

inciting the Indians "to assert and maintain their right to the lands they now occupy."⁵⁹ (It is not altogether clear in this letter whether Richards was held reprehensible for the ulterior motive of wishing to acquire land for himself or for believing the Indians had a right to their land, or both). Clearly the Florida Indians were in need.⁶⁰

On April 7, 1823, Secretary of War Calhoun commissioned James Gadsden and Bernardo Segui to "hold a Treaty with the Florida Indians." Said the Secretary:

The object to be accomplished by the proposed treaty, is the concentration of all the Florida Indians at some suitable point within that Territory, and the Country South of Charlotte Harbor and the River of that name which empties into it, has been designated for the purpose. Your efforts will therefore be directed to the attainment of this object.

Should there be an insufficiency of tillable land, he allows the moving of the line sufficiently north for this purpose. He cautions them to keep expenses to a minimum, saying, "The principal article of expense will probably be the issue of provisions to the Indians while treating with them." He says nothing of paying the Indians for the lands to be taken from them.⁶¹ In June, Commissioner Gadsden urged the removal of the Indians from Florida altogether,⁶² while affirming the view that the superior strength of the United States would induce the Indians to accept whatever terms it desired. By September 6, 1823, at Moultrie Creek near St. Augustine, the Indians had assembled. They agreed upon Neamathla, originally from Georgia, for their head man. Among those accompanying him were John Blount, Mulatto-King, Tuske Haco, Econchaticimico and others. Gadsden's speech warned that the white man's muskets were stacked in peace only so long as the Indians agreed to the white man's terms, that they would not be permitted to remain "scattered all over Florida," that the Red Sticks among them should return to the Creek Nation unless the Florida-born Indians would accept them, that the

⁵⁹ Ibid., pp. 577-579.

⁶⁰ See Duval to Secretary of War, 3 August 1822.

⁶¹ Ibid., pp. 659-661.

⁶² American State Papers, Indian Affairs, Vol. II, pp. 433-434.

President their father now drinks with them the Vsse.⁶³ Two days later, knowing that the majority of Florida Indians were at that time comparatively recent arrivals and that not all these were Red Sticks, Neamathla told Gadsden they did number among their tribes the Creeks who had fled their northern lands, including the Red Sticks.⁶⁴ The conference lasted several days. The Indians, quite sensibly, distrusted the proceedings. Neamathla, John Blount, Tuski Hajo, Mulatto King, Emathlochee, and Econchatimico had no intention of leaving their Apalachicola lands. These six of the principal chiefs,

for a long time obstinately and stubbornly refused to negotiate in any manner. It was feared the attempt to effect a treaty would be an entire failure.

To subdue these feelings, large concessions were made to these head men. The more humble were required to remove within a stipulated boundary; while their chiefs, and a few friends were permitted to remain in their old towns, and participate alike in the annuities⁶⁵ and other benefits accruing under the treaty.

The Moultrie Creek Treaty with the Florida Tribes of Indians, 1823, was signed September 18.⁶⁶ On the following day Neamathla, Blunt, Tuski Hadjo, Mulatto King, Emathlochee, and Econchatimico signed the article expressly intended for them. Gadsden's image of "muskets stacked in peace" had had its effect. In a letter dated September 29, 1823, Gadsden wrote the Secretary of War about "the Treaty lately concluded with the Florida Indians:"

The boundary line of the Country South allotted to the Indians can only be run at a certain season of the year, and if that season is permitted to escape, a postponement to a subsequent one is inevitable. . . . The reservations on the Apalachicola may be laid off at most any season, but the most favourable would be the months of November or December--The sooner the line of demarkation is defined, the sooner will the Indians concentrate, and any delay on the part of the United States may produce an opinion among the Indians that the National Government is not determined on an object of vital importance to the

⁶³ American State Papers, Indian Affairs, Vol. II, pp. 437-438.

⁶⁴ Ibid., p. 438.

⁶⁵ John T. Sprague, The Origin, Progress, and Conclusion of the Florida War, (New York: A. Appleton & Company, 1848), p. 23.

⁶⁶ Much that is of interest about the treaty is beyond the scope of this petition. (Copy of Treaty in Appendix).

prosperity of Florida--It is not necessary to disguise the fact to you, that the treaty effected was in a degree a treaty of imposition--The Indians would never have voluntarily assented to the terms had they not believed that we had both the power and disposition to compel obedience--. . . .⁶⁷

Thus was the prosperity of Florida achieved through a treaty of imposition upon the Creek Indians and Seminoles.

The events of Moultrie Creek constitute both a strong bond and a distinction between the Florida Creek Indians and the Seminoles. Politically, the Seminole people are today a distinct and separate group though culturally and in their earlier histories, the Florida Creeks and Seminoles share many essential realities. Indeed, their histories merge and are confluent even after the period following the signing of the Treaty of Moultrie Creek; but since that time they came to be treated more and more as separate peoples in matters political, governmental, and military. It was that transition period following Moultrie Creek that set the final stage for the political containment of the Seminole Nation from the long and arduous drama of Creek Indian history. Nevertheless, the vision and courage and the will-to-endure of the Seminole Nation have flowered forth in^a beauty we hope and believe will last forever. Their history ever since their first emigrant settlements in the 18th century, distinguished as it is by the determination to preserve the deeper elements of Mvskoke culture from erosion, we both laud and actively support.

Yet we do hope that someday the "popular" histories will disentangle the confusion of our names, and thus in the future prevent more grievous error.

Creek Indians who were not living in the two (Upper and Lower) groups of tribes comprising the Nation proper were since early times referred to as "Siminolies" (emigrants, faraways, certainly not wildmen). They nevertheless were Creeks, and considered themselves of the Creek Confederacy. Neamathla for example, a Creek Indian, was the spokesman at Moultrie Creek, and at that time had hopes for a gathering of Florida

⁶⁷ Territorial Papers of the United States, Vol. XXII, p. 752. Gadsden is to be credited for also observing, in the same letter, "The situation of Commissioner. . . is not to be coveted. . . ."

tribes on reservated lands in a more northerly part of the territory. The names "Creek" and "Seminole" were then being applied alternately, according to the whimsy, convenience, or ignorance by the whites in all governmental matters. The Treaty of Fort Jackson had bounded the Creek confederacy to the south in order⁽¹⁾ to form a corridor between Spanish Florida and the United States lands left to the Creek Indians,⁽²⁾ to provide lands for white settlement and to contain further emigration from the Creek lands within the United States (because General Jackson feared a coalition of Creeks, Spanish, and British, just as later Gadsden et al would fear a coalition of Florida Indians and Negroes). Neamathla had known the day when the Indians claimed substantially the whole country of Florida:

Upon the cession of Florida they claimed the entire country, and so far as Spain interfered, they possessed it. . . .they assumed the rights and prerogatives of a sovereign people, possessing the undoubted authority to negotiate treaties, so far as to dispose of their lands.⁶⁸

It was not the Creek confederacy who drew the southern boundary--and by the same token it was the United States who tried henceforth more or less uniformly to call all Creeks south of the Corridor, "Seminoles". It was not the Indians. There is in fact evidence to suggest that as late as 1880 there were Seminoles who did not like the name but preferred the venerable name embodied in tradition that was handed down from the time of the confluence of our histories: Kvn-yoksv este-cate, (Kvn-yuk-sa: the traditional Creek name for Florida; and Is-ti-tca-ti: Indian).⁶⁹

As for the even more southern peninsula Florida, no Indian in his right mind after the civilized overcrowding and ruination of the very concept of a hunting-grounds, of the 17th, 18th and early 19th centuries, would have chosen it for residency--alright for the days before but not for the then starving and dispossessed Creeks and Siminolies. Many Creeks who

⁶⁸ Sprague, op. cit., pp. 24-25.

⁶⁹ Clay MacCauley, "The Seminole Indians of Florida," Fifth Annual Report of the Bureau of Ethnology, 1883-1884, (Washington: Government Printing Office, 1887), p. 509. In recording this it is impossible to fail to observe that the bond by culture of the Florida Creeks with the Seminoles of the Seminole Nation is herewith and with profound feeling not merely recorded, but celebrated. It is history that has divided us, not we ourselves. As a great river must divide when it surges against insensate stone, so, and only so, are we separate peoples.

accepted the name Seminole did so in acquiescence to the superior physical force of the United States. The Florida Creek tribes both before and at the time of Moultrie Creek kept their Creek Indian identity, though they also joined forces with the Seminoles who had preceded them into Florida. The Seminoles who later went to sought Florida (including those subsequently removed), and who bravely defended what was left to them of an original domain, became what is today the Seminole Nation in political fact,--fact of the kind that clearly demarcates them from the Creek Indians.

The treaty that finally began the full political asseveration of the Florida Creeks from the Seminole people--constituting the Seminoles a separate and distinct nation from the Creeks--was the Treaty of Payne's Landing, May 9, 1832. From that time forth, Creeks who remained within the main body of Seminoles may be considered to have been amalgamated with the Seminoles for all purposes involving tribal constituency--treating, internal government and control, and tribal identity. Conspicuously, Neamathla, Blunt, and the others of his group did not sign at Payne's Landing. The Apalachicola remained a Creek Indian tribe.

Prior to the Treaty of 1832, another treaty had been made with the Creek Indians. In Georgia, the same McIntosh who in 1823 had attempted to persuade the Cherokees to sell their lands, helped to engineer a Creek cession in 1821 after being bribed heavily by the Georgians.⁷⁰ (Fortunately for him his people knew nothing of his complicity in 1821).⁷¹ Warned about McIntosh by the Cherokees, the Creeks held a council at Tuckaubatchee in May, 1824,⁷² in which they proclaimed anew an old and strong law: "Anyone, 'however great he might be, even Big Warrior, Little Prince, or McIntosh,' should he sell another foot of land to the Georgians would be put to death."⁷³ In a treaty conference at Broken Arrow in December, the Indians staunchly refused to be beguiled into ceding any more

⁷⁰David Adams and Daniel Newman to Governor John Clark, 31 December, 1820. Cited in Antonio J. Waring, ed., Laws of the Creek Nation, (Athens: University of Georgia Press, 1960), p. 4n.

⁷¹Waring, op. cit., p. 4.

⁷²R. S. Cotterill, The Southern Indians: the Story of the Civilized Tribes Before the Removal, (Norman: University of Oklahoma Press, 1954), pp. 219-220.

⁷³Waring, op. cit., p. 5.

land. Nevertheless, in February, 1825 the "palpably fraudulent" treaty at Indian Springs was concluded. It was May before McIntosh was put to death.⁷⁴ The Indian Springs treaty, though later revoked,⁷⁵ anticipated in many ways the substance of treaties yet to come, all of them with the same intent: Removal of the Indians from their lands in order to open them for white settlement. Finally, in the treaty of November 15, 1827, the United States arranged that the last Creek lands in Georgia should be ceded. Neither Alabama nor Georgia could contain themselves: Both Alabama's and Georgia's legislatures had taken action calculated to appropriate Creek lands even before the treaty was signed, though Alabama later desisted.⁷⁶

Simultaneously, in Florida "the disposition to trample upon the Indians, manifested itself in all quarters."⁷⁷ Wrote Indian Agent Gad Humphries on the 6th of March, 1827:

The coutee and brier root, which have hitherto been to them a tolerable dernier dependence, are almost entirely consumed. . . .What they are to do another year I cannot imagine. They have not corn for this year's seed, nor can I procure it for them. . . .those particularly who during the late alarm were robbed of their guns, have been absolutely famishing. . . .⁷⁸

Everyone, not least the Indians, knew that the peninsula-Florida lands were not fit for habitation. The Indians knew they were destined for suffering, even starvation, if they stayed within the reservation boundaries. Yet surrounding white inhabitants menaced and took advantage of them in countless ways. There was no place to turn. Their plight was frequently recorded in Humphries' letters. At one point he cites an Act of Florida's Legislative Council, and comments on the means proposed to secure the removal of the Indians' from that Territory:

. . .I have learnt enough since my arrival here to make me feel it to be an imperative duty to address you . . .in time to prevent the disastrous consequences which must inevitable flow

⁷⁴ Ibid., pp. 8-10.

⁷⁵ Treaty with the Creeks, 1826.

⁷⁶ Confederate States of America, pp. 111, 112, 113, 114.

⁷⁷ Confederate States of America, pp. 111, 112, 113, 114.

from. . . a law of the last legislative council, which is in the following words: 'An Act to prevent the Indians from roaming at large, throughout the surrounding territory. Be it enacted by the Governor and Legislative Council of the Territory of Florida, that. . . if any Indian of the years of discretion venture to roam or ramble beyond the boundary lines of the reservations which have been assigned to the tribe or nation to which said Indian belongs, it shall and may be lawful for any person or persons, to apprehend, seize, and take said Indian and carry him before some justice of the peace, who is hereby authorized, empowered, and required, to direct (if said Indian have not a written permission from some agent, to do some specific act) that there shall be inflicted not exceeding thirty-nine stripes, at the discretion of the justice, on the bare back of said Indian, and moreover to cause the gun of said Indian, if he have any, to be taken away from him'⁷⁹

He continues:

. . . I do not hesitate to predict, that an enforcement of its provisions will produce an excitement on the part of the Indians which must unavoidably lead to bloodshed and distress in our frontier settlements. It is not to be expected that this people, who though greatly and cruelly oppressed, are by nature and every principle of right, if not of human law, free, will tamely submit to the ignominy of stripes, and that for no other offence, than the mere exercise of a privilege common to all who are not slaves. . . .

He excoriates his white brethren for wishing "as a matter of convenience to themselves," to secure the removal of the Indian from Florida by

"means so inhuman as those proposed."⁸⁰ Gad Humphries' prophecy of dis-

aster was borne out in the years that followed, culminating in the Treaty of Payne's Landing, May 9, 1832, which required the removal of the Indians to Mississippi and the relinquishment of their lands in peninsula Florida. It also stipulated, in its preamble, that certain select chiefs should be sent to Mississippi, to the land allotted to the Creeks, to choose a land suitable to their people and to secure "the favorable disposition of the Creeks to re-unite with the Seminoles as one people." Article I stipulated, in addition to the relinquishment of all Seminole lands in Florida, that the new Seminole land in Mississippi, "proportioned to

⁷⁹Gad Humphries, Agent., to Col. Thomas L. McKenny, Office of Indian Affairs, February 9, 1835; in Sprague, op. cit., p. 36.

⁸⁰Ibid., pp. 36-37.

their numbers, will be added to the Creek territory, and that the Seminoles will be received as a constituent part of the Creek Nation, and be re-admitted to all the privileges as a member of the same."

