

INDIAN RIGHTS ASSOCIATION,
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FLORIDA'S OBLIGATION TO THE SEMINOLE INDIANS

A PLEA FOR JUSTICE

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The sympathy and co-operation of the people of the United States are earnestly desired in support of a movement of the Florida people, led by Mrs. Minnie Moore-Willson, of Kissimmee, to secure from the State lands for the Florida Seminole Indians—for the problem is now very largely a State affair, so far as land is concerned.

Last winter I made a pretty extensive overland trip through that section of Florida where the Seminole Indians dwell—the Everglades and the Big Cypress region, properly termed by Mrs. Willson as “the least known Wilderness of America.” For the first part of the trip Mr. Joseph Elkin-ton, of our Executive Committee, accompanied me, and we were fortunate in having with us Mr. J. M. Willson, Jr., who is personally known to many of these Indians, and through him we not only secured a competent guide (Billy Bowlegs), but were courteously received at the various camps that we visited in the Everglades.

To give a detailed account of what I saw and observed is impossible within the limits of this pamphlet, and it will not be attempted. To describe the present condition and needs of the Florida Seminole Indians is not a difficult task, once the uninviting country where they exist has been visited. To recall the wrongs and outrages from which these Red Patriots have suffered at the hands of the United States Government, however, would require volumes. Two notable books on this phase of the situation are already in

print—"Red Patriots," by Charles H. Coe, and "The Seminoles of Florida," by Mrs. Minnie Moore-Willson. Beginning with the violation of a flag of truce by the United States Army in the capture of Osceola, which was followed by numerous instances of the Government's failure to keep faith with them, the Seminole has resisted the white man's civilization with an intense hatred, fleeing from it as though it were a plague.

Usually official reports referring to the acts of the Government in dealing with Indians gloss over, or seek to minimize, anything that is reprehensible. It is, therefore, rather startling to read some blunt declarations of Inspector A. J. Duncan, following his investigation of the Florida Seminole situation. In his full and excellent report to the Secretary of the Interior, under date of March 19, 1898 (H. R. Document No. 5, 55th Congress, 3rd session, Exhibit "G"), Mr. Duncan refers to the "gross injustice with which these Indians have been treated in the past," and states:

"The Indians' right, title and occupancy to lands dates to the earliest settlement of our country. England and Spain, in the earliest settlements, recognized these rights. The United States, since the adoption of the Constitution, in all her dealings with its Indians, in its forced or peaceable treaties, in its official acts, and its courts, has recognized the rights of Indians to occupancy. This right of occupancy is morally one, prior even to the discovery of the country, and claimed by justice to them, and for which they have gallantly contended on all occasions when an attempt was made to dispossess them.

"The preservation of the rights of Seminoles to lands in Florida was made a part of the stipulation of transfer by Spain to the United States in 1821. Two years subsequent this right was recognized in the treaty of 'Camp Moultrie' by the cession of certain lands for a valuable consideration. This treaty was supplemented by the treaty of Payne's Landing in 1832. And again this right is recognized. As evidence of the recognition of their right to these lands by occupancy, the treaty of 1832 is important: **BUT AS AN ACT OF DUPLICITY AND PERFIDY PERPETRATED UPON THEM, IT WILL ALWAYS STAND MORE CONSPICUOUS.**

"That this act or so-called treaty was a forced treaty—not made in good faith or with the consent of the Seminole Indians—cannot be denied. The whole Seminole Nation arose. A bloody war followed, lasting seven years, and with the sacrifice of thousands of lives and at a cost of over \$40,000,000."

Following this war a "peace pact" was signed in 1842, and "by order of the President" certain described lands were set aside for the Seminoles. The Indians were retired to that land. There soon began a series of white encroachments, when it was contended that the agreement of 1842 was only temporary, and the Indians had to move again. They kept their part of the pact, but so far as I have been able to learn, no permanent plan was ever substituted for the temporary agreement.

In 1850 Congress passed an act turning over to Florida some 5,000,000 acres of so-called swamp and overflow land, but no specific provision was made for the Seminoles, who had undoubtedly acquired a right of occupancy—as is contended in the report of Inspector Duncan, above referred to. Gradually the bulk of this land has been disposed of in large tracts, and with the efforts to drain the Everglades came the speculator, who saw a good opportunity for reaping large profits from unsuspecting whites; and the Seminole was forced further into the interior of the Everglades and the Big Cypress Swamp.

