

Maj. Gen. J. G. Foster.
Letter Book
1865-1866
Dept. of Florida

U.S.A. - No. 2366 -

MANUSCRIPT



DIVISION

JOHN GRAY FOSTER

Letterbook

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valuable or interesting.

I am, Colonel, very respectfully, Your obt. Servt.

(Signed) Chas. Mundee

Bot. Brig Gen & A.A.G.



Headquarters, Dept. of Florida
Tallahassee, April 26th 1866

Bot. Col. G. L. Hartuff
Adj. Adjut Gen. Mil. Div. of the Gulf
New Orleans, La.

Colonel,



Having been informed that Mr. John D. Sawyer a lawyer in Fernandina had written a Letter to the President of the U.S. which was returned to him thro' your Headquarters with endorsement from the Lieut. General Commanding and this endorsement being of importance as it will serve me as a guide in similar cases I have procured copy of the document from Mr. Sawyer.

I respectfully request that such papers in future may be transmitted thro' these Headquarters.

I am, Colonel, very respectfully, Your obt. Servt.

(Signed) J. G. Foster

Major General Commanding

Headquarters, Dept. of Florida
Tallahassee, April 27th 1866

Commanding Officer of U.S. Forces
Apalachicola, Fla.

Sir



It is reported that certain parties are preparing to purchase at Apalachicola the Steamer "Virgin" intending to employ her in transactions contrary to the neutrality laws.

The Major General Commanding directs you to ascertain the facts in the matter as near as possible and report the result of your investigation.

Very respectfully, Your obed. Servt.

(Signed) Chas. Mundee

B. Brig Gen & A.A.G.

Headquarters, Dept. of Florida
Tallahassee, April 28th 1866

To the Commanding Officer
of the Dept. of South Carolina
Charleston, S. C.

General,

A brutal murder has been committed in this Department and the
Murderer, one Frank Cheatham it is reported has fled to Greenwood, Abber-
ville District S. C.

He is about twenty six years of age, tall round faced and of a flushed
complexion. His head is small in proportion to his body. His wife is with him &
in an advanced stage of pregnancy. When he left he wore a summer jacket
of a material like the annexed sample - probably a little lighter.

I respectfully request that you direct said Frank Cheatham to be arrested
and sent under suitable guard to these Headquarters.

I am, General, very respectfully
Your obedient Servant
(Signed) J. G. Foster
Major General Commanding

Headquarters, Dept. of Florida
Tallahassee, April 27th 1867

Col. Gen. G. L. Hartsuff
Asst. Adjut. Gen. Mil. Div. of the Gulf
New Orleans, La.

Colonel,

I herewith inclose a copy of the Report of Capt. Maynard of the 82nd U.S.
C.I. a most excellent and discreet Officer whom I sent recently, in citizen's clothes
through the Southern part of the State to ascertain all the facts to be gained concerning
the alleged kidnapping of Negroes, smuggling and the number and conditions
of the Indians.

His report may be relied on. I doubt the report about negroes were ac-
tually taken from Jacksonville to Havana. It looks like the old story of the St.
Indian River which touched at Jacksonville on her way to Indian River where
she was wrecked in December 1845. Her Captain endeavored to obtain
hands in Jacksonville but the device becoming known to the Agent of the Freed-
men's Bureau at that place, suspicion was excited and the Steamer left without
the desired hands.

I believe there was a scheme formed to kidnap Negroes on the East

boat but that it failed. I think the Negroes in that Section are too smart to be caught napping.

I respectfully request that inquiry be made to ascertain if the carriage driver of Senator Tourville of Georgia has been missed from the Country since the War, and if so, that a proper demand for him upon the Governor General of Cuba.

I also request that the Treasury Depart. may be asked to send a Revenue cutter to New Smyrna & Indian River to look after the Smugglers, if any there are, as seems to be probable from the written report and also the report of Lieut. Hammond, transmitted with my letter of 6th March 1866.

I am, General, very respectfully

Your obedient Servant

(Signed)

J. G. Miller

Major General Commanding

Headquarters, Dept. of Florida
Tallahassee, April 28th 1866

Assistant Adjutant General,

Headquarters of the Armies of the U.S.
Washington D.C.

Colonel,

In obedience to circular order of February 15th 1866. I herewith inclose a copy of the "Tri Weekly Sentinel" published in the Town, this day. It is not habitual for this paper to issue articles like the one at the bottom of the first column on the first page (marked). I have informed the men of the existence of your order upon the subject and believe that they will in future be more guarded in their expressions.

I believe it to be my duty, however, by the requirements of the Order to forward a copy of the paper for the information of the Lieut. General.

I am, General, very respectfully

Your obedient Servant

(Signed) J. G. Miller

Major General Commanding

Headquarters, Dept. of Florida.
Tallahassee, May 7th 1866

His Excellency

D. S. Walker, Governor of Florida,
Tallahassee,

Governor,

I have the honor to inclose a copy of a petition from several men of Jacksonville to be allowed to form a Volunteer Militia Company in that place to aid in the protection of peaceable citizens and in the preservation of public order. In doing this I am aware that serious objections, on the part of some citizens exist, to such a permission being granted. Also that the Act to organize the Militia of this State approved January 13th 1866 does not make colored persons subject to Military duty in this State. I do not, however, understand that the Law prohibits colored persons from serving as volunteers in Military organizations.

