

# Tequesta:

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## Jacob Housman of Indian Key

By DOROTHY DODD

In the early 1820's a young captain appeared on the Florida reef whose name was to become notorious in those parts. During some fifteen years in South Florida, Jacob Housman was known far and near as an enterprising, adventurous, and unscrupulous man—as a bold wrecker and the autocratic proprietor of Indian Key. The manner of his coming to Florida waters, if we may accept the account given by Ned Buntline,<sup>1</sup> was perfectly consonant with his later career.

Housman, so the story runs, “was entrusted with the command of a small schooner at an early age, by his father, who owned the vessel. She was employed in the coasting and packet business along the shores of Staten and Long Islands, also up North River. The young *Captain*, however, was too much of a sailor to keep fresh water, and one day took it into his head to make a ‘West Indie’ trip without asking his father’s permission, making said experiment in his father’s vessel. The young Captain never reached his destination, for running off his course he struck the Florida reef. This injured his little craft so much that he was obliged to put into Key West for repairs, during which time he got such an insight into the ‘wrecking’ business that he concluded to become a wrecker himself. His father having insisted upon considering Jacob’s elopement in the light of a theft, the Captain could not return to New York with safety, therefore this was the very business for him to take up.”<sup>2</sup>

Ned Buntline apparently concurred with those who thought Florida wreckers to be little better than pirates or thieves. It is not too much to say that Housman, more than any other man, was responsible for the ill-repute in which the wrecking business was held. Arriving on the reef in the days before there was any effective regulation of wrecking, he continued to operate in a high-handed and oftentimes illegal manner even after the business was placed under the supervision of the Superior Court at Key West in 1828.<sup>3</sup>

The first notices we find of Housman’s activities as a wrecker appear in the fall of 1825, in connection with the French brig *Revenge*, although he had previously “been much engaged in the wrecking business.”<sup>4</sup> The *Revenge*,

bound from Campeachy to France with cochineal and logwood, early in September went on the reef about three miles from Caesar's Creek. Housman boarded her after she had bilged and been abandoned by her crew. On September 7 he took off in his schooner *William Henry* "eight Ceroons of cochineal, two boxes of Sugar, and a quantity of Logwood unknown, but supposed to be twelve tons, and a parcel of sails and rigging."<sup>5</sup>

Whether he decided to appropriate the salvaged goods without benefit of legal proceedings or clashed with the authorities at Key West over the adjudication of salvage is not clear. But on September 25, Fielding A. Browne, of Key West, charged him with "a most villainous act," namely with robbing the *Revenge*. It was the intention of Housman, who had "defied both the civil and military authorities of this place," Browne said, "to proceed to Charleston to dispose of his cargo." Browne therefore requested Captain Brown of the U. S. revenue cutter *Florida*, to pursue Housman and recover the French property.<sup>6</sup>

Whatever his intentions might have been, on September 27 Housman brought the salvaged goods into St. Augustine. A week later he libeled the property under the territorial law of July 4, 1823, which provided for adjudication of salvage by a five-man jury. The St. Augustine jury allowed Housman 95 per cent. Considering the award excessive, the French consul at Charleston, who happened to be in St. Augustine, took the case into the Superior Court, where Judge Joseph L. Smith found the territorial law invalid. He did, however, award two-thirds salvage to Housman.<sup>7</sup>

In the meantime, Fielding A. Browne's letter charging Housman with theft had been widely published. Pointing to the Superior Court's decree as a vindication of his conduct, Housman branded the charge as libel. Then, as was to be his custom, he hit back at his opponent. He would, he said, "take another occasion to lay before the public, a history of the impartial and disinterested conduct of the gentlemen of many avocations at Key West, in their disposal of property falling under their control, and it will then be fairly understood whether there was more wisdom or folly in my giving preference to a decision at St. Augustine over one at Key West."<sup>8</sup> From that day on, a dogged enmity underlay relations between Housman and the Key Westers.

Three years later Housman was again in the news as the result of a collusive agreement with the captain of the French brig *Vigilant*. The *Vigilant*, which was carrying \$32,000 in specie in addition to a regular cargo, went on shore near Key Vacas. She afterwards floated herself, but was surrounded by shoal water and accepted the services of two wreckers to pilot her into Key Vacas. After she was safely at anchor in a good harbor, Housman ar-

rived in the wrecking sloop *Sarah Isabella* and agreed to pilot her to Key West for 75 percent on the vessel, cargo, and specie, "with an understanding that Housman would return part of the money to the Captain, for Himself." Vessel and cargo were sold at Key West and the 75 percent duly paid to Housman. One of the real salvors of the *Vigilant* sued the Captain for \$6,000 salvage. The latter deposited that amount with an agent and sailed for Charleston with Housman.<sup>9</sup>

It was undoubtedly his wrecking profits that enabled Housman to develop Indian Key. This island, only eleven or twelve acres in area, not only possessed a good harbor for wreckers but was admirably situated for a wrecking rendezvous, lying as it does halfway between Key West and Cape Florida. Housman acquired it in 1825 from two squatters named Fletcher and Prince, who had settled there a year or two before.<sup>10</sup> All accounts agree that he spent lavishly on the improvement of the key, transforming it, as one observer wrote, from a barren rock into "a miniature Eden."<sup>11</sup> "It is, upon the whole," remarked another, "a delightful residence, reminding me forcibly of the lines of Moore—

