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Report from the Secretary of War, in compliance with a resolution of the Senate of the 8th instant, transmitting copies of correspondence with the Governor of Alabama, in reference to hostilities with the Creek Indians

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REPORT

FROM

THE SECRETARY OF WAR,

IN COMPLIANCE

*With a resolution of the Senate of the 8th instant, transmitting copies of correspondence with the Governor of Alabama, in reference to hostilities with the Creek Indians.*

MARCH 17, 1838.

Read, and ordered to be printed.

DEPARTMENT OF WAR,  
March 15, 1838.

SIR: The copies of the correspondence between the Secretary of War and the Governor of Alabama, in March and April, 1836, called for by a resolution of the Senate of the 8th instant, is herewith respectfully transmitted.

Very respectfully,

Your most obedient servant,

J. R. POINSETT.

HON. R. M. JOHNSON,  
*President of the Senate.*

No. 1.

EXECUTIVE DEPARTMENT, ALA.,  
*Tuscaloosa, February 25, 1836.*

DEAR SIR: Deeming it necessary, from the doubtful aspect of affairs among the Creek Indians, that some force should be stationed among them, in order the more effectually to watch their proceedings, and to restrain them from acts of depredation and hostility, I have, agreeably to the requisition of Col. Lindsay, made by the authority of Gen. Scott, called into the field a regiment to act as a corps of observation upon them. The requisition called for infantry; but, coinciding in opinion with Col. Lindsay, that one regiment of infantry was perfectly inadequate to the performance of the duty required of them, and that mounted men in such service would be far more efficient than thrice their number on foot, I have called for mounted infantry, to rendezvous by the 10th of March, ready for service. Colonel Lindsay, for want of authority, did not make a requisition for this kind of

troops, yet expressed himself most decidedly in favor of them, and doubt not that the department, taking into consideration the object of the regiment, the extent of country (near two hundred miles) they had to guard, and the present spirit of discontent manifested by the Indians, who are reduced almost to a state of starvation, and are collecting together, and committing depredations upon the settlers, would readily concur in the same opinion, and sanction the order thus given. Earnestly desiring that the course I have pursued may meet with your entire approbation, and requesting an answer as soon as may be consistent with your convenience.

I have the honor to be,

Very respectfully,

Your obedient servant,

C. C. CLAY.

Hon. LEWIS CASS,  
Washington, D. C.

No. 2.

*Extract from a letter of the Department of War to his excellency C. C. Clay, Governor of Alabama, dated March 19, 1836.*

"I am instructed also to say, it appears to the President that the state of affairs in the Creek country, so far as they are known here, do not justify the farther continuance of this force in service. To authorize the President to call out a militia force, there must be either actual hostilities or evidently impending danger of them. The evidence in the possession of the department does not satisfy the President that this is the case at present, in any part of the country occupied by the Creek Indians. He therefore desires, immediately on the receipt of this letter, unless circumstances should have arisen to show the necessity of keeping these troops in service, that you cause them to be discharged without delay. If there were any disposable regular troops, which could be spared for that purpose, they should be immediately ordered to Alabama, as this is a course which it is competent for the Executive, at any time, to take; but the operations in Florida, and the condition of the army, prevent this measure. So far as the President's constitutional power extends, it will be exercised to afford protection against any hostilities of the Creek Indians; but this can only be done, as I have before stated, when the proper exigency arises."

No. 3.

[EXTRACT.]

"EXECUTIVE DEPARTMENT, ALABAMA,  
Tuscaloosa, March 22, 1836.

"SIR: Enclosed, I forward a communication from Major General Garrett; another from Colonel William B. Martin, (who is Inspector General of General Garrett's division; ) another from the officers of three com-

panies which were sent by General Garrett to Vernon, the place of rendezvous for the regiment of observation, (of which I spoke in my last,) but did not arrive till the regiment was disbanded; besides communications from meetings of the citizens of several counties, or from their committees, and from individuals, expressive of their own views, and those of their neighbors, in reference to the probable course which may be pursued by the Creek Indians. Those communications disclose the apprehensions of the citizens of several of the counties, formed out of the territory lately claimed by the Creeks, and also those of the citizens of Montgomery county, which borders on that territory. These are only specimens of the sentiments and feelings of the people of the counties generally, in that part of the State, as I am led to believe from communications which I am receiving by almost every mail.

"From these documents, it is hoped you will perceive the *expediency*, if not *necessity*, of calling out such force of mounted militia as will give safety, as well as tranquillity, to all who are amongst, or on the borders of, the Creeks and Cherokees. I cannot doubt that such a measure is necessary, from all the information I have upon the subject; and I have no doubt that a body of well armed and equipped mounted men, ranging through the country inhabited by the Creeks and Cherokees, would have a most favorable influence on the emigration of both tribes. Let me most earnestly entreat you to take such steps, or *give me such authority*, as will at least protect the lives of my fellow-citizens.

