

Exemption 6

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Washington, DC

3/27/16

Department of the Interior

Office of the Assistant Secretary - Indian Affairs

Attn: Office of Federal Acknowledgment

1951 Constitution Avenue, NW

Washington, DC 20240

Greetings Good Sirs,

I am writing as an individual and as Chairperson of the Apalachicola River Community Indian Community Conference to make a few comments and observations on the consideration for federal acknowledgment that the Muscogee Nation of Florida has been striving for over the last several years. It is well known to the BIA that people of Creek ancestry from the panhandle of Florida have been struggling politically and socially for acknowledgment since the 1950's and the Florida Tribe of Eastern Creek Indians (FTECI) efforts to submit a petition in the late 1970's was a continuation of that same struggle, especially as the leaders of the community became more aware of the political and regulatory processes involved and the educations of those serving their interest improved. The evolution of that long time movement continued with the reorganization of the FTECI, into the Muscogee Nation of Florida (MNOF) in the early 2000's. I was a witness to many of these events as a councilman and an executive committee member with the FTECI for some years. The original FTECI petitions constituencies from the late seventies and another in the nineties are different than those of the final roll submitted after 2000 in composition of tribal members.

This is due to a process of increasing focus bringing the roll and narrative of the MNOF tribal history closer to being based in the Bruce Community exclusive of earlier alliances and organizational structures. There were changes enacted that reflected the focus on the Bruce Community as central to the MNOF identity, especially the reduction of enrolled members from several thousand to about 800. The process of change the MNOF embarked on and which lasted several years in order to make a final "push" for federal recognition, one which it now has arrived at, was at times harsh. Not without pain and difficulty, some long time families were removed from the final roll being compiled, primarily from the former tribal affiliated areas of Pensacola to the west and Blountstown to the east. Due to concerns regarding sufficient documentation of Indian ancestry and with courage and concern for the larger community first, other individuals and families voluntarily removed themselves or their families to facilitate recognition, with exceptional courage in leading this being shown by (b) (6) and (b) (6) (b) (6) as this process of winnowing down a bloated roll played out. Several long time leaders from the newly peripheral areas left the council and their affiliation with the newly emerging MNOF at that time, including long time leaders like Councilman Carrie Ellis and MNOF tribal Chairman "Brick" Mason. I would posit that a similar event occurred some decades ago as the Creek Nation East of the Mississippi (CNEM) as an umbrella organization devolved into community specific organizations across a wide area.

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Eventually the Poarch Band of Creeks, who had a very specific and definitive historical narrative as to their unique identity among the tens of thousands of Creek descendents of the region, as the only community wherein significant intermarriage maintained the integrity of the Poarch Creeks as a distinctly Indian community rather than being a "Creek Indian descendent group". The Poarch Creeks are a unique people. The MNOF will now face that same litmus test of group history, endogamy, cohesion, and organization as BIA examines the documentary evidence the MNOF has submitted to support its assertions. This is no easy test. Unlike the MNOF predecessor, the FTECI included families from across the panhandle of Florida including Pensacola, Bruce, and Blountstown as main population centers; afterwards the MNOF constituted mainly enrolled members with blood ties to the Bruce community.

There is a significant part of the modern Bruce Community that is in good part predominately of Ward lineage or their relatives, and is focused on the Methodist church in Bruce and its founding families from the early 1900's, as the documentation submitted by MNOF indeed shows. Undisputed by most is the Ward's and other families that descend from Elizabeth English assertions of documented Creek ancestry, many certainly participants in the Creek land claims, and many do have docket letters attesting to the federal government's view of them as eligible descendents of Creek Nation people and able to share in and receive the money that was distributed in compensation for the seized lands of the Old Creek Nation, now included in modern Alabama and Georgia. For the above reasons I personally think that the Muscogee Nation of Florida and its people should be given a full and thorough consideration for becoming a federally acknowledged tribe by the BIA. They have worked together for many decades to secure their participation in the Indian Claims Commission Docket cases, and later to push for recognition.

There is another point I wanted to stress though. There has been some confusion both internally and externally in the community of those of Indian ancestry over two distinct communities of people in Florida's panhandle over the recent decades by many, and I will speak as to the identity of each from my own experience and research. Across the Florida panhandle and the lower south there are many who descend from Creek Nation people, tens of thousands, and this is not an uncommon thing in the region that was once part of the Creek Nation before removal. If one researches the racial identification of many of these families of Creek Indian descent, most come from familial lines who from the removal until recently were identified as only white, and without a community context as anything other than. This was no small group of people. Most lack intermarriage with other Indians or anyone but whites. This isn't to criticize those generations now long passed away their social choices. The past is a place we today will never truly know, with the documentary evidence we have inherited being the social echo of their lives that we must interpret. Indeed, with southern poverty crushingly real, Jim Crow segregation and racism in full swing, the local Ku Klux Klan out night riding and their terrorism running amok (unchecked by the same federal government now critiquing the racial status of petitioners) as well as other factors that were legally and socially relevant to daily survival present during the 1800's, it is no surprise that the many who had some Creek ancestry did little to change outsiders perception of them as anything besides white.