"Oh had we some bright little isle of our own,  
In a blue summer ocean far off and alone."<sup>12</sup>

Housman neatly laid off the island into streets and squares. He built himself "a large and elegant mansion," erected another large building for use as a hotel, and constructed a number of smaller houses for the families of his crews. He extended three substantial wharves out to the channels on the north and south of the key. He had several cisterns cut in solid rock to store rain water, and laboriously brought top soil from a distance to make gardens in which subtropical fruits and flowers flourished.<sup>13</sup> By 1834 he was said to have spent nearly \$40,000 on such improvements.<sup>14</sup>

In December, 1832, the Government stationed a customs inspector at Indian Key, Charles Howe being appointed to the post.<sup>15</sup> The harbor must have been quite a busy little port, for Howe reported 637 arrivals in 1834 and 703 in 1835.<sup>16</sup> On the other hand, the charge of Key Westers was probably true that "every little fishing boat, turtler, or wrecking vessel that stops there is noted as an *arrival*" in order to magnify the commerce of the place.<sup>17</sup>

In the spring of 1834 a post office was established with regular monthly mails from Charleston and New York. In an advertisement dated May 15, 1834, Henry S. Waterhouse, postmaster, stated, "All letters and papers for persons residing on this island, at Cape Florida, Kayo-Biscayno, New River, Key Vacas, on board the lightship *Florida*, or on board any of the wrecking

vessels, excepting the *Pizarro*, will reach their intended destination most readily if mailed for this Office."<sup>18</sup>

As this advertisement indicates, many wreckers used Indian Key as a headquarters where they procured provisions and ships stores and were in an advantageous position to hurry to wrecks occurring to the eastward. Housman held a tight rein over his little island and exploited its advantages to the utmost. As his fortunes increased, he acquired three more wrecking vessels. His was the hotel which provided accommodations for transients and amusement for wreckers ashore in the form of billiards and nine pins. His, also, was the sole mercantile establishment, which grossed \$30,000 a year from its trades with wreckers, settlers to the eastward, and Indians of the Southern coast.

"There are many poor persons, and some of them not noted for honesty, settled on the Florida Keys," wrote a visitor in 1833, "who are compelled to deal with this man. He, by allowing them credit and indulgence in his store, gains an ascendancy which he turns to some account. These people are his agents, or spies . . . when occasion requires they are brought in as *disinterested* witnesses to prove a meritorious claim for salvage."<sup>19</sup>

One such case, for which ample documentation exists, was that of the *North Carolina*, Captain George McIntyre, which left Apalachicola for Charleston March 9, 1833, laden with 336 bales of cotton. On the night of March 14 she went ashore at low tide on Pickles Reef. The *Hyder Alley*, Joshua B. Smith, master, came up at daybreak to relieve her. Although neither took any part in the relief of the *North Carolina*, the *Sarah Isabella*, Housman, master, and the *Brilliant*, Austin Packer, master, were consorted with the *Hyder Alley* and would, according to the custom of the reef, automatically share in any salvage awarded the latter. The *Hyder Alley* took off 115 bales of the deck load to lighten the schooner. The *North Carolina* then floated off the reef and accompanied the *Hyder Alley* into Indian Key.

Housman, neglecting to inform McIntyre of his own financial interest in the salvage, persuaded the Captain to consign schooner and cargo to him as agent and to submit the salvage to arbitration instead of going to Key West. Lemuel Otis and Charles M. Johnson, both residents of Indian Key, were named arbitrators. They appraised schooner and cargo at \$8,940, valuing the cotton at \$20 a bale although it had actually cost \$36 in Apalachicola, and awarded 35 percent salvage. McIntyre paid the salvage of \$3,129 with 122 bales of cotton, \$100 in cash, and a \$600 draft on the owner of the cargo. In addition to his share of this salvage, Housman received the customary agent's commission of 5 percent, or \$156.45, on the salvage.

Housman apparently expected to reap additional profit by purchasing the other two salvors' share of the cotton at the low appraised price. When Oliver O'Hara, as agent of the consignees, on May 18 libeled the cotton taken from the *North Carolina*, Housman appeared as claimant. At that time he had only 72 bales in his warehouse, having sold 50 bales in Charleston at \$50. Judge James Webb of the Superior Court at Key West decreed restitution of the 72 bales to the consignees on the grounds of a fraudulent agreement between Housman and McIntyre. Pending an appeal, Housman was permitted to keep the cotton at an agreed price of \$33 a bale. In 1838 the Territorial Court of Appeals upheld Judge Webb's decision, whereupon Housman carried the case to the United States Supreme Court. Before that tribunal finally decided against him at the January term, 1841, his little kingdom had collapsed in ruins.<sup>20</sup>

In 1836 Housman was found guilty of embezzling goods taken from the *Ajax*, the penalty being forfeiture of his share of the salvage.<sup>21</sup> In the fall of 1838, soon after the Court of Appeals had ruled against him in the cases of the *Ajax* and *North Carolina*, Judge Webb revoked his license as a wrecker. The immediate occasion for this drastic penalty, according to Charles Nordhoff who was in Key West at the time, was the wreck on Carysfort Reef, "of a large merchantman—large according to the standard of the times—with a full cargo of assorted merchandise." "It was charged," said Nordhoff, "that a certain wrecker had received from the wreck goods which he failed to deliver at Key West. Further, this wrecker had on his way stopped at his home at I. Key. The main fact having been proved, the wrecker was denied all salvage for his four vessels employed, and deprived also of his wrecking license."<sup>22</sup>