The Constitution of the State declares that "all the inhabitants of the State without distinction of color are free and shall enjoy the rights of person & property, without distinction of color"

The Attorney General of the State John B. Galbraith Esq in his able opinion upon the constitutionality of Sect 12 of the "Act prescribing additional penalties for the Commission of offences and for other purposes" approved January 13th 1866 declares that "the liberty to keep and to bear arms is a right of person and property and that the Legislature is expressly prohibited by the Constitution of the State from passing any Law which makes any distinction in this respect on account of color."

Moreover the Constitution of the U. S. declares that "a well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

I understand therefore, that colored men have the right to keep and bear arms for Militia purposes and may form Volunteer Companies.

Please to inform me if you coincide with me in this opinion and if you will give your consent to the formation of the proposed Volunteer Company at Jacksonville

I am, Governor, Very Respectfully

Your Obedt. Servant

(Signed) J. G. Foster

Major General Commanding

position if he would remain at the Boarding Station so as to be ready at all times to perform his duty but that he declined to - Col. Sprague was therefore forced to make the change in order to preserve a rigid quarantine and at the same time have the duty promptly performed so as to prevent delays and loss to ship owners. I saw the necessity for it during a personal inspection.

The principal parties who complained of delays while Dr. Clay was serving were Colayham & Cunningham of Savannah and Captain James Tucker, Steamer Sycamore River.

The present arrangement gives general satisfaction and cannot be changed without detriment to the public Service.

We felt kindly disposed towards Dr. Clay but his idea of bounding Ventsh from the Town of Fernandina would not answer at all.

I am, Governor, very respectfully
Your obedient Servant
(Signed) J. G. FOSTER
Major General Commanding

Headquarters, Dept. of Florida
Tallahassee, May 10th 1866

Colonel J. T. Sprague
Commanding Dist. of East Fla.

Colonel,

I have referred the Petition of several colored Citizens of Jacksonville to be permitted to form a Volunteer Company at that place to Governor Walker and herewith inclose a copy of his reply together with a copy of my Letter of reference.

Under the Law as explained by the Governor the Service required of all able bodied white men between the ages of 18 and 45 is a duty which is not required of white males outside of those age nor of colored men - This duty is regarded as distinct from the right to bear arms, which all citizens, irrespective of color, possess.

The State Law, in fact, prohibits the formation of military organizations not provided for in law.

Under these circumstances I cannot give authority for the proposed organization until the decision of the proper authority at Washington, to which the case will be referred is made known.

In the meantime if it becomes necessary for the proper security of the citizens and the support of Law to have a Military Force in Jacksonville you are authorized to station a part or the whole of one Co. of the 82nd Ill. C.E. at that place in camp.

An additional Company will be sent you for that purpose if required
I am, Colonel, very respectfully,
(Signed) J. G. FOSTER
Major General Commanding

Headquarters, Dept. of Florida
Tallahassee, May 10th 1866

Det. Major General L. Thomas
Adjutant General, U. S. Army
Washington, D. C.

General,

I have the honor to inclose a Petition of several colored men of Jacksonville Florida to be permitted to form a Volunteer Company; also copies of my Letter to Governor Walker and his reply together with my instructions to Col. Sprague.

Full copies of the Law of the State were forwarded on the 27th January last & copy of Atty. General Gallbraith, referred to, on the 20th February last.

I have the honor to request the decision of the proper Officers of the Government upon the following questions:—

1st Whether the privilege or duty of forming the Volunteer or other Militia Companies is not a right of person in the meaning of the Law.

2nd Whether Sect. 1. of the Act of Congress called the Civil Rights Bill does not by the declaration that all Citizens "shall have the same right in every state &c" to full and equal benefit of all laws and proceedings for the security of person and property as are enjoyed by white citizens guaranteeing the privilege in question to all citizens, irrespective of color and

3rd Whether I shall be justified in authorizing the formation of said Company and in appointing or confirming the election of its Officers—

I am, General, very respectfully,

Your obedient Servant

(Signed) J. G. FOSTER

Major General Commanding.

(Telegram)

Headquarters, Dept. of Florida
Tallahassee, May 11th 1866-3 P.M.

Adj. Gen. U. S. Army
Washington, D. C.

Your Telegram of the 9th has been received this morning. There being no Telegraphic Communication with Pensacola I dispatch at once an "Aide" with instructions on the Steamer "Ella Morse."

(Signed) J. G. FOSTER

Major General Commanding

48
Headquarters District of Florida,
Separate Brigade,
Tallahassee, Fla., Sep 17th 1866

Bvt. Major Gen. Geo. L. Hartuff
A. S. G. Dept of the Gulf.
General.

I have the honor to request to be instructed as to the effect of the President's Proclamation of August 20, 1866. - Does it, in effect, restore the privileges of the Habeas Corpus Act, in all cases, and if not in all cases, to what extent does it operate to restore the privileges of the law. - Does it deprive me, in the exercise of my command, of the supremacy of Martial-law in cases of conflict between the authority of Acts of Congress and orders of my military superiors, and the State or Municipal authorities. - The immediate cause of this request is the action of the municipal officers of this town, who, in the temporary absence of troops, have essayed to arrest Officers, Soldiers, and Employees for trifling infractions of the municipal Ordinances, and this too while the latter were in discharge of their special military duties, - and in most cases to fine them and require the fine to be paid or go to jail. - I resisted this at once and have forbidden the Mayor to arrest any officer, soldier, or employee while in the discharge of his duties, - but requested him to notify me of any of them who may offend against the law, so that I may investigate such case and punish the offenders. As the penalty attached to Act. 33. Rev. Reg. of 1863, is severe, it is desirable that I may be instructed as soon as possible upon the above points, and whether the above article is now to govern in the military districts under your command.

