Tom Pecan*, numbering about three hundred men, women, and children.

These bands had left their country west of Missouri, separated from their people, and relinquished their claim to any portion of the annuity paid their people by the government. Wild Cat fell in with these bands on his way out, and persuaded nearly all the young warriors of both these bands to accompany him, promising them money and all the booty taken from the Comanches, and that the Mexicans would pay them well for their services. The number of Kickapoo warriors accompanying Wild Cat is variously estimated from two hundred to five hundred; from the most authentic information I could obtain, coming from their own people, I suppose the number was about two hundred warriors. The chiefs Panacehah and Tom Pecan endeavored to prevent their young men from going with Wild Cat, and persuaded a large portion of their bands, with the old men, women, and children, not to follow Wildcat. All the chiefs remained behind, and are said to have done everything in their power to retain the young warriors. In the fall of 1851, Panacehah and Tom Pecan, with some of their old men, went down on the Rio Grande and succeeded in persuading all the Kickapoos to return to the Creek country, where they had been to live previous to their leaving for Mexico. All the Kickapoos returned with their chiefs, and brought back with them a large number of horses and mules, said to have been taken from the Comanches and Mexicans. Wild Cat was then left with only about forty Seminoles and from fifty to eighty negroes in his band, taken from the Arkansas frontier. This information was collected from a reliable source, and is the statement made by the chiefs on their return. On the return of these Kickapoos, the Creeks refused to permit them to live in their country north of the Canadian, stating that they had violated all the promises they had made, and had been engaged in war with their brethren on the prairies contrary to the Creek laws by which they agreed to be governed. They are now living in two bands; one under *Mosqua*, on the east side of the Washita, about seven miles north from Fort Arbuckle. This band now numbers about five hundred in all. The other band, under Tom Pecan, is located on the Canadian, about sixty miles from Fort Arbuckle, in an east-northeast direction. This band numbers now about three hundred in all. These Kickapoos have left the country assigned them by the government, but are said to be peaceable and quiet. They cultivate enough corn for their own use, and hunt a great deal.

About twenty-five miles north of Fort Arbuckle, on the Canadian, is a small band of Delawares, under Black Beaver, numbering about 100 in all. They are very quiet and peaceable, cultivate an abundance of corn, and are good hunters. These are separated from the Delawares west of Missouri, and are not in the country assigned them.

The Witchitas, Wacos, and Towaconies, are three small bands, living generally together, about sixty miles west of Fort Arbuckle, on Cache and Rush creeks, and on the Big and Little Witchita rivers. Each band has its chief: As-sum-a-wah, chief of the Witchitas; Aquasquash, chief of the Wacos; and Ocha-rash, chief of the Towaconies.

These tribes number as follows: the Witchitas, about 350, men, women, and children; the Wacos, about 200; and the Towaconies, about 175. They live principally by the chase.

About thirty or forty Shawnees live in the Creek country, north of and on the Canadian. They are under the Creek laws, cultivate a plenty of corn, and are quiet and peaceable.

The Pi-yan-ke-shaws—a small band, numbering about forty or fifty—live near the Shawnees. Their habits are the same.

On the west side of the Washita river, and between Forts Arbuckle and Washita, is located a band of Indians, numbering about 100 in all, composed of Caddos, I-o-nies, and On-a-dar-ces.

About sixty miles south of Fort Arbuckle, on Red river, near the mouth of Walnut bayou, is a small band of Indians, composed of renegade Cherokees, and renegade Indians from various tribes. These number about 100 in all. It is reported that they intend to change their location, in the spring, to the mouth of Rush creek.

The Keechies are a small roving band, numbering about 150. They generally reside on the Canadian river, west of the Creek nation. They subsist principally by hunting and stealing. Not more than two months ago, they stole a large number of horses from the Creeks and Kickapoos. The Creeks organized a party and went in pursuit, but did not succeed in overtaking them. It is supposed they will hardly return to occupy their former position, and in all probability will continue their depredations on the frontiers of Texas.

I found it utterly impossible to obtain any positive information whether any of these Indians have been engaged in hostilities against our people. It cannot be doubted, however, that most of these roving tribes will, whenever an opportunity offers, commit depredations on the whites, as well as the Indians, settled on the frontier.

All of the small bands enumerated above have left the country assigned them by the government, and, with the exception of the Delawares, Shawnees, Piankeshaws, and Caddos, I believe none of them can be trusted.

The Witchitas and Wacos live entirely by the chase, but claim to be the original occupants of all the country west of Fort Arbuckle, and, it is said, intend to claim it from the government. They are wily and cunning, and cannot be trusted.

This is all the information I have been able to collect on my tour of inspection in regard to these Indians; but I am satisfied that it is entirely correct, having been obtained from the most reliable sources.

I am, sir, respectfully,

FRANCIS N. PAGE,
Assistant Adjutant General.

ASSISTANT ADJUTANT GENERAL,
Headquarters Department of the West, St. Louis, Missouri.

Respectfully forwarded to the Adjutant General of the army.

D. E. TWIGGS,
Brigadier General U. S. Army.

HEADQUARTERS DEPARTMENT WEST,
Saint Louis, Missouri, November 30, 1854.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, June 12, 1849.

