

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

1-17-1839

Document relating to the bill (S. 160) "to provide for the armed occupation and settlement of that part of Florida which is now overrun and infested by marauding bands of hostile Indians."

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

S. Doc. No. 93, 25th Cong., 3rd Sess. (1839)

This Senate Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

DOCUMENT

RELATING

To the bill (S. 160) "to provide for the armed occupation and settlement of that part of Florida which is now overrun and infested by marauding bands of hostile Indians."

JANUARY 17, 1839.

Submitted by Mr. BENTON, and ordered to be printed.

WASHINGTON, *January 16, 1839.*

SIR: Respecting the armed occupation and settlement of that part of Florida now overrun by the Indians, as proposed by the bill which you were pleased to put into my hands, (with the accompanying letter from Dr. Lawson,) and upon which you do me the honor to ask my views, I beg leave to state, that the plan is one, in my opinion, eminently calculated to accomplish the objects intended. But permit me to say, that before that law can be promulgated and carried into effect, it will be too late for the settlers to clear land for cultivation this year. I therefore respectfully beg leave to suggest, that, at first, they should be located immediately contiguous to the present exposed frontier settlements within the Alachua county, near Fort King, and on either bank of the River St. Johns, and south of St. Augustine, to New Smyrna, and thence gradually along the Atlantic coast to Cape Florida.

There is a number of plantations, with extensive clearings, in Alachua county, on the banks of the St. Johns; at the head of the River Mataugas; at Tomoka, on the River Halifax; at New Smyrna; and, also, some few settlements on New river, and near Cape Florida; which, in consequence of this protracted war, remain unoccupied. It is believed their proprietors would not object to have them occupied and cultivated by the settlers, who might thereby secure provisions for the ensuing year.

Flint or gourd seed corn can be planted in Florida as late as the middle of April; and that of Cuba, which is a heavier corn than either of the others, and of quicker growth, admits of being planted as late as the middle of June. Seed of the last description of corn could be imported and furnished to such of the settlers as might be late in commencing their planting operations.

I would, also, respectfully suggest, that the allowance of sugar, coffee, and soap, be added to the rations proposed to be furnished, and that these be extended to the members of the family and laborers which each settler may bring with him.

The objects of the bill would be also much advanced, if transportation were provided for the settlers: say from St. Marks to the several posts that may be established on the western side of the peninsula along the Gulf of

Mexico; from the depot on Black creek to those posts established on the St. Johns and its tributaries; from the depot at St. Augustine to the posts that may be established at the head of the river Mataugas, at Mosquito or New Smyrna, Indian river, Jupiter river, New river, Key Biscayne, and so around to Cape Sable. Unless the facilities of transportation be afforded, it is my opinion that few, if any, could find their way to the posts in the southern part of the peninsula, for the want of conveyance. Neither would it be safe to penetrate so far into the enemy's country with a force short of fifty or one hundred men, to secure their landing, and maintain the ground.

The country so intended to be occupied should be divided into districts, and the settlers embodied according to the militia organization *directed by Congress*, (and not according to the present local laws,) reducing the number of privates of each company to the number required at each station proposed by the bill. The Governor of the Territory, being commander-in-chief of the militia, the officers, according to their respective grades, could report to him, that, at all times, they might be in readiness to meet any requisition which the General commanding the United States troops might make of him to prosecute the war. The settlers, thus required by the Commanding General, should be mustered into the service, and on the same footing with the troops of the United States.

During the time required to put in full operation the provisions of the contemplated law, I think it important, in order to protect the present settlers, to induce those who have left to return to their plantations, and to guard against a recurrence of the disasters which befel those on the frontier last summer, and, indeed, to within a few weeks, when several persons were murdered and houses burned near Black creek, that the citizens on the frontier, not exceeding in number a brigade, should be mustered into the service of the United States for six months, or one year, unless sooner discharged, under the provisions of the act of Congress of May, 1836, authorizing the President of the United States to receive ten thousand volunteers. This being done, I am satisfied we shall hear no more reports of murders, or houses burned, by the Indians.

The Commanding General could then dispose of his regular force on the Atlantic coast, in the occupation of New Smyrna, Fort Pierce, Fort Jupiter, Fort Lauderdale, at New river, Cape Florida, Key Biscayne and Key Largo, the posts in the interior of the country, at Tampa Bay, and others on that coast.

The importance, and indeed necessity, of occupying the Atlantic seaboard must be obvious to all. The Indians have ever been in the habit of resorting to it, in the spring and autumn, in search of wrecks, which are of frequent occurrence on that coast. The counter currents, sitting in from the Bahamas, and the contracted gorge of the gulf, in calms as well as boisterous weather, baffle the skill of the best navigators. Our light-houses are insufficient, and vessels are driven, or drift, on that shore, and the unfortunate mariner becomes the victim of savage revenge and cruelty. From these wrecks the Indians obtain supplies of those articles required to carry on the war. Besides this, they derive a principal source of livelihood from fishing in the lagoons and waters which run parallel with this coast.