I am, Sir,

Very respectfully,
Your obedient servant

Bvt. Major Gen. Comm'g

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read it to the extent you deem proper

I am Governor Very Respectfully &c &c.

(Signed) J. G. Foster

Maj. Gen. Commdg

Headquarters, Department of Florida
Tallahassee, Fla. July 26th 1866

M. G. Gen. Lee

A. A. G. Mil. Div. of the Gulf,

New Orleans, La.

Colonel,

I have the honor to make my semi-monthly Report of affairs in this State and enclose copies of the Reports of subordinate officers. The conduct of the people, generally, both white & black, is good. There is exhibited a ready acquiescence in all the requirements of the laws of the Government. Very few acts of violence are committed compared with those of former years and as far as outward appearances show, the people seem disposed to remain law-abiding-peaceable citizens. Private information & observation lead me to believe, however, that the secret feelings of the secessionists are more bitter against Union Men & the Government than it was six months ago. This arises, I think, from disappointment at not obtaining re-admission into the Union and the failure to recover their former State-sovereignty. The treatment of the Freedmen by the Planter and other employers is generally good and in return the Freedmen work well and to the satisfaction of their employers. There are some exceptional cases of breach of contract and injustice on one side and lack of industry on the other, but these are rare cases.

The Courts are promising with the exception of some which has suffered much from want of rain. Most of the civil officers of the State perform their duty judiciously and impartially. The administration of the law, in the Courts are, however, complained of by the freed people and Union Men. The officers of the Courts generally perform their duty in accordance with law and justice, but the trouble is with the juries. There is a great many cases where their prejudices influence their decision in the exercise of their vested power to such an extent as to impair the correctness and justice of their findings; especially is this the case where the parties are a white man versus a negro, or a secessionist versus a Unionist or a "deserter" from the Confederates.

The correction that I have applied to this evil is to bring every such case to the attention of the Governor, either for a call of the record of the case, for revision, or for the exercise of executive clemency. The Governor, has, in all cases acted firmly

and justly and his action has thus far proved effective to preserve the rights of citizens. I have not as yet had occasion to arrest any citizens for violation of Genl. Orders 703 & 144 of the War Dept. It is well known that both will be enforced. The U.S. District Court for the Northern Dist. of Florida is not in Session and the Judge (Barrier) is absent from the State. The Commissioners to be appointed under the Civil Rights Bill have not yet been designated. I have received orders from Gen. A. S. Howard, to facilitate in every way, the efforts of the freedmen & loyal men, to avail themselves of the privilege of the new Homestead Law & have promptly acted in the matter.

I believe the effect of the law will be that a large number of the loyal citizens in this State will enter land. I do not fear any great disturbance of the established labor of the State from the number of Freedmen, who will take up land, because the benefits of the law will draw a large number of immigrants from other States.

I shall caution the Freed people not to be too rash in taking possession of these lands before they have the means to provide some few farming utensils & also to support themselves until the first crop is gathered; otherwise, the Government will be called upon to supply their wants.

The health of the Department is not so good as at last Report. There is much sickness of a malarious character among the troops at this place and I have been obliged, in consequence, to order the Battⁿ of the 7th Inf at this place to proceed to St. Augustine and to remain in that healthy locality to recruit during the sickly season.

The 472 Recruits for this Regiment sent from New York on the Steamer "San Salvador" are now at Quarantine on Tybee Island, at the mouth of the Savannah River, the Cholera having broken out among them, from which Capt. May, 15th Inf. and six men are reported to have died. I have received no official Report from the Officer in command of the Recruits, but intend to send an Officer to Tybee Island to obtain accurate information of their condition and wants.

As soon as the disinfecting portion can be removed I propose to isolate them in Anastasia Island at the entrance to St. Augustine, until, from cleaning and fumigation there can remain no danger in mixing them with the Companies of the Regiment at St. Augustine for organization and drill.

This may occupy considerable time which added to the sickness will materially reduce the Military Effective Force in the State, especially as the 82nd U.S. Col. has to be concentrated for muster-out on the 30th of next month. I believe, however, that I can make such arrangements as will meet the requirements of the circumstances.

I have received no late intelligence from Key West, from which place I am daily expecting the Steamer.

I am, Genl., very respectfully &c &c.
(Signed) S. G. Foster

Major General Comdr.

P.S. - Since writing the above I have received the Report of the arrest of 3 men at Apalachicola, charged with the murder of two Union Men and ordered them under Genl. Orders of the War Dept. to be detained in custody at Fort Pickens, until a Civil Court is ready and willing to try them.

(Signed) S. G. Foster

Major Genl. Comdr.

Headquarters, U.S. Bureau of Florida-
Tallahassee, Fla. Aug. 28th 1866

W. H. Genl. Lee,

Act G. Dept. of the Gulf,

New Orleans, La

Colonel,

I have the honor to make the following semi-monthly Report of the condition of affairs in the State.

