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Jack D. L. Holmes



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SPANISH TREATIES WITH WEST FLORIDA INDIANS, 1784-1802

by JACK D. L. HOLMES *

*“For Indians will attach themselves to & Serve them
best who Supply their Necessities.”*¹

WHEN BERNARDO DE GALVEZ raised the lion-and-castle banner over Pensacola in 1781, British rule in West Florida came to a close and the Gulf of Mexico was again a Spanish sea. Keeping it thus was another matter, however, for the young and restless nation to the north was expansionist minded. One of the keys to Spanish defense of Louisiana and West Florida was the presence of 20,000 Indians whose friendship and support would determine who would control the area. Spanish governors and commandants signed various treaties with these Indians between 1784 and 1802. Basically, there were two types of treaties: defensive alliances for mutual protection against foreign encroachment, and treaties which ceded small bits of territory upon which Spain erected fortifications and warehouses from which to supply the Indians with trade goods.

The first treaty came as a result of Indian initiative. Alexander McGillivray, the son of a Scotch trader and a prominent Creek squaw, wrote the commandant of Pensacola on behalf of the Talapuche (Tallapoosa) segment of the Creek nation seeking Spanish protection for Indian lands against the tide of American frontiersmen already crossing the mountains toward tribal hunting lands. McGillivray had supported England during the American Revolution and now he was turning to Spain.²

The Pensacola Congress took place from May 30 to June 1, 1784. McGillivray represented the Indians, and Spain was repre-

* Mr. Holmes is professor of history at the University of Alabama in Birmingham. This paper was read at the Florida Historical Society meeting in Pensacola, May 9, 1969.

1. Alexander McGillivray to Arturo O'Neill, Little Tallassie, January 1, 1784, quoted in John Walton Caughey, *McGillivray of the Creeks* (Norman, Oklahoma, 1938), 65.
2. *Ibid.*, xv-xvi, 24-25; Charles Gayarre, *History of Louisiana, the Spanish Domination* (New York, 1854), 157-60.

sented by acting Governor-General Esteban Miro; Martin Navarro, Spanish intendant of Louisiana and West Florida; and Colonel Arturo O'Neill, commandant of Pensacola. Thirteen articles were discussed in turn and Sewanee and Talapuche chiefs agreed to accept all of them. The treaty signed on June 1 established a defensive alliance between Spain and these Indians, who promised to "Maintain an Inviolable Peace and fidelity" toward Spain and with other tribes. They promised to sacrifice their lives in defending Spanish territory if called upon and to render obedience to Spanish orders and regulations. No stranger who urged an attack against Spain was to be permitted in their villages, and if any appeared they were to be arrested and sent to Pensacola under guard. The Indians promised not to give sanctuary to deserters or Negro slaves, and runaways presently in the Talapuche villages were to be returned to Spanish authorities. The Indians promised not to commit depredations or robberies against settlers, to discourage horse and cattle thefts, and agreed to return all stolen property to the rightful owners. If an Indian should slay a Spaniard, the tribe would execute the murderer and turn his head over to the Spanish commandant. If a Spaniard should kill an Indian he would be punished according to Spanish laws. In return, Spain promised to provide adequate trading goods at moderate prices and established a written schedule of how many skins would be required for such items as cloth, muskets, axes, and other tools.³ Spain also agreed to protect and guarantee Creek tribal lands against encroachment from Georgia, provided these lands were within the boundaries claimed by Spain, that is, south of 32° 28'.⁴

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3. Copies of the schedule, together with instructions to traders dealing with the Talapuches, Pensacola, June 1, 1784, are in Archivo Historico Nacional (Madrid), Seccion de Estado (hereinafter cited as AHN, EST.), legajo 3885; and Archivo General de Indias (Sevilla), Papeles procedentes de la Isla de Cuba (hereinafter cited as AGI, PC), legajo 2360. Transcripts are in the Mississippi Provincial Archives, Mississippi State Department of Archives and History (Jackson), Spanish Dominion (hereinafter cited as MPA), II, 186-89, 189-92. The schedule is translated in John Walton Caughey, "Alexander McGillivray and the Creek Crisis, 1783-1784," *New Spain and the Anglo-American West*, ed. George P. Hammond, 2 vols. (Lancaster, Pa., 1932), I, 285-86.
 4. Copies of the treaty are in AHN, EST., leg. 3885 and AGI, PC, leg. 2360; transcript in MPA, II, 170-83. It is translated in *American State Papers, Foreign Affairs*, I, 278-79. Essential parts are in Caughey, *McGillivray*, 75-77.