"Should my request be granted, I trust you will cause such orders to issue as to arming, equipping, and *mustering* the troops into *service*, as will prevent another failure. I received a communication from Captain John Page, of the United States army, by the last mail, bearing date on the 15th instant, by which I am informed that he has been appointed mustering officer by General Scott, for all the troops called into service by the Executives of Georgia and Alabama. I care not by whom these duties are performed, but beg that I may be furnished with a duplicate, or some other official evidence, of any such order, as soon as it may be given.

"C. C. CLAY.

"Hon. LEWIS CASS."

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No. 4.

WAR DEPARTMENT,  
April 15, 1836.

SIR: I have had the honor to receive your letter of March 22, with its enclosures, and to lay it before the President.

It is the impression of the President that, under the circumstances disclosed, he would not be justified in ordering into service a militia corps for the purpose of observing the conduct of the Creek Indians. Before the President can exercise the power of calling out the militia, there must either be a commencement of hostilities, or a just ground to apprehend them. It may, undoubtedly, at times, be difficult to determine the proper boundary between precautionary and premature measures. But the facts disclosed in the communications you have transmitted, do not seem to show such a de-

sign to disturb the public tranquillity, on the part of the Creeks, as to require the immediate organization of a force to keep them in subjection.

I have this day written to Major General Scott, requesting him, should the danger become more obvious, to detach a portion of his force as soon as the operations in Florida will permit, upon this duty. In the mean time, however, should the conduct of the Creek Indians be such as to leave no doubt of their hostile intentions, I am instructed by the President to inform you that he will sanction the calling out of such a force, for the purpose of subduing them, as might be found necessary, previously to the adoption of any other measures on the part of the Government, or to the interference of General Scott. I have to request, however, that no force should be called out, until the exigency provided for in the constitution arises, and the hostile designs of the Indians become apparent.

Orders will be given to the commanding officer at Mount Vernon, to issue arms to any militia that may be found necessary, upon your requisition.

I have written to the agents of the Government among the Creek Indians to warn them against the commission of any act of hostilities, and to circulate among them a message, which, by the direction of the President has been prepared for them.

In order to be prepared to act as speedily as possible in any contingency, directions have been given to the troops at Fort Monroe and New York to hold themselves in readiness to move at a moment's warning. Orders have also been given to the company at the arsenal, at Augusta, to join the company now at Fort Mitchell.

I enclose, for your information, a copy of the message which has been sent to the Creek chiefs.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

His excellency C. C. CLAY,

*Governor of Alabama, Tuscaloosa, Ala.*

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No. 5.

EXECUTIVE DEPARTMENT, ALABAMA,  
*Tuscaloosa, April 15, 1836.*

SIR: On the 22d ultimo, I had the honor to enclose certain documents and letters, forwarded to me from the counties inhabited by the Creek Indians, showing the apprehensions felt by the citizens of those counties, and some of the adjacent ones, on that subject of threatened and probable hostilities on that part of the tribe, and requesting a competent force for the protection of that part of our population. I now enclose a copy of a letter from Captain John Page, United States army, dated at Fort Mitchell, on the 5th instant; and, also, a letter from Major John H. Howard, commanding a battalion of Georgia militia, at Fort Twiggs, dated 2d instant; together with a copy of one from James E. Glenn, Esq., of 29th ultimo, enclosed in the latter; all in reference to the continued depredations and hostile indications of the Creek Indians. The letter from Captain Page is in

reply to one from me to him, bearing date 24th ultimo, in which I sought information, which I thought it peculiarly in his power to furnish, as he commands in the quarter alluded to; the other communication was made spontaneously by Major Howard.

Not having yet received a reply to my letter of the 22d ultimo, (before referred to,) and, from the tenor of your communications of the 12th and 19th ultimo, entertaining some doubt as to the character of the answer which may be received, I felt it my duty to forward this additional information for your consideration, and that of the President. I think the facts stated in the letters of Captain Page, Major Howard, and Mr. Glenn, in connexion with those heretofore communicated, will abundantly prove, that if there be not "actual hostilities" already commenced by the Indians, there is "evidently impending danger of them."

Referring to my communication to your department, of the 22d ultimo, for my views on this subject, more at large, and which remain unchanged, I beg leave to renew the expressions of my most earnest hope that such militia force will now be authorized to be called into service, as may be sufficient to insure *safety and tranquillity* to our citizens.

I am, sir, very respectfully,

Your obedient servant,

C. C. CLAY.

Hon. LEWIS CASS.

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No. 6.

EXECUTIVE DEPARTMENT, ALABAMA,  
Tuscaloosa, April 18, 1836.