SIR: I have the honor to enclose herewith a communication from the Seminole chiefs addressed to the commanding general of the division, and a copy of one from the Seminole sub-agent, upon the subject of the removal of the Indians from Florida, which embraces all the information I have to communicate in relation to this matter. I would avail myself of this occasion to remark that I have noticed the commanding general's order requiring reports from commanding officers of posts in case of any Indian disturbances, &c., and would state that during my long service on this frontier I have known many reports to be made by Indian agents and others, of depredations having been committed by bands of hostile Indians; of expected outbreaks and attacks, &c., &c., which have turned out to be utterly groundless, and which, in some cases, have been the result of interested motives. Possibly some such may reach the general. But, so long as I remain in command of this department, I trust I shall be duly informed of all, of any importance, that may transpire within its limits, of which I shall not fail promptly to report to division headquarters. I have thought it proper to say this much in order that the numerous unfounded rumors which are too frequently set afloat by designing persons from interested motives, may not command more attention than they justly merit.

I am, sir, &c.,
M. ARBUCKLE,
Brigadier General United States Army.

Major W. W. MACKALL,
Assistant Adjt. Gen., Western Division, New Orleans, La.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

JUNE 12, 1850.

DEAR SIR: I had an interview with the lieutenant that you sent over to ascertain what right Hardage had to shoot the negro who is the property of Gopher John. As I had not seen Mr. Hardage at that time, I could give no satisfaction relative to the circumstance, but sent up for Mr. Hardage, who came down and has given a full explanation. He has authority from the Seminole chiefs to take all the property left by Gopher John in this nation, as it is well known that the said John decoyed off a number of negroes belonging to the said Hardage; and had he no claim to the said negro, our laws would justify him in the course he took even if he had killed the negro on the ground, for the negro resisted, and tried to take a gun from Mr. Hardage's son, who was the person that shot him. I would also add that I see nothing inconsistent in the course taken with Jim Bowlegs and Stephen, for D. N. M'Intosh had a bill of sale for Stephen; and our laws would also justify him in the course he took with the two negroes, for they had arms and horses, which our laws prohibit any negro slave from owning; and I have been informed by good authority that Jim Bowlegs is a

slave; consequently I must deal with him as I would with other slaves, until I am convinced to the contrary. The laws of our country allow any person to take his property at any place that he can find it, and these negroes are the property of the men who took them. From all the information that I can gather, at least the laws of our nation would give them ownership.

I have been very much surprised, indeed, to find that you will give the Seminole negroes protection, after telling me, in presence of B. Marshall and Kendal Louis, that you had nothing more to do with them. It is well known that these negroes have repeatedly violated our laws, and have as often found protection by the commanding officer at Gibson. The right of making our own laws, and executing them, has been granted to us by solemn treaties. Why should you, then, desire to take that right from us? If we are not to enforce our laws over the negroes, tell us so, that we may know what to do in future. We feel it our duty to enforce our laws, and if the negroes are in our limits we will be compelled to notice them according to our laws. The —— that you took the other day is national property; but our laws must be suspended when they come in contact with Seminole negroes. As we would like for our agent to do something relative to the Seminole negroes while in Washington, please give us an answer, and that we may know your views fully.

Yours, respectfully,

ROLY McINTOSH,

Principal Chief Creek Nation.

Gen. BELKNAP,

Fort Gibson, Arkansas.

FORT GIBSON, CREEK NATION, *July* 15, 1850.

SIR: In answer to your communication of the 10th instant, I have the honor to reply, that on or about the 24th ultimo a party of Creek Indians, accompanied by several white men, citizens of the United States, and a few Cherokees, arrived in the vicinity of Wewoka, Seminole nation, armed and equipped. I soon learned their object was to take forcible possession of a number of negroes at that time residing in the Seminole nation, known as the Seminole negroes, but claimed by some of the leaders of the aforesaid party. Much excitement was produced among the Seminole people in the vicinity, as the object of these men was not clearly known to them; and when they did learn that it was their intention to attack the negro town, many of them asserted their firm determination to assist the negroes in defending themselves. At this stage of the affair I considered it my duty to interfere, and I immediately, by letter, informed Mr. Marcellus Duval, the Seminole agent, of the arrival of the party—of the intention of both parties, and requested his immediate presence to prevent the pending difficulties. I also called on Mr. N. McIntosh, the chief or leader of the Creek party, and pointed out to him the consequences of an attack by his party. I made him clearly understand, that himself and fol-

lowers, as individuals, were, by the course they were about to pursue, likely to bring on a war between the Seminole nation and his own, and told him I should consider it my duty to interfere if he proceeded. I also informed him of my having sent for the agent, and suggested that before he proceeded, a thorough understanding should be had with the Seminole chiefs. Mr. Duval arrived the next day. Mr. McIntosh, the leader of the Creek party, was directed by him to remove his party to the north side of the North Fork of the Canadian, into the Creek country, which he did. The agent then called a council of the Seminole chiefs, and Mr. N. McIntosh, and four others of the Creeks, were appointed to meet the Seminoles. In this council the Seminoles agreed to admit the Creek force, and to assist them in taking and in delivering over a number of negroes—how many I did not learn. As soon as the Seminole chiefs came to this decision, I considered that any further interference on my part would be presumption.

I learned from a good source, that about one hundred and eighty negroes have been taken; many of them are only retained as prisoners for a time, in order to prevent them from giving information and support to those who had fled. All that had been taken were at the Seminole agency when I left Wewoka, some five days since. A large number of the negroes, about one hundred and eighty, had not been taken, and were en route for Texas, armed, and bidding defiance to any person or persons who should attempt to take them. This party, I am informed, is commanded by "Jim Bowlegs," a slave of "Billy Bowlegs," now in Florida. All the negroes that have been taken as yet, have been taken by the Seminoles themselves, and turned over to the Creeks, who were encamped about six miles from the negro town.