It was not the provisions of this treaty, formulated by the United States Government, that established the legal basis for the political aseveration of the Seminoles from the Creeks. But rather it was the express will of the Seminoles, outside the proscriptions of the treaty, in rejecting a Creek alliance.⁸¹

When the delegation of chiefs returned to Ft. Gibson, Arkansas, from their survey of the Mississippi country, they were greeted by a Government delegation who forthwith presented them an "Additional Treaty" stating that the new country was suitable, and substantially re-affirming their agreement to the previous treaty. This at Fort Gibson, March 28, 1833. When, back in Florida, the treaty was explained, the people were gripped with sudden realization of the full import of what had been done, denying that they had in truth any realization that they were relinquishing their country or promising to remove from it.

They were sold, heritage and home, without reserve; and all that now remained was for the government to demand the execution of the stipulations of the treaty of Payne's Landing. The oldest and most influential chiefs, who had governed the nation for years, were unheard in this relinquishment of their possessions, and they resolved to resist by force the first attempt to dispossess them.⁸²

In white-man's words, it was a swindle. Combined with all that had gone before, it was also a justifiable cause for war, according to the codes acknowledged by the white man himself. Humphries had, years before, described the Government's method of containment of the Indian, not truly a containing action, but "this war." He underscored it. The war was, one must infer, instigated by the United States against the Seminoles.⁸³

⁸¹ Cp. Sprague, *op. cit.*, pp 76 et passim.

24

The persistence of the Seminoles--or the Creeks either--in signing treaties is, when viewed through the murky perspective of print, almost totally incredible. But what other recourse was there? The Seminoles were trying every expedient to delay the emigration. The final expedient, the acceptance of open warfare, commenced in December, 1837.

232 / Indian Boundary in Southern Colonies, 1763-1775

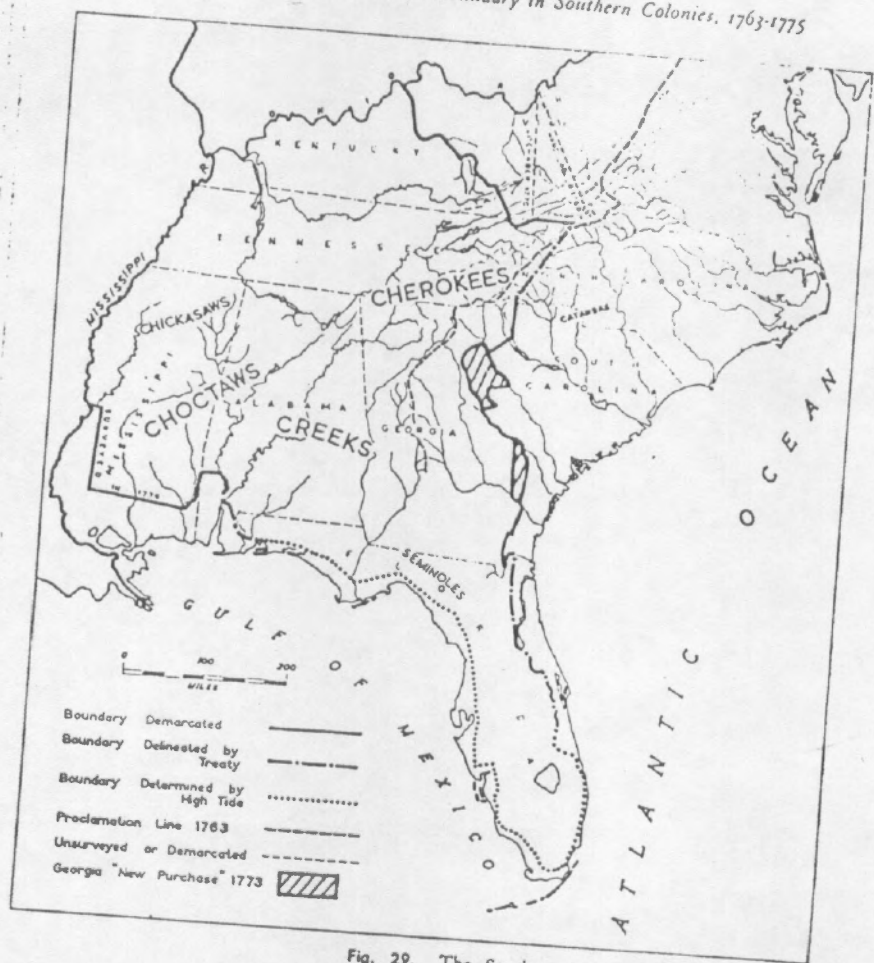


Fig. 29. The Southern Indian Boundary Line.

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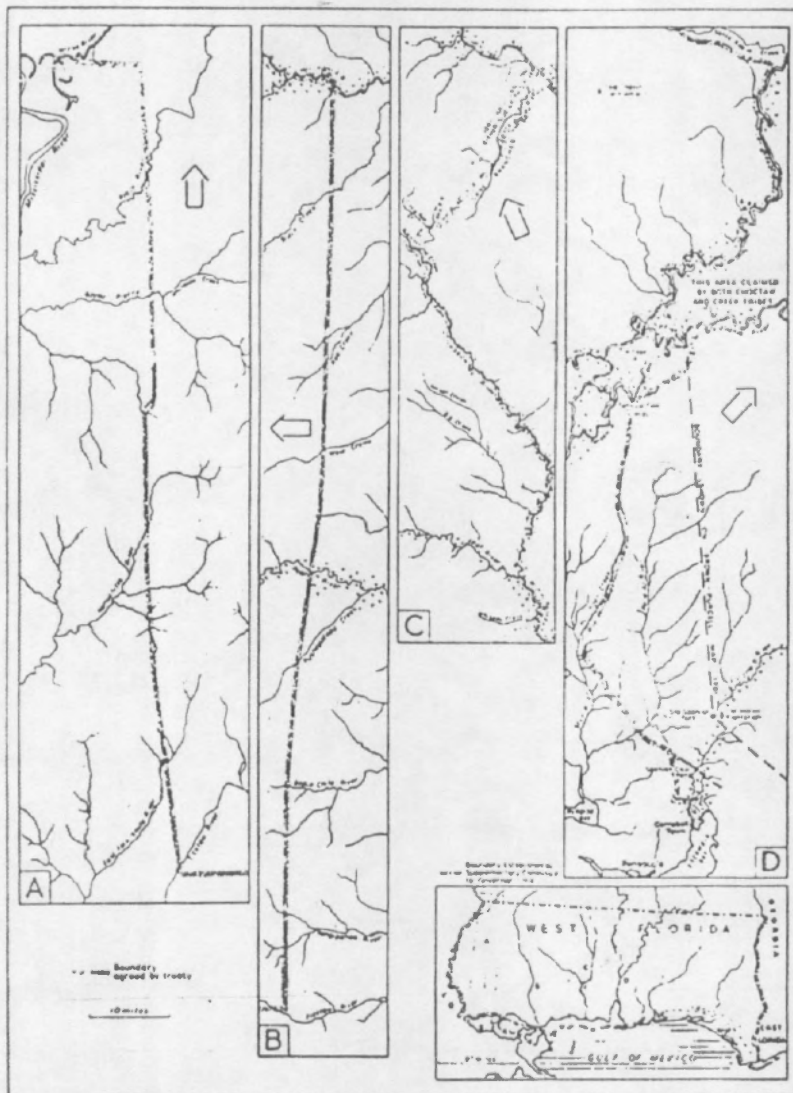


Fig. 27. The West Florida section of the Southern Indian Boundary Line. Arrows on map panels indicate North.

PETITION FOR RECOGNITION

OF

THE FLORIDA TRIBE OF EASTERN CREEK INDIANS

WRITTEN BY PROFESSOR RALPH HUNT, PENSACOLA JUNIOR COLLEGE

The three decades since the beginning of the war between the British and the United States had resulted in: (1) the division of the Creek tribes into hostile and friendly factions; (2) the Creek civil war; (3) the enforced geographical separation of Florida Creeks from the rest of the Creek Confederacy (through the establishment of the Jackson corridor north of the Florida line); (4) the Seminoles' final assertion of their separate and distinct political identity; and (5) the legitimization of the attempt to remove all Muskogee peoples from their homelands. It was Jackson's intent to extinguish Creek identity by assimilation, having failed to destroy the people by arms.⁸⁵ This too would fail, though the Creek struggle continues into the present.

Months before the Seminoles signed the Treaty of Payne's Landing, the Creek tribes in Georgia and Alabama had signed the Treaty at Washington of March 24, 1832, which begins with the infamous Article I: "The Creek tribe of Indians cede to the United States all their land East of the Mississippi River." It was the consummation of the Government maneuvering which had already sent small groups of Creeks to the place beyond the Mississippi which had been reserved for them. In 1829, pursuant to the terms of the Treaty of 1826, twelve hundred (1200) Creeks who had followed McIntosh removed to the Arkansas River along with a similar number of Creeks who had been hostiles.⁸⁶ The difficulties these and later emigrants encountered in the west had an important effect upon the history of the eastern Creeks--including not only those who remained in their homelands but also those removed Creeks who would make their

⁸⁵ Andrew Jackson, "First Annual Message," Dec. 8, 1829, A Compilation of the Messages and Papers of The Presidents, 1789-1902, compiled by James D. Richardson (Washington: Bureau of National Literature and Art, 1903), Vol. II, pp. 442-466.

⁸⁶ Grant Foreman, The Five Civilized Tribes (Norman: University of Oklahoma Press, 1972), pp. 167-62 *passim*.

way back to the east.

The difficulties were legion. Among them was the Creek emigrants' discovery that the Cherokee, who had emigrated from Arkansas, also claimed the land. Again the Creeks were in great danger foraging for food and protecting their dwellings. In addition, the Government failed for several years to provide the removed Creeks the promised requisites for survival, and the displaced Creeks' search for game to feed and clothe their families was further hampered by the hostile western Indians.⁸⁷ When a boat finally made its way up the Arkansas River laden with supplies for the Creeks in 1834, it sank before it reached Fort Smith.⁸⁸ The new land promised to be a place of torment. Understandably, numbers of removed Creeks surreptitiously made their way back to the east.⁸⁹ The sufferings in the west had their counterparts in the eastern homelands.

Events prior to the Washington Removal Treaty of March 24, 1832, had already set the stage for the wholesale depredations upon the Creeks which would follow it. Citing Niles' Register, Debo observes that after the emigration of a small group of Creeks in 1827 Georgia disposed of the removed Creeks' lands by lottery, and "the speculative fervor of her citizens was raised to a fever pitch." Four months before the Georgia lot sale a whole town had been laid out with lanes "cut through the living forest," and an "English visitor found about nine hundred people assembled on the site hoping to secure an advantage through possession." Eager profiteers had even built houses on wheels in readiness to be moved to the new owners' lots. Events like this are extremely important to our narrative because they formed the pressures which caused eastern Creeks to keep their identity surreptitiously, and to endure, these many years. As Debo points out, the white settlers

⁸⁷ Ibid.

⁸⁸ Ibid., p. 152.

⁸⁹ United States Senate Document No. III, Twenty-fifth Congress, Second Session, 434. Cited in Foreman, op. cit., p. 151. This and other historical matter parallels oral history and oral legendry of members of The Florida Tribe of Eastern Creeks, where the same incidents are recorded independently of written matter.

saw in the opening frontier "an irresistible force rolling on to destroy the Creeks."⁹⁰

After John Quincy Adams left the presidency, the floodgates were opened: thereafter, the proper observance of treaty obligations ceased to be understood as a strict national policy.⁹¹ In 1829, when Jackson came to the presidency "with the announced intention of driving the Indians across the Mississippi. . . Alabama divided the Creek land and added it to organized counties and placed the Creeks under the jurisdiction of the local courts"--even before the Washington treaty of 1832.⁹² As if he had counted on the desired response from the states, Jackson followed Alabama's action with "a communication to the Creeks urging them to preserve their political autonomy by removing beyond the limits of the state." Although in June, 1829, the Creeks agreed in Council to reject this proposal, General William Carroll and General John Coffee were already among the Creeks and Cherokees with instructions from the Secretary of War to persuade them to remove.⁹³ Their methods were typical.⁹⁴ Debo observes:

He [Secretary of War Eaton] instructed them to conceal the official character of their mission and 'to engage in this work of mercy to the Indians' by working on the chiefs privately in their homes. They were to point out the Indians' former strength and their present decline and the fertility and opportunities of the West. If this argument were to fail they were to resort to bribery.⁹⁵

⁹⁰ Angie Debo, The Road to Disappearance, (Norman: University of Oklahoma Press, 1941; 1967), p. 96.

⁹¹ Felix S. Cohen, Handbook of Federal Indian Law (Albuquerque: University of New Mexico Press, reprint of 1942 edition), p. 59. It should be observed that this does not mean Adams was an advocate of Indian identity and rights. On the contrary, he was an assimilationist who opposed removal while advocating the "civilizing" of the Indian. It appears he believed the treaties were binding as long as they continued to serve the interests of the government, and that removal (with new treaties to achieve it) was not in the government's interests. (Cf. Wilcomb E. Washburn's remarks in The Indian in America (New York: Harper & Row, Publishers, 1975, p. 166.)

⁹² Debo, Ibid., p. 97.

⁹³ Ibid., pp. 97-98.

⁹⁴ Grant Foreman, Indian Removal: The Emigration of the Five Civilized Tribes of Indians, (Norman: University of Oklahoma Press, 1937; 1953), p. 109.

⁹⁵ Debo, op. cit., p. 98.

While the officials of the United States Government were contemplating the bribery of the representatives of an Indian Government, Alabama was passing a law "prohibiting the word of an Indian from being received in court against that of a white man."⁹⁶ Thus the Creek was to be made destitute not only of his property, but also of his values or moral sense. Little wonder that there should be disturbing "reports from the Creek country that summer—rumors of secret councils, of runners to other tribes, of plans to kill Crowell, exterminate the settlers, and retire to the swamps to die."⁹⁷ But again, in August, the chiefs voted in council to remain in their homeland and submit to state laws. When early in the following year (1830) a Lower Towns delegation went to Washington with the plea to remain in their homeland, Eaton replied by advising them to emigrate. Even the list of wrongs—"fifteen hundred intruders in the Lower Creek country, laying out homesteads, etc."—sent by Eneah Micco in December 1831, secured from Eaton no more than a repetition of his advice that only emigration could remedy these evils.⁹⁸ The government's representatives repeatedly ignored their promises to protect the Creeks against intrusions upon their remaining lands—both in these instances and among the Apalachicola Creeks—promises that were entailed in treaty.⁹⁹ January 7, 1831, Eneah Micco, principal chief, joined with other chiefs of the Lower Creeks to send emissaries to Washington "protesting against the operation of the laws of Alabama over them and the settling of white people on their lands, which resulted in frequent clashes between the men of the two races."¹⁰⁰ Their talks, delivered in February and April, included the following eminently wise and just remarks, (remarks whose substance recalls the contemporaneous history of the Apalachicola Creeks):

⁹⁶Foreman, Indian Removal, . . . , p. 107.

⁹⁷Debo, loc. cit.

⁹⁸Ibid.