The Everglades is a strip of country about 100 miles long and approximately fifty miles wide. It resembles a big wheat field; the saw grass grows luxuriantly, ranging in height from eight to ten feet. In the wet season this entire region is covered with water, excepting the "hummocks," or small islands scattered about, on which the Indians have followed agriculture in a primitive way. In the dry season the water is too low for navigation in a canoe and the surface too soft to permit much wading.

The Big Cypress Swamp, located in the southwestern part of the State, which joins the Everglades, is an almost impenetrable wilderness, made up of a dense growth of

cypress trees, flooded in the wet season and exceedingly "boggy" in the "dry" period. In flood times slow progress can be made in a canoe by following a sinuous course between the trees. In the "dry" season, the traveller must proceed on foot, when the main part of the swamp is reached, and after floundering through mire and muck infested with venomous moccasin and rattlesnakes, and covering very little ground in a day, the trip soon loses any flavor of romance! And yet the Seminoles have wrested a living out of such a region.

Fifteen years ago it was realized by a few right-minded people in Florida that the Seminole was gradually being forced to the wall; that undoubtedly the State was under moral obligation to make some land provision for their future welfare, and a campaign of education was started. Florida admitted its obligation on several occasions, when bills were passed by the State legislature, in response to public sentiment, setting aside some land for the Seminoles. One act gave them certain described area if "not otherwise appropriated," but it later appeared that every acre of that land was privately owned. Another act authorized the appointment of a commission to select 5,000 acres for the Seminoles, but, curiously enough, no funds were provided to pay the expense of that Commission, and consequently nothing was done. Again the legislature passed an act setting aside about 100,000 acres as a reservation for the Seminoles, but that measure was vetoed by the Governor because the land was alleged to be worth ten dollars an acre. A little later, however, a prominent citizen of the State bought from the Florida Internal Improvement Fund nearly 60,000 acres of that valuable land for $41\frac{2}{3}$ cents an acre.

To a casual observer, one hundred thousand acres may seem like a large tract for 600 Indians, but when it is considered that at least four-fifths of that land would be most of the time under water, not a great deal is left for home-making and agriculture.

An effort will be made to secure the passage of a bill for the relief of the Seminoles at the coming session of the

Florida legislature, which convenes at Tallahassee on April 3, 1917. If a strong public sentiment throughout the United States can be aroused and focused on Florida, with a demand that "bluffing" be stopped and an admitted obligation be redeemed, it is likely that adequate provision will be made for the Seminoles. Of the land turned over to Florida by the United States about one million acres are yet undisposed of, and it is not too late to secure justice for these Indians.

The Seminoles are not decreasing, but are a little more than holding their own, in point of numbers. There are about 600 of them, all full bloods, scattered in thirty-two small camps or villages and living under very primitive conditions. They are sturdy and fine physical specimens, and are singularly free from tuberculosis and trachoma. Their morals are very high, and their code is not to lie, steal, or cheat. For years they have possessed practically all the virtues of the white race and very few of the vices. They will, however, indulge in the use of intoxicants when they can get a supply, but if they have a "spree" one of them is always elected to be a total abstainer for the occasion.

When the Indians go off hunting or visiting, nothing is put under lock and key; their belongings are left behind, unprotected, and it does not seem to occur to them that anything will be molested during their absence. In his autobiography, the late Bishop Whipple related an incident of his early experience among the Indians which suggests the Seminole view. The Bishop was travelling overland and had with him a valuable silver communion service. As they were starting from the camp for a day's visitation, the Bishop asked, "Will it be safe to leave this silver here?" To which his guide replied, "Don't worry, Bishop; there isn't a white man within sixty miles of the place."

The Seminoles have always been self-supporting. In addition to what they were able to raise by their primitive method of farming on the "hummock" land, they derived a fair income from alligator hides, plume birds and game. Now, there is no demand for alligator hides, plume birds are

protected by law, and the game is almost extinct; consequently, they will soon be forced to adopt other means of securing a livelihood or face starvation. Under the changed conditions, the "let alone" policy of the Federal Government should be revised. The time is ripe for a forward movement. The Indian Bureau has acquired for the Seminoles eight or nine tracts aggregating 23,000 acres, but not more than twenty per cent. of the land is arable. While some of the balance could be used for grazing purposes, the remainder is practically worthless, and in the wet season most of it is covered with water.