SIR: On the 15th instant I addressed you on the subject of apprehended hostilities from the Creek Indians, and enclosed copies of letters from Captain Page, United States army, Major Howard, commanding a battalion of Georgia mounted militia, and a Mr. Glenn, a respectable and intelligent citizen of Barbour county, in this State, all showing the grounds on which those apprehensions were entertained. In the same communication, I expressed my desire that a competent militia force should be ordered into service, for the protection of that portion of the citizens of this State, amongst whom the Indians remain, and referred you to my letter of the 22d ultimo, for my views upon this subject, more at large. My last had not been mailed an hour, before General Abercrombie sent us an express from Russell county, and bearing a communication from a highly respectable meeting of citizens of that county and Barbour, arrived at this place. You will find a copy, which I have carefully compared with the original, enclosed. The apprehensions, which I have heretofore expressed, for the safety of the citizens in that quarter of the State, are not only *confirmed, but increased, by late developments*. If I am not justified in saying "actual hostilities" have commenced, I am, at least, *fully sustained, by well ascertained facts, in affirming there is "evidently impending danger of them."* If the evidence heretofore communicated has not been sufficient to satisfy the President of his authority to call out a militia force against the Creek Indians, I think I may now, upon this additional testimony, appeal to him with confidence for the exercise of that power. I entertain sanguine expectations,



however, that your reply to my communication of the 22d ultimo, which may expect to receive, in a few days, will bring me all the authority desired.

To be prepared for emergencies, and ready for the most prompt defence of our citizens, if the Indians should, unfortunately, realize our apprehensions, by commencing a war, I have despatched an agent to the United States arsenal, at Mount Vernon, with a requisition on Captain Harding for two thousand muskets, and sufficient ammunition for that number of arms during an ordinary tour of militia service, to be transported, with the arms, to Montgomery, and deposited in the care of a responsible officer of the military division which includes that place. In the course of a week, I expect this order to be executed by Captain Harding, or by my agent whom I have instructed, if Captain H. declines or refuses to perform the duty required, to demand the arms, &c., and, if obtained, to transport and deliver them himself.

I shall hope to hear from you at the earliest moment compatible with your convenience.

I have the honor to be,

Very respectfully,

Your most obedient servant,

C. C. CLAY.

HON. LEWIS CASS.

No. 7.

WAR DEPARTMENT,

May 5, 1836.

SIR: I have the honor to acknowledge the receipt of your letters of the 15th and 18th ultimo, with their enclosures.

Having already, in my letter to you of the 15th of April, communicated the measures which the President had deemed proper to authorize to prevent or suppress any hostile efforts of the Creek Indians, in the State of Alabama, it is not necessary that I should repeat what was therein stated. Recent information from Colonel Hogan leads to the belief that these Indians do not meditate disturbances. Should they do so, however, any force which you may find it necessary to call out for the protection of the inhabitants, agreeably to the views presented in my previous communication, will be received into the service of the United States: Until General Scott shall be enabled to direct his personal attention to the affairs of the Creek Indians, the discretion respecting the forces to be employed will be committed to you.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

His excellency / C. CLAY,  
Governor / of Alabama, Tuscaloosa, Alabama.

No. 8.

EXECUTIVE DEPARTMENT,  
Tuscaloosa, April 25, 1836.

SIR: Notwithstanding all I have said upon the subject, in my communication of the 22d ultimo, and of the 15th and 18th instant, I feel it my duty to forward the enclosed copy of an address from a committee appointed by a meeting of the citizens of the town of Irwinton, on the 12th instant, which I received this morning by express. This place, I understand, is about forty miles below the place at which was held the meeting of the citizens of Russell and Barbour, whose communication I enclosed in mine of the 18th instant; and, as far as I can ascertain from a conversation with a member of the Irwinton committee, (who appears to be a very respectable and candid man,) the meeting of the latter place was held without any knowledge of that of the former; and, consequently, there could have been no previous understanding or preconcert between them.

I am conclusively satisfied that the Indians are meditating and preparing for hostilities against the whites, and that, unless their designs are frustrated by the exhibition of a military force sufficient to inspire them with some fear of consequences, like murders and conflagrations will soon be enacted in Alabama, with those which we witnessed, so painfully, in Florida. Perhaps a single battalion (of five companies) would be sufficient to insure the safety of our otherwise almost defenceless citizens. A regiment would be certainly so, if sent into the region inhabited by the Indians before the actual commencement of hostilities.

I have the honor to be,

Very respectfully,

Your most obedient servant,

C. C. CLAY.

Hon. LEWIS CASS.

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No. 9.

WAR DEPARTMENT,  
May 13, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of the 25th ultimo, and, in answer, have the honor to inform you that my letter of the 5th instant conveyed to you the views of the President respecting the employment of a force in the State of Alabama to suppress the disturbances among the Creek Indians.

I beg leave, in addition, to inform you that six companies of troops from New York and Fort Monroe have this day been ordered to proceed to the Creek country, in Alabama, with a view to prevent any difficulties among the Creek Indians.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

His excellency C. C. CLAY,

Governor of Alabama, Tuscaloosa, Alabama.