⁹⁹Cf. Article 13, Treaty with the Creeks, 1826, 7 Stat. 286 and 7 Stat. 289; and Treaty of Ft. Moultrie, "Additional Article," 7 Stat. 224, where the United States guarantees "Peaceable possession."

¹⁰⁰Foreman, ibidem.

hopeless and utterly demoralized!¹²³

71

In May, 1833, Creek agent John L. Abert wrote to the Secretary of War complaining of the rapid reduction of the whole Creek people from "a state of comparative plenty to that of unqualified wretchedness and want."¹²⁴ Similar, later events live in the family legends and records of Florida Creeks today. Said one grandmother in 1955: "Our fourth great grandparents were ran off their land in Georgia and had to move to Alabama."¹²⁵ Creeks in Florida, Oklahoma, Georgia, and Alabama had every reason to doubt the United States Government's promises to protect them of those Creeks who took refuge among the Cherokee¹²⁶, some escaped removal with the Cherokees by making their way to Florida, which is why some members of the Florida Tribe of Eastern Creek Indians are Creek/Cherokee.¹²⁷ Those of Eneha Mathla's (Neamathla) band who escaped at the time of his arrest, returned to Florida—as would others. And it is to events affecting Creeks in Florida that our narrative is primarily directed.

The Creeks of Apalachicola suffered depredations upon their cattle by white settlers; were cheated out of their annuities and deprived of goods necessary to their subsistence in violation of the Ft. Moultrie treaty; were forbidden to engage in trade; and when robbed of property by the whites, were not recompensed and could secure no justice in white men's court.¹²⁸ Administratively the fate of the Apalachicola Creeks was lumped in with that of the Seminoles and the Choctaws¹²⁹ though they had no voice in the decisions. By March of that year, their corn supply gone, "most of them were forced to support themselves by hunting or working for the white settlers," though some "of the Apalachicola leaders had rented farm lands to the whites and other Indians were able to earn some money

¹²³ The Road to Disappearance, p. 100.

¹²⁴ John Abert to Secretary of War Lewis Cass, U.S. Senate Document 512. Cited in Holatte Cypvke, "Drove Off Like Dogs," Indians of the Lower South: Past and Present, John K. Mahon, ed. (Pensacola: Gulf Coast Humanities Conference, 1975), p. 119.

¹²⁵ Notarized affidavit, 8 November 1955, Northwest Florida Creek Indian Council archives.

¹²⁶ Foreman, Indian Removal. . . , pp. 188-189.

¹²⁷ Andrew Boggs Ramsey, oral history tape, Florida Tribe of Eastern Creek Indians, June, 1978.

¹²⁸ James W. Covington, "Federal Relations with the Apalachicola Indians," in Florida Historical Quarterly (October 1963), 178-179.

35

by selling hides at nearby settlements"¹³⁰ This was in 1832—and it suggests that there was a clear option available to the Government in the treatment of these Creeks—an adjustment to their new circumstances while remaining in their homeland—an option that the Government deliberately ignored.¹³¹ A considerable number of eastern (including Florida) Creeks managed finally, by sheer endurance and wit, to take that option. (One such family-clan of the Florida Tribe of Eastern Creek Indians is the Boggs-Ramsey family and others of their clan-relatives now residing over a goodly territory extending both sides the Apalachicola River. Another is the Choctawhatchee clan group of Walton and Holmes counties; and there are western panhandle groups of a family-clan type, their provenience sometimes spanning three states though their residency now centers in this region of Florida.)

After the Seminole Treaty at Payne's Landing, the Apalachicola Creeks continued to be treated separately. In the formation of the Payne's Landing treaty the Apalachicola Creeks were not party to the negotiations; and in fact the Apalachicola Creeks were subsequently "Subjected to the hostilities of the Seminoles." George Gibson wrote to Secretary of War Lewis Cass:

It will be seen, that the Indians mentioned by the Agent are a part of those to whom the Government guaranteed the peaceable possession of certain reservations of land by the Treaty of Camp Moultrie, dated 18 September 1823. The Agent represents them to be now, and to have ever been, peaceable and friendly towards the whites, and that, indeed, when called upon by the Governor of Florida, they sent their warriors to battle for the United States. It further appears, that the operations of the War have reduced these Indians to a condition peculiarly unfortunate and oppressed. They have been subjected to the hostilities of the Seminoles, and the treachery and plunder of the whites. They have been robbed of their Slaves and other property, and driven from their homes; and having been pre-

¹³⁰ Ibid.

¹³¹ No simplistic solution is intended here. "Adjustment" and "assimilation" are not synonymous. Adjustment is here intended to mean a condition in which community copes successfully and equably with a changed environment. The Government and settlers wanted the land, not adjusted Indians who kept desirable land. Multicultural adjustment, with continued cultural identity, are not only possible but necessary compatibilities that have gradually come to be recognized, after much tragic waste of human resources.

vented from raising their usual crops, they are greatly suffering for subsistence. They have applied to this office for some corn and beef. Not conceiving it to be the province of this Office to furnish the Supply asked for, I refer the matter to the Secretary of War in the hope that he will consider that the necessities of these people may be relieved under the 'Resolution authorizing the President to furnish rations to certain inhabitants of Florida,' / 5 Stat. 131⁷ passed February 1st, 1836. . . .¹³²

Nevertheless, United States officials persisted wilfully and wrongly to identify the Apalachicolas (who were then and are now Creek Indians) with the Seminoles Nation.¹³³ Only those who treated at Payne's Landing, or participated in subsequent relations with the Government as Seminoles, are (or were then) members of the Seminole Nation. The Florida Creek Indians should not be held accountable for the failure of prior historians to examine existentially impart of the premises upon which they have formed conclusions—conclusions that even Indians have later utilized to gain an advantage over a hitherto virtually silent minority.

The United States' confusion of Florida Creeks¹³⁴ with the Seminoles—is illustrated, among other instances, in Clarence Edwin Carter's mis-identification of Charley O'Matler with Neamathla (more correctly, Eneha Mathla) and in his manifestly untrue conclusion that Neamathla was murdered by the Seminoles November 26, 1835. Charley O'Matler was indeed a Seminole, and was assassinated on the aforesaid date by the Seminoles¹³⁵

¹³² The Territorial Papers of the United States, XXV, p. 321.

¹³³ *Ibid.*, p. 312n.

¹³⁴ In his history of Indian treaties Cohen very judiciously entitles the Florida section, "Florida Indians." His first footnote cites footnote 417 which states: "By the Treaty of August 7, 1790, 7 Stat. 35, the Creeks had undertaken responsibility to return prisoners, white or Negro, in any part of the nation (Art. 3). By that article, the Treaty of Indian Springs of January 8, 1821 (Art. 4), 7 Stat. 215, held them responsible for claims not exceeding \$250,000 by the citizens of Georgia, for runaway slaves." The citation occurs for the phrase "Florida Indians," the title of the section. Hence, Cohen's interpretation of the facts of history is that Florida is to be considered Creek domain at least through the period of the Treaty of Indian Springs. It was at the time the apprehension of Negro slaves became a reality and more than a threat, that a large Seminole segment of Florida Creeks declared themselves a separate and politically distinct band or tribe: that time was the year of the Treaty of Payne's Landing, 1832. See our discussion, *infra*.

¹³⁵ Territorial Papers of the United States, XXV, p. 200. Edwin Carter's error should be viewed with the sympathy due to anyone whose subject is holistic though the training for the job be specialist.

37

presumably for his willingness to emigrate.¹³⁶ Neamathla, however, was a Creek chief who refusing to oblige Florida's Governor DuVal in his efforts to effectuate the Florida Indians' removal, was summarily "deposed" by DuVal. John Hicks (who in signing the treaty at Payne's Landing and in some subsequent actions "declared" himself Seminole in the post-1832 sense of the word, i. e. politically non-Creek) was "chosen" by DuVal to succeed Neamathla.¹³⁷ Months later on November 26, 1824,¹³⁸ Neamathla and his group went to Hitchiti Town. There (among other Creeks to whom he "belonged," as DuVal himself averred¹³⁹) he continued the leadership responsibilities of chief. In the Creek "Wars" of 1836 the Creeks, Neamathla and Jim Henry were principal leaders of the hostiles, and in June of that year Neamathla was captured, enchained, and brought to Ft. Mitchell where about a thousand of his followers surrendered a few days later. His captors were led by the friendly Creek Jim Boy,¹⁴⁰ known among present-day Florida and Alabama Creeks as High Head Jim,¹⁴¹ from whom a number of the Florida Creeks are directly descended.¹⁴² Those of Neamathla's hostiles who escaped this incident returned to Florida. In chains, the aged Neamathla marched the ninety miles from Ft. Mitchell to Montgomery, Alabama,¹⁴³ and was removed with fellow Creeks to the Arkansas where in August, "Under the stress of their great destitution, they agreed to recognize McIntosh as their chief and to live under the government

¹³⁶ Sprague, *op. cit.*, pp. 88-89. The noble and already sorrow-chastened Osceola led the party. Charley Emathala, as he died, seemed to understand and uttered not a murmur. In death, if not in selling his property to emigrate, he too may have evinced his approval of the Seminoles' determination to endure in Knyoksv. (Cf. Wiley Thompson report, Nov. 30, 1835, *Office of Indian Affairs*, "Seminole Emigration.")

¹³⁷ *American State Papers, Indian Affairs*, II, 689-691. Quoted in *Territorial Papers of the United States*, Vol. XXIII, pp. 452n-453n.

¹³⁸ *Louisiana Herald*, January 28, 1835, p. 2, cols. 1 and 3. Cited in Foreman, *Indian Removal*. . . . , p. 151n.

¹³⁹ *American State Papers, idem.*

¹⁴⁰ *Army and Navy Chronicle*, III, 126. Cited in Foreman, *Ibid.*, p. 15.

¹⁴¹ Ayo Leste (H. M. Stewart), oral history tape (Winter 1976). Northwest Florida Creek Indian Council Archives.

¹⁴² *Files of the Northwest Florida Creek Indian Council*

¹⁴³ Foreman, *Ibid.*, p. 157.

already in operation in the West."¹⁴⁴

The error of an editor of The Territorial Papers of the United States in trying to do his job, considering the scope and complexity of his materials, is understandable. But such errors accumulate and beget still more. Neamathla's identity is part of a much larger perspective affecting the identity and fate of others. Thoughtless, ignorant or hurried United States officials, and not only historians, habitually made wrong assumptions about the tribal realities of Florida Creeks. United States administrative expediency must not be allowed to confuse Creek rights and identity in Florida at this point.

The Seminoles declared themselves a distinct and separate Nation at Payne's Landing; disavowed their connection with the Creek Confederacy; tacitly disclaimed the Apalachicola Creeks' membership in the Seminole nation; and thereafter treated separately, lived separately, fought separately and in the wilds of South Florida endured separately.¹⁴⁵ When Hicks was appointed chief of the Seminoles he was, contrary to DuVal's hopes, totally powerless over the Apalachicola Creeks. DuVal had succeeded only in prompting a Creek chief, Neamathla, to move from Creek Florida lands to Georgia Creek lands. Meanwhile the Apalachicola Creeks and other northwest Florida Creeks continued their distinct and non-Seminole destiny—their Creek Indian destiny.

In the year of Payne's Landing Jackson had ordered a separate negotiation with the Apalachicola Creeks for their removal and for the

¹⁴⁴ Ibid.

¹⁴⁵ In regard to the disclaimer of Creek identity at this time, Foreman's remark is of interest: "The Creek Indians who volunteered for service against the Seminole Indians in the Florida War were promised as booty all the Seminole slaves they might capture. . . . The fear that the Creeks would attempt to take some of the Negroes was one of the insuperable obstacles that prevented the Seminole Indians from removing to the Creek domain set apart for them. . . ." (Foreman, The Five Civilized Tribes, p. 256.) The suggestion here is that the Seminole's insistence on separate identity was based not on a national domain question but on a slave-holding issue. Moreover, by the time of Payne's Landing the Seminoles had come to befriend their Negroes to the extent of accepting their influence in decision-making and in addition had accepted a huge number of Creek Red Sticks and other Creek refugees into their midst (even their war leader Osceola came in his boyhood as a Creek seeking refuge from the Jackson campaigns), producing a separatist force which combined with pressures from the United States to effectuate the break with the Creek Confederacy, which in turn created the Seminoles a separate nation.

sale of their lands.¹⁴⁶ These negotiations were completed in October of 1832,¹⁴⁷ in the form of three treaties.¹⁴⁸ Meanwhile Blount's band were suffering from cholera, from which forty-seven had died. In their extremity, thirteen left the band and joined the Seminoles. Of the others, fifty tribespeople, sought residency among the distraught Creek Indians of Alabama—leaving a total of one hundred sixty-three tribespeople in Blount's band.¹⁴⁹ It was because of the diminishment of Blount's band that Yellow Hair and his group were granted permission to join them in their removal.¹⁵⁰ Flood, disease, drought, and white enmity and land-avarice caused some to prefer removal. But Econchatimicco, Mulatto King and others were obstinate, did not wish to remove, and seemed not to have understood the treaties they signed in 1833, requiring removal.¹⁵¹ These treaties were made separately by the United States Government treating with the Apalachicolas only. The Seminole Nation was in no way whatever a party to these treaties, despite a treaty phraseology devised solely by the United States Government—a phraseology the chiefs themselves did not always understand.¹⁵² Furthermore, the Apalachicola Creek chiefs deliberately rejected the option, stated in the Apalachicola treaties, of joining the "Seminoles." Instead, those who removed joined their fellow Creeks, with the result that as the Seminoles abrogated their Creek national identity in 1832, the Apalachicola Creeks re-asserted and confirmed theirs. Foreman erred grievously when he stated that John Blunt was in the Seminole delegation at Ft. Gibson in 1833.¹⁵³ It was John Hicks of DuVal fame who made that ill-fated journey, not by any stretch of the imagination John Blunt, who with his people in Apalachicola was engaged in debates about removal and in separate negotiations with Government officials at

¹⁴⁶ Territorial Papers of the United States, Vol. XXIV, 727. Cited in Covington, op. cit., p. 132.

¹⁴⁷ Ibid., 740.

¹⁴⁸ Blunt, Osa Haco, and Cockrane, 7 Stat. 377; Mulatto King, Tustenake Haco, Yellow Hair, et al. 7 Stat. 427; Econcatemokko et al., 7 Stat. 428.

¹⁴⁹ Covington, op. cit., p. 133.

¹⁵⁰ Ibid.

¹⁵¹ 7 Stat. 427, op. cit. appendix.

¹⁵² Calendar of the History of War, July 6, 1833, Territorial Papers of the United States, XXIV, 330-339.

¹⁵³ Foreman, Indian Removal, . . . p. 322.

40

this time.¹⁵⁴ The outstanding fact is that the Seminole Nation qua Nation neither disposed of the Apalachicola lands, nor treated for them, nor had title to them; nor had they, nor did they exercise, jurisdiction over the Apalachicola Creeks before, during or after the time of the treaties.

