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THE EXILES OF FLORIDA:

OR, THE CRIMES COMMITTED BY OUR GOVERNMENT AGAINST THE MAROONS, WHO FLED FROM SOUTH CAROLINA AND OTHER SLAVE STATES, SEEKING PROTECTION UNDER SPANISH LAWS.

BY JOSHUA R. GIDDINGS.

“I, as commander of the army, pledged the national faith that they should remain under the protection of the United States.”

GENERAL JESSUP.

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TO MY CONSTITUENTS, THE PEOPLE WHO HAVE SO LONG HONORED ME WITH THEIR CONFIDENCE, THIS WORK IS RESPECTFULLY DEDICATED. J. R. GIDDINGS.

INTRODUCTION.

DISCARDING that code of morals which teaches the suppression of truth, for

the purpose of upholding the honor, either of the Government, or of the individuals who wield its administration, the Author of the following work has endeavored to give a faithful record of those interesting events which appear directly connected with the Exiles of Florida.

Torn from their native land, their friends and homes, they were sold in the markets of Carolina and Georgia. Feeling the hand of oppression bearing heavily upon them, they fled to Florida, and, under Spanish laws, became free. Holding lands of the Spanish Crown, they became citizens of that Territory, entitled to protection. To regain possession of their truant bondmen, Georgia made war upon Florida, but failed to obtain her object.

At a time of profound peace, our army, acting under the direction of the Executive, invaded Florida, murdered many of these free men, and brought others to the United States and consigned them to slavery. An expensive and bloody war followed; but failing to capture more of the Exiles, our army was withdrawn.

This war was followed by diplomatic efforts. Florida was purchased; treaties with the Florida Indians were made and violated; gross frauds were perpetrated; dishonorable expedients were resorted to, and another war provoked. During its protracted continuance of seven years, bribery and treachery were practiced towards the Exiles and their allies, the Seminole Indians; flags of truce were violated; the pledged faith of the nation was disregarded. By these means the removal of the Exiles from Florida was effected. After they had settled in the Western Country, most of these iniquities were repeated, until they were driven from our nation and compelled to seek an asylum in Mexico.

Men who wielded the influence of Government for the consummation of these crimes, assiduously labored to suppress all knowledge of their guilt; to keep facts from the popular mind; to falsify the history of current events, and prevent an exposure of our national turpitude.

The object of this work is to meet that state of circumstances; to expose fraud, falsehood, treachery, and other crimes of public men, who have prostituted the powers of Government to the perpetration of murders, at the contemplation of which our humanity revolts.

The Author has designed to place before the public a faithful record of events appropriately falling within the purview of the proposed history; he has endeavored, as far as possible, to do justice to all concerned. Where the action of individuals is concerned, he has endeavored to make them speak for themselves, through official reports, orders, letters, or written evidences from their own hands; and he flatters himself that he has done no injustice to

any person.

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THE EXILES OF FLORIDA.

CHAPTER I. CIRCUMSTANCES ATTENDING THE EARLY HISTORY OF SLAVERY IN THE COLONIES.

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Florida was originally settled by Spaniards, in 1558. They were the first people to engage in the African Slave trade, and sought to supply other nations with servants from the coast of Guinea. The Colonists held many slaves, expecting to accumulate wealth by the unrequited toil of their fellow-man.

1630.
1700.

Carolina by her first and second charters claimed a vast extent of country, embracing St. Augustine and most of Florida. This conflict of jurisdiction soon involved the Colonists in hostilities. The Carolinians also held many slaves. Profiting by the labor of her servants, the people sought to increase their wealth by enslaving the Indians who resided in their vicinity. Hence in the early slave codes of that colony we find reference to “negro and *other* slaves.”

When the boundaries of Florida and South Carolina became established, the Colonists found themselves separated by the territory now constituting, the State of Georgia, at that time mostly occupied by the Creek Indians.

The efforts of the Carolinians to enslave the Indians, brought with them the natural and appropriate penalties. The Indians soon began to make their escape from service to the Indian country. This example was soon followed by the African slaves, who also fled to the Indian country, and, in order to secure themselves from pursuit, continued their journey into Florida.