As a result of the Pensacola conference, McGillivray was named Spanish commissioner for the Talapuches at a yearly stipend of \$600.⁵ Eight Talapuche chiefs received "Great Medals" while "Small Medals" were given to six other chiefs. The Indians were generously supplied with powder, rum, and provisions for the ten-day return journey to their villages.⁶ A far-reaching result of the Pensacola treaty was the decision to change Spain's traditional commercial exclusivism and permit a non-Spanish firm, the house of William Panton, Leslie and Company, to have a monopoly of the Indian trade. McGillivray had pointed out that without a certain supply of quality trading merchandise, Spain would be unable to maintain the friendship of the Indians, and he favored Panton.⁷

Miro took satisfaction in the successful conclusion of the first important treaty of his administration, and he wrote, "I have safely concluded the Congress of Pensacola with the Talapuche nation, whose friendship remains well-established by means of the thirteen articles of the convention."⁸ But Miro was not content to rest on his laurels: his next step was to win the other southern Indians for Spain and his destination was Mobile.

Three Indian nations were represented in the negotiations at Mobile: the Alibamons,⁹ the Choctaws, and the Chickasaws.

5. Esteban Miro to Joseph de Ezpeleta, No. 66, New Orleans, August 1, 1784, AGI, PC, leg. 1394, and translated in *Dispatches of the Spanish Governors of Louisiana*, 5 books of 5 vols. each (W.P.A. typescript translations of Library of Congress photostats from Spanish archives; Tulane University Archives), Book 3, Vol. XIII, 6-9. This important dispatch summarizes the work of Miro at the Pensacola and Mobile conferences.

6. Caroline Maude Burson, *The Stewardship of Don Esteban Miro, 1782-1792* (New Orleans, 1940), 53.

7. Lawrence Kinnaird (ed.), *Spain in the Mississippi Valley, 1765-1794*, Vols. II-IV, American Historical Association *Annual Report for 1945*, 3 parts (Washington, 1946-1949), Pt. II, xvi. On Panton, see Miro and Navarro to Marques de Sonora (Joseph de Galvez), No. 6, New Orleans, March 24, 1787, AGI, Audiencia de Santo Domingo, leg. 2552; Decision of the Supreme Council of State, San Lorenzo, September 22, 1788, AHN, EST., leg. 3885 -bis; Marie Taylor Greenslade, "William Panton," *Florida Historical Quarterly*, XIV (October 1935), 107-29; Jack D. L. Holmes (ed.), *Documentos ineditos para la historia de la Luisiana, 1792-1810* (Madrid, 1963), 236 note.

8. Miro to Ezpeleta, No. 63, Mobile, June 28, 1784, AGI, PC, leg. 1394, and translated in *Dispatches of the Spanish Governors of Louisiana*, Book 3, Vol. XIII, 3. Cf. Miro to Joseph de Galvez, New Orleans, July 1, 1784, index of enclosed documents, AHN, EST., leg. 3885.

9. On the history of the Alibamon (or Alibamu), see Frederick Webb

Therefore, there was not one Mobile Treaty but three.¹⁰ The first meetings were held between the three Spanish negotiators-Miro, Navarro, and Lieutenant Colonel Enrique le Gallois Grimarest, the commandant of Fort Carlota of Mobile - and the delegations representing the Alibamons and Chickasaws. Miro was pleasantly surprised to see the large contingent from the latter tribe which had been hostile to Spain during the American Revolution.

On June 21, 1784, the festivities began.¹¹ The Chickasaws appeared solemn, but the Alibamons danced the calumet and seemed quite merry by contrast. "I have called the two Nations together," Miro said, "to speak with you jointly and show that the Spainard does not speak with duplicity as might have appeared had I called you separately. . . . I speak to you as a father to his children." The usual flowery speeches were exchanged, after which the delegates got down to business and discussed the same articles which the Talapuches had agreed to at Pensacola. On June 23, 1784, the treaty was signed on behalf of the ten Alibamon chiefs representing nine villages by Pedro Lujan, the Spanish Indian commissioner to the Alibamons, and by Simon Favre, the interpreter of Indian languages. Miro, Navarro, and Grimarest signed on behalf of Spain. A schedule similar to that established for the Talapuches was also drawn up.¹² The Chickasaws, representing six villages, also signed nine articles of agreement on June 23, the gist of which was the same as the other treaties.¹³

Next it was the turn of the Choctaws. Miro was uncertain whether the Choctaws would attend the Mobile meetings, and

Hodge (ed.), *Handbook of American Indians North of Mexico*, 2 vols. (Washington, 1907; reprinted New York, 1959), I, 43-44.