Therefore, the combined evidence of the Treaty of Payne's Landing and the treaties aforesaid, indicates that the Apalachicolas remained in every respect Creek Indians and that the United States in calling these people by the name Seminole was imposing its administrative prerogative and convenience upon them (in a manner which later may in fact have deprived them and other Creeks of certain vital interests and rights). Moreover, the "Treaty with the Creeks and Seminoles," January 4, 1845,¹⁵⁵ by excluding any specification of the Apalachicolos as Seminoles and therefore not alleging them to be subject to that treaty with the Seminole Nation, also supports this conclusion. The Apalachicolas were in those treaty years Creek Indians, continued to be Creek Indians, and today are numbered among the Florida Tribe of Eastern Creek Indians.

Government agencies kept records of Apalachicola Creeks who emigrated or agreed to emigrate, along with some other data like the payment of annuities.¹⁵⁶ However, official records of Apalachicola Creeks who remained are either hard to come by or non-existent. Everywhere (continued into the twentieth century) the evidence of those who remained were bulldozed and ignored by the thrust of white settlement and by white historians. Both here and all over the southeast Creeks who chose to remain were forced to shift for themselves, adopt the white-man's ways while keeping their Indian identity surreptitiously. From 1832 to 1836 the Creeks living at the Apalachicola reserves led a troubled, vascillating existence. None wished to remove. The chiefs signed agreements only to reject them later.¹⁵⁷ Finally in 1834, Blount, Yellow Hare and Davy left with some of their people to join the Creeks in Texas. Blount, in his

¹⁵⁴ Covington, op. cit., 132-133. See also Treaty of Ft. Gibson, March 28, 1837, 7 Stat. 423; note both text and signatories.

¹⁵⁵ Cf. Appendix.

¹⁵⁶ Cf. Statements of residents and Anunnity payments, Apalachicola reservation cf. appendix.

¹⁵⁷ Gadsden to Secretary of War, July 6, 1832.

sixties, died soon after.¹⁵⁸ Yellow Hare returned the next year to plead for federal funds to assist his followers in Texas, and to induce additional members of his and other bands to remove.¹⁵⁹ In June, 1835, he raised \$3,350 by selling part of the reserve to white settlers.¹⁶⁰ In the following year the remaining Apalachicola Creeks suffered greatly—a suffering aggravated by combined pressures for removal and for joining U. S. forces in the war against the Seminoles. Even though some Apalachicolas did help the war efforts of the Government, it did not prevent whites from stealing their property and driving them from their homes. In consequence they were unable to plant crops and had to rely on the Government for food.¹⁶¹ In September, 1838, the Apalachicolas were still residing on their reserve lands and showing no apparent desire to leave, though provisions had been made for their removal to Arkansas.¹⁶² It was not until the following year, 1839, that the reserve lands of the Apalachicolas were finally "laid off in conformity with the provisions of the Treaty with the Apalachicolas concluded /ratified/ June 18th 1833, and the lands passed out of Indian hands."¹⁶³ The allotment principle, though somewhat differently applied, was at work here among the Apalachicola Creeks just as it was also among the Creeks of Georgia and Alabama. (See comments on allotment technique supra.)

Serpentine history that had brought the Children of the Sun forth from Kynhauke (Earth-Mouth) into the light of day; that had tried them many times and sent them at last across the Great River into their Eastern Land; now seemed determined to swallow them up again. Had Estepavv, the Monster in the legends of the hofenalke,¹⁶⁴ taken the form of a wasting white tide, to dash the People from desolation to desolation? Sobriety

¹⁵⁸ Covington, op. cit., p. 136.

¹⁵⁹ Yellow-Hare to Lewis Cass, Secretary of War, April 13, 1835. See Appendix

¹⁶⁰ Executive proceedings in Florida territory, Secretary Walker of the president, July 15, 1835, Territorial Papers of the United States, XXV, 160-161. Having rejected the U.S. offer to join the Seminoles he had foreited annuities.

¹⁶¹ Covington, op. cit., p. 149.

¹⁶² Daniel Boyd to Carey A. Harris, Territorial Papers of the United States, XXV, 45-537.

¹⁶³ Robert Butler to James Whitcomb, Ibid., 519-521.

¹⁶⁴ Ibid., 519-521.

white clergy, relentless officialdom, and greedy settlers would join the chorus of generals and academics, sing odes to the Melting Pot and Manifest Destiny, and look away. Looking away, they failed to record the real terrors and privations of Removal. Looking away, historians revelled in the "boom years" of settlement and growth in the appropriated territories. Looking away, they failed to note the continuing and unbroken presence of Creek Indians in the eastern lands. A Florida Hawthorne would have recorded not imaginary but very real Indians in the Florida forests and swamplands, waiting to find the way to survive, waiting a means to hide their Creek identity and move about in a now white-dominated environment. A Florida Whitman in the latter 19th century would have visited the Indian family communities, discovered their profoundly silent identity¹⁶⁵, and sung them for future generations. But, looking away, historians recorded what was expected of them--namely, the growing white prosperity and civilization--while surreptitiously, in enforced acquiescence the eastern Creek Indian carried the drama of disappearance through the silent agon of the 19th century and finally into the perepety of the 1970's. It is ironic that history should so consistently receive unexamined the earlier premises of its writers and on such authority document a proliferation of testaments founded upon error--having never entered into the inner life of the events, persons, or cultures which its treatises have, too often, by presumptive fiat relegated to oblivion.¹⁶⁶ In 1976, Gloria Jahoda, unusually alert to the Indian Presence (though her clarity is perhaps, like some others' still in process of development), remarks:

Today, most people are unaware that there are Creeks still living in north Florida:

¹⁶⁵ Anyone who has lived and worked among Florida Creeks and other eastern Creek Indians, knows the truth of Angie Debo's statement still lives. Said Debo: "The Creek Indians were conservative people who lived their own lives and kept their natural conservatism and reticence, though virtues in the eyes of Hesaketamose, have and still do tend to put them at the mercy of untoward events. However, Creeks eastern and western are beginning to combine those virtues with a wise and learned perspective, administrative skill, and an articulate and compassionate awareness of their total cultural involvement. Their success will rebound to the benefit of everyone."

¹⁶⁶ Angie Debo was humble and painfully aware of this. "Even she had to record and correct some errors of her own, regretting she had used assumptions of fact which, is common with other historians, I accepted without question." (*The Road to Disappearance*, p. xiii.).

Indians with blue eyes? Even at Pow Wows, there is skepticism; the Creeks, understandably irate, have to issue periodic statements¹⁶⁷ that they are the genuine article.¹⁶⁷

She observes further that there are "At least fifteen hundred Creek households in north Florida today. . ."¹⁶⁸

Where could they have come from? Obviously the historians had "more noteworthy" things on their minds. And so did the dity-builders, we may be sure, and the history-makers who recorded the growth of the counties by tracing the achievements of leading white citizenry and paragons of industry (with amusing asides about statutes controlling hogs loose in village streets—obviously more remarkable than the communities of Creek households attending a rural church or supplying the mills and fire departments with labor for hazardous occupations).

Did these Indians spring anew from the Florida ground after the years of Removal? Many never left at all. Others removed, and then returned again, having found the conditions on the Arkansas River and the Canadian River intolerable. Some who were about to remove changed their minds—even jumping from the carts of their captors in order to make their escape.¹⁶⁹ At Eufala, Alabama, settlers "had not only taken the Indians' land from them, and burnt and destroyed their houses and corn, but used violence to their persons."¹⁷⁰ Yet those Creeks who chose removal could expect suffering in the new land as well. When in 1836 over ten thousand destitute and suffering Creeks arrived at Fort Gibson they were met with not only privation and white exploitation but also dissension, which arose between the Upper Creeks under the Great leader Opothleyaholo and the Lower Creeks under chief Roley McIntosh. By 1838 not only Creeks like Yellow Hare's people of the Apalachicolas, but also Upper Creeks were preferring Texas:

The white vultures who had preyed on the

¹⁶⁷ Florida, op. cit., p. 36.

¹⁶⁸ Ibid., p. 47.

¹⁶⁹ Foreman, Five Civilized Tribes, pp. 174-175.

¹⁷⁰ Landon's report to Assistant Adjutant General, August 23, 1886; National Archives and Records Service, Consolidated File 1066 AGO 1883. Cited in Relative Cyclopedia, p. 120.

Creeks during their removal fastened on them in their new home to add to their misery. There was much sickness among these recent emigrants and many died. The homesick survivors wished to go to Texas whither they had planned to remove when confronted with the necessity of leaving their homes in the East. A drought in 1838 that destroyed their meager crops added to the misery of all the immigrant Indians.¹⁷¹

By now, in 1838, the Creek grape-vine, assisted by intuition, was at work. Removal had inspired terrible dread in the hearts of Creek men, women and children.¹⁷² Not all chose to remove, and some who did remove, found ways to return. Tribal wise men had warned against the promises made to the Creeks.¹⁷³ Whether to suffer and go or to suffer and stay was at best a difficult decision. Disappearance seemed the safest option, and yet was so difficult to attain. The strongest pressures for removal—and the most impressive to the Indians—came from the frontiersmen in their drive for land, and from the States, whose motive was the same. The preachment of the "Right to Property" had gone like a thorn into the brain of every white statesman and settler (rendering them incredibly insensate to the deep and universal implications of the doctrines of Life and Liberty). Genocide was, to them, as inevitable as "conquest"—and therefore not worthy of notice. Major Ethan Allen Hitchcock reported that

during the first twelve months after the arrival of the emigrant Creeks in 1836 more than 3500 of them died, exceeding one-fourth of the entire population. One will look in vain through the published records to find any estimate or mention even of that appalling catastrophe to these helpless people.¹⁷⁴

Just as Foreman and Debo, in their remarkable works, had to search the records for much of the history of Creeks who removed West, so also must the records be meticulously examined for the history of the Eastern Creeks, whose existence even more necessitously bore the cloak of disappearance. One recalls Debo's exclamation:

¹⁷¹Foreman, Ibid., p. 155.

¹⁷²Holatte Cypvkke, op. cit., pp. 122 passim.

¹⁷³Ibid., p. 123.

¹⁷⁴In Foreman, The Five Civilized Tribes, p. 178.

Unlike more articulate tribes, which figured in the news and about whose history the salient facts were already known, the Creek Indians were a conservative people who lived their own lives and kept their own counsel, and their inner history was hidden until I uncovered it.¹⁷⁵

Her concern—a noble concern indeed—was for the Creeks who removed to the West. The eastern Creeks have another hidden history, even the beginnings of which have still not been adequately elucidated from the documents a number of which she and Foreman cite—and from the turbid records and the memories of those who remained in their homelands and of their progeny among Creek Indians today.

It is uncertain how many of the Florida Creeks are descended from removed Creeks who returned, Creeks who were held in slavery in Alabama or Georgia, or those who escaped officials in charge of removal. Fifteen-year-old Croesy McIntosh, daughter of William McIntosh, "begged piteously not to be taken West." The three "State militiamen delegated to move the Indians west of the Mississippi. . . were so touched that they agreed to let her remain." Two of these men, brothers, "were slave owners, but she was free—free-born and absolutely free she lived in the cabins—each one had one built for her and she came and went as she pleased supporting herself by spinning. Later she married a slave" of one of the brothers "and had two children, Chili and Anise." The account, filed by a daughter-in-law of one of the militiamen, does not say whether the slave Croesy married was also a Creek Indian.¹⁷⁶ Nor is it known how many Creeks were forced to live as slaves. Ward Co-cha-me (a son of Jim Boy) returned to the East in 1848 to escort additional Creeks to the West. He wrote to the Commissioner of Indian Affairs saying, he guessed there were over a hundred Creeks being held as slaves:

I think there yet remains in Alabama not less than 100 Creeks, and most of them in a deplorable condition; a man by the

¹⁷⁵ Debo, The Road to Disappearance, p. xii.

¹⁷⁶ Alice Beggarly Hall, daughter-in-law of Dr. Calvin Jones Hall, one of the militiamen, historical account on file in Alabama State Department of Archives and History, Montgomery, Alabama. Certified copy in Northwest Florida Creek Indian Council Archives.

name of Dickerson in Coosa County has one family, a woman and her children, seven in number. A Mr. Floyd and a Rev. Mr. Hays both of Autauga County have each a number of Creeks. I tried to get these but was prevented doing so by threats of their would-be masters. I shall get them yet—but not this season; when the waters are in good boating order next season you will hear from me again. . . .¹⁷⁷

We have not yet ascertained whether the Commissioner heard from Co-cha-me again, or whether he returned as he had hoped. Efforts to capture refugee Creeks were often unsuccessful. Moses K. Wheat, a contractor engaged in this business in 1845-46, wrote the Commissioner of Indian Affairs:

in Coosa and Talladega counties I collected some 57 in number and put them in charge of the waggoner to carry them to camp, and when on the journey were persuaded to abscond by persons telling them that they were to be chained and carried off and sold as slaves. Genl. Blake writes me that in a scout in Barbour, Henry, Dale, Covington and Pike counties he found considerable but mostly females held as slaves.¹⁷⁸

A "considerable number" of Creeks escaped to Florida.¹⁷⁹ In 1837 Archibald Smith, Indian Agent, wrote from Blackwater Bay in Santa Rosa County of the Creeks who came "down Chocktahatchie River" into Florida: "These Indians are not disposed to emigrate to Arkansas; hence their women have murdered their own small children and fight as the men,"¹⁸⁰ because the cries of the infants might betray the Indians' presence and prevent their survival.

Escaped or unremoved Creeks who survived by concealment—and subsequently by keeping their Indian identity surreptitiously—are among the progenitors of present-day Florida Creek Indian families and communities. The records tell of their existence; they do not, of course, tell their history. It is a history yet to be written, and we are at this writing only sketching some elements of it.

¹⁷⁷ Ward Co-cha-me to Commissioner of Indian Affairs, July 16, 1848, Office of Indian Affairs, "Creek Emigration, File C 163-206," cited in Foreman, Indian Removal, p. 190n.

¹⁷⁸ Wheat to Commissioner of Indian Affairs, January 20, 1846, Office of Indian Affairs, "Creek Emigration, W 2811," cited in Foreman, The Five Civilized Tribes, pp. 174-175.

¹⁷⁹ Foreman, Indian Removal, p. 179n.

¹⁸⁰ Letter to Pensacola Gazette, in Mobile Daily Commercial Register and Patriot, March 15, 1837, p. 2 col. 1. Cited in Foreman, loc. cit.