A marked change has occurred in the condition of Freedmen and their treatment by the whites. Generally, this is satisfactory. The Freedmen work well as usual; some planters affirm that they work better than white in slavery, while others and even some Agents of the Bureau complain of their indolence and want of industry and economy. I very fear that the freedpeople will not save much from their earnings, this year; they are generally inclined to spend all their wages as fast as earned & not to lay by for a time of need. I hope they will more fully realize this necessity in another year. The present wages paid are not sufficient to enable the freedpeople to meet their necessities except by the most rigid economy. Therefore the price of labor must be higher in another year. Those freedpeople who work for a share of the crops will be much better off at the end of the year than those who work for wages and I believe this to be the best method between the Planters and their laborers. I suppose if the contract system between these parties as it seems absolutely necessary in planting to have a perfect guarantee that the laborers will secure the crop, otherwise they might desert their employer at a critical time and cause the loss of the crop & the ruin of the planter.

These contracts should all be made between Christmas & New Year's to continue for one year. In almost all other avocations, trades & services I think the contract system should be dispensed with and that all conditions as to price and period of labor should be left to be regulated by the law of supply and demand. The temper of the people remains as previously reported as

far as can be judged. The only Report received since the 15th - that from Cedar Keys - expresses the belief that the people in that vicinity are as disloyal to the Government as they were three years ago. This maybe and probably is true of a considerable Class of the Community, not only at Cedar Keys, but throughout the State, and includes all those who have personal cause for bitterness against the U.S. or its Officers or Soldiers; all the ignorant & prejudiced whites who under the influence of excitement and bad whiskey sometimes are led to ventilate their curses and secession proclivities as well as hatred of the d-d Yankees. Very few of the intelligent & influential people of the State indulge in this course, but rather maintain a firm position of acquiescence in all the requirements of Law & Government.

The health of the Troops is not very good altho' no epidemic diseases are reported at any point, except Apalachicola, where the Cholera has appeared. Key West is quite healthy. In this section of the State malarious diseases are prevalent. The Companies of the 87th U.S.C. are being concentrated at Barrancas as fast as possible. Five Companies are there now and the remaining five will be taken on the next trip of the "Marion". As soon as mustered out the "Marion" will convey all she can - about one half the Regiment - to New Orleans. If the "St. Mary" be at Pensacola at the time she can take the remainder.

I received on the 16th inst. the Order of the War Dept. discontinuing this command as a Department. All papers requiring the action of the Dept. Command^{er} will ^{now be} forwarded to your Office.

I am, Col. Very Respectfully &c &c
(Signed) J. G. Foster
Major General Commanding.

Headquarters, District of Florida
Tallahassee, Fla. Sept. 17th 1866

Messrs. Saml. S. Pearce, Wm. J. Hart
Paul. Gudwin, and others, discharged
Soldiers & Minor Men of Hernando County

Sirs,

I have received your Petition representing that the General Department & daily conversation of the people of the County are such as to lead you to the conclusion that you cannot obtain justice in the Civil Courts of that section and therefore requesting that I establish a Military Tribunal before which cases involving your interests and those of Freedmen may be heard and determined.

The existing Orders of the War Depart: do not authorize me to comply with your request at the present time, but on the contrary direct that all civil cases shall be referred to the Civil Tribunals for trial, whenever such Tribunals are organized. I shall however always protect and defend to the utmost of my power the interests of all Union Men and especially the interests of the ex-soldiers and sailors of the U.S. Army and Navy in every proper and legal way. For this purpose I have issued a Circular to all Commanding Officers in this Military District, a copy of which I enclose, by which you will see the extent to which I can act in your favor.

Respectfully &c &c.
(Signed) J. G. Foster
Brig. Maj. Gen. U.S. Army

Headquarters, District of Florida
Tallahassee, Fla. September 11th 1866

Mr. F. Lykes
Mayor of Tallahassee

Sir

Several arrests having been made lately by the Police in this City and fines imposed upon Officers and enlisted men of the U.S. Army, while in the discharge of their proper duties for alleged offences. The arrests being detrimental to the service of the Government and the men ill able and in some instances totally unable to pay the fine I have the honor to state to you that I protest against similar proceedings in the future and respectfully request you to instruct your Police that hereafter they take the names of any law-offending Officer, Soldier or Employee of the Government and forward the same to my Headquarters. I will strictly and impartially investigate the matter and punish the offender myself.

Very Respectfully &c &c.
(Signed) J. G. Foster
Brig. Maj. Gen. U.S. Army

Headquarters, District of Florida
Tallahassee, Fla. Sept. 11th 1866

Brig. Ad. Gen. George Lee
A. A. G. Dept. of the Gulf
New Orleans, La.

Colonel

I have the honor to make the following Semi-Monthly Report of the condition of affairs in this State.