I am directed in your letter to state who are the leaders or principal men of the Creek party, and also what white men and Cherokees are engaged with them, or took part in the affair. In answer, I have to state that of the Creeks, Nimin McIntosh, Leah Hardridge, Tom Carr, Joe Smith, and John Sells, were the principals. The only Cherokees I observed were William Drew, Dick Drew, and Martin Vann. The white men were P. H. White, of Van Buren, Arkansas; J. M. Smith, of Forth Smith, Arkansas; Mathews, a trader near the Creek agency; and Gabriel Duval, a citizen of Montgomery, Alabama.

As to the claims of the above-named individuals to the negroes they have taken, I know nothing except from report. Mr. G. Duval is acting on the part of his brother, William Duval, recently deceased. The Seminole chiefs had made an agreement to give to Mr. Duval a certain number of negroes for services he had rendered the nation, which negroes are now being turned over to G. Duval, for the estate of his brother William.

I am, sir, very respectfully, your obedient servant,

F. T. DENT,
Brevet Captain 3d Infantry.

Lieut. F. F. FLINT,
A. A. A. General 7th Military Department.

True copy

FRANCIS N. PAGE,
Assistant Adjutant General.

VAN BUREN, ARKANSAS, *July* 16, 1849.

SIR: As an agent of the government, it becomes my duty, when I have reasons to believe that opposition will be offered to the proper discharge of my duty, or the good order and quiet of the nation, in my opinion, requires it, to call on the military to assist me in preventing difficulty of any kind calculated to be an injury either to the interest of the government or to the Indians under my charge. Such a state of affairs now existing, I think it proper to address you on the subject. Under the order of the government, there were turned over to the Seminoles, in January last, certain negro slaves, who had been for a considerable time preceding improperly and illegally protected by the military garrison at Fort Gibson, in opposition to the rights of the Indians, their owners. Under the same orders, it became the duty of the council of the Seminoles to decide who, under their laws, were the legal owners; and it was by instruction from the Indian Bureau, also my duty to seethat due regard should be paid to all concerned, claimants, owners, and negroes.

In accordance with said orders and instructions, the Indians have decided who were the original owners before protection was offered, and also the present owners, whose right and title is derived under their laws. On the arrival of the negroes in the Seminole country, they were *allowed* to settle according to their own views, although *forbidden* to locate where they did. The chiefs deeming it advisable not to interfere with them until it was decided who were the respective owners of the various families of negroes, did not use the authority which of right they had, and permitted it to prevent trouble; stating at the time, however, that when the decisions were made, the negroes would be turned over to their owners.

The decisions have been made, yet the owners have not been placed in possession of their property, which arises from the facts that the negroes positively refuse to be separated, or allow "their towns" to be broken up, asserting to the Indians, at the same time, that the military would protect them in what they do. The owners of the slaves complain much of the government as being the cause of such a state of affairs, and the chiefs are indisposed to have a difficulty with the negroes, or take the proper means in delivering, as contemplated in the order of the government, "the negroes to their respective owners."

The owners, on their part, would much prefer that the agent of government should place the property in possession of those decided by council to be the owners, to having them killed by a party of Indians, which would inevitably be the case with many, should the common Indians take the affair into their hands. And, again, the Creeks assert, and with truth, their right to disarm, in accordance with their laws, all negroes within the limits of the Creek nation; and should the Seminoles delay action in the matter, it will soon arrive at that point which would endanger the quiet of the Creek and Seminole people, from the extreme repugnance which the Seminoles have to the interference of the Creeks in the remotest manner in their affairs; although they would approve of the same act if done by their own people. The negroes will most assuredly resist the Creeks in the execution of their

laws, and unless assisted by the government, would also resist the Seminoles. They have already resisted the laws, and will, I believe, continue to oppose them, so long as they are allowed to remain armed; and were I to attempt the execution of any duty not consistent with their notions of right, I know not at what time I might expect resistance. I am perfectly convinced, to keep good order in my agency, to be secure in the execution of my own duties, it is absolutely necessary that these negroes should be disarmed; and for this reason, if no other, I now call for a command of government forces to disarm them. I have another reason for desiring it to be done by government troops. The negroes have continually asserted that they were upheld by the military. I deem it, therefore, the more judicious that they should be placed in their true position by those they have reported to the Indians were upholding them in their opposition to the laws.

I have the honor to be, very respectfully, your obedient servant.

M. DUVAL,
Seminole Sub-Agent.

Brig. Gen. M. ARBUCKLE,
U. S. Army, Comm'g 7th Mil. Dept., Fort Smith, Ark.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

VAN BUREN, CRAWFORD COUNTY, ARK.,
July 20, 1849.

SIR: I have the honor to enclose you a communication of M. Duval, Seminole sub-agent, setting forth the condition and situation of certain negroes who, by order of the government, were turned over to the Seminoles in January last at Fort Gibson. Mr. Duval informs me that said negroes are *well armed, rebellious*, and living chiefly in one town; therefore able to offer powerful resistance to the proper authority of the Seminole Indians should they attempt to enforce the laws of said nation. They (the negroes) utterly refuse to recognise the right of their masters or owners—all which has an evil tendency, creating an influence prejudicial to the quiet and peace of the Seminole nation. I therefore respectfully request you to comply with the application of Mr. Duval, Seminole sub-agent.

I have the honor to be, most respectfully, your obedient servant,

JOHN DRENNEN,
Acting Superintendent W. T.

Brig. Gen. M. ARBUCKLE,
U. S. A., Comm'g 7th Mil. Dept., Fort Smith, Ark.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, July 26, 1849.

SIR: I am instructed by the commanding general of this department to acknowledge the receipt of your letter of the 20th instant, enclosing

an application from the Seminole sub-agent for a military force to disarm the negroes recently removed to the Seminole country.