From the 1820's onward white settlement spread rapidly across the Florida lands. Creeks who remained or returned first concealed themselves in the forests and swamplands. When in 1817-1828 Juan de la Rua undertook a lumbermill enterprise on Pond Creek (eight miles from the Blackwater River, in present-day Santa Rosa County) his laborers were difficult to keep because of the presence of the Indians—and his successors had the same problem.¹⁸¹ In 1848 the Creeks around the town of McLellan in north Santa Rosa County were a constant presence during the cutting of railroad ties for the railroad proposed for Milton.¹⁸² As before and during the years of the Jackson Corridor, there was much Creek Indian movement to and fro across the north Florida border (and in fact there is to this day), the Creeks reluctantly adopting the ways of white civilization, assuming white names, even outwardly declaring European or Mulatto identity to avoid the consequences of being stigmatized as Creek Indian. One of the family-clan records which reveals the complexity and the difficulty of this tortuous history is that of the Polly Perrit clan, told by the grandson seven times removed of Polly Perrit and eight times removed of Cochran (Tuskahaco) a principal Creek chief in Apalachicola:

This story is the truth. It was told to me by my grandmother as told to her by my grandfather J. D. Boggs, as told to him by his father James Joseph Boggs, as told to him by his father John Boggs, as told to John Boggs by Polly Perrit Boggs, as it was told to Polly Perrit by her mother. It is the story of the Polly Perrit Indian clan—part Creek, part Seminole, part Cherokee. About 1780 in Cherokee Chickamagua there was a great shortage of food. Polly Perrit's mother and father took the whole family to the Chatahoochee River valley in search of food. The usually friendly Creeks were alarmed and sent a war party against them. Polly's mother was captured. She was a beautiful girl in her teens. When the Creeks brought her southward to their Indian strongholds a handsome warrior, Tvskvhaco, saw her and wanted her as his wife. Tvskvhaco (Tuskahadjo) was known as Cochran, one of the leading chiefs along the Apalachicola River Valley. John Blunt, Mulatto King and others were among his comrades. He brought her to his home near present-day Blountstown (named for John Blunt, a principal chief of the Creeks) Tvskvhaco's elder wife never accepted her, however, and made things difficult for her. Reluctantly, for he loved her, Cochran arranged for her to return to her father and sent six of his best warriors to take her back to Chickamagua. There she discovered that she was

¹⁸¹ King, *op cit.*, p. 28.

¹⁸² Oral history tape, the Barnhill's June, 1978, Santa Rosa Committee for Indian Affairs, NWFCIC/FTECI.

with child, a child that was to be born, Polly Perrit, my grandmother six times removed. When Polly had grown to be a beautiful young woman she met a young Cherokee buck named Dave Boggs.

By this time the white man's influence had moved westward, and when she married, Polly was one of the first Cherokee women to take the name of her husband. When Polly was seventeen, John Boggs, my grandfather five times removed, was born. I do not know about any other children. The Boggs family lived as Cherokees, but in the meantime white emigration pressure was building up on the Cherokee nation—the threat of taking Cherokee land and removing them to Oklahoma. The removal law was passed. The word went out that all Indians were to be removed to Oklahoma. Dave Boggs determined he would not be removed from his home, and as a result he was killed and buried at Chickamagua.

Polly and her family fled into the mountains east of Chickamagua. There in the mountains, she decided that her clan would go southward to the land of her father, Cochran or Tvskshaco. They came out of the mountains, entered the Chatahoochee river valley, started south along the river basin. The first stop was Blountsville, Alabama. There they purchased forty acres, and on this forty acres lived—six weavers and four spinners. (Weavers were married Indian women; spinners were single women eligible to be married), but she wanted to return to the land of her father, Cochran. When they left there, a half-breed brother named S. D. Perrit remained at Blountsville. Moving south, they stayed at Cool Springs, Alabama, long enough to rest and replenish their food. Moving from the Chatahoochee to the Apalachicola valley, they landed in a swamp. There she sent out runners to see what word they could find of her father's people. The runners came back with sad news—that Cochran had died and that the Creek Indian removal had begun. They are listed as Seminoles; but I always heard they were Creeks.

She didn't know what to do. Her father dead. The Creek Indians being removed, the same as the Cherokee people. So she sent out runners to find a suitable isolated spot in which to stay. And the runners came back and reported and they decided on a spot, on what is now the Jackson County and Calhoun County line, as the place to settle. It has high hills, and it came to be known as Boggs Pond. You can go any direction from Boggs Pond and be closer to civilization than you can at Boggs Pond. It was desolated and beautiful. Cattle ran in the woods in those days, and they began to run cattle. They had four slaves. All working together they took the black fertile soil from Boggs Pond and spread it on top of the sandy land. There John Boggs, the Creek-Seminole-Cherokee, and his Cherokee wife Mary, had two sons and four daughters, who had been born on their way south. The two sons were named James Joseph Boggs and Coley Boggs. They lived by the profits of the cattle and by small-scale farming. James Joseph's son, James Daniel Boggs, was my grandfather.

John Boggs told his son James Joseph that the days of their way of life were numbered. He told him he must go away and learn the ways of the white man. "Go out and get a job, and learn, and if you can, marry into a white family to bring white blood into our family, so that we may pass as whites and live as the whites—because as the people are increasing our isolation here cannot last long. To survive,

this is what we must do." James Joseph worked on a big farm in Gadsden County owned by a Smith fellow, and he worked and he learned their ways. He fell in love with the Smith daughter, Sarah Smith. Though her family disinherited her for it, she married James Boggs, returning with him to Boggs Pond.

Their son James Daniel wanted to stay at Boggs Pond, continue the family's ways and live from the cattle, but his grandmother told him the white people were crowding in. He couldn't stay and do well. He ought to leave and become a trader if he wanted to survive. So he got a job as a logger floating logs down the Chipola River, saved his money, and one day he came to Blountstown. There he met a beautiful girl of Cherokee-Creek-Scot blood, Alice McClellan. Alice's forefathers run from John Ross, a chief of the Cherokees; into the Creek Indians Jackson and Nancy Knight; into the Ward family, John and Lija Ward. At fifteen, Alice McClellan married James Daniel Boggs. This was my grandmother, Alice Meggs McClellan Boggs.

With the money he had saved James Daniel Boggs bought a trading store, and by 1900 his store was the most successful in this part of the country. He's the father of my mother Kathleen Boggs, who married Jim Ramsey. Today the Piggly Wiggly grocery is in that same store, carrying on the family trading tradition. We survived. Though we lost our culture, we endured. We did not lose sight that we are Indians, even though since 1850's Indians in Florida hid their Indian ancestry. The Boggs' became "white." Another family, the Scott's became "Mulatto" (until it was safer to be Indian, then they voted as Creek). There're no land deeds in Calhoun County to John Boggs; he was a homesteader. The first land deed to a Boggs was to Coley Boggs, and then to J. D. Boggs. They lived in isolation, but we survived. Today we're trying to revive our Indian heritage.¹⁸³

As a Cameleon blends with the environing foliage without losing its identity, so Creek Indians retained their identity by maintaining the cultural tradition of family and clan while outwardly adapting to most community mores. Interspersed among a white population as a means of survival, few of them had a definite location and land-base like those who endured decades of troubles on the McGhee-Semoice lands at Poarch, Alabama. (A number of Florida Creeks, especially in Escambia County, were born in the Poarch community or are descended from the Poarch Creeks, some members of the Council of the Florida Tribe of Eastern Creeks among them.) For a large number of post-removal Eastern Creeks in Florida, their only land was a spirit-land within their souls, a continuing and unbroken consciousness of their Creek Indian identity, shared in small communities based on family ties, large and completely related family clans, church gatherings, and a clannishness that both blended with and doubtlessly contributed to

¹⁸³ Oral history tape by Dr. Andrew Boggs Ramsey a Council member, Florida Tribe of Eastern Creek Indians Archives.

the family clannishness still typical of rural north Florida.

The State of Florida merely underscored the determination of the Creeks to survive by concealment, when on January 12, 1853, its General Assembly passed an Act declaring that:

It shall be unlawful for any Indian or Indians to remain within the limits of this State, and any Indian or Indians that may remain, or may be found within the limits of this State, shall be captured and sent west of the Mississippi; provided, that Indians and half-breeds residing among the whites shall not be included in the provisions of this section.¹⁸⁴

This was one more incentive to intermarry and to conceal true identity. In effect the Act meant that it was henceforth illegal for an Indian to be unreserved. But the eastern Creeks had already learned that they had two clear options: (1) To keep their Creek Indian identity surreptitiously or (2) to forsake it altogether. They obviously rejected the Government's option of removal from their homeland. Yet even in these years "old-style" Creek families were about, and might be met in the wooded areas near Jay or the Chipola River or in Gulf Breeze.¹⁸⁵

From dispossessed swamp-and-forest refugees to lumber-camp and farm laborers, and finally to "ordinary" citizens--the Florida Creeks struggled simply to endure. For many years prior to the removal there had been intermarriage with whites.¹⁸⁶ Then as now outstanding Creek tribal leaders carried mixed blood in their veins. In fact, Creeks having lighter complexions tended to fare better in the world, well into the 20th century.¹⁸⁷ Until after the mid-19th century, a "civilized Creek" family might expect to settle in a new area and be befriended by "old-style" Creeks living in the forest nearby.¹⁸⁸ Sometimes the first meeting

¹⁸⁴ Cited in cash, op. cit., p. 376.

¹⁸⁵ Evelyn Holland, Oral history tape, summer 1978, Santa Rosa Committee for Indian Affairs.

¹⁸⁶ Law 19th, Laws of the Creek Nation (1825), op. cit., p. 20.

¹⁸⁷ Buford L. Rolin, Panel Discussion, "The White Man's Image of the Indian" A Rebuttal, Indians of the Lower South: Past and Present, p. 32.

¹⁸⁸ Oral tradition, Rogers-Holland family. Recorded on tape, 1978 meeting of the Santa Rosa Committee for Indian Affairs, held at Pensacola Junior College Hilton Center, June 14, 1978.

51

was not so friendly.¹⁸⁹ Eventually, over the years all had of necessity to learn the ways of white civilization, keeping their Creek identity concealed from "outsiders," in order to survive at all. Nevertheless, there were families and communities that quietly and continuously were known as Creek Indian through the years. In Bruce, the town of Walton County, there is a comparatively large gathering of Creek Indian families, often connected with the same churches. Some are prominent in the community today, having begun as dirt farmers and laborers. They are organized as the Choctahatchee clan. The "clan" designation is an evolved form of the traditional clan concept, since it is based substantially on very close family interrelationships. The congregation of Emmanuel Baptist Church in Pensacola has long consisted largely of Creek Indian families.

Sometimes a community has a history that even figures (however negatively) in the white man's official records, as in Holmes Valley in Holmes and Washington counties. Here the Creek Indian, Holmes, was slain at the behest of Andrew Jackson, by Captain Boyle.¹⁹⁰ Nearby in Euchesanna, or Uchee Valley,¹⁹¹ lived a Uchee-Creek band who have descendants living there to this day. In 1845 Lieutenant MacCoey of Jackson's army married one of these Uchees, and her descendants are reticent storehouses of evolved Uchee-Creek traditions, herbal knowledge, and "superstitions" as the white historian would say.¹⁹² Also in Holmes Valley, Washington County, lived a band of Koasati (Coosa, probably relatives of the Alabama-Quassarte who today constitute a major Creek group in Oklahoma). Future genealogical and historical research may establish that the Washington county Creeks include descendants of the Koasati--and undoubtedly that in many counties of this area there is a mingling of such Creek descendants, excepting perhaps in the Euchecanna Valley where the Uchee-Creeks seem to have been a content,

¹⁸⁹ Oral tradition, Barnhill family. Loc. cit.

¹⁹⁰ John Lee Williams, "Sketches of West Florida," *Pensacola Gazette and West Florida Advertiser*, 1824-25. Also *Am. St. Papers*, Mil. Af. 1:744, where Indians expressed satisfaction on hearing of Holmes' death. Cited in Elba with Caswell, *Tenacious Triangle: Historical Notes on Washington County, Florida* (Chipley, Florida: Washington County School Board, 1974) pp. 19-20.

¹⁹¹ E. W. Caswell. "Proud Tribe Remains..."

by and large, to remain. (Not inconceivably there are in these counties remnant of the ancient Chatots [17th-18th centuries], who may [instead of the Choctaws] have given their name to the Choctahatchee River, but this is not at the moment immediately pertinent to our history).

By the 1890's most Creeks were appearing with white names, which may yet be found in the employment records of companies who hired them. The memory of Creek Indians being held slaves in Alabama and Georgia, of burnt-out Indian homes years after the removal,¹⁹³ of forced escapes with whites in pursuit, combined with continuing though maybe unwitting prejudices to enforce a "Jackson Corridor-in-the-mind," of the Florida Creek. It is not difficult today to find strong Creek descent in a person who is reluctant to admit it openly and who insists, even sometimes fearfully upon being "white." Scores of families scattered through the counties have inherited the dread of being discovered to be Indian, or have successfully had their descent concealed from them by their ancestors. Often these are rural or recently-rural families whose genealogies disappear in the third generation, and who bear children often with noticeable Indian features and the desire, often incapable of fulfillment, to "find out who they are."

The tribespeople, on the otherhand being among the fortunates who have kept their identity and unseverable continuity with Creek history and heritage,—must reflect often upon the terrible forces that divided their people from one another even within their own aboriginal homeland. It is not joyous to speak to a fellow Creek-by-descent who is undisturbed for having his heritage obliterated or disavowed through an act of another generation, an act perpetrated in the belief that the white man would never accept the Indian and that the progeny must be protected from the inevitable torment of being Creek in a white man's world. Those who chose cultural obliteration, tantamount to voluntary genocide, were often totally successful. It remains for those who did not fall victim to this fate, to perpetuate the Creek Indian identity we have inherited and to maintain it along with the rights and dignities due Indian people, and human beings, under Mesakemese our God—and under the provisions of the Constitution

¹⁹³ Personal papers on file with FTECI Tribal Council.

of the United States. As Vine Deloria very well observed, a community has the right to be legally protected for its own sake, and to have its identity acknowledged.¹⁹⁴

Earlier in our paper we remarked that the Apalachicola Creeks were for a very brief time bidding fair to begin a multicultural adjustment with the surrounding white population, and that this effort was frustrated by the settlers and by the Government itself.¹⁹⁵ In today's world it has come to seem certain that the future of man will require what Mary Young, in an article on Cherokee removal, referred to as multicultural innovation.¹⁹⁶ The phrase is reminiscent of the social philosophers' earlier concept of cultural pluralism. Certainly a society predicated on democratic principles must require both pluralism and innovation. Let us hope that the day may come when neither "White" nor "Indian" is an onerous term to either culture. The documents of the Florida Tribe of Eastern Creek Indians are motivated throughout by this hope. E-Pluribus Unum is a fine idea. But it is mere fancy until there are the several cultural identities existing honorably together.

American history is deficit when it comes to the Creek Indians. The Eastern Creeks were scattered one hundred and fifty years ago by the United States Government and its citizens. They were forced by horrifying pressures to conceal their identity and maintained it through the decades only surreptitiously. There is no justice—and not a court under God—which will condone that Government's now demanding proof that we were not dispersed, forced into surreptitious ways of maintaining our identity, horsewhipped and burnt out of our homes for being Creeks, or for even speaking our language. The earlier enthusiasm with which white settlers anticipated the destruction of the Creek Indians.¹⁹⁷ must be proved to indeed be incorrigible if in 1978 the United States Government require

¹⁹⁴Vine Deloria Jr., The Trail of Broken Treaties (New York: Delacorte Press, 1974), p. 24.