This same ability "to pass" as being white wasn't available for several other groups of Indian people in Florida's panhandle back then. I speak of the Indians of Scott Town (Jackson County), Scotts Ferry (Calhoun County), Woods (Liberty County), and Mount Zion Communities, sometimes known as Dominickers, Redbones, Brass Ankles, Melungeons, and other colorful appellations at times. Historically this is a group who are of consistently identified as of Native American identity and ancestry, a people who had high rates of community intermarriage within the Indian community from the 1840's to the present, and whose group and racial identity was constantly attacked on the local and state level, as our oral history and dozens of court cases from Calhoun and Jackson County attest during Jim Crow times. Though new migrants to the land the Creeks were being removed from, the (Cheraw/Catawba/Lumbee) Indians of Carolina origins arriving in north Florida were not welcomed with open arms, as the treatment of the Creeks gives some idea of the Floridians regard for Indians. Clearly the archival records show the Scotts Ferry (Calhoun County), Scotts Church (Jackson County), Woods (in Liberty County), and Mount Zion Chapel (in Holmes County) are Indians who came to Florida in the early 1800's and whose genesis is rooted in the exodus of Eastern-Siouan's and other Indians in the Carolina and Virginia areas centuries ago.

The establishment of the nascent Scotts Ferry Community by General Jacob Scott and his band of Indians from the Carolinas in the 1850's (and who are listed as "Free people of Color" consistently during slavery times), created a new home that this community would protect and defend, as the legal history of the group shows, unbowed by dozens of attempts to push them as Native Americans into the African American identity or community. The Scotts Ferry community prospered until the 1860's when the settlement faced persecution under the racial miscegenation laws of the Jim Crow Era, a situation which would last until the desegregation of American society a century later. A similar situation confronted the related families from the Scott Town settlement in Jackson County, and to a lesser degree the Hill, Oxendine, Jacobs, and other Indian families at the smaller Woods Settlement in Liberty County on the Apalachicola River.

The people of these communities would constantly have to fight prejudiced local authorities and institutional racism to maintain their identities, as documented in the hundreds of archival records which identify these persons race as "Indian". As can be seen from dozens of court cases and school board records, military enlistments, and tax records, census and others their community was one who would stand up for itself. The documentary records are replete with example of the Florida Cheraw peoples fight for dignity and justice against the racist conditions of the Florida we called home since the 1840's. The excerpts below are just a few from the historic record about the Indians of our community, to document some of the racial realities our ancestors faced in the centuries of struggle in the Jim Crow South, struggles not faced generally speaking by "Creek descendents" (though the Poarch Creek Indians did face the same struggle, as identifiable Indians, in south Alabama.)

"The free negroes in this county are mixed-blood, almost white and are intermarried with a low class of whites – Have no trade, occupation or profession they live in a settlement or Town of their own their personal property consists of Cattle & Hogs, They make no produce except corn & peas & very little of that, They are a lazy Indolent & worthless race."

(-1860 Federal Census of Calhoun County narrative concerning Scott's Ferry)

"There are men who would knife us out of having our own school saying that we are negroe. You know our character that we are of white and Indian blood..."

(-Scotts Ferry School Trustee Dave Martin to Calhoun County Clerk of Court-1938)

"Some of the forefathers claim there was no negro blood, but there was Indian blood. This, we are unable to substantiate by any official records."

(-JD Milton, Superintendent of Jackson County Schools in correspondence upon interviewing Tom Scott of Scott Town as to the community's origins-1942)

The above is only a sampling of the documentation of the racial injustice struggles faced by the Cheraw in Florida, to give an idea of the difference in the two communities, those of Creek descendents, and those of Cheraw "identifiably Indian" racial identity. The specter of dealing with the impacts of real or perceived African ancestry in addition to Native American (and the usual European ancestry) was an ever present challenge to the lives of the Cheraw community members then (indeed, this is sadly a phenomenon that in all honesty is still occurring as the generation of contemporary community members who attended the "Colored" schools like those at Scotts Ferry, Scott Town, and Mount Zion are asked to cooperate with research and advocacy efforts before they pass away; Shame in one's identity and its subsequent trauma is a terrible affliction.)