The General had sincerely hoped that when these negroes were turned over to the chiefs of the Seminole nation, in presence of their agent, agreeably to the decision of the government, the military would not again be troubled with them, and that the authorities of the nation would be able to control them and keep them in subjection themselves. And it is regarded as somewhat strange that they did not, at the time, compel them to locate where they desired, and to deliver up their arms at once, if they were armed contrary to the laws of the Creek nation. This is much to be regretted. At present, it would be exceedingly inconvenient to send troops to the negro settlements, owing to high waters and the prevalence of the cholera among the only disposable troops—those at Fort Gibson. The General does not, however, regard it necessary at this time. But an officer will be sent out with the agent to inquire into the existing state of affairs, and to endeavor to prevail upon the negroes to peaceably surrender their arms to some of the chiefs or to the agent, if he should be willing to receive them, or to some other responsible person, to be kept until they can be disposed of for their benefit, which is deemed both just and proper.

I am, sir, &c.,

F. F. FLINT, *A. A. A. General.*

Col. J. Drennen,
Acting Superintendent W. T., Van Buren, Ark.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

Headquarters 7th Military Department,
Fort Smith, July 31, 1849.

General: I have the honor to enclose herewith copies of communications from Mr. Duval, the Seminole sub-agent, and Colonel Drennen, acting superintendent of Western Territory, calling for a military force to disarm the negroes who were turned over to the chiefs of the Seminole nation during the past winter.

At the time the negroes were to be turned over, not being able to perform the duty in person in consequence of an injury I had just received from a fall, I sent my aid-de-camp, Lieutenant Flint, to assist General Belknap to carry out the instructions of the government, and directed him to request the General to endeavor to persuade the Indians to treat their negroes with kindness, and also to obtain a promise from them that the negroes would be allowed to remain quietly in towns as they had formerly lived, and that they would not scatter them by selling or otherwise disposing of them, as it was believed that such was the desire and expectation of the government in restoring the blacks to the nation. I was the more particular on this point for another reason. I had understood, from a pretty reliable source, that it was the intention of the Seminoles to present a claim to the government for the services of the negroes during the time they were under the protection of

the troops at Fort Gibson; also for all those who had received protection and should not be turned over. And I might here add, that I am now fully satisfied that such a claim will be presented.

The negroes had likewise heard that most of their number had been disposed of by sales, &c., and that they would be distributed to the different claimants as soon as delivered into the hands of the chiefs; and as they expressed so much dissatisfaction and were so strongly opposed to such a proceeding, preferring rather, as they said, to die where they were, I was apprehensive that many of them would make their escape, and that there would be much trouble and difficulty in accomplishing the object, unless some such understanding could be effected. And I was anxious that all, if possible, should be present and turned over without the aid of threats or force.

The chiefs consented to receive the negroes with the above understanding. Had they not done so, I firmly believe the negroes could not have been removed to the nation except by a strong military force, or else in irons. Since their removal no complaints have been heard until the receipt of the enclosed communication from the agent. It now appears that they are extremely insubordinate; that they violate the laws and resist the execution of them; and that they also carry arms, contrary to the laws of the Creek nation. The Seminoles pointed out a place about fifteen miles from the agency, where they directed the negroes to locate; but, contrary to their wishes and instructions, it seems that the larger portion of them, headed by Gopher John, have settled some thirty miles from the agency, where they act in a manner independent of all Indian authority; in consideration of all of which, I understand, the chiefs in council have resolved that the slaves shall be distributed and turned over to their respective masters; and it is with this view that the call has been made upon the military to disarm them, in order that their object may be effected with less risk and trouble to themselves, as they fear the negroes will resist with their arms should they attempt to carry their plans into execution.

I understand that about one-third of these negroes have been promised to William J. Duval, esq., for his services as the attorney of the Seminoles in causing their slaves to be restored to them, and that about an equal number has been sold or otherwise disposed of to Cherokees and Creeks, in which it is reported that some of our citizens have an interest; and, as the negroes are aware of this fact, it is perhaps found that they too clearly comprehend the final result of being disarmed and sent to live with their Indian masters, and that they would resist rather than submit.

The call of the agent I deemed a novel one, particularly as the negroes had not previously been formally required to surrender their arms.

Besides, as the only disposable troops (those at Fort Gibson) have recently been attacked with cholera, which renders it impracticable to fit out an expedition from that post at this time, even if it were absolutely necessary that one should be sent, of which I have very considerable doubt, I have been compelled to decline furnishing a command at present; though should an emergency require it, to prevent bloodshed, I may yet send one before receiving an answer to this communi-

cation, in case the health of the troops should be sufficiently restored to justify such a measure.

I offered, however, to send a discreet officer, to urge upon the negroes in his presence the necessity of obeying all the laws of the land; of behaving themselves in an orderly, peaceful, and submissive manner; and to investigate and report upon the existing state of affairs, &c.

The agent at first acceded to this, but subsequently he declined his services, on the ground that he deemed an investigation except through himself improper, and that he thought an officer could do no good without the presence of troops. I therefore desire to be informed whether troops shall be sent out for the object stated or not.

These negroes, as slaves, will undoubtedly never be very serviceable to the Seminoles or others, as they have been separated from them for nearly three years, under the full belief that they would be freed by the government; during which time, a strong feeling of independence and a spirit of insubordination have taken possession of them. In their present position, I regard them as a nuisance in the Seminole country. They were counselled to conduct themselves properly when they were turned over, and assured that if they did so, they should not be cruelly or illegally treated. But it seems they have acted otherwise.

I request that this subject may be laid before the Secretary of War and that I may be instructed in relation thereto at as early a period as convenience will permit.