The general aspect of affairs has not changed since my last Report. The people generally acquiesce in all the requirements of Law and of the Government. Very few utterances of opinions of a disrespectful character and only one breach of the Peace on account of political sentiments have been reported. The latter was by the notorious Col. Titus at Jacksonville, who was arrested & fined by the Civil Authorities for the offence. The majority of the people of the State regard with great favor the administration of the President and the action of the Philadelphia Convention of August 14th and are warm in the expression of their hopes that the party formed under its auspices may succeed at the next elections at the North. In their expressions they declare that they desire this as a means for obtaining to the Southern States full recognition in the Union and of restoring the full Union of the States. Many of the most violent secessionists now declare this to be their most ardent wish & also and also that the present political movement may end in the old Union of their fathers. The effect of this is to produce a better state of feeling generally. There is little complaint but frequent expressions of more satisfactory times ahead. I never hear of hostile acts or sentiments towards the Government of the Union. The only hostile acts or expressions are of a personal character, as of a bad or drunken man towards known Union men, or as the Dutch term them - "Deserters". The freedmen generally are well treated, all are working industriously in most localities and to the satisfaction of the planters. Many of the Officers of the Bureau apprehend some disagreements at the close of the year, arising from the conflict of interests in the Division of the Crops. Nearly nine-tenths of the freedmen upon plantations in this State are working for a share of the crop, the others for wages. The Cotton Crop is now very promising. The Cholera which appeared at Jacksonville last month has now disappeared and I hear of no new cases at Apalachicola. In consequence of the withdrawing of the Company of the 82^d from latter place and the inability to procure nurses and attendants from the Barracks, I have discontinued the Posts of St. Vincent and Dog Island and turned over the Quarantine to the Civil Authorities. The Surgeon with his supplies has been sent to Pensacola, to meet the want caused by the muster out of the Surgeon of the 82^d who was stationed at that point on Quarantine duty. At the request of the Citizens of Fernandina I have also turned over the Quarantine duties at that Port to them.

The Recruits for the 7th Inf. who were quarantined at Tybee Island have arrived at St. Augustine when they were temporarily quarantined on Anastasia Island until it became certain that no traces of infection remained in their midst. They are now being incorporated into the different Companies & drilled. While at Tybee Island, 115 died; 314 deserted and 45 were

P.S. Since writing left sick in Hospital leaving 284 now joining the Regiment.
 the foregoing I have received unofficial Reports that a few cases of Cholera have again appeared at Jacksonville; also from Cedar Keys that the Cholera is there and that on Saturday and Sunday last 8 or 10 fatal cases have occurred.

The 82nd U.S. Col. was congregated at Pensacola for Muster out and transfer to St. Orleans. Every effort was made to congregate the Regiment in time to forward it to New Orleans for Muster out on the 31st ult., but the widely separated stations of the Companies delayed so much that it occupied until the 31st in getting the Regiment together at Pensacola.

The District is free from infectious diseases but the malarious diseases reported in my last continue. I enclose such Reports of subordinates as I have received since my last Report.

I am, Genl. Very Respectfully,
 (Signed) J. G. Foster
 Lt. Maj. Genl. Commandg.

(Signed) J. G. F.

Headquarters, District of Florida,
 Separate Brigade,
 Tallahassee, Fla. Sept. 11th 1866

His Excellency J. S. Walker,
 Governor of Florida
 Tallahassee, Fla.

Governor,
 I have the honor to enclose to you a copy of a letter to Mr. Egges of this Town in relation to arrests and fines of officers and men of the U.S. Army while in the performance of their duty. The alleged offence is that of fast driving or riding thro' the streets. The first arrests made were for galloping then for loping, then for fast and now I am informed all will be arrested who trot their horses either fast or slow. The City Ordinance seems to be indefinite. The officers and men are by these arrests subject to much inconvenience in the performance of their duties and also to fines which they are unable to pay. I have always prohibited fast riding except upon urgent business & by written order and I can regulate and govern the conduct of the officers and men under my command.

I am convinced that most of these arrests are made improperly and as they interfere with the performance of Military duties, I have felt it to be necessary to protest to the Mayor against them. Should this protest be unheeded, I shall feel it my duty, under my orders, to protect the officers and men from further interference of the kind complained of.

I am, Governor, Very Respectfully,
 (Signed) J. G. Foster
 Lt. Maj. Genl. Commandg.

Headquarters, District of Florida,
 Separate Brigade,
 Tallahassee, Fla. Sept. 12. 1866

M. J. Effes
 Intendant of Tallahassee,
 Sir,

I have received your letter of last evening and this morning in the letter of which altho' you "regret that there should be a collision between us" you think "that the issue had better be made at once", and beg leave to say ^{improperly} that you misapprehend the importance of your position.

I am compelled to call your attention to the fact that Martial Law is still supreme in this State and I hereby forbid you to arrest hereafter any Officer, Enlisted man, or employees in any of the Departments of the U.S. Army while in the discharge of his official duties, but request that you will send me the name of any of them, against whom complaint is made, for my investigation and award of punishment. I have Examined the Ordinances of the City under which you act and find therein that the Officials are required by the Ordinances as printed to subscribe to the oath of the "Confederate States" and also that in several of your Ordinances distinction is made in regard to fines and penalties on account of color or condition of servitude. Both these facts are in violation of the Law called the "Civil Rights Law" and I inform you now that at the first Session of the U.S. District Court, I shall enter suit against you, or any other official who executes such discriminating Ordinances.

Very Respectfully &c &c.
 (Signed) J. G. Foster

M. Maj. Gen. USA Commandg.

Headquarters, District of Florida
 Office of Asst. Comd' B.R. F. & A. L.
 Tallahassee, Fla. Sept. 14. 1866

Maj. Gen. C. V. Howard, U.S.A.
 Comd' B.R. F. & A. L.
 Washington, D.C.

General,

I have the honor to make the following monthly Report of condition of affairs in this State.