Historic and current cooperation between Creek and Cheraw community members is not uncommon. It should be said that while the MNOF and its predecessor the FTECI did have participation by some Cheraw people these organizations were and are primarily composed of persons of Creek descent; indeed the Poarch Band has several families such as Gibson, Hathcock, Dees, and others whose founders in the early 1800's were migrant Carolina Indians yet the tribe is nonetheless agreed by all as being "Creek". All the Indian groups of the southeastern region such as Seminole, Creek, Catawba, and Cherokee to name a few have a common origin in the colonial era migrations of differing ancestral tribes in response to the difficulties of the time, and each group has differing degrees of admixture of different groups dependent on their unique history. As a half dozen "Creek descendant" groups have surged forth in the hopes of federal recognition since the end of segregation times and unsurprisingly failed over the years, (with only the Poarch Creek Indians making the grade, again mainly based on the significant level of community identity best exemplified by their high rates of endogamy and cohesion found in their archival and documentary past), the majority of the families of the Apalachicola River Community of Indians, as Cheraw people, have watched and for the most part sat out the drama over the last 50 years.

Today, the Apalachicola River Community of Indians Tribal Organization (ARCITO) is the political government of the modern communities who come from the old settlements, and it generally represents the descendents of the aforementioned community politically and socially, when need arises, and they gather often through the annual community conference and the ceremonies at the Kufuskee Ceremonial Grounds, the religious government. The Apalachicola River Community of Indians Annual Community Conference is a yearly gathering of the Indian people who descend from the historic Indian settlements of Scotts Ferry, Scott Town, Woods, and Mount Zion in the panhandle of Florida, and is its general council meeting. While the Apalachicola River Community of Indians Tribal Organization (ARCITO) has been in contact in the decades past with the BIA in attempts to clarify the documentary significance in the families who during Jim Crow segregation were the only community who the documentary records show maintained identifiable separate identities as communities in the panhandle. Indeed, as the enumerator of the 1850 census of Calhoun County felt moved to put it in a short narrative he wrote and excerpted here concerning the Indian people of Scotts Ferry, "They have a settlement or town of their own." Like then we still do, though today we less concentrated than we once were, not uncommon for any tribe today. The active members of the Apalachicola River Community of Indians in Florida have full confidence that the BIA will thoroughly research the MNOF assertions as to the past history of that community and will render a fair and just decision based on their analysis. **Our prayers and thoughts are with our many friends from Bruce Community and the MNOF as they go through the long overdue process of decision-making by BIA.**

The decades of working together on issues relating to Florida Indian people; in the FTECI council hall, at the meetings of the Florida Governor's Council on Indian Affairs, in cooperation at countless events, and while sharing Green Corn Dance ceremonials and sweat lodge prayers together, all have fueled a genuine appreciation for the tenacity and love the Bruce people have towards their Creek ancestry observed by their Cheraw friends over the last 30 years of intertribal cooperation. With the end of the FTECI and emergence of the MNOF in early 2000's this working political relationship ended as ties were cut between the two communities and new leadership emerged, but the hopes for the Bruce people and their federal recognition by their Cheraw friends is still genuine. **The Apalachicola River Community Indian Community Conference supports the federal recognition of the MNOF.** The people of the MNOF have shown a commitment to the heritage of the Creek people over many generations. Since the 1950's the Bruce Community has been active in that effort. For many decades' people from the Cheraw families of the Apalachicola valley as well as those of Creek heritage worked together for the betterment of the Indian people of the Florida panhandle. The shared contemporary efforts by the two groups for Florida Native American solidarity and advancement do not mean a shared history though. The Florida Cheraw were oppressed and socially isolated, and the Creek descendents were passing and considered generally a part of the white establishment. This is well documented in the archival record. Despite attempts many times over the last thirty years by several petitioning "Creek" groups to use archival data relating solely to the Florida Cheraw in evidence for their groups claims to an unbroken history as a community, the BIA always sees through these attempts, as past responses by BIA-BAR to the petitions has shown. One cannot blame the MNOF for attempting to gain recognition, with the conditions for all people in the north county environment of the Florida panhandle being difficult.