I am, sir, &c.,

M. ARBUCKLE,
Brigadier General U. S. A.

The ADJUTANT GENERAL U. S. ARMY,
Washington City, D. C.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, August 2, 1849.

GENERAL: I am instructed by the commanding general to inform you that an application has been made by Mr. Duval, the Seminole sub-agent, for a military force to proceed to the nation and disarm the negroes who were turned over to the chiefs at Fort Gibson during the past winter. The General declined complying with the requisition for two reasons: First, information had just been received that a very large proportion of your troops had been attacked with cholera, which rendered it impracticable to fit out a suitable command from Fort Gibson for that purpose; and, secondly, he deemed such an expedition entirely unnecessary at present.

It would appear that the principal object in view in disarming the negroes, is to better enable purchasers, speculators, &c., to take possession of them without risk or trouble to themselves, as you will readily perceive from the following extracts from the agent's communication, viz: "The Indians have decided who were the original own-

ers, before protection was afforded, and also the present owners, whose right and title is derived under their laws." * * * * Stating at the time, however, that when the decisions were made, the negroes would be turned "over to their owners." * * * "The decisions have been made, yet the owners have not been placed in possession of their property; which arises from the fact that the negroes positively refuse to be separated, or allow their towns to be broken up, &c.; though the call is made for the purpose of enforcing the laws of the Creek nation, as it is stated that the negroes are well armed, contrary to said laws. The consequence of depriving the negroes of their weapons is perfectly obvious, and undoubtedly the blacks comprehend it themselves as clearly any one else, and are therefore disposed, perhaps, to offer the expected resistance, in case the Indians themselves should attempt to carry the laws into execution."

As the General did not think proper to send troops, and as it was stated that the negroes had asserted to the Indians that the military would uphold and protect them in what they did, he offered to send an officer with the agent to correct their erroneous notions, and to urge upon them the necessity of rendering prompt and implicit obedience to all the laws of the land, &c. The agent finally declined, however, accepting his services, as he did not wish an investigation to be made, (except through himself,) which the officer would have been required to make, and report accordingly.

Mr. Duval started for his agency a few days since, apparently much displeased at the General's course in the matter. The negroes have pursued a very improper line of conduct since their removal to the Indian country, and it is possible that a command may yet have to be ordered out to adjust matters. It is difficult to say when this Indian and negro annoyance will cease, though it is hoped it will not be permitted to continue much longer. The General has made a report to the government upon this subject, and directed me to communicate the foregoing facts for your information.

I am, General, very respectfully, your obedient servant,

F. F. FLINT,
Acting Assistant Adjutant General.

Brig. Gen. W. G. BELKNAP,
Fifth Regiment Infantry, Com'g Fort Gibson, C. N.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, August 14, 1849.

GENERAL: I have the honor to enclose herewith, for the information of the government, copies of two other communications from the Seminole sub-agent, and the acting superintendent on this frontier, upon the subject of disarming the Seminole negroes; also duplicates of the papers transmitted to you on the 31st ult., which may have been miscarried.

Mr. Duval's second communication contains no new matter of importance; and as the epidemic has not entirely disappeared from among the troops at Gibson, where there have been 181 cases of cholera, I therefore again declined furnishing the desired command. Even if Fort Washita were the nearest post—which, in my opinion, is not the case—a sufficient force could not be taken from that garrison without leaving it in a defenceless condition. It is believed that the Seminoles are sufficiently numerous to properly control their negroes, without the assistance of the military, and it is clearly their duty to keep them in subjection themselves. They seem to fear that there would be a loss of life, should they take the matter into their own hands. But what reason is there to believe that the result would be different should it be undertaken by others? The negroes well know what to expect after being deprived of their arms, and they are not disposed to yield peaceably to any. The *Indians* certainly do not set a very high value on the negroes, as I am informed that many of them have been disposed of for the merest trifle; so that it cannot be the blacks whose lives *they* are so anxious should not be put in jeopardy. In short, I am satisfied that the whole business is kept in agitation by others, who manifest much restlessness, impatience, and deep solicitude, respecting the welfare of the Seminoles and their negroes.

I am of the opinion that there will be no disturbance, at least for the present, unless produced by the interference of interested persons. I again request that the subject may be laid before the Secretary of War; and, should he think proper to submit it to the President, he will doubtless be enabled to judge, from the papers now forwarded, who are the persons most interested, and to fully comprehend the state of affairs, as he has had much experience on this frontier, and can duly appreciate the motives which actuate the different individuals in their movements.

I am, sir, &c.,

M. ARBUCKLE,
Brigadier General U. S. Army.

ADJUTANT GENERAL U. S. ARMY,
Washington, D. C.

True copy:

FRANCIS N. PAGE,
Assistant Adjutant General.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, August 13, 1849.

SIR: I am instructed by the commanding general of this department to acknowledge the receipt of your note of the 10th instant, covering a communication from the Seminole sub-agent, urging the disarming of the Seminole negroes by the troops.

The General would again express his regrets at not having any disposable troops. There have been 180 cases of cholera among those at Gibson, (only about 200 total,) and the companies at Fort Washita (only about 86 total) are busily engaged erecting comfortable quarters for the

accommodation, during the ensuing winter, of themselves and some other troops which are under orders for that post, and are daily expected from New Mexico.