The Reports of subordinate Officers from all parts of the State represent the freedmen, when they are well treated, as working well and giving satisfaction to their employers. It is only in cases of injustice, cruelty or nonfulfillment

of contract, or failure to pay, that the Negroes show a restless spirit, and a refusal to work. There seems to be an improvement in the treatment of negroes by the Courts and by the planters and I think both are commencing to appreciate the fact that it is for their interests to treat the colored people with justice and kindness. It is observed in those Counties in which the Courts have imposed heavy and unjust fines upon the negroes, that the latter have almost invariably run away - the County thereby losing the labor which it was necessary to retain. It is also observed that those planters who deal justly and kindly with the Negroes, in their employment, receive from them in return more faithful and industrious service and are better able to obtain laborers when their services are most needed. It is only natural that the Negroes should be most faithful to their friends. Some violent and prejudiced planters, will, in another season, find it impossible to obtain hands and will be forced to relinquish planting. In this way a large amount of property will pass into other hands and mainly into the hands of enterprising northern men. Already many ex-officers of the Army have engaged in planting in this State and have met with such success as to justify the purchase on long lease of large plantations. I have steadily encouraged young officers upon being mustered out of the Volunteer service to engage in this enterprise and shall be greatly rejoiced at their success which now seems placed beyond a doubt. In this County alone (Levy) there are ten ex-officers cultivating large plantations.

The prospects of a fine Cotton crop are very promising. The caterpillar has appeared but the Cotton bolls are so far matured that it cannot do much damage. The Corn crop in this immediate vicinity and in Jackson County is about an entire failure. In the Northern Counties, to the eastward, it is only a partial yield, but in the Southern Counties it is a good yield - in some of these, especially Levy County, the crop is much better than it has been for years.

The temper of the people seems changed since my last Report. The supposed policy of the Government & the result of the Philadelphia Convention of August 14th gave encouragement to the Southern politicians and considerable activity was evident among them, coupled with a more confident air. In this place the Mayor exhibited some indications of inherent bitterness against the "Yankees & Niggers" in the many arrests for trivial causes and the imposition of heavy fines and it required an exercise of authority on my part to restrain him from arresting U.S. Officers and men while in the discharge of their duties. This is only an indication of what be the action of violent & prejudiced men throughout the South should they be at once restored to power. A case of violent attack and beating occurred at Jacksonville upon an inoffensive white man by the notorious Cal. Titus of Kansas fame. I sincerely believe that the continued presence of U.S. Troops is absolutely required to give

proper protection to Union men.
 The heat of the weather has caused much malarious sickness throughout the State. In addition the Cholera has appeared at Jacksonville, Apalachicola and Cedar Keys and the victims are principally negroes caused probably by their unwholesome habitations and modes of living.

I have not yet been able to prepare a full Report of the public lands in the State, but it is now in the hands of a young man who is collecting materials from which I hope to be able to furnish the Report by the 1st of next month. I propose to add to the full explanation of all matters relating to the public lands, a description of the private lands of a desirable kind now for sale, a description of the soils, productions &c. As soon as this is completed I will make an epitome of the Report for circulation to give information. It is not probable that any large number of Negroes in the State will take advantage of the provisions of the Homestead Law this year. They generally lack the necessary means. I have, however, assurances that colonies will come from South Carolina and some other States. I enclose copies of the most interesting Reports of the Sub. Agr. Com^{rs} in the State. I have received the Report of an Agent whom I sent privately to ascertain the truth of rumours of kidnaping Negroes on the East Coast of Florida, to the effect that nothing of the kind has occurred within the past month & as he does not report any rumours of any having been kidnaped at any time, it is presumed that he could not obtain any such information.

I am, General, Very Respectfully &c &c

(Signed) J. S. Foster

1st Maj. Gen. U.S.A.

Ass^t. Comm^r.

Headquarters, District of Florida,
 Ass^t. Adj^t. General's Office
 Tallahassee, Fla. Sept. 27. 1866

1st Maj. Gen. G. L. Hartuff,
 A. A. Gen. Dept. of the Gulf
 New Orleans, La.

General,

I have the honor to make the following semi-monthly Report of the condition of affairs in this District.

The state of feeling towards the Government and Union & Northern men has not improved since my last Report and there have been indications that the old bitter feelings engendered by the War, still rankles in the heart

of many of the old secessionists and that it will find vent in words and actions as soon as a favorable opportunity offers.

In this Town the Intendant assuming that the Proclamation of the President of August 20th fully restored the supremacy of the Civil Law over the Military essayed to arrest soldiers and employees of the U.S. while in the performance of their duties for trifling infractions of the Municipal Ordinances. I was obliged to order him, peremptorily, to desist. I wrote to you in full in relation to this on the 17th inst. requesting instructions. To allow the State or Municipal authorities the power of arresting & trying our officers and soldiers will be to give into the hands of our late enemies the power of retaliation for past injuries & present dislikes.

I therefore sincerely hope that the supremacy of the military in all matters of conflict between the U.S. and Municipal Authorities and in all actions under express laws of Congress may be preserved.

I have ordered one company of the 7th Inf. from St. Augustine to this place and shall order four more as soon as they are reorganized and filled up.

I have some trouble in carrying out the provisions of the "Homestead Law". In some localities combinations have been formed to resist the settlement of the Negroes and to drive them off. I am preparing to suppress these combinations and shall take effective measures to vindicate the Law.