We are unable to fix the precise time when the persons thus exiled constituted a separate community. Their numbers had become so great in 1736, that they were formed into companies, and relied on by the Floridians as allies to aid in the defense of that territory. They were also permitted to occupy lands upon the same terms that were granted to the citizens of Spain; indeed, they in all respects became free subjects of the Spanish crown. Probably to this early and steady policy of the Spanish Government, we may attribute the establishment and continuance of this community of Exiles in that territory.[1]

1738.

A messenger was sent by the Colonial Government of South Carolina to demand the return of those fugitive slaves who had found an asylum in

Florida. The demand was made upon the Governor of St. Augustine, but was promptly rejected. This was the commencement of a controversy which has continued for more than a century, involving our nation in a vast expenditure of blood and treasure, and it yet remains undetermined.

The constant escape of slaves, and the difficulties resulting therefrom, constituted the principal object for establishing a free colony between South Carolina and Florida, which was called Georgia.[2] It was thought that this colony, being free, would afford the planters of Carolina protection against the further escape of their slaves from service.

These Exiles were by the Creek Indians called “Seminoles,” which in their dialect signifies “runaways,” and the term being frequently used while conversing with the Indians, came into almost constant practice among the whites; and although it has now come to be applied to a certain tribe of Indians, yet it was originally used in reference to these Exiles long before the Seminole Indians had separated from the Creeks.

Some eight years after the Colony of Georgia was first established, efforts were made to introduce Slavery among its people. The ordinary argument, that it would extend the Christian religion, was brought to bear upon Whitfield and Habersham, and the Saltzbergers and Moravians, until they consented to try the experiment, and Georgia became thenceforth a Slaveholding Colony, whose frontier bordered directly upon Florida; bringing the slaves of her planters into the very neighborhood of those Exiles who had long been free under Spanish laws.

1750.

A difficulty arose among the Creek Indians, which eventually becoming irreconcilable, a chief named Seacoffee, with a large number of followers, left that tribe—at that time residing within the present limits of Georgia and Alabama—and continuing their journey south entered the Territory of Florida, and, under the Spanish colonial policy, were incorporated with the Spanish population, entitled to lands wherever they could find them unoccupied, and to the protection of Spanish laws.[3]

From the year 1750, Seacoffee and his followers rejected all Creek authority, refused to be represented in Creek councils, held themselves independent of Creek laws, elected their own chiefs, and in all respects became a separate Tribe, embracing the Mickasukies, with whom they united. They settled in the vicinity of the Exiles, associated with them, and a mutual sympathy and respect existing, some of their people intermarried, thereby strengthening the ties of friendship, and the Indians having fled from oppression and taken refuge under Spanish laws, were also called Seminoles, or “runaways.”

After Georgia became a Slaveholding Colony, we are led to believe the practice of slaves leaving their masters, which existed in South Carolina, became frequent in Georgia. But we have no definite information on this subject until about the commencement of the Revolutionary War (1775), when the Council of Safety for that colony sent to Congress a communication setting forth, that a large force of Continental troops was necessary to *prevent their slaves from deserting their masters*.^[4] It was about the first communication sent to Congress after it met, in 1776, and shows that her people then sought to make the nation bear the burthens of their slavery, by furnishing a military force sufficient to hold her bondmen in fear; and if she adheres to that policy now, it merely illustrates the consistency of her people in relying upon the freemen of the North to uphold her system of oppression.

1776.

General Lee, commanding the military forces in that colony, called the particular attention of Congress to the fact, that slaves belonging to the planters, fled from servitude and sought freedom among the "*Exiles of Florida*."

There also yet remained in Georgia many descendants of those who, at the establishment of that colony and since that time, had opposed the institution of Slavery. These people desired to testify their abhorrence of human servitude. They assembled in large numbers, in the district of Darien, and publicly resolved as follows: "To show the world that we are not influenced by any contracted or interested motives, but by a general philanthropy for all mankind, of whatever climate, language or *complexion*, we hereby declare our disapprobation and abhorrence of slavery in America." The public avowal of these doctrines, naturally encouraged slaves to seek their freedom by such means as they possessed. One day's travel would place some of them among friends, and in the enjoyment of liberty; and they were sure to be kindly received and respectfully treated, soon as they could reach their brethren in Florida. Of course many availed themselves of this opportunity to escape from service.