The existing state of affairs in the Seminole country was promptly reported to the government after the receipt of your first letter, and instructions requested in relation to the employment of a military force for the purpose of disarming the negroes, &c., which, it is presumed, will be received early in next month. In the mean time, it is believed there will be no disturbance, unless produced by interested persons. A rumor has reached here, through a respectable channel, that two influential citizens of Van Buren accompanied Mr. Duval, on his return to his agency, as far as the Creek agency, and proposed to Ben Marshall, one of the most prominent men in the Creek nation, *that he should have said negroes disarmed!* and that he (Marshall) refused to accede to any such proposition. The propriety of such an interference in Indian affairs, if the report be true, within your supervision, by our citizens, it is not doubted you are perfectly competent to judge of. Most of the trouble in the Indian country on this frontier has been occasioned by our own citizens, either directly or indirectly, and it is much to be lamented.

When the negroes were turned over to the chiefs at Fort Gibson, it was with the express understanding that they would be permitted to live in "towns," as they had formerly done, and that they should not be sold, or otherwise disposed of, to either white men or Indians, but be kept in the Seminole country.

The chiefs were told that the negroes would be turned over with this expectation, to which they assented; thereby virtually making a promise to the same effect. Had they not done so, the blacks never would peaceably have returned to the nation. They had heard that about two-thirds of their number had been disposed of, in one way or another, and that they were to be "scattered" as soon as removed from the military reserve; and they expressly declared that they would sooner die where they were than to submit to such a fate, after having been promised their freedom. The chiefs gave them to understand that they had no occasion for apprehending anything of the kind, and that they should remain with the Seminoles, and be kindly treated. The negroes said they were perfectly satisfied to live with the Indians as they had previously done; yet, it would appear from Mr. Duval's first communication, that one principal object of the Seminoles in disarming the negroes is, to turn them over to those "whose right and title is derived under their laws."

The General regards the insubordinate and independent position of the negroes as a serious evil, which he has fully represented to the government, and one which requires an efficient correction; though the promises to them have been violated on all sides, and the present state of affairs is principally attributable to the Indians themselves, in not compelling all of the negroes to settle at points which they had designated when they first returned to the nation.

As Mr. Duval's second communication, received by the General, contains no new matter of importance, and as he was informed, when here, by the General, that it was impracticable to fit out a suitable

command for the object stated, and as he declined accepting the services of an officer, no reply to it is deemed necessary.

I am, sir, &c.,

F. F. FLINT, *A. A. A. General.*

Col. J. DRENNEN,
Acting Superintendent W. T., Van Buren, Ark.

VAN BUREN, *August* 18, 1849.

SIR: On my return this day from the Choctaw agency, I found a letter of the 13th instant, written according to your instructions by F. F. Flint, Acting Assistant Adjutant General, in answer to my note of the 10th. I regret that it was impossible for you to comply with my request to furnish M. Duval, Seminole sub-agent, with troops to disarm a town of Seminole negroes.

I truly regret that it could not be done at this time, as I believe the negroes would make no resistance to the troops of the United States, but peaceably and without tumult surrender their arms. It is now to be feared that the Indians of the Seminole and Creek nations will attempt to disarm them; in that event it may possibly occasion serious difficulty. I do not pretend to know the object of government in turning the negroes over to the Seminole Indians. If the negroes were to be free and invested with the rights of citizens, it was in direct violation of the Seminole laws. If the negroes were sent into the Seminole country to colonize on the land of the Indian, it is in direct violation of the treaty. On the other hand, if the negroes were turned over to the Seminole Indians as slaves or property to their owners or masters, and they have become refractory or rebellious, I then conceive it to be the imperative duty of the government to protect the Indian and quell domestic strife. I am glad, however, you have referred the whole matter to the consideration of the government, and trust you may receive a satisfactory answer. As regards the two influential citizens of Van Buren, accompanying Sub-Agent Duval on his return to his agency as far as the Creek agency, and proposing to Ben. Marshall, one of the prominent men of the Creek nation, that he should have said negroes disarmed, and that he refused to accede to any such proposition, I know nothing, as I was at the Choctaw agency at the time Mr. Duval left Van Buren. On inquiry I found that Mr. P. H. White and Mr. Brown, of Van Buren, accompanied Mr. Duval to the Creek agency. These gentlemen assure me *most positively* they made no such propositions to Mr. Marshall. I am *well aware* that great disturbance and much difficulty has arisen in the Indian country by designing white men, for mercenary purposes; but I did not think for *one moment* that anything of the kind was intended in this case, as I made the requisition for troops in good faith, and upon the statement in writing of a *highly respectable agent of the government.*

I have the honor to be, most respectfully, yours,

JOHN DRENNEN,
Acting Superintendent W T.

Gen. M. ARBUCKLE,
Commanding 7th Military Dep't, Fort Smith.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, September 10, 1849.

COLONEL: The commanding general of this department has instructed me to report to you that the Seminole chiefs Wild Cat, Pas-soc-kee-y-ho-la, and George Cloud, with about fifteen warriors of their nation, arrived here on the 7th and 8th instant. Wild Cat stated that they were sent to confer with the General by their king or principal chief, in relation to troubles in their nation. The visit was altogether unexpected or uninvited by the General; yet, as they wished to make known to him their grievances, he did not think it proper to deprive them of an opportunity to do so.

The sub-agent of the Seminoles, Mr. Duval, in his letter to the General of the 16th July, which has been forwarded to the government, and more particularly in conversation when he delivered that letter, accused the negroes of Gopher John's town of having resisted the laws of the Seminoles, and also stated that Gopher John encouraged the resistance. This is denied by the above-named chiefs, who affirm that they have no complaints to make against the black people turned over to them at Fort Gibson; that they are now settled in three towns sufficiently convenient to them, and they wish the negroes to retain their arms, that they may kill wild animals to assist them to support their children, as they are very poor; and that they may not be disturbed in any way where they now reside.