The cholera does not spread to any extent. It is checked at Cedar Keys where the cases now yield to treatment. At Jacksonville there are still a few cases and some deaths.

The freedmen are doing well. The cotton crop is very promising, being too far advanced to suffer from the ravages of the caterpillar. More cotton will be grown in this section of the State than can be picked by the hands of the Plantations.

I have the honor, to be, Very Respectfully
(Signed) S. G. Foster,
Col. Maj. Gen. U.S.A. Commanding

Headquarters, District of Florida -
Tallahassee, Fla. Sept 24th 1866

J. G. Jones Esq.
Intendant of Tallahassee, Fla.

Sir,

Your letter of this date is received. In reply I beg leave to say that I must decline to allow you to try and punish officers & soldiers of the U.S. for municipal offences.

Please to furnish me with the names of the officers who violated the

7th Inf. to replace any of the Cavalry Companies as all of them will be required in the interior of the State where the temper of the people is not so good as it was and where troops are necessary to enforce the provisions of the Amnesty Law and to support the Officers and Agents of the Freedmen's Bureau in their duties, in the distribution of crops and decisions as to pay of laborers which will be difficult and productive of some trouble, I apprehend, at the close of the year. To be detailed, as to the duties of this Regiment, there will, in the Eastern Sub-District, be required: - at Camp Perry at Tallahassee, where there is trouble over the Tax Sales; one Company at Jacksonville where our Depot still is; one Company at Melbourne a Enterprise to look after smugglers & Kidnappers; one Company at St. Augustine; one half Company at Gainesville; one half Company at Lake City; one Company at Tampa to relieve Major Bambridge's Company, which goes to Key West in November and four Companies for this Section and Western part of the State.

It may be possible after January next to send two Companies of the 7th Inf. to Fort Jefferson to relieve two of the 5th Inf. which may then be sent to Louisiana but I do not think such a change desirable as it will produce a mixed command at Fort Jefferson and place disparity upon Artillery duty.

I am, General, very respectfully,
 (Signed) J. G. Foster
 Col. Maj. Genl. U.S.A. Cambridge

Head Quarter, District of Florida
 Tallahassee, Fla. Oct. 6th 1866

Col. Major Genl. Geo. D. Mansuff, U.S.A.
 Ad. Lt. Dept. of the Gulf,
 New Orleans, La.

General,

I have the honor to make the following, semi-monthly Report of the general condition of the Country and the state of feeling of the people.

Since my last Report the expressed feelings of the people as exhibited in their actions, words and in their public prints have been more openly bitter towards the political party called the Radicals and eulogistic of the Conservatives or as it is termed the Johnson Party and considerable political anxiety has been manifested. The public prints have widely disseminated the Proclamation of the President of August 20th and have interpreted it to mean that all military rule in the South is at an end; and that the Civil Authorities are again entirely supreme in all matters. This is also the interpretation of nearly all the citizens. The consequence is that the Civil Authorities, have essayed as in this Town, to arrest Soldiers and employees of the U.S. for trifling infractions of municipal

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regulations while in the discharge of their duties, and fined. All this with an expression of animus which clearly shows the acts to spring from hostile feelings to the Government and its officers. I have been much surprised to see the manifestations lately disclosed of deep seated hostility to Congress and to all Union men, who are either denominated "Yankees," or, if from the South, "Quakers." Threats have been made in some sections that if any more arrests are attempted by the U. S. Troops the Militia will turn out to oppose them by force. This is of course mere bluster and will not be carried out, but I have no doubt it would be attempted if they dared. Attempts are also frequently made to intimidate the Negroes from making settlements in accordance with the provisions of the Homestead Law; but I have taken measures to prevent this. The general impression left upon my mind is that the state of feeling in this country is so much influenced by the late War that it will be necessary for the protection of loyal men, either that a strong Military Force be retained for a long time, and also that the ^{proper} Supremacy of the Military Authority, so as to insure the above protection, be preserved; or that the Civil and Military power be given to unqualified Union men.

The health of the Troops has improved and there is now no infectious disease among them. A few cases of Cholera has occurred among the citizens at Cedar Keys, Jacksonville, Lake City, Palatka, Mouth of the St. John, Apalachicola and Pensacola, but the disease does not spread and yields to treatment.

The Freedmen are working well, generally, and I hear few Reports of difficulties between them and their employers. All are now busy, picking out the Cotton. The Cotton crop in this State is estimated to be about one half of the old average yield - say: about 3,500 Bales. The Corn crop will barely supply the wants of the people in the State - the surplus yield in some Counties being required to meet the deficiencies in others.

I enclose copies of Reports of subordinate Officers received since my last Report.

I am, General, Very Respectfully &c &c
(Signed) J. G. Foster,
Brig. Maj. Gen. U. S. Army.

Headquarters, District of Florida
Asst. Adjt. General's Office
Tallahassee, Oct. 6. 1866

Col. John T. Sprague 7th Inf.
Commandg. Sub-Dist. of East Fla.
St. Augustine, Fla.

Colonel, On thinking over the position of affairs at Fernandina, resulting from the

Tallahassee, Fla.

Oct. 6th. 1866

My dear Madam

I have received your letter of the 22nd in relation to the attempt on the part of Mr. Puder to eject you from your house during the absence of your husband.