In the meantime, the outbreak of the Indian war had greatly alarmed inhabitants of the south Florida coast. With characteristic energy, Housman prepared for the defense of his island, which was expected to be attacked because of the large quantities of provisions and munitions in his store. On January 1, 1836, he procured the assent of all the able-bodied males, both white and slave, then at Indian Key to a "convention" which, declaring it to be "the duty of every man who enjoys the protection of Society to be prepared and willing to defend it," did "ordain determine and declare to raise such number of good Sober faithful men who are willing to enlist and Conform to the rules and regulations of the officers' under whose Command they may be placed." "It is therefore understood," the document concluded, "that those who Sign their names to this paper are inlisted and willing to obey the officers placed over them."<sup>23</sup>

A week later, 24 men, including at least six slaves, enlisted for 40 days in Company B, 10th Florida Militia. Housman was elected captain and William H. Fletcher lieutenant. Others were later recruited, the greatest effective force of the company being 39 early in May. Housman advanced pay and subsistence at the regular army per diem of 30 cents for wages and 50 cents for rations. He also provided arms and powder for the recruits.

By the end of January, embankments had been erected and a half dozen six- and twelve-pound cannon had been mounted at strategic points.<sup>24</sup> As a place of refuge for women and children, in the event of a successful attack, "a vessel, belonging to Housman, was prepared with portholes, a bulwark around the decks, and an armament, & moved a short distance from the Island."

For the next eight months the inhabitants of Indian Key lived in daily terror of an attack, and with good cause. The little Island was crowded with refugees who had been driven from their homes at Cape Florida and on the eastern reef. Frequent reports were received of concentrations of Indians—now at New River, now at Cape Florida or Cape Sable.<sup>25</sup> "The Indians were all around them—on the maine, on the neighboring Islands—ready with blanket sail canoes, to cross at any moment." There was scarcely a night but their fires could be seen from the island.

But the only incident that occurred was on March 16, when a canoe with a lone Spaniard<sup>26</sup> in it, came to Indian Key, under the pretense of trading. Suspecting that he was a spy, the islanders "obliged him to tell that two Indians came with him, and that he left them on an island about one mile distant. A boat was immediately dispatched with a number of men in search of them, and after some difficulty, they were found and brought to the island."<sup>27</sup> The three "spies" were imprisoned at Indian Key until July, when they were turned over to the revenue cutter *Dexter*, from which they succeeded in escaping.

In spite of the Indian war, Housman continued to develop and promote Indian Key. In 1837 and 1838 he employed James Dutcher, a marble cutter of New York City, to cut a large cistern out of solid rock at a cost of about \$4,000. This and the smaller cisterns previously built, according to Dutcher, "furnished the only supplies of water for the inhabitants and the navy in the vicinity."<sup>28</sup> In 1836 and 1837 Samuel A. Spencer assumed management of the hotel and advertised Key West as "A Resort for Invalids" where there was "just sufficient business done . . . to amuse and not annoy invalids."<sup>29</sup>

One person, at least, was attracted to the key as a health resort early in 1837. Thomas Jefferson Smith is of interest primarily because his is the only

favorable estimate of Housman that has been found. Housman, Smith wrote in 1846, "combined skill, bravery, coolness & discretion, with great personal strength to a pre-eminent degree." He was, moreover, "a man strictly of his word, correct in his deportment and honest in his dealings." The reader should be informed, however, that Smith was undoubtedly Housman's "man," having been for several years his "confidential and legal adviser and attorney."<sup>30</sup> And like his master, he was not noted for honesty.<sup>31</sup>

More important than the continued physical development of the island were Housman's efforts to make Indian Key independent of any control from Key West. A step that promised much in this direction was the establishment of Dade County on February 4, 1836, with Indian Key as the temporary county seat.<sup>32</sup> Housman probably was the leading spirit in this matter. Certainly his name headed the following petition, which resulted in the creation of the new county.

"To the Legislative Council of the Territory of Florida

"The memorial of the undersigned citizens of the County of Monroe in said Territory respectfully represents, that your memorialists reside in the northern section of said County, some of them Two hundred and thirty miles from the Court house, and none less than seventy five miles from it the whole of which distance they are obliged to travel by water in open boats in tempestuous weather during the fall and winter months. Your memorialists are not generally detained by public duty more than 6 days and some times not so much; but in bad weather they are frequently unable to reach their homes in less than three or four weeks, their Jury fees will not pay their board in Key West, and the whole of their expenses of boat hire and provisions are a dead loss to them, besides having to leave their families and domestic concerns at the times they are most required to be at home—your memorialists believe that no people in the U: States have ever been in a similar situation, and a cursory view of the map will be sufficient to convince your Honl body of the necessity of granting them relief. They therefore pray that the County be divided as follows. A line running from West end Bay Honda Key, to Cape Sable and from thence to Lake Macaco, and thence to the head of what is known now as Hillsboro River, (the north branch) and down said River to the Atlantic Ocean—Your memorialists would further represent that so long as Monroe County remains in the present state, that the public interest must of necessity be neglected and the ends of Justice be defeated, this has frequently been the case of late, and the reason is Witnesses and Jurors cannot find the means to transport themselves by Water to Key West to the Court

House. Your petitioners will ever be found willing to perform all the public duties incumbent upon them as good citizens, but some of them are in circumstances which precludes the possibility of their attendance at Key West as witnesses or Jurors.”<sup>33</sup>