¹⁹⁵Cf. Part B, p. 35, Supra.

¹⁹⁶"Indian Removal and the Attack on Tribal Autonomy: The Cherokee Case," Indians of the Lower South: Past and Present, p. 127.

¹⁹⁷Debos, The Road to Disappearance, p. 96. Cf. Supra.

that the Creek people show that the continuity of Creek government or tradition (which was destroyed by the United States by many acts of intent and foresight) was never really undermined! We cannot believe the 20th century United States so incapable of reason, much more of compassion, as to blindly equate this Creek Indian people with those other Indian peoples whom the accidents of history enabled to remain sufficiently isolate as to endure without bothering the white man with their continuing traditions. We will neither believe nor accept this. And this, our Talk, goes out among our people, for we want all to understand what is going on, unlike the earlier days when it was so hard for us to understand. A local news editor (of Cherokee descent, and friendly toward our people) said lately a free people is an informed people. He is right.

Of course our tribal government is not continuous with that of 1814-- or even with one of 1914. It is preposterous for anyone to suggest such a possibility for eastern Creeks! But we are a People continuous with our past. Yes, by right of much more suffering and persistence than those many who have merely to be born in order to be automatically protected by the surrounding society which they embrace without a thought for tradition of any kind. We are continuous with our traditions through evolved forms and even negatively through the constant realization of the importance of those elements that were lost and that we deeply wish to know and understand (concerning which we strongly object to the term defunct in the Bureau's rules and regs, for that term carries connotations that we will not have attributed to even a part of any Indian people's traditions, and particularly to the allegedly "lost" elements of our own). Growth and change is the touchstone of continued existence. The Eastern Creeks have met the challenge!! We will engage the activity of scholars--in combination with Creek Indian talents, cultural knowledge and insights,--in rediscovering ^{our} ~~are~~ revitalizing documented elements, not only for our own sake but for the sake of all others including the non-Indian world of thinkers, students, poets, and seers. The Florida Creek will not be constrained by his past, but he intends to know it and to utilize it in continuing his Creek Indian cultural, social and economic development. He will make his contribution to society as a Creek Indian living in harmony with society while retaining his culture. He will never under any circumstances allow

any part of the Creek cultural spectrum past or future to be discarded as having no potential living value in the enterprise of conceiving a better future for man. It can not have been a philosopher, or a poet, or a very wise anthropologist—and certainly no statesman—who permitted himself the all-too-convenient escape-hatch: "defunct."

What of 20th century Florida Creek history?

It was not until after WW II that the non-reservated Indian, especially the Eastern Creek, could begin to claim his own. Guarantee of a safe reception by the whites was the absolutely essential preliminary to this process.

In the 1940's a Creek Indian government, extending family/clan organization comprised of Alabama and northwest Florida Creeks, was a functioning reality. Many of its Florida members were descendants of the Creek Indian community founded at Poarch (Atmore), Alabama, in 1835.¹⁹⁸ With the changing of its name from The Perdido Friendly Creek Indian Band of Alabama and Northwest Florida to The Creek Nation East of the Mississippi, on August 31, 1951,¹⁹⁹ the tendency was for the Creek Nation East of the Mississippi to limit itself and its governance to Alabama Creeks, though in 1955 they correctly asserted legal representation of Creeks in Alabama, Georgia, and Florida.²⁰⁰ In the 1950's Florida Creek Indian activity rapidly became more public and more pronounced. Dance and craft groups visited municipal events and gatherings upon request, in various parts of the state. In the 1960's, separate Creek clan organizations began to emerge into the open, first, the Lower Muscogees. In the 1970's other autonomously governed groups appeared—e.g., the Tuckaubatchees and the Cowetas. During these years much interest in making public the beauties and values of Indian culture emerged among the Florida Creek people. And a great emphasis on pan-Indianism led to the adoption of some Plains Indian customs and dress at pow-wows and various other public performances. Along with the Creek

¹⁹⁸ McGhee-Semocie reserves. The Poarch Creeks are not only an intact community but very strong and in all truth fully deserving of Federal recognition as an organized Band of Creek Indians.

¹⁹⁹ Before the Indian Claims Commission, No. 21, The Creek Nation V. The United States, Intervenor's Objections to Defendant's Requested Findings of Fact and Intervenor's Reply Brief, February 15, 1955, p. 78.

²⁰⁰ *Ibid.*, p. 81, I. e., it was correct and just that the rights and interests of Eastern Creeks be defended.

stomp dance and sickball, elements of the Green Corn Ceremony came to be practiced in small gatherings, the study and use of Creek language was resumed and annual series of language classes instituted, and interest in these continues strong (partly with the sponsorship and help of the Administrative Council but largely through hard volunteer work among the people).

By 1975 the pressures for more official acknowledgement among the people, combined with the realization of many continuing and unsolved needs peculiar to Creek Indians, had led to the founding of the Northwest Florida Creek Indian Council by an act of the Legislature of the State of Florida. In 1976 the jurisdiction of this Council was extended to include two additional counties. In the spring of 1976, by recommendation of district legislators responding to requests of Creek Indians in other counties, the first measures to extend this Council to the Apalachicola River were inaugurated. Because this Council is administrative and appointive in character, an elective Tribal Council of the Florida Tribe of Eastern Creek Indians was instituted to provide an efficient vehicle for representative governance of and by all north Florida Creeks. In this, the formal institution of the Florida Tribe of Eastern Creek Indians, the people responded governmentally to the longstanding and unbroken realities of their historical existence; adopted a Constitution adequate to their needs; and re-channeled smaller already-existing work groups into a larger, well-conceived governmental framework. Moreover, this Constitution provides that the Northwest Florida Creek Indian Council serve to administer programs and other business on the tribe's behalf and thus constitutes a unique and harmonious interrelationship between the Florida Creek Indian government and other governments and agencies, both non-Indian and Indian. It provides the vehicle both for representative government and for efficient administration of its business, and of programs and services vitally needed by its Tribal membership.

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Background of Social Units in the Tribe

94

The Florida Tribe of Eastern Creek Indians consists of a widely dispersed population located mainly in the Florida panhandle region within the ten-county zone between Tallahassee and Pensacola. There are several local concentrations of people corresponding to either of two conditions: (a) aggregation of persons of common descendancy around family-controlled places, and (b) natural aggregation in and around central places of the region. Several local groups are accounted for by both conditions. There are also local groups with membership extending outside the region; in such cases the family-controlled place serves as a locus for activities in which all the extended membership participates on a regular basis. Control of land has been in various forms, and of variable duration. There were a few early grants of land, not necessarily to ancestors of Florida Tribe members, which created localities of importance to later people in the Indian community (see especially Ramsey 1983). Families that moved to Florida in the 1800's from adjacent areas of Alabama also maintained land holdings into the modern era (University of West Florida Special Collections; Ward Family Papers). Most important, some recent land acquisitions by individuals reflect concern to continue geographic co-associations with kin in rural areas (personal communication with Don Sharon). The identification "Florida Tribe" relates to a collection of smaller-scale social units each of which maintains an independent territorial association. These units include nuclear families, extended family networks, local aggregates of families related in "kindred" units, and loosely associated groups based on residence. Among Creek people any or all of these units may be identified by the term "clan". However, none of the social usages among people of the Florida Tribe indicate the existence of groups fitting the sociological definition of the term "clan". The primary level of social identification for most members of the Florida Tribe of Eastern Creeks is the nuclear family. For most members there is a strong awareness also of the local, and in some cases, regional extended family network. Bilateral kinship terminology is used for the wider network of relations. There are limited individual instances of the use of "aunt" and "uncle" terms and their reciprocals in a context of suspected but not clearly demonstrable relationships, and as a means of showing respect to elders of the community. Such usage is consistent with rural communities, although in this case it extends into the suburban contexts of Pensacola and Fort Walton Beach.

At particular localities extended family networks sometimes take on elements of corporate identification. Technically,

persons of common descendance around family-controlled places, and (b) natural aggregation in and around central places of the region. Several local groups are accounted for by both conditions. There are also local groups with membership extending outside the region; in such cases the family-controlled place serves as a locus for activities in which all the extended membership participates on a regular basis. Control of land has been in various forms, and of variable duration. There were a few early grants of land, not necessarily to ancestors of Florida Tribe members, which created localities of importance to later people in the Indian community (see especially Ramsey 1983). Families that moved to Florida in the 1800's from adjacent areas of Alabama also maintained land holdings into the modern era (University of West Florida Special Collections, Ward Family Papers). Most important, some recent land acquisitions by individuals reflect concern to continue geographic co-associations with kin in rural areas (personal communication with Don Sharon). The identification "Florida Tribe" relates to a collection of smaller-scale social units each of which maintains an independent territorial association. These units include nuclear families, extended family networks, local aggregates of families related in "kindred" units, and loosely associated groups based on residence. Among-Creek people any or all of these units may be identified by the term "clan". However, none of the social usages among people of the Florida Tribe indicate the existence of groups fitting the sociological definition of the term "clan". The primary level of social identification for most members of the Florida Tribe of Eastern Creeks is the nuclear family. For most members there is a strong awareness also of the local, and in some cases regional extended family network. Bilateral kinship terminology is used for the wider network of relations. There are limited individual instances of the use of "aunt" and "uncle" terms and their reciprocals in a context of suspected but not clearly demonstrable relationships, and as a means of showing respect to elders of the community. Such usage is consistent with rural communities, although in this case it extends into the suburban contexts of Pensacola and Fort Walton Beach.

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several kindred groups are identifiable among the most visible membership of the tribe--these are groups with ambilineal descent linking a constellation of households to a prominent person, and usually also to a place. The kindred groups with a land base often link three or four generations through descent from a single "apical" personage who in many cases is a woman. Naming conventions emphasize the male line, although individuals often include the mother's name in a hyphenated form. There are also instances of three or more generations living in single extended family households, these households being marked also by the presence of several married siblings and their offspring. Kindred groups are not exclusively found in rural areas. In fact, some of the largest and most unusual households and household clusters are to be found in suburban contexts. In all cases the corporate functions of these units involve: (a) access to property or rights to property, (b) pooling of money resources, (c) coordinated activity and contributions to social functions.

Distribution of membership of the Florida Tribe of Eastern Creek Indians is shown in Figure 1. Each place on the figure is represented by a circle proportional in size to the number of members living at the locality. Concentrations of Creek people who are not members of the Florida Tribe are indicated by hexagonal markers. Three basic divisions within Florida Tribe are evident, based partly on location and partially on the historical backgrounds of local groups. On the west is a large collection of families residing mainly in Pensacola, descended from the southern Alabama Creeks. In the central Florida panhandle are many descendants of James B. Ward and Elizabeth English Ward, originally of Dale County, Alabama. Finally, on the Apalachicola River are groups derived from several other lines of Creek ancestry, often locally called the Harjo-Boggs (Parrot) Clan. Among certified Creeks in Docket 21, several key ancestors occur for the western enclave. In the east, however, large kindred groups are sometimes related back to only a few identifiable Creek individuals. These different situations pose rather distinctive kinds of historic association, and deserve separate discussion of historic continuities from pre-removal times to the present.

Escambia and Santa Rosa Counties. The great majority of Florida Tribe members in Escambia and Santa Rosa Counties,

Florida, trace relationship to a late-18th and early-19th Century Creek-Scots community in southern Alabama. This community has been the longtime subject of considerable local historical interest, although emphasis of historic work has been upon the key persons in the earliest generations of the family lines. Some of these contemporary Florida Creek people have maintained social ties with relatives in the Poarch, Alabama, community, while others have had little or no contact with kin in Alabama for many years. In the context of the Poarch recognition application, relations have become strained between the Alabama and Florida Creek people. However, it is apparent that the separation of interest groups in the adjacent sections of Alabama and Florida is a recent phenomenon. Excellent bibliographic material and summary analysis of the West Florida Creeks is found in Ellsworth and Dysart (1981). A more specific analysis of Pensacola's Creek population has been constructed by Dysart (1982). Additional background on the related population of Poarch, Alabama, is available in the work of Paredes (1974, 1975, 1976).

Creek families in Escambia County, Florida, in addition to their common family origins, share social and economic backgrounds that are significant to recognition as an Indian group. We stress that the Creek families in urban sections of Pensacola are generally among lower-income working class people, with many families existing at or near the poverty level. Locational analysis of urban Creek families shows that they are confined to older working-class neighborhoods, and to old communities that have been subsumed by suburban growth of Pensacola. Thus, establishment of the present Creek population in the area occurred before the recent rapid growth of Pensacola, mainly during the early decades of the 20th century. It is clear that the Indian population of Escambia County was well in place before recent growth periods and redistribution of population in the old working class neighborhoods. Although prominent persons in early Pensacola are known to have been of Creek background, most of the population of the Florida Tribe of Eastern Creeks in the western panhandle are of working-class background.

The Creek enclave in the westernmost counties of the Florida is formed of many independent lines of ancestry. The rural members are highly visible as local social enclaves, as is

manifest in church records and family historical accounts (church records for Escambia County show many identifiable Creeks, but no strongly "identified" Indian churches). The urban population is less cohesive as a social unit, except in recent decades, but include many large or extended families still tied to rural localities (or former rural localities) with which their Creek ancestors are associated. Elders of lineages usually control only immediate family. There are, people among the elder population who were raised in households that passed along Creek language and customs. Considerable evidence on these points is to be found in the oral history tapes on file at the University of West Florida library.

Central Florida Panhandle Creek Peoples.

Several concentrations of related Creek people live in the central Florida panhandle region, especially in the communities of Freeport, Bruce, Ponce de Leon, DeFuniak Springs, and surrounding rural countryside. Most of these people are descended from James B. Ward and Elizabeth English Ward through four sons who moved to Florida from Dale County, Alabama, in the 1860's (Ellsworth and Dysart 1981; see also Ward Family Papers, and University of West Florida Special Collections Creek Papers). Additional concentrations of Ward ancestors are today found in the Fort Walton Beach and Valparaiso areas, around Crestview, and in other localities downstate in Florida, and even in the Bon Secour area of South Alabama to the West of Escambia County, Florida. These removed populations are old and recent family networks descended from individuals that moved away from the original Ward family lands along the Choctawhatchee River, especially around the community of Bruce. The Crestview community also includes families related to other Creek ancestral lines, some of which are still primarily located in Alabama and are not affiliated with the Florida Tribe of Eastern Creek Indians.