I have read, with much interest, the letter of the Surgeon General Dr. Lawson, and I was much pleased to find that he does not think the

country as unhealthy as it has been represented. Coming from so disinterested a source, his statements cannot fail to remove impressions not less erroneous than prejudicial to the country. His description of the country south of Cape Sable will doubtless attract attention, and I hope many of our citizens, who are looking to Texas and other foreign climes, may see it, and be induced to seek in Florida a residence, where they will find a soil and climate equal to the best, and a country just as easy of access.

Here I beg leave to say, that the country east of the Sawanee river is capable of sustaining an immense population, and must, in the political order of things, eventually form a State separate from that of Middle and West Florida, and greatly to their advantage and that of the country. In this part of Florida, exclusive of the extensive hammocks and very productive pine lands, there are great bodies of savanna, swamp, and meadow lands, composed of the richest soil, to wit: alluvial, clay, and marl, much of which, when properly reclaimed, will, south of St. Augustine, produce two crops of grain each year.

On two hundred acres of reclaimed swamp land, I made an average of thirty-six bushels of Cuba seed corn per acre, while, at the same time, a crop of sugar cane was growing on the same two hundred acres, the manufacture of which was prevented by the war.

This is the only portion of the United States possessing a tropical climate. The advantages which, I believe, will grow out of the adoption, by Congress, of this measure, for the occupation and settlement of it, will soon render us, in some degree, independent of the West Indies, except in the article of coffee, which, I think, cannot be there raised, owing to the blighting winds of autumn passing across the narrow peninsula. Sugar, Cuba tobacco, and all the other staples and fruits of those islands, I believe will be cultivated in great abundance in Florida. These articles, together with the orange of the country, which is more highly valued than that of other places, with the aid of steamboats and railroads, can be sent to the northern and western States in full perfection.

That Florida is also destined to be a great silk producing country is placed beyond a doubt.

When in command in the country east of the river St. Johns, I had an opportunity of examining much of it along the Atlantic coast and the banks of that river, to within a few miles of the O-ke-cho-be lake. In the course of my observations, I found that much of the country, particularly on the banks and around the head-waters of the St. Johns and Indian rivers, was subject to inundation, and, owing to there being no other outlet for the discharge of the waters which, during the wet seasons, accumulate there, than the mouth of those rivers, to wit: the St. Johns, at a distance of upwards of 300 miles, and Indian river, at 100 miles, impeded as they are in their discharge by the tide waters of the ocean, whose influence is felt a considerable distance up those rivers.

That important section of country is susceptible of being easily drained. In the neighborhood of the head-waters of the St. Johns, the distance is not more than seven to eighteen miles from the ocean. The country being level, and forming an inclined plane towards the sea, and, in many places, not more than two or three miles of timbered land, canals could be cut through the intervening country at comparatively little expense.

As these improvements will probably be left by the Government to in-

dividual enterprise, the proposed settlement of that country would aid much in the accomplishment of so great an object, by which thousands of acres of the richest alluvial soil would be redeemed and brought into a state for successful cultivation that at present are of no use whatever.

I have also to observe, that unless a canal is cut across the Haulever, connecting the waters of Indian river and those of the Hillsborough river, or Mosquito lagoon, the country about the head of those rivers must necessarily be unhealthy; the one being about 100 miles, as already stated, and the other nearly thirty miles, from its entrance from the ocean, with no current, the winds raising the waters of the one and depressing those of the other, throw all the drift on shore. This being a mass of vegetable matter, and there left to decompose, must, more or less, affect the health of that section, notwithstanding the salubrity of the climate.

The cutting this canal will increase the body of water, and create a current from the influence of the tide at the heads of those rivers, and thereby cleanse the shores, and facilitate the transportation of supplies, at all times, to the posts on Indian and Jupiter rivers, through the Mosquito entrance, with more safety, and at less expense, than by the dangerous navigation round Cape Canaveral. It will prevent also the necessity of crossing the inlet at Indian river, which seldom has more than six feet of water, and often less.

I also beg to be permitted to say, that every effort has been made by the inhabitants, who were driven by the Indians from their homes, to return, and resume the cultivation of their fields, but the effort has been invariably attended with disastrous consequences, and great sacrifice of life, which must inevitably continue to be the case, until efficient protection is extended to them.

The mere occupation of posts, garrisoned with artillery or infantry, will not afford that protection. There were more murders committed last year, when, by the close of the previous campaign, the Indians had been reduced to about one-fifth of their original number, than during the whole previous period of the war.

I am also persuaded that unless the frontier is placed in a state of defence, and the Atlantic side of the coast occupied, the scenes of last year will be re-enacted.

I cannot close this letter without observing that I can bear testimony to the willingness of the inhabitants to contribute all in their power in aid of any measure which may have for its object the close of this destructive war, the continuance of which every day adds so much more to the serious calamities to which they have been innocently subjected.

With sentiments of much respect, I have the honor to be your most obedient servant,

JOSEPH M. HERNANDEZ,

Brig. Gen. commanding East Florida Militia.

To the Hon. THOMAS H. BENTON,
United States Senator.