Within the boundaries of the new county, which were those specified in the petition, the principal settlements were at Indian Key, Cape Florida, and Key Vacas. The possible claims of the latter two were tacitly recognized by leaving open the location of the permanent county seat. Until that should be effected, the judge of the Southern District was to hold one term of the Superior Court each year at Indian Key and the judge of the county court was to hold a term each at Cape Florida and Indian Key. The clerks of both courts were to keep their offices and records at Indian Key. The provision for holding a term of the Superior Court there was annulled by an act of Congress of July 2, 1836.<sup>34</sup> The next Legislative Council, however, calmly reestablished a Superior Court in Dade County.<sup>35</sup>

Partly because of unsettled conditions incident to the Indian war, Dade County soon became, for all practical purposes, Indian Key—the one being as much under Housman’s domination as the other. He took the most effective means of keeping the county seat at Indian Key by building a courthouse there “out of his own private funds.”<sup>36</sup> Most of the principal county officers were also his employees. Thomas Jefferson Smith was the first county judge.<sup>37</sup> George W. Somarindyck, Housman’s chief clerk for eight years, was the first clerk of the county court.<sup>38</sup> He was succeeded in that position in 1840 by Walter C. Maloney, also a clerk to Housman, who had previously served as clerk of the Superior Court. From 1840 to 1842 Maloney was clerk of the county court, a justice of the peace, and an auctioneer. James Dutcher, the New York marble cutter, was a justice of the peace during his stay on the island. And Lemuel Otis, one of the arbitrators who decided the salvage in the case of the *North Carolina*, was a justice of the peace from 1836 to 1842 and was elected sheriff in 1840.<sup>39</sup>

After three years of Housman’s autocratic rule, inhabitants of Key Vacas, supported by residents of Monroe County, appealed to the Legislative Council to repeal the law establishing Dade County, or at least to repeal the laws establishing Superior and County Courts there. The petition was referred to a Select Committee of the Senate, under the chairmanship of William Marvin, then U. S. district attorney and soon to be judge of the Southern District.

The chief plaint of the petitioners, as stated in the report of the Select Committee, was that before the division of Monroe County, “it was with great difficulty that offenses could be punished on account of the paucity of



jurors, and that since such division, Monroe county is in as bad a condition as before, and that in the county of Dade it is utterly impossible to obtain a legal grand and petit jury. The administration of justice . . . is therefore rendered impossible in the county of Dade, and very much embarrassed in the county of Monroe." The petitioners further averred "that on account of the want of jurors in Dade county, and of the consequent perfect irresponsibility of its officers, and on account of the superior power which wealth and position always gives, all power both Executive and Judicial is exercised by one man, the proprietor of Indian Key."

In support of the latter statement, the petitioners presented affidavits by William H. Eldridge and John Sicher. Eldridge testified "that while at Indian Key, in the month of August last [i. e. 1838], he saw in the warehouses of Jacob Housman two white men, of the sloop *Brilliant*, confined in stocks, by order of Capt. Housman, and that in the month of October, he also saw two other white men, belonging to the schooner *Sylph*, in like manner, and by the orders of the said Housman, confined in stocks, and that it is a general report that such practices are common with the said Housman at that place." To which Sicher added the details that the men from the *Brilliant* "had been in that situation three days and were only allowed biscuit and water and no bedding, or musquito bars, and were obliged to sleep in that situation."

The Committee gave full credence to the allegations of petitioners and affiants. "Dade county has, according to the best information in possession of your committee," said the report, "about sixteen legal jurors, Monroe has about forty, the whole put together will hardly enable the court to punish offences where the whole extent of peremptory challenge is allowed, but are sufficient to secure the punishment of offences where the whole extent of these peremptory challenges are not allowed."<sup>40</sup> As to conditions at Indian Key, the report said: "Mr Housman holds no office.<sup>41</sup> It is vain for these men to appeal to the laws for redress. The suit must be tried in the county of Dade, and there, there is no jury . . . It is certainly unjust that that portion of the citizens of South Florida, who are endeavoring to support the laws and to lead a quiet and an honest life, should be made to suffer in their character and reputations by the wanton outrages of others."

The Committee concluded, therefore, that the petitioners were entitled to relief. Since the existence of Dade County had been recently recognized by Congress,<sup>42</sup> it did not deem it advisable to abolish the county. But realizing that the existence of courts in Dade County, with their clerks and other officers to issue and execute process by which a man's property or person might be seized without any possibility of bringing the matter to a trial, might be used

“to the very great oppression and injury of the petitioners,” the Committee recommended that the jurisdictions of the County and Superior Courts of Dade County be transferred to the similar courts in Monroe County.<sup>43</sup> A bill was reported for that purpose, which passed the Senate but was defeated in the House.<sup>44</sup>

Late in 1839, Maloney resigned as clerk of the Superior Court. The office was in the appointment of the judge, and Marvin, though it must have been a bitter pill, was constrained to ask Housman to recommend a successor, or to accept the position himself, as he knew of no one to appoint. On November 21 Housman curtly replied:

“I have received your letter of 11 inst and have made application to four Respectable and Competent Gentlemen Who have Refused to hold any office in your Gift

“For myself, You should have known that any gift of yours would be promptly Refused.”