The Ward lineages remain closely connected through time as a result of several factors. First, the land base created by the original Ward migrants into Florida has survived in the vicinity of Bruce, Red Bay, and Freeport. The return of Ward people to family reunions twice yearly includes relatives throughout the central Florida region, and from more distant enclaves throughout the panhandle or from areas downstate. The elder population in

Bruce now forms the leadership of the Ward kin unit, a diverse set of kindred groups. The central kindred unit embraces most of the elders and is localized in Bruce. Second, there are many instances of brother-sister exchange and cousin marriages among the Ward kindred units (stated by several individuals, and documented in the Ward Family Papers, as well as in our genealogical reconstructions). Such marriages allowed less attrition of land to outsiders during the early generations after settlement. Third, most of the prominent members of the Ward family were aware of their Indian background throughout their history in Florida. At times, individuals were not inclined to lay emphasis on Indian ancestry, including for example J.J. Ward, a prominent politician in Walton County (see, however, his correspondence from the 1950's Ward Family Papers). But the central position of the Creek population in local politics, directly supporting the success of J.J. Ward, assured the wellbeing and continuity of the Creek people in the central Florida panhandle region.

The Ward families, then, form a cohesive social entity continuous from the 19th Century through the present. The cultural identity of the Ward group has undergone a transformation--albeit an incomplete one--while the social identity of the group has flourished. The success of the group in moving into Anglo-American power and authority positions in Walton County assured this social continuity, and laid a stable base for a positive, strong Creek cultural revitalization which is underway today. In addition to J.J. Ward, other family members in local politics include Jeff Sharon (a County Commissioner in the 1940's), Jess Sharon (a School Board member in 1950's and 1960's), and Lamar Ward (a School Board Member in the 1960's and 1970's). It is in this context of political and social solidarity that the term "Choctawhatchee Clan" is quite appropriately used to represent these people.

The Harlo-Boggs (Parrot) Clan. The Indian families along the Apalachicola River drainage were originally in loose association with the Creek people who were removed to Oklahoma with John Blount. The remaining families became intermarried, linking several lines of Cherokee background to several Creek families, including a line of Ward descendants. A Creek woman named Nancy

Knight married John Ward III who was the brother of James Benjamin Ward, the husband of Elizabeth English. Periodic connections between the Harjo-Boggs family and other groups are suggested by common surnames that occur in the genealogies within Florida Tribe (for example, Pearcock, Infinger). The critical individuals to most of the Apalachicola families are identified in materials compiled by Dr. Andrew Boggs Ramsey (1983; taped materials are also available at the University of West Florida Special Collections room). Additional related families are in the Pensacola and Milton areas in the western panhandle.

The Harjo-Boggs families have been prominent in activities of the Florida Tribe of Eastern Creek Indians. Dr. Andrew Boggs Ramsey now serves as the Chairman of the tribe, and has also worked hard to host annual tribal activities in the Blountstown area. These pow-wows draw panhandle-wide participation. In many ways the Harjo-Boggs clan is the best documented of the Florida Creek enclaves. Composition of the several Harjo-Boggs affiliated families in the east Florida panhandle region, considered with historical isolation within the Apalachicola area selected by the family for settlement, create a clear record of continuity from the time of the Creek removal to the present.

Social Transformations from Removal to Present

The Creek families of the western Florida region share demonstrable bloodlines, in most cases, and a heritage filled with unhappy experiences in dealings with the white population of the region. Two reactions to discrimination occurred among these families. Some families certainly denied their Indian heritage, although a tacit understanding of the background remained in small communities. However, most families "compartmentalized" their lives to accommodate the social expectations of the communities in which they lived, and in some cases, to avoid legal or physical intervention leading directly to removal, while remaining active within a de facto Indian community. By compartmentalization we refer to the process of keeping secret or hidden associations and practices pertinent to Indian identity, similar to processes seen in many other native American communities in the late 19th and early 20th centuries in the United States (see, for example, Spicer 1962, 185-6). It is fair to say that the best an Indian could expect during the time from 1830 through the Civil War

period was rough treatment at the hands of local non-Indian population. By publicly identifying with either the white or black population of the region, the Indian issue was successfully avoided.

We should stress that social compartmentalization does not require that families know of their background, or pass on cultural knowledge which could only come from Indian heritage. Compartmentalized existence in some cases meant the adoption of a new culture by a whole community. In other cases it meant that the essentials of Indian culture and social interaction were simply not for public display. Under the isolated living conditions of families in the rural area, compartmented social life usually meant the adoption of new social activities and contexts. This process does not involve disruption of social links; rather, the social ties become identified in new symbols and public displays. Such replacement is seen in two key forms: (1) the creation of Christian churches which, although not openly Indian, were attended primarily by Indian people, (2) the tendency to maintain extended-family relationships within new political and social organizations.

The first of these kinds of compartmentalization is especially prevalent in the high population areas of the western panhandle. Some of the small rural churches in northern Escambia County are essentially Indian congregations in Walnut Hill, McDavid, Century, Bay Springs, Bruce, Red Bay, and many other localities across the Florida Panhandle. (see Church Records in the papers attached to this report). There is also evidence of substantial Creek participation among large mixed congregations of Pensacola. In the central panhandle the Ward family also is linked to particular church congregations. Further, in Walton County there occurred through the late 19th and early 20th centuries a clear co-option of religious organizations (the Masons, for example, and certain small churches such as Black Creek Church), and the political institution of the Democratic party. That is, in the predominantly rural Walton County public institutional matters were often transformed into "family" matters by virtue of sheer numbers of Indian people involved. The rural people also show a strict cultural continuity of burial practices, involving the placing of shells, china, dolls, and other personal

items (often broken) on graves. These practices are especially seen in the Antioch, Dead River, and Black Creek cemeteries of the Ward enclave. Similar cultural practices are seen in surrounding areas of the region, but they appear not to be shared among white or black populations in any area. Ellsworth and Dysart (1981) note maintenance of other burial practices, specifically the construction of "houses" over graves.

At the time of removal, the extent social units of Creek Indians were a loosely confederated series of local populations. The original clan structure was cross-cut by other social distinctions, notably the "red" and "white" division. At the same time, individuals possessed diverse kinds of status in the Indian community and the surrounding society. Some, but by no means all, Indians who remained in the east were partially isolated from the social context of mainstream Creek life. That is, such individuals had no regular association within one of the local groups of Creek people. In general, people who remained in the east tended to be in families with Indian women in the parental generation. This is true for most of the ancestral base of "Florida Tribe". For example, the well-known core ancestors of the Poarch community and related lines in Florida--that is, the McGillivray and related lines--begin with marriages of Creek women to Euro-American men.

Such unions are of great significance because of the way they worked in the situation of European-Indian culture contact. In the matrilineal systems of groups such as the Creek, authority was conferred on young men by virtue of their relationships traced through women. The European fathers of such young men, however, were also in an excellent position to confer social rights to offspring through the system of the dominant society. Thus, a special kind of dual citizenship existed for many of these people. Over the late 18th and early 19th century a pattern of existence between two cultures was firmly established. The identity of Indians born of mixed marriages was strongest, however, in the Indian community.

Therefore, with removal Creek Indians faced a major quandry. Individual choices as to ethnic identification were more a matter of momentary social options, we may suspect, than of actual blood quantum. This is suggested by the genealogical relationships of

the core ancestral lines of the Escambia County enclave of "Florida Tribe" (the detailed reconstruction of these families also pertains to the founding unit of the Poarch, Alabama, community; see the master chart in the genealogical part of the submission packet, and Figure 2). It appears that Indian women of the removal period who married white men had an easier time avoiding removal than their brothers (whether they married white women or Indian women). However, remaining in the east did not automatically confer rights in the white (or black) communities. The status of particular lines or families in the outside (dominant) society was determined by color rather than actual bloodline. It is important to note, in this context, that none of the local oral or documentary sources suggest that Indian heritage caused more than local teasing or embarrassment during the period after the Civil War. Thus, we encounter a complex situation of ethnic unit formation and identification, upon which race discriminations of the region were placed.

This is a rather subtle context within which we seek processes of continuity. The Indians who remained in the east, in general, would have had full rights in the existing Creek communities of the removal period, because the households involved had Indian mothers. Considering a matrilineal descent rule mothers would pass political rights directly to their children--the children would be part of the mother's family. The reader should note that in traditional marriage alliance systems clans function as "corporate" units, groups with common economic and political responsibilities. Women who did not marry within the system of domestic options--to men of other clans--might well be found in disfavor by their families, however. Thus, the children of non-Indian men, because they sometimes represented less valuable political alliances, were not always wholly accepted in matrilineal families. Further, the children of these households were not conferred full rights in the American community unless they could be "identified" as white.

During the earliest period after removal, public identification in the white communities of the South was a common experience for those Indians with light skin. Identification as "black" or as "Indian" limited the social possibilities for these people tremendously. Within the extended family networks that

existed in the Florida region. politically allied groups included individuals publicly linked to both major poles of the race-caste system. The response of such groups, then, is not surprising. They created a "non-identified" or "invisible" Indian community within the general population. The initial manifestations of this community are as follows:

(1) The group shows a tendency to marry within a circumscribed circle of kin, usually identified by place, while establishing alliances among available, local family lines.

(2) Frequent occurrence of brother-sister exchange marriages and cousin marriages marks all of the groups.

(3) There are major early instances of naming patterns using European surnames with matrilineal reckoning (the best example of this is Alexander McGillivray Montic Sizemore, see Figure 2--a longer discussion of this case is given in a technical attachment to this report).

(4) Throughout the period from 1830 to the present, skin color serves as a secondary feature modifying the social status of Indians in Southern society.

The four characteristics identified in the above statements emphasize the Indian identity and political community have existed since the removal period, while not making it open to public scrutiny. If the continuing community we also observe an evolution of political organizations as we view more recent generations after the first generation of segmentation from the Oklahoma Creeks, the authority lines of the community passed from generation to generation in an ambilineal fashion. That is, individuals could link themselves to a political significant person by tracing either through the father or mother, grandfather or grandmother, etc. In general, individual descent is traced back only through one line. Early after removal there was a matrilineal bias in reckoning important family ties. Later, however, the descent system took on more decided bilateral characteristics, with an emphasis upon the male line.

It must be stressed that we have little information to suggest the continuity of a Clan system into the post-removal Indian community in the east. The marriages of Figure 2 are suggestive of such relations, but lacking a broader base of marriages, plus the key to actual clans that might be represented by specific marriages, no claims to continuity of the pre-removal

Creek social organization can be made. There is negative evidence to argue against continuity, however. There were probably not enough representatives of the original clans to maintain proper marriages for more than one generation, given the reduced population of Indian background and the actual tendency to marry within the group identified by common location.

All of these statements link the Creek Indians in the Southeast as a series of similarly founded ethnic units possessing common identifying symbols, common heritage, and essentially common social experience. The modern descendants who now are the Florida Tribe of Eastern Creeks are socially continuous with the immediate post-removal population, and have established or maintained social ties through marriages in the ensuing years through the early 1900's. There are even ties between groups now where none existed at removal, created during the time when public identification as Indian was unpopular. However, after the turn of the century, marriages occurred mainly within the three primary local enclaves of Florida Tribe, when they were not to individuals totally outside the Indian population. This trend led to the most critical time for the Creek Indians of the region, the 1950's. The decade of the 1950's brought the major figures of the old Southern Indian community to their final years. During the generational transition the younger Creek Indians were adopting a more visible posture in Southern society. This parallels the adoption of pan-Indian identity in other parts of the country as a manifestation of Native American revitalization. The social transformation of the Creek population in the Florida panhandle, sometimes maligned as an "instant" identification, actually involved transition from a highly localized and compartmentalized social identity to an open, well organized regional political organization. But in social terms the continuity of West Florida Creek Indians cannot be questioned. The generations of the 1950's provide the critical link of social change from post-removal communities to the contemporary community.

Summary Statements

Evidence of Community Identification

The preceding section of this petition includes statements that the Creek people of the West Florida region underwent a social compartmentalization process during the mid-1800's which

continued through the early part of this century. Under conditions of social compartmentalization the Indian communities continued to exist, while avoiding public or official government scrutiny. In deed, during much of the period Florida statutes allowed forced removal of any Indians residing in the state other than those on certain established reserves. In effect, it was illegal to identify as Indian among the general populace of Florida. Through search of regional records by Professors Lucius Ellsworth and Jane Dysart yielded few public records noting "Indians" individual (see Ellsworth and Dysart, 1981). Local records search in Escambia County under the auspices of this petition yielded few pertinent references to any formal Indian group in the region, but significantly included periodic references in court proceedings to "Indians" or to people known to be of the Creek community.

Some local creek Indian groups actually co-opted county political institutions through familistic voting and political practices. This is an especially strong indicator of successful social compartmentalization creating an effective political group. Within the region as a whole, it was only in the 1950's that the people of the Florida Tribe of Eastern Creeks could make their political ties public. Since 1950 there are (1) constant references to the Indian community in both local, state, and federal government documents, (2) support of the community in special programs (such as the current cheese distribution program), and (3) general public recognition and appreciation of an extant Creek population. Similarly, from the 1940's (see Speck 1947) through the present there are numerous instances of recognition by scholars and references through the various media. This is not a typical of the pattern of social recognition and interaction for all Indians during the period involved. Native American identity nationally has received positive connotations only in the early 1950's, even in such areas as Oklahoma, the Southwest, and California, all of which have large visible Native American populations. The only difference between these large communities historically is the extent to which individuals or the group could avoid the social stigma of identification as Indian by the surrounding Anglo-American population.

A century of strong continuity of interests--specifically,

efforts by the Creek Indians in the east to avoid formal contracts with a hostile government--constitutes de facto satisfaction of the Federal criteria under section 83.7a. During the century after removal Creek Indians had to avoid direct efforts to terminate their residency in the east, then had to endure the harsh conditions of the social reconstruction in the South after the Civil War. This latter difficult period strengthened familistic identification of all groups. Thus, the "transitional" social structure of genealogically close marriages which should have given way before the end of the 19th century continued well into the 20th century. It is not surprising that Frank Speck found a community of Creek Indians in Poarch to interact with, but it is unfortunate that he did not do more work along the entire Gulf Coast region.

Overall, we find the evidence of political continuity for the Creek Indians of the West Florida region to be compelling when considered in historical context. We may further point out that the statements in this petition are consistent with what we know about social change in most American Indian communities over the past century. There is probably no major Native American group surviving today with a social organization or social identification which has not undergone major modification during the 20th century. Identification of Indian groups today is based mainly upon artificial political structures which have little to do with the principles of ethnicity formation underlying the groups (see Fredrik Barth, 1969, for a formal definition of ethnicity and a practical framework for describing political and social units such as those described here). The Florida Tribe of Eastern Creek Indians fits the typical Native American political pattern: (1) its functioning political structures are results of an evolutionary process through which the group reacted to intervention of non-Indian populations and institutions, (2) its formal organ of government publicly accommodates the difficult task of fitting the extant political structure of the group to the institutional requirements established by the United States government.