I regret that under my present orders from Gen. Grant, I cannot interfere to assist you, but I hope the parties will not proceed with their present instructions, at least until the return of your husband. If an appeal has been properly taken I think it should operate as a stay of proceedings and I cannot sanction or affirm any action of the courts in violation of it. I have written to Col. Barber about your case and requested him to call upon you and advise you.

I enclose the notice of appeal as you may require it, trusting that you may satisfactorily adjust the difficulty, I am,

Very Respectfully

(Signed) J. G. Foster

Col. Mayhew M.A.

Mrs. S. N. Freeman,
Pensacola, Fla.

Headquarters, District of Florida

Tallahassee, Fla. Oct. 11th. 1866

Gen. D. S. Walker, Gov. of Fla.
Tallahassee, Fla.

Sir

I have received your letter of yesterday accompanying the papers received from Judge Suggitt in the case of the State of Florida, vs. H. D. Titus which was tried in the County Criminal Court at Jacksonville, Fla. August 30th. 1866

The papers do not remove the apprehensions that I experienced upon receiving the first report of the trial that great injustice had been done. Mr. Michler and I cannot but think that the Jury failed in its duty in not finding according to law & fact; that the Judge failed in his duty in not remanding the Jury, or dismissing it & granting a new one for the above failure in duty, and the prosecuting Attorney failed ^{in duty} in not producing witnesses to establish the fact of the assault & battery which were well known and had even been acknowledged in the Mayhew Court by H. D. Titus.

I regret that the records of any Court should exhibit so signal a failure of justice towards one who has served his country faithfully, as Mr. Michler

has done, as it tends to strengthen the impression that they are influenced by prejudice or favor resulting from the fact political status of the parties.

Pitts is well known to have been a violent secessionist and is now a violent hater of Union-men. The fact is notorious of his unprovoked assault upon Mr. Mickles, who being, from ill health, weak, was unable to repel the cowardly attack. It is also to be regretted that the laws should sanction the exacting of the costs, the State being the Prosecutor for the complainant. If consistent with your sense of duty I respectfully request that the costs in the case may be remitted.

I am, Gov: very respectfully &c.

(Signed) J. G. Foster

Post. Maj. Gen. W. A. Canine

Headquarters, District of Florida

Tallahassee, Oct. 12th 1866

Hon. D. S. Walker, Gov. of Florida
Tallahassee, Fla.

Sir,

Have the honor to solicit your attention to a case of injustice and oppression in Hernando County and to ask your interposition. The circumstances as reported by the Commanding Officer at Tampa, by the Agent of the B. R. R. and A. L. and by several private letters are these:

Mr. Scham Schram a Union citizen of Hernando Co. joined the U.S. Forces during the War and served as scout and guide for our Troops and also participated in the destruction of two salt works of the rebels, by which act much bitter feeling was excited towards him and his family, in consequence of which his wife was compelled to leave her home and take refuge within the Union lines and his property was sequestered. Upon the termination of the war, he returned, but found nothing on his place but the buildings and experienced great hardships in getting along and in obtaining corn to subsist himself and his family, because of the bitter feelings of the secessionists who would not sell him corn at any price.

Finding himself hard pushed he killed a steer, telling his neighbors that he was going to do so and not knowing but it might be one of his own as there appeared no marks upon it. After killing it he discovered a faint mark & summoned some of his neighbors to come and appraise the steer (a custom of the country) so that he might pay for it. They valued it at six (6) dollars. After enquiry it was ascertained that the steer belonged to a Mr. P. Leighton (or Crayton) of Bayport and went there to pay Mr. Leighton for the steer. In the presence of witnesses he related the circumstances of killing the steer, the appraisal &c. and offered to pay Mr. Leighton for it. Mr. Leighton refused the money

Staubun's opinion in answer to the President's letter of the 6th inst., which I presume you have seen, I cannot resist this opinion. If therefore, you do not concur with me in opinion and cannot consistently with your sense of duty at once order the Commandant at Fernandina not only to withdraw his threats to arrest the Sheriff, but also to assist the Sheriff when called upon, I repeat you will oblige me by letting me know, without delay, so that I may at once prevent the collision which is likely to occur every hour, by telegraphing to the President and Gen. Grant for instructions which will settle the matter one way or the other without blood shed.

I have the honor to enclose herewith copies of the Letters from G. Dodge and the Sheriff above referred to.

I am General with great respect &c
 (Signed) D. S. Walker
 Gov. of Florida

Letter L (L.R.)

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Lamar, G. B.

October 1865
 Papers relating to a certain lot of cotton claimed by G. B. Lamar and seized by J. G. Cabell in behalf of the U. S.

Letter M (L.R.)

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Mudd, Samuel A.
 State Prisoner

October 1865
 Papers in relation to attempted escape of Samuel A. Mudd from Ft. Jefferson

Letter M (L.R.)

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Monticello
 (Colored Citizens of)

Tallahassee, March 20th 1866
 Complaint by the Colored Citizens of Monticello that the State Courts do not give them justice

Letter M (L.R.)

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Mickles
 (Myron L.)
 Late Priv. Batt'y I. 2^d U.S. Arty

Jacksonville, Fla
 August 31st 1866
 Makes Statement and Complaint against W. J. Titus who assaulted & beat him on the 15th inst. and as to the proceedings had in the Civil Courts. He appeals to the military authorities to have justice done him.