When the Superior Court met at Indian Key in December, with Judge Marvin presiding, a grand jury was empaneled which inquired into the imprisonment of the two seamen from the *Sylph*. Lemuel Otis testified that in his capacity as a justice of the peace he had committed the men on the sworn complaint of Samuel Sanderson, master of the schooner, who had charged them with mutinous conduct. The grand jury completely exonerated Housman and branded the evidence before the Senate Committee as “false and malicious.” The imprisonment of the seamen from the *Brilliant* was discreetly ignored.

Housman enclosed copies of his correspondence with Marvin and the grand jury presentment in a memorial which he addressed to the 1840 Senate. The report of the previous year, he said, with its “very Serious slanders,” was “evidently malicious”—the work of Marvin, who “has long been my most bitter and powerful enemy.”<sup>45</sup> The committee to whom the memorial was referred brushed it aside with the comment that its main object appeared to be the eradication of the “supposed injurious impressions” created by Marvin’s report.<sup>46</sup>

Another way in which Housman sought to enhance the importance of Indian Key was by having it made a port of entry. Other hands than his signed the memorials to Congress requesting this in 1838 and 1839, but the voice was undoubtedly that of Jacob. His object was to cut into Key West’s monopoly of the salvage business, a monopoly due to the law that all property salvaged within the jurisdiction of the United States must be taken into an American port of entry.<sup>47</sup> In this he had the cooperation of Northern in-

surance underwriters and merchants, who believed that competition would prevent "many gross frauds committed upon underwriters" at Key West.<sup>48</sup> Opposing the project were Key West merchants and masters of wrecking vessels at Key West and Key Vacas.<sup>49</sup> So many and so conflicting were the statements, that Congress dropped the whole matter.

Among those who were active in behalf of a port of entry at Indian Key was Dr. Henry Perrine.<sup>50</sup> Perrine had been agitating the introduction of tropical plants into Florida and seeking a grant of land for the purpose since 1831.<sup>51</sup> He had first interested Captain John DuBose, keeper of the Cape Florida lighthouse, who had made experimental plantings as early as 1833. In 1836 Charles Howe set out some plants at Indian Key. In the summer of 1837 Perrine visited Indian Key and, with Howe's assistance, began a nursery "where upwards of 200 species and varieties [were] planted in boxes for removal to the main land, when the Seminole war [should] cease."<sup>52</sup> Finally, in the summer of 1838, Congress granted to Perrine and his associates, Charles Howe and James Webb, a township of land to be located on the mainland.<sup>53</sup> As the selection could not be made while the Indian war continued, Perrine decided to bring his family to Indian Key, where he could supervise his nursery.

The Perrines occupied a large, new house belonging to Charles Howe, located near Howe's own residence somewhat apart from the rest of the settlement. Although Housman was married, Perrine's wife and daughters did not associate with Mrs. Housman. "We were shut out from all social life," wrote Hester Perrine Walker many years later, "with the exception of the family of Mr. Howe."<sup>54</sup> Her statement lends credibility to Ned Buntline's story that though, "after building and settling up his island," Housman "made a voyage to Charleston, and returned with a beautiful bride," the law repudiated her after his death "in consequence of neither license, record, or matrimonial proof of any kind being get-at-able."<sup>55</sup>

When Perrine landed at Indian Key on Christmas day, 1838, he found conditions somewhat different from those in the summer of 1837. Then the inhabitants of the island had still been under arms, although after August, 1836, Housman's militia company consisted of only 20 to 22 men, half of whom were Negroes. The company was disbanded in March, 1838, when the revenue cutter *Dexter* was based on Indian Key. After the withdrawal of the *Dexter* a few months later, vessels of the Florida Squadron made Indian Key their unofficial headquarters. At the time of Perrine's arrival, the island was being used as a supply depot by Lieutenant John T. McLaughlin of the U. S. schooner *Wave*.

In August, 1839, Commander Isaac Mayo, then commanding the Squadron, visited Indian Key in the U. S. Steamer *Poinsett*. "Considering the post of great importance, for should the Indians capture it, they would be abundantly supplied with ammunition and arms, also a large supply of provisions," Commander Mayo stationed there a gun barge and thirteen men under the command of a passed midshipman. Lieutenant McLaughlin succeeded Mayo as commander of the Squadron in December, 1839. He continued to use Indian Key as a depot until the spring of 1840, when he withdrew the garrison and established his depot at Tea Table Key, about a half mile away.

With the drilling of sailors and marines, and the coming and going of naval vessels, Indian Key must have appeared a busy place. But Housman was not prospering. As a merchant he did a small business with the Squadron,<sup>56</sup> but not nearly enough to compensate for the loss of his former trade with the Indians and reef settlers. He must have sorely missed, too, the income from wrecking cut off when his license was revoked in 1838. And his claim against the government for \$14,418 for the maintenance of the militia company, although he had pressed it since 1836, was unpaid.<sup>57</sup> The upshot was that he mortgaged all his property on the island to John Lawton and S. Murray, of Charleston, for \$16,000.<sup>58</sup> "It was thought before the invasion," Howe wrote in November, 1840, "that he could not stand it more than a year or two longer."<sup>59</sup>

The embarrassed state of his finances may have prompted Housman to address two remarkable documents to Congress in 1840. The first was "a proposition . . . to the Governor and Legislative Council of Florida, and to the President and national Congress of the United States, to catch or kill all the Indians of South Florida, for two hundred dollars each."<sup>60</sup> The second was a request for authorization to form a settlement on the south coast of Florida and for a grant of land "to said settlers with the rights to the people of said settlement of *self-government* within the circle of three miles radius from the centre thereof, with an exemption from *all control of all officers* and *all laws* of the revenue, naval, and military department of the Government of the United States."<sup>61</sup>