An ethnic group can and does exist mainly on the basis of the symbols through which it defines itself. (see again Barth, 1969). These symbols may certainly take the form of familistic

identifications such as those we have described for the groups in Florida and surrounding regions. Whether these symbols are "retained" cultural practices, marriage patterns, co-location in space, common political action, or even identification in new cultural settings, they function mainly to regulate membership and access to resources. Ethnic groups are "resource conserving" structures. We find the Creek Indian local organizations in West Florida to be rather typical of ethnic groups in the larger native American world. And as with all ethnic units, the features of group formation precede political identification, whether in a highly visible community or in an essentially underground group. Thus, the presence in the modern era of the Florida Tribe of Eastern Creek Indians attests to the ethnicity which has existed since removal; the tribe merely subsumes extant local familial groups linked in regular land-based and institutional associations, which have been in the larger region since the 1830's and in Florida since 1830-1860.

Locational History of The Group

A major point of evidence in the petition of the Florida Tribe of Eastern Creek Indians concerns the locational geography of the groups within the tribe. According to the Federal regulation under section 83.7b, the group must demonstrate association with a specific area, and descendancy from an Indian tribe historically inhabiting a specific area. The historic position of the Creek Indians prior to removal makes them the primary users of coastal resources in the West Florida region. The contemporary drainages along which Creek population is concentrated in Florida include the specific areas that were occupied by Creek people prior to removal. In the case of the Apalachicola River drainage, the contemporary Creek residence have direct descendancy with people who had loose social ties with removed persons such as John Blunt. These well-known conditions, together with the genealogical evidence of this petition and Docket 21 recognition of Creek status of local persons, indicate a clear historic tie of the Florida Tribe to the pre-removal Creek Indian social system.

Further, we have shown the existence in the region of three distinct local populations of Creek Indians, each of which has a slightly different history since removal times. These communities

have remained aware of each other, and have undergone similar experiences. The most diffuse of these enclaves is the westernmost, consisting mainly of descendants of the Poarch, Alabama, community founders who moved into the Escambia County, Florida, area between Civil War period and the turn of the century. Differentiation of the Escambia County population of Creeks within the larger population is mainly for co-location of Indian families in neighborhoods. This is suggested by concentration of people in older subdivisions and towns within the Pensacola urban setting. In rural areas, including the whole region of the Florida Tribe, small religious congregations manifest strong membership domination by Creek Indians in individual churches. The phenomenon is particularly visible for rural Escambia County where a large number of Poarch descendants can be found. But this pattern also extends to descendants of Docket 21 Creek ancestors in Escambia, Santa Rosa, Walton, and other counties, who are not part of the central Poarch group of families.

Political Realities of Formal Tribe Organization

A critical question in the petition of the Florida Tribe of Eastern Creek Indians is that of political autonomy through the period from 1830 to the present. We have presented various statements pertinent to the political interests of the Creek people, including statements about direct political co-optation and action, without addressing the notion of authority structures. Tribal leadership under pre-contact conditions is not particularly pertinent to establishing this criterion, because aboriginal leadership was based mainly upon kinship structures and locational systems that were broken up through the removal process. We must consider, then, the extent to which post-removal social organization manifests a structure for leadership.

The strongest statements of this type can be made for the early Poarch ancestral community. The structure of marriage relations among the McGillivray kin network shows the concentration of authority along matrilineal connections. This structure, however, was transitional to the more stable first-cousin and brother-sister-exchange marriages that characterize the late-19th and early-20th century Creek. In such systems we find authority to be distributed across the whole social unit on a much more

equalitarian basis than under original tribal conditions. In short, local familial authority operates on the basis of age with a predisposition to (a) emphasis of elder brothers, and (b) establishment of flexible rules for succession with a bias toward the female line. Throughout the region family enclaves tied to extended family networks related mainly through women.

Across the West Florida region there was no cooperative political action by the separate Creek Indian communities prior to 1950. This is consistent with the political organization of Native American groups in general throughout history, since relatively few groups could enforce "corporate" decisions easily across large populations without using the local kin-based authority structures. The old Creek social organization was stronger than the post-removal Creek organization in the South, but it was by no means a rigid tribal organization when considered in alliance terms. Under conditions of Anti-Indian sentiment of the region, actions beyond the family level were difficult to achieve until recently. It should be stressed that such a loose alliance system among larger political units is not inconsistent with traditional Creek political organization. Under the moderate political environment of recent decades, broader political identification has become beneficial to the local groups. The constitutional structure of the Florida Tribe of Eastern Creek Indians taps the local family-based structures which have been operative since removal. It cannot be overstressed that the kinds of entities the government has chosen to recognize--tribes--are a creation of the European mind more than a reality in the aboriginal experiences. That is, the members of the Florida Tribe of Eastern Creek Indians have enjoyed a stronger political organization for the past 150 years than some recognized groups (say especially, the Comanche) ever enjoyed in their entire history. In this regard, the materials on the Ward family and the excellent compilation of materials on the Harjo-Boggs family illustrate the forms and styles of familial authority and succession (Ramsey, 1983; Ward Family Papers).

The question of Eastern Creek political autonomy seems to hinge at present upon a political paradox.

The Indians, for their part, must demonstrate political continuity through documentation. However, the official agents of

the government who have dealt with the population--especially census takers--have never officially recognized the presence of Indians in documents they have created. This is in spite of the fact that these agents often knew of the Indian ancestry of the individuals with whom they were dealing. All of the people who can demonstrate ancestry from the old Creek confederacy have endured hardships as a consequence of their treatment in a capricious, and often insensitive series of dealings with Anglo-Americans. The contemporary situation is perhaps more insensitive and capricious in that some agencies of government do not recognize the role the United States has played in the long term disruption of lives among descendants of the Southeast Indians in the South. Further, the public interactions of individuals and groups sharing common ancestry have been influenced by the mere possibility of modern recognition by the government. Political differences within the Florida Tribe of Eastern Creek Indians exist, as with any large political organization, but these differences are secondary to the common purposes of the political entities within the tribe. Considering the ancestry and community organization of Creek Indians in the Florida-Alabama region as a whole, it is clear that the recognition process has caused active limitation of participation--in this case a kind of self-imposed institutionalized discrimination--in the political practices of other groups. This kind of discrimination has touched virtually the entire membership of the Florida Tribe. It is the hope of the Florida Tribe of Eastern Creeks that discriminatory limitations will not mark the future of the diverse Eastern Creek peoples. Such a continuity of present events would represent a parallel to the political processes that disrupted the 19th Century Indian world, including the Creek confederacy. The timing of events surrounding public identification as Indian links Creek society in the South to the national trends of Native American community action. And the nature of the events is appropriate to the kind of local social and political structures that survived to the present. The Florida Tribe of Eastern Creek Indians represents only part of the whole population tied to the Creek political transformation of the 1950's. We should note, however, that Florida tribe is a substantial part of the whole descendant

Eastern Creek population. Related groups in Alabama and Georgia are formed as competing organizations mainly because of the accidents of history, and to an extent because of individual interpretations of the current federal regulations.

The Florida Tribe of Eastern Creek Indians has attempted to include the broadest group of families and individuals with valid links to the Indian community. The task has at times been made difficult because there are many Creek people in the region who remain skeptical of government and of public Indian identification. In the South, and especially in Florida, the question of ethnic status is not totally exclusive from broader civil rights concerns. The constitution and actions of the Florida Tribe of Eastern Creeks Indians reflect concern for the Indian people of the region, and cognizance of the social processes that have touched each local community. The efforts of the tribe to avoid any exclusion of legitimate members have created problems within the recognition context, but those efforts are realistic and appropriate given the situation of the legitimate Creek people of our region. The tribe certainly cannot be faulted for its attempts to represent all of the known and potential local constituents within the limits of geographic, social and genealogical connections. Tribal Membership and Governance

A copy of the current constitution of the Florida Tribe of Eastern Creek Indians is included as an attachment of this petition. Present membership is reflected in the attached membership list. The list is annotated to differentiate members who were included in the collection of affidavits originally submitted to Washington from other members. A few 1978 members were not included in the Washington submission, and other members have been voted into the tribe since 1978. Hand notations by names refer to the family history charts that accompany this analysis. The family history charts relate to known Creek ancestors, or to prominent families of suspected Creek background. The right-hand column of the membership list includes the names of known Creek ancestors, including numerous Docket 21 ancestors. For convenience, the reference numbers of the Docket 21 people are as follows:

Elizabeth English	11147
Sam Clark	11145
James Earle	11035
William Hollinger	11058
Lynn McGhee	11075
Catherine McIntosh	11080
William McIntosh	11131
Sam Moniac	11089
John Semoice	11115
Arthur Sizemore	11118
John Smith	11132
George Stiggins	11128
Richard Taylor	11141
John Weatherford	11153

Associated with the family history charts and membership list are the collection of affidavits from which the overall membership list is constructed. Attached to most of these affidavits are individual history charts submitted by the membership of the tribe. About 23% of the affidavits are not accompanied by individual history charts, or have charts with incomplete information. Of the remaining people about 250 (25% of the membership) have experienced problems in establishing descendancy. Most of these individuals have clear ancestry statements, but lack key information providing a clear link to the 19th century Creek community. Within each of these groups there are many individuals for whom descendancy can be demonstrated with more work. However, there are some for whom documentation will be difficult, and there are others from the 1978 Washington list who have not maintained communication with the Florida Tribe of Eastern Creek Indians. The remaining 52% of the membership relates to specific demonstrated family groups of clear Creek ancestry. Less than 1% of the membership (31 individuals) trace ancestry to "other tribes" of the region or nation (Section 54.7f).

An additional tribal roll is maintained by Mrs. Mazie Rossell (Ward) of Bruce. Her list also includes other information on families of Florida Tribe, as well as on peripheral relatives and some prospective membership.

We have made no effort to verify a list of Docket 21 recipients, mainly because of the expense of such an operation given the limited usable information it would provide. Docket 21 membership, in general, has been quite helpful in establishing the genealogical record reflected in family reconstructions.

The affidavits and individual history charts serve as the primary information from which family reconstructions have been made as part of this analysis. In addition, some individuals were

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Circa 1780 in Cherokee Chickamagua, there was a great shortage of food. Polly Perrit's mother, Polly,¹ and her father took the whole family to the Chattahoochee River Valley in search of food. The usually friendly Creeks were alarmed and sent a war party out against them. Polly Perrit's mother was captured. She was a beautiful girl in her teens. When the Creeks brought her southward to their Indian stronghold, a handsome warrior of the Apalachicola Creeks,² Cochran/Tuski Haco,³ saw her and wanted to buy her for a wife. John Cochran(Tvskvhaco)⁴ was one of six principal chiefs of the Apalachicola River Valley Creeks; the others were: Neamathla, John Blunt (LaFarka),⁵ The Tuski Haco's brother-in-law, Mulatto King, Emathlochee, and Econchatimico. Cochran brought Polly to his camp near present Blountstown, Florida(named for John Blunt, husband of Cochran's sister.⁶ Cochran's principal wife never accepted her, after her initial permission, this bought wife of a lower status, and made things very difficult for her.⁷ Reluctantly- - for he loved her, Cochran arranged for her to return to her people and sent six of his best warriors to take her back. There she discovered that she was with child, a child born in 1783 and named Polly Perrit (Parrot) who became the matriarch of the Harjo-Boggas-Parrot Settlement at Boggs Pond near Blountstown, Florida. Polly Parrot is Dr. Andrew Boggs Ramsey's great-great-great grandmother; Andrew is the present Tuski Haco of that band of Creeks. There has been a continuous settlement in that area since removal.

When Polly Parrot had grown to be a beautiful young woman, she met a young Cherokee buck name John Boggs, Jr. (Tar se quar yah kee).⁹ By this time the white man's influence had moved westward, and when Polly Parrot married John Boggs, Jr., she was one of the first Creek/Cherokee women to take the name of her husband. When

Polly Parrot was seventeen, she birthed John Joseph (John J.) Boggs (Tauchulunah).¹⁰ in Florida in 1810 along the Apalachicola River.¹¹ There was another son born but he later died, and several girls. The Boggs family traveled back and forth from Tennessee, to Georgia, to Alabama, to Florida. John Boggs, Jr. had a wife and family in Marshall County, Alabama, also.¹³

Prior to 1815, Polly Parrot's father's town, Cochran Town was located upriver from present Blountstown on the Georgia/Florida line. In 1815 New Cochran Town was located three miles downriver from Blunt's river landing, below Ocheesee Bluff, Calhoun County. Tuski Haco and Blunt ruled together for nineteen years.¹⁴ With the white immigration pressure mounting, the United States treated with the Florida Indians on December 15, 1823 (Treaty of Camp Moultrie Creek), the Territory of Florida.¹⁵ An additional article to that treaty by six of the principal chiefs of the Florida Indians -- Neamathla, John Blount, Tuski Haco, Mulatto King, Emathlochee, and Enonchatimico, annexed the article appealing to the commissioners for permission to remain in the district of country inhabited by them at that time. Reservations were designated by legal description and Tuski Haco (also spelled Tuskegu) and Blunt were granted eight square miles together since their houses flanked the Council house of their tribe. The legal description reads as follows: "a reservation, commencing on the Apalachicola, one mile below Tuski-Hazo's improvements, running up said river four miles; thence west two miles; thence southerly to a point two miles west of the beginning; thence east to the beginning point," (Townships 1 North and South, Range 8 West).¹⁶ (See Map 1, Appendix A). The Forbes Land Company owned land on the eastern side of the river, according to George Atkins (1980).¹⁷

In the meanwhile, the white pressure was building up on the Cherokee Nation to take their land and remove them to Oklahoma. The removal law was passed by Congress in 1832 and word went out that all Indians were to be removed to the west. John Boggs, Jr. was determined that he would not remove from his home, and as a result, was killed (so they say). Some say he was buried in Chickamagua and others say he was buried in Alabama since he had more than one wife, polygamy being a custom.¹⁹

Polly Perrit and her family fled into the mountains east of Chickamagua. There in the mountains, she decided that her clan¹⁹ would go southward to the land of her father, Cochran/Tuski Haco and where her son John J. Boggs was born in 1810. They came out of the mountains, entered the Chattahoochee River Valley, started south along the river basin. The first extended stop was near Blountsville, Alabama. There they purchased forty acres, and this forty acres supported the band of six weavers and four spinners.²⁰ However, as soon as supplies were replenished, Polly pulled up stakes and started once more southward to the land of her father. When they left there, a half-breed brother remained. Moving further south, they stayed at Cool Springs, Alabama long enough to rest and replenish their food. Moving from the Chattahoochee to the Apalachicola River Valley, they landed north of present Blountstown. There she sent out runners to see what word they could find of her father's people. The runners came back with sad news; Cochran had died and the Creek removal had occurred.

According to Owens (1966), John Blunt's reservation was sold in 1833.²¹ According to Mary Blount Morris (1984) and Atkins (1980), the Muskogee (Creek) removal from Florida began in the Spring of 1834 with the departure of her ancestor, Chief John Blunt (also spelled Blount).²² Following the death of