10. Some writers on Indian affairs in the Old Southwest have confused the Mobile and Pensacola treaties: Jane M. Berry, "Indian Policy of Spain in the Southwest, 1783-1795," *Mississippi Valley Historical Review*, III, (March 1917), 464; Mary A. M. O'Callaghan, "The Indian Policy of Carondelet in Spanish Louisiana, 1792-1797" (unpublished Ph.D. dissertation, University of California, 1942), 32-33.
11. Burson, *Miro*, 53, states the conference began on June 22, 1784, but minutes of the conferences in MPA, II, 109-24, show otherwise.
12. Copies of the treaty are in AGI, PC, leg. 2360 and AHN, EST., leg. 3885; transcript in MPA, II, 125-27. The schedule of prices, applied equally to the Chickasaws and Choctaws, is dated June 23, 1784, AHN, EST., leg. 3885 and AGI, PC, leg. 2360; transcript in MPA, II, 192-99.
13. Copies of the treaty are in AGI, PC, leg. 2360 and AHN, EST., leg. 3885; transcript in MPA, II, 162-70.

on April 15, 1784, he sent Captain Juan de la Villebeuvre to their villages to drum up support for the congress.¹⁴ The Choctaws were among the most powerful and bellicose Indians in West Florida and were often at war with the Creeks, Chickasaws, and even the Caddos of western Louisiana.¹⁵ It would be a significant victory for Miro to bring them into the network of defense alliances. Thus he saw the arrival of 185 great and small medal chiefs and captains representing fifty-nine Choctaw towns as a favorable sign. In the treaty signed on July 14, 1784, the Choctaws agreed to the same articles as had the other Indians with one exception: they insisted that they be issued adequate provisions when they came to Mobile or New Orleans to trade. Miro readily assented to this provision¹⁶ and signed the treaty with Lieutenant-Colonel Grimarest. Pedro Juzan, Spanish commissioner for Indians in the Mobile District, and Simon Favre, the Choctaw language interpreter, signed on behalf of the 185 Choctaw chiefs and captains.¹⁷

Miro had reason to be proud of the work accomplished at Pensacola and Mobile. By economic means Spain had accomplished what earlier diplomacy had failed to do: "erect the Southern Indian tribes into a barrier between the United States and the Spanish empire in North America."¹⁸ The cost at Mobile had been surprisingly low. From June 16 to July 16, the Spanish quartermaster had distributed the following provisions to the Chickasaws, Choctaws, and Alibamons: fifteen tons of fresh bread, almost seven tons of fresh meat, 1,277 pounds of bacon, twenty-seven tons of rice, fourteen tons of beans, 892 barrels of corn, and seventy-one pots of bear fat.¹⁹

14. Miro's instructions to de la Villebeuvre, New Orleans, April 15, 1784, AGI, PC, leg. 2360; transcript in MPA, II, 85-89.

15. Hodge, *Handbook of American Indians*, 288-89. On the Choctaw divisions, towns, and chiefs, see Jack D. L. Holmes (ed.), "The Choctaws in 1795," *Alabama Historical Quarterly*, XXX (Spring 1968), 33-49.

16. Miro to Ezpeleta, No. 66, New Orleans, August 1, 1784, AGI, PC, leg. 1394; Burson, *Miro*, 54.

17. Copies of the treaty are in AGI, PC, legs. 15 and 2360 and AHN, EST., leg. 3885; transcript in MPA, II, 129-43. It is printed in Manuel Serano y Sanz, *Espana y los indios cherokis y chactas en la segunda mitad del siglo xviii* (Sevilla, 1916), 82-85.

18. Arthur P. Whitaker, *The Spanish-American Frontier: 1783-1795, The Westward Movement and the Spanish Retreat in the Mississippi Valley* (New York, 1927; reprinted Gloucester, Mass., 1962), 43.