The Exiles remained in the undisturbed enjoyment of liberty during the war of the Revolution. The Creeks were a powerful and warlike people, whose friendship was courted during the sanguinary struggle that secured our National Independence. During those turbulent times it would not have been prudent for a master to pursue his slave through the Creek country, or to have brought him back to Georgia if once arrested.

The Exiles being thus free from annoyance, cultivated the friendship of their

savage neighbors; rendered themselves useful to the Indians, both as laborers and in council. They also manifested much judgment in the selection of their lands for cultivation—locating their principal settlements on the rich bottoms lying along the Appalachicola and the Suwanee Rivers. Here they opened plantations, and many of them became wealthy in flocks and herds.

1783.

Immediately after the close of the war, the authorities of Georgia are said to have entered into a treaty with the Creek Indians, at Augusta, in which it is alleged that the Creeks agreed to grant to that State a large tract of land, and to restore such slaves as were then resident among the Creeks. But we find no copy of this treaty in print, or in manuscript. As early as 1789, only six years after it was said to have been negotiated, Hugh Knox, Secretary of War, in a communication to Congress, declared that no copy of this treaty was then in the possession of Congress; and it has not been since reprinted. Indeed, it is believed never to have been printed.

1785.

The difficulty between Georgia and the Creeks becoming more serious, the aid of the Continental Congress was invoked, for the purpose of securing that State in the enjoyment of what her people declared to be their rights. Congress appointed three commissioners to examine the existing causes of difficulty, and if possible to negotiate a treaty with the Creeks that should secure justice to all the people of the United States.

Communities, like individuals, often exhibit in early life those characteristics which distinguish their mature age, and become ruling passions when senility marks the downhill of life. Thus Georgia, in her very infancy, exhibited that desire for controlling our National Government which subsequently marked her manhood. Possessing no power under the Constitution to enter into any treaty except by consent of Congress, her Executive appointed three Commissioners to attend and supervise the action of those appointed by the Federal Legislature. The time and place for holding the treaty had been arranged with the Indians by the Governor of Georgia. At Galphinton,^[5] the place appointed, the Commissioners of the United States met those of Georgia, who presented them with the form of a treaty fully drawn out and ready for signatures, and demanded of the Commissioners of the United States its adoption. This extraordinary proceeding was treated by the Federal Commissioners in a dignified and appropriate manner, in their report to Congress. One important provision of this inchoate treaty stipulated for the return to the people of Georgia of such fugitive negroes as were then in the Indian country, and of such as might thereafter flee from bondage.

The Commissioners appointed by Congress waited at Galphinton several days, and finding only *two* of the one hundred towns composing the Creek tribe represented in the council about to be held, they refused to regard them as authorized to act for the Creek nation, and would not consent to enter upon any negotiation with them as representatives of that tribe. This course was not in accordance with the ideas of the Commissioners appointed by Georgia. After those of the United States had left, they proceeded to enter into a treaty with the representatives from the two towns, who professed to act for the whole Creek nation.

This pretended treaty gave the State of Georgia a large territory; and the eighth article provided, that “the Indians shall restore all the negroes, horses and other property, that are or may hereafter be among them, belonging to the citizens of this State, or to any other person whatever, to such person as the governor shall appoint.”^[6]

This attempt to make a treaty by the State of Georgia, in direct violation of the articles of Confederation, and to bind the Creek nation by an act of the representatives of only two of their towns, constitutes the first official transaction of which we have documentary evidence, in that long train of events which has for seventy years involved our nation in difficulty, and the Exiles of Florida in persecutions and cruelties unequalled under Republican governments.

The Commissioners of the United States made report of their proceedings to Congress; and those of Georgia reported to the governor of that State.^[7] Their report was transmitted to the Legislature, and that body, with an arrogance that commands our admiration, passed strong resolutions denouncing the action of the Federal Commissioners, commending the action of those of Georgia, and asserting her State sovereignty in language somewhat bombastic.

1786.

1787.

Soon after the making of this pretended treaty, the Creeks commenced hostilities, murdering the people on the frontiers of Georgia, and burning their dwellings. The Spanish authorities of Florida were charged with fomenting these difficulties, and the Congress of the United States felt constrained to interfere.^[8] The Commissioners previously appointed to form a treaty with the Creeks, were, by a resolution of the Continental Congress, adopted Oct. 26, instructed to obtain a treaty with the Indians which would secure a return of all prisoners, of whatever age, sex or complexion, and to *restore all fugitive slaves belonging to citizens of the United States.*^[9]

This resolution was the first act on the part of the Continental Congress in favor of restoring fugitive slaves. It was adopted under the articles of Confederation, before the adoption of our present constitution, and of course constitutes no precedent under our present government; yet it introduced a practice that has long agitated the nation, and may yet lead to important and even sanguinary results.