Any chance Housman may have had of rehabilitating his fortunes vanished overnight. Between two and three o'clock on the morning of August 7, 1840, Indian Key was attacked and laid waste by a large band of Indians who paddled the 30 miles from the mainland in canoes. It was thought that they were guided by the two Indians imprisoned on the key in 1836, for though they approached from the north, they rounded the island to land at

a most unlikely spot on the southeast side. As they were stealthily deploying their forces, James Glass, a carpenter in Housman's employ who chanced to be wakeful, saw their canoes drawn up on the beach. The discovery by the Indians of Glass and his neighbor, George F. Beiglet, hastening across the island to warn Housman, gave the signal for attack.

The main objectives were Housman's residence and store on the north side of the key. A number of Indians rushed upon the former with "such fury that they soon burst open the doors and windows. Capt. H., the moment he awoke sprung for his guns, which were placed behind a door, but was met by them. He then rushed into another room, and jumped out of the window with his wife, and happened not to be discovered by the Indians, who were then all over the house. They ran across his garden, jumped fences, and plunged into the water at the south end of the island. He then took his wife and swam around to his Boat Pond, and got out one of his boats without being discovered, and pulled over to Tea Table Key."<sup>62</sup>

The garrison at Tea Table Key had been reduced the day before to a score of men, all but five of whom were on the sick list, by the departure of the *Wave* on an exploring expedition into the Everglades. After some delay, Midshipman Francis K. Murray, in temporary command, succeeded in manning two barges, each of which was armed with a four-pound swivel gun. He set off for Indian Key about 7 o'clock with the intention of landing. The little task force was met by heavy fire, the Indians putting to good use one of the six-pounders Housman had mounted for the defense of the island. The barges returned the fire, but at the third discharge the swivels rebounded overboard and Murray was forced to return to Tea Table Key. Left in undisputed control of the island, the Indians loaded their own canoes and some of the small boats in the place with supplies of every kind from Housman's store, set fire to the buildings and wharves, and finally withdrew in the early afternoon. According to Lieutenant McLaughlin, they left in 34 boats, including those taken from the key. "In some of the boats, six, seven and eight people were counted; in none, less than four; so that the number could not have been short of one hundred and thirty-four persons."<sup>63</sup>

At the time of the attack there were 35 white persons and 10 or 12 Negroes on the island. Six whites and a Negro child lost their lives. The white victims were Dr. Perrine, John Motte, master of the wrecking sloop *Key West*, his wife and two children, and James Sturdy, a boy who was scalded to death when the building over the cistern in which he was hiding burned. The others escaped by reaching boats or hiding in the cisterns and under wharves. Lemuel Otis, who was sleeping in Housman's store, was

wounded but managed to reach the south beach and float off in one of the canoes.

The destruction of property was almost complete. Only Charles Howe's residence escaped the conflagration. "The number of buildings consumed," said the account in the *Charleston Courier*, "was 38, consisting of dwelling houses and kitchens, ware-houses, stores, shops &c., all of which belonging to the enterprising proprietor, Capt. Jacob Housman, with the exceptions of Mr. Howe's [new house], and one dwelling house and kitchen, belonging to Wm. F. English, Esqr."

"Capt. Housman's loss can hardly be estimated,"<sup>64</sup> the writer commented. "What must have been his feelings on his first coming to the island to behold the total ruin of his indefatigable labors of twelve years—not a house left to shelter himself and wife—his splendidly furnished dwelling laid in ashes—his large warehouses and store, with every description of goods, all shared the general consummation—his charming garden, containing some of the most valuable vegetables and fruits of tropical countries, all burnt to the ground."<sup>65</sup>

Housman and his wife presumably sought shelter at Key West, but in September he returned to Indian Key.<sup>66</sup> Henry Goodyear, a former clerk, urged him to open another store, but he decided against it. Toward the end of October, according to Charles Howe, he "cleared out for good—took everything he had left, to Key West . . . to sell at Auction—his Negroes—Boats—vessels & I think I see his object, he is as usual very schemy, he is a good deal in debt . . ."<sup>67</sup>

After selling the few belongings that remained to him, Housman seems to have obtained employment on a wrecking vessel. He was killed on May 1, 1841, "while attempting to go on board a wrecked vessel in a heavy sea-way; being crushed between his boat and the side of the vessel." Thus, moralized Ned Buntline, having lost his ill-gotten property, he lost his own life, "leaving behind nothing of value, not even a good name."<sup>68</sup>

Housman's widow soon found consolation for her bereavement in remarriage.<sup>69</sup> Before that happy event, however, she ordered a fine marble tombstone from the north. It was erected on the east side of the island where, presumably, Housman was buried. Though the stone is now shattered, the following inscription can still be deciphered:

"Here lieth the body of Capt. Jacob Housman, formerly of Staten Island, State of New York, Proprietor of this island, who

died by accident May 1st, 1841, aged 41 years 11 months.

To his friends he was sincere, to his enemies he was kind, to all men faithful.

This monument is erected by his most disconsolate though affectionate wife, Elizabeth Ann Housman.