The chiefs have stated that their present principal chief, Jim Jumper, a young man who has no slaves, promised the agent's brother, Wm. J. Duval, as they have heard, one-third of the blacks that had sought protection at Fort Gibson, provided he would have them turned over to the Seminoles; and that but few, if any, of the owners of these slaves had any knowledge of this promise, or even gave their consent to such a disposition of their property; and that their sub-agent of late had said that one-third, or about ninety of the negroes, would not be a sufficient remuneration, as he and his brother had expended much of their money in prosecuting the suit against the President of the United States, in hiring lawyers, &c., for the recovery of said negroes; and that more than ninety of them must be turned over to himself and brother. To all of this the owners of the negroes, they say, totally disagree; as they consider an Indian agent is paid by the government to attend to the interests of the Indians with whom he is placed, without fee or reward from them. It is obvious that if the owners of the blacks should be dispossessed of their property in this manner without their consent, they will ultimately present a claim to the government for the loss sustained thereby. The chiefs further stated that the sub-agent informed the chief Pas-soc-kee-y-ho-la, and others, that if the Seminoles did not give up the negroes he required or wanted, he would withold from them their annuity. Also, that the sub-agent had made a call on the chief of the Creeks, Roly McIntosh, to send some of his people to meet the Seminoles in council; and if the Creeks should approve of disarming the negroes, the Seminoles would assist them to do it. This council, they say, was to have been held (by the instruction to the Creek chief, Jim Boy, at the head of it) near where the

blacks have settled, on the 3d instant; and as the Seminoles were totally opposed to any interference on the part of the Creeks, they would not attend the council, and their chiefs had instructed them to report the facts to General Arbuckle; and they had notified the Creeks that they would not meet them at the council proposed by the Seminole sub-agent.

Much more was said by Wild Cat and the other chiefs, complaining of the course of their sub-agent towards them, and of the course he had taken in relation to their slaves, which, for want of time, is omitted for the present.

When Mr. Duval was last here, the general informed him that he had heard that his brother, W. J. Duval, was to receive for his services as attorney, one-third or one-fourth of the Seminole slaves who were under the protection of the troops at Fort Gibson, provided he succeeded in having them turned over to the nation. One-third was the best recollection of the General on this subject, yet, fearing his memory might deceive him, he added, or one-fourth. To this Mr. Duval replied, that his brother was to have some slaves for his services, but that he had sufficient of their business in his hands to satisfy him if he should not get the negroes.

When information was first received here that the blacks were to be restored to the Seminoles, the commanding officer of Fort Gibson was directed to notify all persons concerned, as far as practicable, that no sales made previous to turning the negroes over to the chiefs would be recognised; notwithstanding this, and it was also made public in this vicinity, it is understood that some sixty or seventy were sold.

The General believes the course adopted by the sub-agent such as will probably lead to difficulty between the Seminoles and the Creeks, and is therefore of the opinion that your instructions to their agents should be such as to prevent much trouble hereafter, and he cannot doubt your interposition in relation to this matter.

He has advised the Seminoles to remain quiet until the pleasure of the government be made known. This he believes the best course to preserve peace on this frontier. Wild Cat has been informed that you were the proper person for him and his chiefs to have called on in relation to his complaints against his sub-agent, and he has promised the General that he would deliver this letter to you, and explain to you what is above contained, and whatever else you may desire to be informed of.

I am, sir, &c.,

F. F. FLINT,
Acting Assistant Adjutant General.

Colonel J. Drennen,
Acting Superintendent W. T., Choctaw Agency.

Headquarters 7th Military Department,
Fort Smith, September 10, 1849.

Colonel: I am instructed by the commanding general of this department to inform you that Wild Cat, Pas-soc-kee-y-ho-la, and George Cloud, with some of their people, called upon the General on the 8th

instant, by direction of their principal chief, Jim Jumper, for the purpose of holding a talk with him in relation to certain troubles in their nation.

They complain that their agent, Mr. Duval, is very anxious that their slaves should be disarmed, and their towns broken up; and that he has endeavored to persuade the Creeks to aid him in accomplishing his object, by calling a council through Roly McIntosh, during your absence, &c., &c. They say the Seminoles do not wish their slaves disarmed, as they are mostly dependent, or at least in a measure so, upon the rifle for fresh meat, and they have no complaints whatever against the blacks, and they particularly object to the Creeks interfering in this matter. Therefore, with the view of preventing any difficulty between the Creeks and Seminoles, the General desires that the Creeks will take no further measures in relation to the Seminole negroes until instructions be received from Washington city. The whole subject will be submitted to the government for consideration; and in the mean time it is hoped that all will remain quiet, and that the peace and harmony of this frontier will in no manner be disturbed.

I am, sir, &c.,

F. F. FLINT,
Acting Assistant Adjutant General.

Colonel RAIFORD,
Creek Agent, at the Agency.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, September 10, 1849.

This is to certify that a party of Seminoles, consisting of Wild Cat, Pas-soc-kee-y-ho-la, and George Cloud, and twelve or fifteen warriors, arrived here on the 7th and 8th instant, and represented to General Arbuckle that their agent, M. Duval, was endeavoring to have the Seminole negroes disarmed and their towns broken up, contrary to the wishes of the Seminole nation; that he had called upon the chief of the Creeks to send some one of his people to meet the Seminoles in council, to this end, without their knowledge and in opposition to their own views, and that he has threatened to withhold from the Seminoles their annuity, if they did not deliver to himself and his brother, W. J. Duval, about one-third of the negroes turned over to them during the past winter at Fort Gibson; also that they were displeased with his course in general towards them and their slaves.