1788.

Without awaiting the action of Congress, the authorities of Georgia, by her agents, entered into another treaty, at a place called "Shoulderbone," by which the Creeks appear to have acknowledged the violation of the Treaty of Galphinton, and again stipulated to observe its covenants.[10]

We have no reliable information as to the number of the Creek towns represented at the making of this third treaty by Georgia. The whole transaction was by the State, in her own name, by her own authority, without consent of Congress, and all papers relating to it, if any exist, would of course be among the manuscript files of that State. It is believed that Georgia never printed any of these treaties; and we can only state their contents from recitals which we find among the State papers of the Federal Government. It is however certain, that the Creeks denied that any such treaty had been entered into; and they continued hostilities, as though no such treaty had been thought of by them. This pretended Treaty of Shoulderbone exerted no more moral influence among the Creeks than did that of Galphinton. The war continued between the people of Georgia and the Creeks. The savages appeared to be aroused to indignation by what they regarded as palpable frauds. Excited at such efforts to impose upon them stipulations degrading to their character, they prosecuted the war with increased bitterness.

1788.

The natural results of such turpitude, induced Georgia to be one of the first in the sisterhood of States to adopt the Federal Constitution (Aug. 28). Her statesmen expected it to relieve their State from the burthens of the war which then devastated her border.

1789.

Soon as the Federal Government was organized under the constitution, the authorities of Georgia invoked its aid, to protect her people from the indignation of the Creek Indians.

General Washington, President of the United States, at once appointed Commissioners to repair to the Indian country, ascertain the real difficulty, and if able, they were directed to negotiate a suitable treaty, in the name of the United States. The State of Georgia claimed title to the territory ceded by

the treaties of Galphinton and Shoulderbone; while the Creeks entirely repudiated them, declaring them fraudulent, denying their validity, and refusing to abide by their stipulations. The governor of Georgia placed in the hands of the Commissioners of the United States, a list of property which had been lost since the close of the Revolution by the people of Georgia, for which they demanded indemnity of the Creeks. This list contained the names of one hundred and ten negroes, who were said to have left their masters *during the Revolution*, and found an asylum among the Creeks. The Treaty of Galphinton contained a stipulation on the part of the Creeks, to return all prisoners, of whatever age, sex or color, and all negroes belonging to the citizens of Georgia, "*then residing with the Creeks.*"

Arrangements had already been made with the chiefs, warriors and principal men of the Creek nation, to meet the Commissioners of the United States at Rock Landing, on the Oconee River. The Commissioners were received by the Indians with great respect and formality; but soon as they learned that the Commissioners were not authorized to restore their lands, they broke off all negotiation, promising to remain in peace, however, until an opportunity should be presented for further negotiations.

The failure of this mission was followed by the appointment of Col. Willett, an intrepid officer of the Revolution, who was authorized to proceed to the Creek nation, and, if possible, to induce its chiefs and headmen to repair to New York, where they could negotiate a new treaty, without the interference of the authorities or people of Georgia.

Col. Willett was successful. He induced the principal chief, McGillivray, the son of a distinguished Indian trader, together with twenty-eight other chiefs and warriors, to come on to New York, for the purpose of forming a treaty with the United States, and settling all difficulties previously existing between Georgia and their nation. On their way to New York, they were received at Philadelphia, by the authorities of that city, with great ceremony and respect. Their vanity was flattered, and every effort made to induce them to believe peace with the United States would be important to both parties.

At New York they found Congress in session. Here they mingled with the great men of our nation. The "Columbian Order," or "Tammany Society," was active in its attentions. They escorted the delegation to the city, and entertained them with a public dinner; and made McGillivray, the principal chief, a member of their society. In this way, the minds of the Indians were prepared for entering into the treaty which followed.

1790.