The ARCITO council is well aware that the (Cheraw/Catawba/Lumbee) tribal origins of the group in the Carolinas and the subsequent migration to Florida in the early 1800's by the founding families of the communities mean that unlike the parent communities in SC and NC, federal acknowledgment requirements dictate residence in one's "historic" homeland as important. The 1800's migration and resettlement of the ancestors in Scott Town and Scott's Ferry in Florida imply that for the modern ARCITO membership federal acknowledgment would be problematic despite the strong documentary history as identified as Indian racially and maintaining community cohesion. Nonetheless the community wishes to continue to assert our historic identity as did our elders during Jim Crow. For the unfamiliar, the families associated with our community include the surnames of Ayers, Barnwell, Bass, Blanchard, Brown, Bullard, Bunch, Bryant, Brooks, Chason, Chavis/Chavers, Conyers, Copeland, Davis, Doyle, Forehand, Goins, Hall, Harris, Hicks, Hill, Holly, Ireland, Jacobs, Johnson, Jones, Keever, Long, Lovett, Mainer, Martin, Mayo, Moses, Oxendine, Perkins, Porter, Potter, Quinn, Scott, Simmons, Smith, Stafford, Stephens, Sweat, Thomas, Whitfield and Williams.

These families are of documentable Indian ancestry, predominately Cheraw/Catawba/Lumbee, but a few having Creek, Euchee, and other tribal lines of descent as well. The Ward's, descendents of Elizabeth English, and the other families clustered around Bruce and related to them are a separate community from the aforementioned Cheraw. Again, the Florida Cheraw communities under the ARCITO are not part of the MNOF, but support their efforts to secure recognition. The last 15 years of leadership of ARCITO under Chairman Pony Hill has been one of attempts to repeatedly document the separate identity and history of the Florida Cheraw, their blood ties to the Indians of Robeson County, NC and Sumter County SC, as well as the Catawba Tribe at Rock Hill, SC and bring attention to the unique character of the community especially during the segregation era when they are the only group in Florida identified racially as Indian consistently. Documentation has in the past been submitted relating to the many census, court cases, military records, taxation records, and the like that support the identification of the ARCITO families of Scott Town, Scotts Ferry, etc... as a distinct community and definitely not part of the Bruce community, or party to docket money received in compensation for land taken by the US from the Creek Nation.

In short, this letter is to support the Muscogee Nation of Florida in their attempt to gain federal recognition; I am Creek as is my mother and her mother's mother. Indeed, as I am a descendent of Nancy and Sarah Doyle Hill, (Bird Clan) daughters of Susannah Islands and granddaughters of Chief Joseph Islands (of Coweta tribal Town) through my Creek lines of maternal ancestry, I want to see all people of Creek heritage (of any degree) improve their lot. I have spent significant years of my life working with the people of the MNOF on Native issues and found them genuine, proud, and friendly. Of Creek and Cheraw ancestral lines both, before the reorganization and subsequent change in tribal requirements for enrollment that led to my removal from the roll, I was an executive committee member and council member for several years with the FTECI under the administration of Tribal Chairman John Thomas, and supported the FTECI and its representation of and work for Creek folks in Florida.

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Though a few of my own maternal line Hill family members maintain ties to our Creek Nation relatives in Oklahoma (linked through the Island and Doyle lines) and many somewhat embrace our ancestral Muscogee (Creek) Nation identity, as people of the east and due to Muscogee (Creek) Nation law most of my Eastern Creek relatives are unable to enroll there, though there are many among the 80,000 Creeks there of less Indian ancestry than us, as I learned living among the Oklahoma Creeks for years. Such is politics in the twenty-first century. Due to the Dawes roll requirements for enrollment my family isn't eligible for enrollment in our ancestral Muscogee (Creek) Nation today, yet many here in Florida and lower Alabama who are not Poarch members, and some who are do attend Green Corn dance there, many at Wakokiye Tallahassee Grounds and Hill family reunions in Okmulgee. Those in Florida who have intermarried with the Cheraw became Cheraw in most cases, especially during the Jim Crow segregation reign of injustice. The relationship between the communities of Creek and Cheraw origins in northern Florida since 1840 is not simple and I lack the ability to clearly present it here in its full complexity.

To summarize this correspondence, it is my experience that the FTECI is defunct and the MNOF has taken its place and is not the same organization, having asserted a different focus than previously presented in earlier petitions. It is a more refined narrative as to what constitutes the MNOF membership, as any overview of its documentary history will show of the last petition versus that of 1978. I support the effort by the MNOF to secure federal recognition, with admiration especially the hard work of Mrs. Zera Denson and her daughter Ann Denson Tucker, both deeply committed to the welfare and betterment of Creek Indian descendants and all people in Florida for their entire lives. It was an honor to serve in common the people of Florida of Indian ancestry with them for many years, done in cooperation and friendship, and I hope the BIA will give the MNOF and its people the fair and impartial treatment they deserve after so many years of struggle for recognition. They are in my families prayers.

Many thanks for your time and consideration,

Christopher Hodalee Scott Sewell

hssewell - (Hotvle Haco)

Chairperson, Apalachicola River Community of Indians Community Conference

Member of ARCITO and the Speaker of Kufuskee Ceremonial Grounds

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