This party was informed by General Arbuckle that the whole subject would be laid before the government, and he advised that no further steps be taken; that all remain quiet until the pleasure of the government be made known; that the Creek agent would be requested to prevent in the mean time any interference whatever on the part of the Creeks.

The foregoing was written at the request of Wild Cat and his party.

F. F. FLINT,
Acting Assistant Adjutant General.

HEADQUARTERS 7TH MILITARY DEPARTMENT,
Fort Smith, September 14, 1849.

GENERAL: I have the honor to acknowledge the receipt of your letter of the 22d ultimo, acknowledging certain communications in relation to disarming Seminoles, &c. I now enclose, for the further information of the government, a copy of a letter addressed to Colonel John Drennen, acting superintendent Indian affairs, which embraces the statements of the chiefs Wild Cat, Pas-soc-kee-y-ho-la, and George Cloud, relative to the existing state of affairs in the Seminole nation. Their account differs very materially from the Seminole sub-agent's, and presents the matter in a totally different light. Should the government think proper, contrary to my expectations, to order the troops to disarm the negroes, on what has already been reported, I shall deem it advisable to delay action until I shall be further instructed after the receipt of this letter. In the mean time, should it be thought expedient to order an investigation, through some disinterested competent person or persons in no way connected with any branch of the public service, at least on this frontier, it is not doubted but that many important facts may be gathered, and that it will be easily ascertained who are the persons most directly and deeply interested in carrying into execution the plan proposed by the Seminole sub-agent, and urgently recommended by the acting superintendent. As these are points of much delicacy, I submit the whole subject for the consideration of the proper authority, without further comment. I desire that the enclosed letter may be filed with those forwarded to you on the 4th of August.

I am, General, &c.,
M. ARBUCKLE,
Brigadier General U. S. A.

Major General R. JONES,
Adjutant General U. S. A., Washington, D. C.

True copy: FRANCIS N. PAGE,
Assistant Adjutant General.

CANADIAN CREEK NATION,
September 20, 1850.

FRIEND AND BROTHER: I find from information received, that Wild Cat, the Seminole chief, has returned to this country, and find from a report published in the papers, that he has collected some eight hundred Indians in Western Texas with hostile intentions, and some murders had been committed. This is published in the New York Journal of Commerce of July 18th, and hasten to inform you that he is now in the Seminole district of this nation. If these are facts as are published, and for him to return to this country under existing circumstances, we deem it an act calculated to censure the people of this country in his remaining in our midst, as harboring men guilty of outrages on other citizens. It would be advisable for you to inform General Belknap of this, as it was not known positively that he had returned until this morning. We were further informed that he had, previous to his

coming in, sent for such as would join him from his people to go to his assistance, and that he had sent on by the Kickapoos for supplies of powder and lead. If you have any communication to make to us in answer, you will please write, as a council will take place on the 29th of this month.

We have heard this, and it has disturbed our mind, but must say to you to rest contented, and probably may hear further.

We are, very respectfully, your friends and brothers,

ECHO HADGO, his x mark.
BILLY HADGO, his x mark.
JIMMY CHOPCO, his x mark.
TUSTAHUG CHOPCO, his x mark.
ARLOCH FIXIA, his x mark.

VERDIGRIS, *September* 23, 1850.

GENERAL BELKNAP: I have this morning enclosed you a letter received from the Canadian chiefs, and a talk from the Tokabatchee Micco concerning Wild Cat. The messenger came in last night that Wild Cat got back, and brought in a news that he went on and talk with Mexican, and they agree to give him land and subsistence if he come in and settle in the country. Now he come back with enticing news, and want to carry his people in that nation; and the negroes, he told them if they emigrate to that country, they will be all freed by the government. This is good news to the negroes. I am told some are preparing to go. He further states that he had four hundred men with him when he was travelling, but he came in by himself, one woman, and a young man. What come of this four hundred men we have not learned. Wild Cat held council with his people—had this talk with them. When I was with you last, when I got a true talk of Wild Cat I would let you know; this is a true talk I send you. I want you to consider it and write me an answer. We going to hold council to day at K. Severs. Should you answer this letter for the best for our nation, direct your letter to that place. Nothing more. Your friend,

ROLY McINTOSH.

HEADQUARTERS 5TH INFANTRY, FORT GIBSON, C. N.,
October 15, 1850.

SIR: I have the honor to acknowledge the receipt of your communication of the 5th instant, in relation to expected difficulties between the Creeks and Seminoles.

In reply, I have to inform you that the chief of the Creek nation (Roly McIntosh) has stated to me "that he sent a party of three hundred warriors into the Seminole country, with instructions to prevent any negroes from leaving the nation with Wild Cat, and also to detain that chief until the object of his mission could be ascertained." He also wrote to the agent and principal chiefs of the Seminoles on the

same subject. He states his object to have been to prevent the negroes from escaping with Wild Cat to Mexico, and not in any manner to deprive the Seminoles of them.

The party sent out proceeded as far as We-woca, where they halted, and after learning that Wild Cat was still in the Seminole country, and that a number of negroes were making preparations to leave, returned home without accomplishing anything. He also said that he had not yet received replies to his letters to the agent and chiefs of the Seminoles, but will inform me of their contents when they reach him, which will be immediately communicated to you. I am well aware of the duties imposed upon me by paragraph 89, Army Regulations, and have heretofore kept, and will continue to keep, the General advised of all events deemed important by me that may transpire in the Indian country.

I have the honor to be, very respectfully, your obedient servant,

W. G. BELKNAP,
Brigadier General Commanding.

Brevet Major F. N. PAGE, *A. A. General,*
Headquarters 7th Military Department, Fort Smith, Ark.

True copy:

FRANCIS N. PAGE,
Assistant Adjutant General.