There was, among the people of the entire nation, an intense anxiety to

render every part of the Union satisfied and pleased with the Federal Government, then just formed, as they felt that their only hope of prosperity depended upon a continuance of the federal union. There was also a general sympathy throughout the nation with the slaveholders of the South, who were supposed to have suffered much, by the loss of their servants, during the war of the Revolution; few people at that time realizing the moral guilt of holding their fellow-men in bondage.

While the revolutionary contest was going on, many slaves in the Southern States escaped from the service of their masters, and, under the proclamations of various British commanders, enlisted into the service of his Britannic Majesty; and having taken the oath of allegiance to the crown of England, were regarded as British subjects. Others escaped with their families, and getting on board British vessels, sailed to the West Indies, where they settled as "*free persons*." Thus, while one class of masters had sustained great losses by the enlistment of their slaves, another class had suffered by the escape of their bondmen, through the aid of British vessels; while a third sustained an equal loss by the escape of their servants to the Seminoles in Florida. These three different interests united in claiming the aid of government to regain possession of their slaves, or to obtain indemnity for their loss.

The timely arrival of Mr. Pinckney, secured the insertion of a clause in the Treaty of Paris, providing that his Britannic Majesty should withdraw his troops from all American forts, arsenals, shipyards, etc., without destroying ordnance or military stores, or "carrying away any negroes or other property of the inhabitants." This provision was regarded by the slaveholders of the South as securing a compensation to all those whose slaves had enlisted in the British army, as well as to those whose slaves had escaped to the British West India Islands by aid of English vessels; while those whose servants were quietly living with the Seminoles, had not been provided for by the treaty of peace.^[11] These circumstances rendered the owners of the Exiles more clamorous for the interposition of the State Government, inasmuch as the federal authority had entirely omitted to notice their interests, while it was supposed to have secured a compensation to the other two classes of claimants.

It was under these circumstances, that General Washington proceeded to the negotiation of the first treaty, entered into under our present form of government. The chiefs, headmen and warriors of the Creek nation were present at New York: Georgia was also there by her senators and representatives, who carefully watched over her interests; and General Knox,

the Secretary of War, was appointed commissioner to negotiate a treaty, thus to be formed, under the personal supervision of the President.

The object of the President was effected, a treaty was formed, and bears date August 1, 1790. It constitutes the title-page of our diplomatic history. This first exercise of our treaty-making power under the constitution, was put forth for the benefit of the Slave interests of Georgia. It surrendered up to the Creeks certain lands, which the authorities of Georgia claimed to hold under the treaty of Galphinton, but retained substantially the stipulation for the surrender of negroes, which had been inserted in that extraordinary compact.

By the third article of this new treaty, it was stipulated as follows:

“The Creek nation shall deliver, as soon as practicable, to the commanding officer of the troops of the United States stationed at Rock Landing, on the Oconee River, all citizens of the United States, white inhabitants or negroes, who are now prisoners in any part of the said nation. And if any such prisoners or negroes should not be so delivered, on or before the first day of June ensuing, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners and negroes.”

Historians have referred to this clause as containing merely a stipulation for the surrender of *prisoners*;^[12] but the manner in which the term “*negroes*” stands connected in the disjunctive form with that of “*prisoners*,” would appear to justify, at least to some extent, the subsequent construction put upon it, so far as regarded negroes then resident with the Creeks; but it certainly makes no allusion to those who were residing with the Seminoles in Florida.

It is a remarkable feature of this treaty, that the Creek chiefs, principal men and warriors should, in its first article, profess to act, not only for the Upper and Lower Creek Towns, but for the Seminoles who were in Florida, protected by Spanish laws. They had not been invited to attend the negotiation, had sent no delegate, were wholly unrepresented in the Council; indeed, so far as we are informed, were wholly ignorant of the objects which had called such a council, and of the fact even that a council was held, or a treaty negotiated.

Our fathers had just passed through seven years of war and bloodshed, rather than submit to “*taxation without representation*,” but this attempt to bind the Seminole Indians to surrender up the Exiles, who were their friends and neighbors, and who now stood connected with them by marriage, and in all the relations of domestic life, without their consent or knowledge, constitutes an inconsistency which can only be accounted for by the desire then prevalent, to gratify and please those who wielded the slaveholding

influence of our nation.