Sic Transit Gloria Mundi."<sup>70</sup>

#### NOTES

- <sup>1</sup> Ned Buntline was the pen name of E. Z. C. Judson, who in 1840 was an acting lieutenant on the U. S. schooner *Otsego* of the Florida Squadron commanded by Lieutenant John T. McLaughlin, which was based on Tea Table Key. (Fred E. Pond, *Life and Adventures of "Ned Buntline"* [New York, 1919], p. 24). He thus had opportunity to learn, if not the true story of Housman's youth, at least the version current on the reef.
- <sup>2</sup> E. Z. C. Judson, "Sketches of the Florida War—Indian Key—Its rise, progress and destruction," copied from *Western Literary Journal and Monthly Review* in *Pensacola Gazette*, March 29, 1845. I am indebted to Dr. A. J. Hanna for this reference.
- <sup>3</sup> For a general discussion of the subject, see Dorothy Dodd, "The Wrecking Business on the Florida Reef, 1822-1860," *Florida Historical Quarterly*, XXII (April 1944), 171-199.
- <sup>4</sup> *Pensacola Gazette*, December 3, 1825.
- <sup>5</sup> *East Florida Herald*, October 4, 1825.
- <sup>6</sup> *Ibid.*, November 8, 1825.
- <sup>7</sup> *Ibid.*
- <sup>8</sup> *Ibid.*
- <sup>9</sup> *Pensacola Gazette*, August 12, 1828.
- <sup>10</sup> H. Rep. 798, 30th Cong., 1st sess. [527], pp. 2, 6.
- <sup>11</sup> Judson, *loc. cit.*
- <sup>12</sup> T. Frederick Davis, "Pioneer Florida: Indian Key and Wrecking, 1833," *Florida Historical Quarterly*, XXII (October 1943), 58, quoting a contemporary account in the *Charleston Mercury*.
- <sup>13</sup> *Ibid.*; Judson, *loc. cit.*; John Lee Williams, *The Territory of Florida* (New York, 1837), p. 36; *Pensacola Gazette*, September 8, 1838; H. Rep. 798, 30th Cong., 1st sess. [527], p. 1.
- <sup>14</sup> *Floridian*, June 24, 1834.
- <sup>15</sup> H. Rep. 638, 27th Cong., 2nd sess. [409].
- <sup>16</sup> S. Doc. 71, 25th Cong., 3rd sess. [339], pp. 8, 10.
- <sup>17</sup> S. Doc. 140, 25th Cong., 3rd sess. [339], p. 15.
- <sup>18</sup> *Pensacola Gazette*, June 14, 1834. Charles Howe became postmaster about 1836. He held the position until March 31, 1842, being followed by I. W. Marshall and Luther A. Hopkins. The office was discontinued May 29, 1843. (*Official Register of the United States*, 1843, App., p. 340.)
- <sup>19</sup> Davis, *loc. cit.*, pp. 58-59.
- <sup>20</sup> *O'Hara v. Schooner North Carolina & Housman*, Florida Supreme Court file no. 0793; *Housman v. Cargo of Schooner North Carolina*, Florida Supreme Court file no. 0794; *Housman v. The Cargo of the Schooner North Carolina*, 15 Peters 40.
- <sup>21</sup> See Dodd, *loc. cit.*, pp. 191-193.
- <sup>22</sup> "Wrecking on the Florida Keys," *Harper's Magazine*, XVIII (1859), 583, 585.
- <sup>23</sup> Petition of Abraham P. Housman, administrator of Jacob Housman, deceased, praying the reimbursement of advances made for the public service during the Florida war, presented April 20, 1846, and related documents, U. S. Senate Files, 29th Cong., 1st sess., in National Archives. Cited hereafter as Petition of Abraham P. Housman. Unless otherwise noted, all data regarding the defense of Indian Key is from this source.
- <sup>24</sup> *Niles Register*, XLIX (January 30, 1836), 370
- <sup>25</sup> *Ibid.*, XLIX (January 30, 1836), 370; L (April 9, 1836), 98, and (August 6, 1836), 383.