19. Reports of Lorenzo Chouriac, *guarda-almacen* (storehouse-keeper),

As long as the Indians could obtain goods from Pantón, the network of alliances with Spain checked the southwestward expansion of the United States, although the policy was not a complete success. That Spain had discovered the key to dealing with the Indians is indicated when Samuel Mitchell, agent for the United States to the Choctaws, wrote in 1798 that to keep the Choctaws peaceful it would be advisable to make use of Pantón and his numerous traders.²⁰

The Indians took their obligations under the treaties quite seriously, sometimes too much so. When Americans poured into the Tensaw and Tombigbee river valleys of the Mobile District after the American Revolution, the Talapuche and Alibamon warriors threatened to massacre them. It was necessary for Miro to issue a warning to McGillivray and other chiefs not to harm these settlers because they had become loyal Spanish vassals. Apparently the Indians could not distinguish between an American settler loyal to Spain and one loyal to the United States. To prevent the outbreak of hostilities, Mobile commandant Vicente Folch y Juan ordered the construction of Fort San Esteban de Tombeche on the Tombigbee River as a show of Spanish power and determination to protect the settlements.²¹ Nor was the threat against the Mobile District settlers an isolated incident. In the Natchez District bordering the Mississippi, wandering war parties of Talapuche and Choctaw murdered outlying settlements and forced the construction of a frontier stockade at Bayou Pierre.²² Still, all things considered, the Pensacola and Mobile treaties generally kept the Indians at peace with the settlers and with each other.

The United States realized the value of winning over the same Indians and tried to offset the Spanish head-start by send-

Mobile, July 16, 1784, AGI, PC, leg. 271, and translated in Kinnaird, *Spain in the Mississippi Valley*, II, 102-07. On the significance of the Pensacola and Mobile conferences, see also Navarro to Joseph de Galvez, No. 239, New Orleans, July 27, 1784, AGI, PC, leg. 2360; transcript in MPA, II, 145-62.

20. Samuel Mitchell to William Pantón, at John Pitchlynn's in the Choctaw Nation, March 13, 1798, Forbes Collection, Mobile Public Library.
21. Miro to McGillivray, New Orleans, May 22, 1789, AGI, PC, leg. 2360; Jack D. L. Holmes, "Notes on the Spanish Fort San Esteban de Tombeche," *Alabama Review*, XVIII (October 1965), 281-82.
22. Jack D. L. Holmes, *Gayoso: the Life of a Spanish Governor in the Mississippi Valley, 1789-1799* (Baton Rouge, 1965; reprinted Gloucester, Mass., 1968), 144.

ing Indian agents to persuade the tribes to accept American presents and sign alliances with the United States. The Cherokees, who had not been included in the Pensacola or Mobile treaties and whose villages obviously lay in territory claimed by the United States, were persuaded to sign treaties in 1785 and 1791. In 1790 McGillivray was invited to come to New York where he signed an unpopular treaty ceding some of the Creek lands to the United States, while he accepted a brigadier's commission and an annual pension three times what Spain had been paying him.²³

Governor William Blount of the Southwest territory was named acting Superintendent for Indian Affairs in the Southern District; General James Robertson of Nashville served as agent to the Chickasaws; Leonard Shaw worked with the Cherokees; and James Seagrove labored among the Creeks. The policy of the United States toward these Indians was "to prevent their forming any alliance with the hostile tribes north of the Ohio River, to extend American control gradually into the Indian country, and to promote trade."²⁴

Francisco Luis Hector, Baron de Carondelet, who succeeded Miro as governor-general of Louisiana and West Florida in December 1791, moved to check these American gains. General Robertson wrote Carondelet in 1792 that the United States was about to conclude a treaty with the Choctaws and Chickasaws which would "promote peace and tranquility."²⁵ Although Spanish officials complained to the Americans about their signing treaties with tribes already under the protection of Spain,²⁶ the Spaniards realized there was little they could do to

23. Whitaker, *Spanish-American Frontier*, 133-39; Caughey, *McGillivray*, 40-46.

24. Kinnaird, *Spain in the Mississippi Valley*, Pt. III, xiv. See also Randolph C. Downes, "Indian Affairs in the Southwest Territory, 1790-1796," *Tennessee Historical Magazine*, Series II, Vol. III (January 1937), 240-68; Robert S. Cotterill, "Federal Indian Management in the South, 1789-1825," *Mississippi Valley Historical Review*, XX (December 1933), 333-52; *American State Papers*, Class II: *Indian Affairs*, I, 246-50.

25. Robertson to Carondelet, Nashville Territory, May 25, 1792, Kinnaird, *Spain in the Mississippi Valley*, Pt. III, 40-41.

26. Gayoso to William Blount, Walnut Hills, July 21, 1793, AGI, PC, leg. 208; translated in D.C. and Roberta Corbitt (trans. and ed.), "Papers from the Spanish Archives relating to Tennessee and the Old Southwest," *Publications of the East Tennessee Historical Society*, No. 34 (1962), 91-94.

stop them because they considered the Indians independent nations.