Another extraordinary feature of this treaty may be found in the secret article, by which the United States stipulated to pay the Creeks fifteen hundred dollars annually, in all coming time. The reason for making this stipulation secret is not to be learned from any documentary authority before the public, and cannot now be accounted for, except from the delicacy which the authorities of our nation then felt in taxing the people of the free States, to pay southern Indians for the return of those Exiles. And it is interesting at this day to look back and reflect, that for nearly seventy years the people of the nation have contributed their funds to sustain the authority of those slaveholders of Georgia over their bondmen, while Northern statesmen have constantly assured their constituents, they have nothing to do with that institution.

It would be uncharitable to believe, that General Washington was at that time conscious that he was thus precipitating our nation upon a policy destined to involve its government in difficulties, whose termination would be uncertain.

After the treaty had been agreed to by the parties making it, General Washington met the chiefs, headmen and warriors, assembled in the Hall of Representatives, in the presence of members of Congress and a large concourse of spectators. The treaty was publicly read, and to each article the Indians expressed their assent, and signed it in the presence of the people, each receiving from the President a string of wampum. The President then shook hands with each, which concluded the ceremonies of the day.

The treaty was transmitted on the following day to the Senate, accompanied by a Message from the President, saying: "I flatter myself that this treaty will be productive of present peace and prosperity to our Southern frontier. It is to be expected, also, that it will be the means of firmly attaching the Creeks and neighboring tribes to the interests of the United States." The President also alluded in his message to the treaty of Galphinton, as containing a stipulation to cede to Georgia certain other lands, which it was believed would be detrimental to the interests of the Indians, and, therefore, that covenant had been disregarded in the "treaty of New York." In another Message to the Senate, on the eleventh of August, the President says: "This treaty may be regarded as the main foundation of the future peace and prosperity of the Southwestern frontier of the United States."

On the ninth of August, a motion was made in the Senate to refer the treaty to a select committee, which was rejected by a vote of ten nays to eight yeas; and on the twelfth, it was approved by a vote of fifteen yeas to four nays; but

we have no report of any discussion upon the subject, nor do we know at this day the objections which dictated the votes given against its ratification.[13]

CHAPTER II. FURTHER EFFORTS TO RESTORE EXILES.

Seminoles repudiate Treaty of New York—Attempts to induce Spanish authorities to deliver up the Exiles—Their refusal—Lower Creeks hostile to Treaty—McGillivray—His parentage and character—Georgia hostile to Treaty—Makes war upon Creeks—General Washington announces failure to maintain Peace—General Knox's recommendation—Decision of United States Court—Exertions—Combination of various classes of Claimants—Washington finds his influence powerless—Appoints Judge Jay—Failure of claims on England—Condition and habits of Exiles—Effect on Slaves of Georgia—Treaty of Colerain—Commissioners of Georgia leave Council in disgust—Election of the elder Adams—His Administration—Election of Jefferson—His Administration.

The long pending difficulties between Georgia and the neighboring tribes of Indians were now (1791) believed to be permanently settled, and it was thought the new government would proceed in the discharge of its duties without further perplexity. But it was soon found impossible for the Creeks to comply with their stipulations. The Seminoles refused to recognize the treaty, insisting that they were not bound by any compact, arrangement or agreement, made by the United States and the Creeks, to which they were not a party, and of which they had no notice; that they were a separate, independent tribe; that this fact was well known to both Creeks and the United States; and that the attempt of those parties to declare what the Seminoles should do, or should not do, was insulting to their dignity, to their self-respect, and only worthy of their contempt. They therefore wholly discarded the treaty, and repudiated all its provisions. They resided in Florida, under the jurisdiction of Spanish laws, subject only to the crown of Spain. There they enjoyed that liberty so congenial to savages, as well as civilized men. The Creeks dared not attempt to bring back the Exiles by force, and the Government of the United States was unwilling to invade a Spanish colony for the purpose of recapturing those who had escaped from the bonds of oppression, and had become legally *free*.

1792.