At one time the Seminoles had a great many cattle, but with the encroachment of whites and the need that existed for food, their herds soon disappeared, and now, with the exception of some chickens and a few hogs, they have practically no live stock.

For several years the Indian Bureau has been exercising a supervision over the Seminoles, through its representative, Mr. Lucien A. Spencer, who accompanied me into the Big Cypress Swamp. Mr. Spencer has lived in Florida since 1902, and from the beginning of his residence in the State he has taken a deep interest in the welfare of these Indians. His task has been by no means an easy one. The Seminoles have been very much averse to anything that savors of the white man's civilization. According to their unwritten law, any one who undertook to learn to read and write, or to attend school, was threatened with death. If this extreme penalty was not enforced cropping the ears, or some other form of punishment, was apt to be inflicted on the offender as a gentle hint not to repeat the transgression. With a primitive people who have been so opposed to the white man's ways, it will be a slow work to bring them to a point where they will accept any advantages that might be offered them by the Government. It is necessary to acquire their confidence before any constructive work can be done. Mr. Spencer has made far better progress than one would expect under the circumstances. He took up with the Indians the ban on education, and it was suspended. It was interesting

to me, in crossing through the upper Everglades, when I stopped at a little district school to inquire my direction, to find seven neatly dressed Indian children. The teacher was enthusiastic about their work and said they had held their own with the whites, and at a recent Christmas entertainment the Seminole children were chosen for leading parts. When the past attitude of the Indians on the school question is considered, this incident suggests that by the use of tact and patience other prejudices can gradually be overcome. Another indication of progress is the fact that the Seminoles are now ready to accept the services of white physicians, and frequently on the advice of their own medicine men.

There are three groups of the Seminoles; one at Cow Creek (or "Hungry Land" as it is often called), the other near Fort Lauderdale, and the third in the Big Cypress region. The Cow Creek and Lauderdale Indians are a little more progressive than those in the Big Cypress district; they have been forced by circumstances to seek employment, and recently have gone out in harvest season to work on some of the farms near Lauderdale and Miami. Their employers spoke of them very highly, and said they were faithful and efficient.

If the Federal Government can establish a small demonstration farm on some portion of the 23,000 acres already available—especially in the Cow Creek section—and also an unpretentious day school, and place in charge of the plant intelligent and capable Creek Indians (for they speak the same language as the Seminoles), it would undoubtedly have a very beneficial effect. The time now seems ripe for such a move. Then, if Florida will fulfill its admitted obligation to the Seminoles by setting aside sufficient land for their permanent needs, where they can be secure from further white encroachment, the Federal authorities will be in a position to prepare and follow out a constructive program, and perhaps a new day will dawn for these long-oppressed Indians.

The situation is effectively summarized in the following

resolution adopted at the thirty-fourth annual meeting of the Association—the original of which was drafted by Mrs. Minnie Moore-Willson, who has devoted so much time and sacrificed means and health in an effort to secure a betterment of the Seminole conditions:

WHEREAS, The Seminole Indians are the original owners of all the Everglades of Florida; and

WHEREAS, The Seminoles of the Everglades have been reduced from a prosperous nation to a hungry, homeless, and helpless people because of white encroachment; and

WHEREAS, The State of Florida was granted about five million acres of land in the Everglades by the United States Government—the Indian population and their homes being a part of that grant; and

WHEREAS, The State of Florida has disposed of all that tract but one million acres, but has not made any provisions for homes for these Seminole Indians; Therefore be it

Resolved, That the INDIAN RIGHTS ASSOCIATION go on record as being in favor of the people of Florida providing lands for homes in Florida for these Indians, and that a tract of one hundred thousand acres be set aside as a game preserve for these Indians, where they can engage in the livestock industry, and thus become self-supporting; it being the earnest desire to see these Indians civilized, Christianized, and made into worthy citizens.

And that we indorse the adopted slogan of "Why Have the Seminoles of Florida Been Continually Denied Lands in the Everglades?" and that this call be carried to the American people, until the answer will be heard and the patriots of America demand by the mighty right of justice that the innocent and peace-loving Seminole be given his rightful heritage in Florida.

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