Carondelet did try to block the execution of these treaties, however, and in March 1792, he sent Captain Pedro Olivier to the Creek villages to whip up opposition to the drawing of the boundary line agreed upon at the Treaty of New York. Olivier's task was not difficult, inasmuch as the treaty was highly unpopular among the Creeks, and when Olivier promised them Spanish support if they would refuse to part with a single foot of land to the United States, the Creeks refused to go along with the American commissioners.²⁷

Next Carondelet persuaded McGillivray to come to New Orleans where, on July 6, 1792, he signed a treaty guaranteeing all Creek lands as they had existed at the time of the Pensacola Treaty of 1784. The Creeks would give the Americans who had settled on their lands two months to retire. If they did not do so, Spain would provide the Creeks with arms and powder "not only to defend their territories, but also to recuperate the usurped lands."²⁸

While Olivier and Carondelet thus neutralized American influence among the Creeks, Captain Juan de la Villebeuvre attended the Muscle Shoals conference where the American commissioners were trying to develop an alliance with delegates from the Creeks, Choctaws, Chickasaws, and Cherokees.²⁹ Because the Cherokees had been left out of the earlier treaties, Carondelet, in 1792, invited one of the leading chiefs, Bloody Fellow, to come to New Orleans. Accompanied by his son, the Cherokee chief listened to Carondelet and Gayoso and agreed to send delegates to a "summit conference" the following year. Although the treaties of Hopewell (1785) and Holston (1791) had tied the Cherokees to the United States, Carondelet felt that Spain

27. Seagrove to President (Washington) of the U.S., Rock Landing, on the River Oconee in Georgia, July 5, 1792, *American State Papers*, Class II: *Indian Affairs*, I, 304; Berry, "Spanish and Indian Policy," 470-71. Olivier had been named commissioner to the Creeks by royal order of October 1791 at an annual salary of \$800. Salaries of Louisiana government officials, c. 1795, AGI, PC, leg. 184-A.

28. A copy of the treaty dated New Orleans, July 6, 1792, is in the Bancroft Library (Berkeley), Louisiana Collection, Box 3, folder 231. It is also translated in Kinnaird, *Spain in the Mississippi Valley*, Pt. III, 57-58.

29. Carondelet's instructions to de la Villebeuvre, New Orleans, April 4, 1792, AGI, PC, leg. 18.

could play the same game that the United States had played by signing treaties with those nations under Spanish protection.³⁰

Governor Manuel Gayoso de Lemos of the Natchez District conferred with the pro-American Chickasaw chief Piomingo³¹ in April 1792 and did his utmost to win him over to Spain by offering him Spanish arms for defense. Piomingo left Natchez content with the hospitality, presents, and promises, and agreed to attend a full-scale conference the following year.³² Franchimastabe, an important Choctaw chief who had signed the Mobile Treaty in 1784, was also persuaded to join a Choctaw delegation, thanks to the excellent work of Gayoso's adjutant, Stephen Minor.³³ From October 26 through October 28, 1793, great and small medal chiefs, warriors, women, and children from the Alibamon, Creek, Choctaw, Chickasaw, and Talapuche nations met with Gayoso at the Spanish post of Nogales, located at the confluence of the Yazoo and Mississippi rivers near present-day Vicksburg. Although the Cherokees had not sent delegates, "being engaged in a campaign against the United States," their interests were represented by five chiefs of the Creek, Talapuche, and Alibamon nations.³⁴

The Treaty of Nogales was the most significant accomplishment in Spanish-Indian relations for West Florida. The "treaty of friendship and guarantee" contained nineteen articles, the most important of which was Article IV: "The Chickasaw, Creek, Talapuche, Alibamon, Cherokee and Choctaw nations make an offensive and defensive alliance, so that generally and particularly they promise to consider each other as part of their own nation, to render them aid reciprocally and not to take any essential step that may affect the security and preservation of each one without consulting the others." Spain guaranteed the boundaries of the signatory tribes and promised to protect them against encroachment in the areas over which Spain held dominion.

30. Arthur P. Whitaker, "Spain and the Cherokee Indians, 1783-98," *North Carolina Historical Review*, IV (July 1927), 252-69.

31. Piomingo was known to the Spaniards as Taboca, to the English as Captain Snagle, and to the Americans as Mountain Leader. Holmes, *Documentos de Luisiana*, 209-10 note.

32. Gayoso to Carondelet, No. 2, confidential, Natchez, April 14, 1792, AGI. PC, leg. 2353.

33. Holmes, *Gayoso*, 146-47.

34. Whitaker, "Spain and the Cherokee Indians," 260-61.

Annual presents would be given the Chickasaws on the bank of the Mississippi (presumably at the Chickasaw Bluffs); to the Creeks, Talapuches, and Cherokees, at Pensacola; to the Alibamon at Mobile. The Choctaws would select their distribution center at a later date. Spanish Indian commissioners would be welcomed in the Indian villages and towns and serve as liaison between the red men and their white protectors.³⁵ This was particularly important, inasmuch as these Indian commissioners could prevent the renewal of American efforts to win back the Indians.