In this state of affairs, an agent by the name of Seagrove was sent to Florida for the purpose of negotiating with the Spanish authorities for the return of the Exiles. He had been agent to the Creek Indians, and well understood their views in regard to the treaty. When he reached Florida, he found the authorities of that Province entirely opposed to the surrender of any subjects of the Spanish crown to slavery. The Exiles were regarded as holding the same rights which the white citizens held; and it was evident, that the representatives of the King of Spain encouraged both the Seminole Indians

and Exiles, to refuse compliance with the treaty of New York.[14]

Nor was the Creek nation united upon this subject. The “lower Creeks,” or those who resided on the southern frontier of Georgia, were not zealous in their support of the treaty; and it was said that McGillivray, the principal chief of the Creeks, was himself becoming unfriendly to the United States, and rather disposed to unite with the Spanish authorities. This man exerted great influence with the Indians. He was the son of an Indian trader, a Scotchman, by a Creek woman, the daughter of a distinguished chief. He had received a good English education; but his father had joined the English during the Revolution, and he, having been offended by some leading men of Georgia, had taken up his residence with the Indians and become their principal chief, in whom they reposed implicit confidence.

Amid these difficulties, the people of Georgia manifested an equal hostility to the treaty, inasmuch as it surrendered a large territory to that State, which the authorities of Georgia pretended to have obtained by the treaty of Galphinton. The general feeling in that State was far from being satisfied with the action of the Federal Government. Seagrove, writing to the Secretary of War on this subject, declared, that “to such lengths have matters gone, that they (the Georgians) now consider the troops and servants of the United States who are placed among them, nearly as great enemies as they do the Indians.”[15]

Under these circumstances, the Governor of Georgia was addressed, by order of the President; but he evidently participated in the popular feeling of his State. While the Spanish authorities and Seminoles, both Indians and Exiles, repudiated the treaty of New York, Governor Tellfair, of Georgia, declared that the people of his State “*would recognize no treaty in which her commissioners were not consulted.*” Instead of observing its stipulations of peace, he proceeded to raise an army; invaded the Creek country, attacked one of their towns said to be friendly to Georgia, killed some of their people, took others prisoners, burned their dwellings, and destroyed their crops.

1794.

The Creeks declared their inability to return the Exiles,[16] and, on the thirtieth of January, General Washington, in a Special Message to Congress, announced the failure of all efforts to maintain tranquillity between the people of Georgia and the Creek Indians. Such were the difficulties surrounding the subject of regaining the Exiles, that General Knox, Secretary of War, in a written communication addressed to the President, recommended that Congress should make an appropriation to their owners, from the public treasury, as the only practicable manner in which that matter

could be settled.[17] This communication was transmitted to Congress by the President, accompanied by a special message, recommending it to the consideration of that body; but the members appeared unwilling to adopt the policy thus suggested. They seem to have entertained doubts as to the propriety of appropriating the money of the people to pay for fugitive slaves. They respectfully laid the Message, and the recommendation of the Secretary of War, upon the table, and ordered them to be printed.[18]

The claimants of the Exiles were again encouraged and strengthened in their expectations by the excitement prevailing in the southern portion of the Union, arising from a decision of the Circuit Court of the United States, held at Richmond, Virginia. At the commencement of the war, the States prohibited the collection of debts due British subjects from citizens of the Colonies. These debts had remained unpaid for some sixteen years; and although the debtors entertained an expectation of paying them at some future period, many intended meeting those demands by the funds which they supposed would be awarded them as indemnity for slaves carried away in British vessels during the Revolution, and for those enlisted into the British army.

These laws, enacted at the commencement of the Revolution, were declared by the Court to have been superseded by the treaty of peace, in 1783; and the debtors in the several States thus became liable to the payment of those debts, while their demands of indemnity for slaves were pending, and the British Government had thus far refused to acknowledge their validity. These claimants became impatient of delay, and demanded that another treaty be formed with England, by which they could obtain indemnity for the loss of their slaves. These uniting with those who claimed a return of the Exiles in Florida, constituted an influential portion of the people of the Southern States, whose joint influence was exerted to involve the Government in the support of slavery.

Notwithstanding these clamors, the Government was powerless as to obtaining relief for either class. The British Ministry refused indemnity, and the Seminoles, supported and encouraged by the Spanish authorities, were inexorable in their refusal to surrender the Exiles.

At that early period of our history, the subject of slavery greatly perplexed the Federal Administration; nor was the genius, or the influence of Washington, sufficiently powerful to silence the malcontents. He was fortunate in selecting Judge Jay, of New York, as a Minister Plenipotentiary, for negotiating a treaty with Great Britain. This illustrious patriot possessed great purity of character; had long been distinguished for his devotion to the

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