- 26 For a brief account of the Spanish fishermen, who were suspected of cooperating with the Indians, see Dorothy Dodd, "Captain Bunce's Tampa Bay Fisheries, 1835-1840," *Florida Historical Quarterly* XXV (January 1947), 246-256.
- 27 *Niles' Register*, L (April 9, 1836), 98.
- 28 Petition of Abraham P. Housman.
- 29 *Floridian*, January 16, 1836, February 18, 1837.
- 30 Petition of Abraham P. Housman.
- 31 William A. Whitehead said that Smith's character, where best known, was such as not to entitle him to the notice of gentlemen (S. Doc. 140, 25th Cong., 3d sess. [339], p. 1).
- 32 Fla. (Ter.), *Acts*, 1836, p. 19.
- 33 MS. in Secretary of State's office, Tallahassee.
- 34 *U. S. Stat.* 70.
- 35 Fla. (Ter.), *Acts*, 1837, p. 6.
- 36 Petition of Abraham P. Housman.
- 37 *Ibid.* Charles Howard (Howe?) was first appointed, but apparently refused to serve (F. M. Hudson, "Beginnings in Dade County," *Tequesta*, July 1943, p. 18.)
- 38 Fla. (Ter.), *Acts*, 1838, p. 47.
- 39 See Petition of Abraham P. Housman; *A List of Officers of the Territory of Florida* (Tallahassee, 1842), p. 5, in Fla. (Ter.) House of Representatives, *Journal*, 1842; Fla. (Ter.) House of Representatives, *Journal*, 1843, App., p. 18.
- 40 The general law concerning jurors called for 23 grand jurors and 24 petit jurors, all of whom were required to be householders. The Legislative Council, by act of February 11, 1837, took cognizance of the situation in the Southern District by reducing the number of grand jurors in Dade and Monroe Counties to 16 men who were not required to be householders. An act of February 11, 1838, however, while continuing the grand jury of 16 in the Southern District, again specified that jurors should be householders. (John P. Duval, *Compilation of the Public Acts of the Legislative Council of the Territory of Florida, Passed Prior to 1840* [Tallahassee, 1840], pp. 194-197.) An act of March 2, 1840 required legal jurors in either county to serve in the Superior Court of the other (Fla. [Ter.], *Acts*, 1840, p. 39).
- 41 The only office Housman appears ever to have held was that of auctioneer for Monroe County in 1832 (Fla. [Ter.] Legislative Council, *Journal*, 1832, p. 117).
- 42 In the act of July 7, 1838, creating a bicameral Legislative Council (5 *U. S. Stat.* 263).
- 43 The full report of the Committee is in Fla. (Ter.) Senate, *Journal*, 1839, App., pp. 4-6.
- 44 Fla. (Ter.) House of Representatives, *Journal*, 1839, p. 16.
- 45 MSS. in Secretary of State's office, Tallahassee.
- 46 Fla. (Ter.) Senate, *Journal*, 1840, p. 61.
- 47 4 *U. S. Stat.*, 132, 133.
- 48 S. Doc. 55, 25th Cong., 3d sess. [339]. See also S. Docs. 54 and 71, 25th Cong., 3d sess. [339].
- 49 See S. Doc. 15, 25th Cong., 3d sess. [338]; S. Docs. 26 and 140, 25th Cong., 3d sess. [339]; and S. Doc. 255, 25th Cong., 3d sess. [341].
- 50 Although he did not sign it, he undoubtedly circulated a memorial at Princeton, N. J., as there is a manuscript addition, in his handwriting, to the printed document. The memorial averred that a port of entry at Indian Key would be beneficial "to the thousands of emigrating agriculturists, whose greatest anxiety is to engage in the culture of tropical plants." (Memorial of a number of citizens of New Jersey, praying the establishment of a port of entry at Indian Key, presented December 21, 1838, U. S. Senate Files, 26th Cong., 1st sess., in National Archives.)
- 51 Hudson, *loc. cit.*, pp. 9-11.
- 52 H. Rep. 564, Cong., 2d sess. [335], pp. 36, 60.
- 53 5 *U. S. Stat.* 302.
- 54 "Massacre at Indian Key, August 7, 1840, and the Death of Dr. Henry Perrine," *Florida Historical Quarterly*, V (July 1926), 20.
- 55 Judson, *loc. cit.* More explicit confirmation is found in the revocation by the Monroe County Superior Court, on May 10, 1842, of letters testamentary granted to Elizabeth Ann Housman as executrix of the estate of Jacob Housman (*Housman's Executrix v Cussans*, Florida Supreme Court file no. 0860).



- <sup>56</sup> See H. Rep. 798, 30th Cong., 1st sess. [527], p. 5.
- <sup>57</sup> Petition of Abraham P. Housman. The claim was never paid, due to lack of proof that the company was legally mustered into the service of the United States.
- <sup>58</sup> H. Rep. 798, 30th Cong., 1st sess. [527], p. 8; Charles Howe, "A Letter from Indian Key," *Florida Historical Quarterly*, XX (October 1941), 198. When the mortgage was foreclosed on January 15, 1844, the property was bought for the mortgagees for \$355 (*News* [St. Augustine], January 27, 1844).
- <sup>59</sup> *Loc. cit.*, p. 197.
- <sup>60</sup> U. S. House of Representatives, *Journal*, 26th Cong., 1st sess. [362], p. 612. When the proposal was presented to the Legislative Council the House voted to recommend it to the favorable consideration of the President, but the Senate refused to concur (Fla. [Ter.] House of Representatives, *Journal*, 1840, pp. 117, 133, 166).
- <sup>61</sup> H. Rep. 593, 26th Cong., 1st sess. [373].
- <sup>62</sup> *Apalachicola Gazette*, September 12, 1840, quoting *Charleston Courier*, August 29, 1840.
- <sup>63</sup> H. Rep. 798, 30th Cong., 1st sess. [527], p. 10.
- <sup>64</sup> The administrator of his estate claimed it amounted to \$144,000 (*ibid.*, p. 1).
- <sup>65</sup> *Apalachicola Gazette*, September 12, 1840. This account, the reports of Murray and McLaughlin in H. Rep. 798, 30th Cong., 1st sess. [527], pp. 9-11, and two accounts in *Niles' Register*, LVIII (August 29, 1840), 406, and LIX (September 5, 1840), 3, have been used in telling the story of the massacre.
- <sup>66</sup> *News* (St. Augustine), September 25, 1840.
- <sup>67</sup> *Loc. cit.*, p. 197.
- <sup>68</sup> Judson, *loc. cit.*
- <sup>69</sup> *Ibid.*; *Housman's Executrix v. Cussans*, Florida Supreme Court file no. 0860.
- <sup>70</sup> I am indebted to Mr. Oliver Griswold, of Coconut Grove, for the transcription and other data concerning the tombstone.

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