Unfortunately for Spain, the Indians did not honor all the terms of the treaty. Traditional rivalry between the Chickasaws and the Talapuches had broken out into war in 1793 and again in 1795, and Spain was in the ironic position of supplying both sides with arms, although Gayoso and Carondelet were finally able to stop hostilities by careful diplomacy with the war chiefs.³⁶ James Seagrove, on an expedition to Tuckaubatchee in November 1793, tried to persuade the Creeks to live up to their New York treaty, but the hostility of the Creeks, emboldened by Spanish promises of aid, forced him to flee for his life.³⁷ Although Spain had increased its expenses on Indian affairs from a mere \$4,000 in 1769, to \$55,209 in 1794, comprising ten per cent of her total expenditures in Louisiana and West Florida, she had accomplished the goal of creating a vast Indian barrier against the United States.³⁸ Although some historians have claimed Spanish policy was a failure,³⁹ it must be admitted that when the United States, thanks to the Treaty of San Lorenzo (1795), moved to the thirty-first parallel in West Florida she

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35. Five original copies of the Nogales Treaty are in AGI, PC, leg. 2353. Additional copies are in legs. 121 and 2363, and in AHN, EST., leg. 3898. It is printed in Serrano y Sanz, *Espana y los indios*, 91-92; summaries are in Gayarre, *Louisiana*, 328-29, and Holmes, *Gayoso*, 150-54. See also Thomas R. Hay, "Treaty of Nogales," *Dictionary of American Biography*, ed. James Truslow Adams, 5 vols. (New York, 1940), III, 136.
36. Carondelet to Juan de la Villebeuvre, New Orleans, March 25, 1795, AGI, PC, leg. 22; Knoxville Gazette, October 2, 1795; Berry, "Indian Policy of Spain," 474-75.
37. Daniel M. Smith, "James Seagrove and the Mission to Tuckaubatchee, 1793," *Georgia Historical Quarterly*, XLIV (March 1960), 41-55.
38. Holmes, *Gayoso*, 154.
39. See for example, Ray Allen Billington, *The Westward Movement in the United States* (Princeton, 1959), 33: ". . . the Indian alliances soon collapsed. . . ."

encountered stiff opposition from those Indians still loyal to Spain.⁴⁰

The Seminole Indians opposed both Spain and the United States, however, and under the direction of William Augustus Bowles, self-styled Director-General of the State of Muskogee,⁴¹ they attacked and captured Panton's storehouse at St. Marks in 1792.⁴² In May 1800, Bowles forced the surrender of Fort San Marcos itself. A full-scale naval and land expedition under the command of Folch recovered St. Marks and placed a bounty on the head of Bowles. The American agent among the Creeks, Benjamin Hawkins, also opposed Bowles and suggested that the Creeks capture the adventurer and turn him over to Spanish officials. Bowles was captured by a band of Upper Creeks, taken to Havana, and imprisoned. He died in 1805, but he left behind him a legacy of Seminole hatred toward the United States.⁴³

Seminole hostility toward Spain was also demonstrated when a band of Seminoles and Lower Creeks attacked the boundary commission encamped near the confluence of the Chattahoochee and Flint rivers in 1799. Although Bowles had not yet returned to West Florida at the time, the Seminoles apparently expected him to arrive soon and were emboldened in their hostility.⁴⁴ To nullify the influence of Bowles among the Seminoles, Lieutenant-Colonel Jacobo Dubreuil, commandant of St. Marks, called twenty-two chiefs of the Miccosukee and other Seminole villages to a conference, where on August 20, 1802, they agreed to twelve articles. The Indians agreed to give up their Spanish and Negro slave prisoners in West Florida and near St. Augustine in East Florida. They promised not to give aid or support to Bowles; contrariwise they agreed to expel him from their villages and to allow Spanish troops to chase him from the land. The Span-

40. Holmes, *Gayoso*, 174-75, 194, 235-37.

41. J. Leitch Wright, Jr., *William Augustus Bowles, Director General of the Creek Nation* (Athens, 1967).

42. Lawrence Kinnaird, "The Significance of William Augustus Bowles' Seizure of Panton's Apalachee Store in 1792," *Florida Historical Quarterly*, IX (January 1931), 156-92.

43. Jack D. L. Holmes, *Honor and Fidelity, the Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821* (Birmingham, 1965), 72.

44. Jack D. L. Holmes, "The Southern Boundary Commission, the Chattahoochee River, and the Florida Seminoles, 1799," *Florida Historical Quarterly*, XLIV (April 1966), 312-41.

iards agreed to reestablish a trading post supplied with adequate goods at a fair price in exchange for pelts and livestock brought in by the Indians to trade. The Indians agreed to have nothing to do with ships plying the Florida coast from Pensacola to St. Augustine unless they were authorized by the Spanish commandant, and they promised to bar all strangers and unauthorized traders from their villages.⁴⁵ The treaty was probably more popular with Spain than with the Seminoles; "some accepted it in good faith, most were apathetic, while a sizable minority was not even represented at St. Marks," concludes one historian.⁴⁶

The other type of treaty signed between Spain and the West Florida Indians involved the cession of strategic bits of land on which Carondelet constructed frontier forts to protect the Indians, to maintain a trading post, and to prevent incursions from the United States. In 1789 when the South Carolina Yazoo Company persuaded the Georgia legislature to grant them 10,000,000 acres of land in West Florida,⁴⁷ Governor Gayoso led an expedition to the Walnut Hills (Nogales) where, from March 23 to May 10, 1791, he supervised the clearing of brush and the construction of Fort Nogales dominating the Mississippi River. This would become one of Spain's most important defensive bastions on the river.⁴⁸

The Choctaws complained that the fort was on their hunting lands and demanded that the Spanish governor remove it at once. Gayoso sent Stephen Minor on two missions to the Choctaw villages in 1791 and 1792, the result of which was to persuade Franchimastabe and other Choctaw chiefs to join with Chickasaw delegates at a conference in Natchez. They arrived at Cole's Creek on May 10, 1792, and four days later agreed to sign the Treaty of Natchez by which they ceded the Walnut Hills to Spain for \$2,000 in presents. Adding the \$500 in entertainment expenses, Gayoso proudly wrote that Spain had

45. Preliminary Treaty of Peace, Fort San Marcos de Apalachee, August 20, 1802, AGI, PC, leg. 142-B.

46. Wright, *Bowles*, 155.

47. Charles H. Haskins, "The Yazoo Land Companies," *Papers of the American Historical Association*, V, Part 4 (1891), 66; Gayoso to Carondelet, No. 34, Natchez, April 6, 1792, AGI, PC, leg. 152.

48. Holmes, *Gayoso*, 145-46.

gained a vital military post and had kept the Indians happy at the same time.⁴⁹

When Bloody Fellow, the Cherokee chief, visited Gayoso in 1792, he urged the establishment of Spanish forts at Muscle Shoals and on the site of the old French Fort Tombeche.⁵⁰ Juan de la Villebeuvre, the Spanish commissioner to the Choctaws, gained the consent of that tribe also, and on May 10, 1793, signed the Treaty of Boukfouka. Twenty-four great and small medal Choctaw and Chickasaw chiefs were represented by the interpreter, Simon Favre, and Thomas Price, who joined de la Villebeuvre and two other Spaniards in signing the treaty.⁵¹ For less than \$1,000 Spain had acquired thirty square arpents of land on which a fort was constructed the following year and named Fort Confederation in honor of the alliance signed at Nogales in October 1793. The Treaty of Mobile was reaffirmed, and Spain promised to establish a trading post to supply the Choctaws with their needs. Fort Confederation was demolished and the post evacuated in the spring of 1797, in keeping with the terms of the Treaty of San Lorenzo, signed two years earlier.⁵²

The Chickasaw Bluffs cession of June 20, 1795, enabled Governor Gayoso to obtain six square miles of land in what is today

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49. *Ibid.*, 146-50. Copies of the treaty are in AGI, PC, legs. 1446 and 2353; and enclosed in Carondelet to Conde de Floridablanca, No. 28, confidential, New Orleans, May 22, 1792, AHN, EST., leg. 3898. It is printed in Manuel Serrano y Sanz (ed.), *Documentos historicos de la Florida y la Luisiana siglos xvi al xviii* (Madrid, 1912), 436-39; an English translation with the date mistakenly given as May 14, 1790, is in *American State Papers, Foreign Relations*, I, 280.
50. Carondelet to Conde de Aranda, No. 23, confidential, New Orleans, November 20, 1792, AHN, EST., leg. 3898; Carondelet to Las Casas, No. 57, confidential, New Orleans, November 20, 1792, AGI, PC, leg. 2353. Old French Fort Tombeche is located near Epes, Alabama, just north of Livingston where U.S. highway 11 crosses the Tombigbee River.
51. A copy of the treaty is enclosed with Carondelet's supporting letter to Duque de Alcudia (Manuel de Godoy), confidential, New Orleans, June 11, 1793, AHN, EST., leg. 3898. It is printed in Serrano y Sanz, *Espana y los indios*, 90.
52. Carondelet to Alcudia, No. 24, confidential, New Orleans, January 18, 1794, AGI, Audiencia de Santo Domingo, leg. 2531; Carondelet to Alcudia, No. 10, confidential, New Orleans, June 11, 1793, AHN, EST., leg. 3898. For Antonio Palao's plans of Fort Confederation in the AGI, see Jack D. L. Holmes, "Maps, Plans and Charts of Colonial Alabama in French and Spanish Archives," *Alabama Historical Quarterly*, XXVII (Spring-Summer 1965), 20-21. On the evacuation, see Juan Ventura Morales to Pedro Varela y Ulloa, No. 9, confidential, New Orleans, March 31, 1797, AHN, EST., leg. 3902; Arthur P. Whitaker, *The Mississippi Question, 1795-1803, a Study in Trade, Politics and Diplomacy* (New York, 1934), 54-56.

down-town Memphis. While Benjamin Fooy, Spanish interpreter and agent to the Chickasaws, worked for the consent of the tribe, a pro-Spanish Chickasaw chief named Ugulayacabe visited Gayoso and listened to his proposition that the Indians permit Spain to establish a trading post on the bluffs protected by a military force and a fort.

Without having received prior permission from the Chickasaws, but apparently confident of success, Gayoso personally led an expedition of the Spanish squadron of the Mississippi to a strip of land on the west bank of the Mississippi opposite the Chickasaw Bluffs, where on May 20, 1795, he established Campo de la Esperanza (near present-day Hopefield, Arkansas). Ten days later he celebrated his birthday by hoisting the Bourbon banner over the bluffs as the artillery of the land and naval batteries fired salutes. Work was immediately begun on Fort San Fernando de las Barrancas. On June 20, 1795, Fooy accompanied Payehuma and Ulathaupaye (William Glover), leading pro-Spanish Chickasaw chiefs, as they signed at the bottom of a map indicating the boundaries of the cession which they consented to in the name of the entire Chickasaw nation.⁵³

Despite outraged protests from Washington and the frontier capitals, and despite threats to dislodge the Spaniards by force if they failed to evacuate the fort immediately, Gayoso employed his squadron and urged the engineer, Juan Maria Perchet, to complete the fortifications. Spain remained in control of this strategic post where the Chickasaws received their annual presents until March 1797, when, in accordance with the Treaty of San Lorenzo, the fort was dismantled and moved to the west bank, much to the chagrin of the pro-Spanish Chickasaw chiefs who felt betrayed.⁵⁴

53. Copies of the treaty are in AHN, EST., legs. 3899 and 3902; AGI, PC, leg. 2354; Archivo General de Simancas, Mapas, XIX-45; and MPA, V, 887. It has been published in Jack D. L. Holmes, *Gallant Emissary: The Political Career of Manuel Gayoso de Lemos in the Mississippi Valley, 1789-1799* (Ann Arbor, 1959), 87; and Holmes, *Documentos de Luisiana*, appendix. For details behind the Spanish-American rivalry for control of the Chickasaw Bluffs, see Jack D. L. Holmes, "Spanish-American Rivalry over the Chickasaw Bluffs, 1780-1795," *Publications of the East Tennessee Historical Society*, No. 34 (1962), 26-57; Whitaker, *Spanish-American Frontier*, 213-16.

54. Jack D. L. Holmes, "Three Early Memphis Commandants: Beaugard, Deville Degoutin, and Folch," *Papers of the West Tennessee Historical Society*, XVIII (1964), 5-38; and "The Ebb-Tide of Spanish Military

These land cession treaties were for the purpose of obtaining military posts and not for settlement in contrast to the usual land cession treaties signed between the United States and the southern Indians. Because of this fact the Indians were not hostile to the Spanish moves, recognizing that Spain was better able to protect Indian territory from American encroachment as long as she maintained her frontier posts. These treaties, as well as the ones which established the network of defensive alliances, were vital to Spanish defenses in the Mississippi Valley and indicate a wise and prudent policy toward the southern Indians.

Power on the Mississippi: Fort San Fernando de las Barrancas, 1795-1798," *Publications* of the East Tennessee Historical Society, No. 36 (1964), 23-44.