

The Indian Scare of 1849

By JAMES W. COVINGTON

At the conclusion of the Second Seminole War (1835-1842) the Seminoles were temporarily assigned to a two and one half million acre hunting and planting reserve situated west and south of Lake Istokpoga and west of a line running from the mouth of the Kissimmee River through the Everglades to Shark River and thence along the coast to the Peace River. Most of the Indians knew the reservation area very well and were content to stay within its bounds but others roamed outside the unmarked boundary lines at their pleasure. The long war had greatly taxed the strength of the Indians and they were most anxious to remain on peaceful terms with their neighbors. However, they did not trust the white men and had little or no contact with them.

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In July, 1849, there occurred two acts of violence and the subsequent punishment shortly thereafter demonstrated to all the determination of the Seminoles to keep the peace. The episode started in the following manner: one young Seminole who possibly had been branded an outlaw by the council and court held during the Green Corn Dance in late June-early July, decided to save himself from Indian justice by making war on the white man. He recruited four other young men, including two sons of Chitto-Tustenuggee signer of a 1839 Macomb temporary peace agreement, and the five of them encamped near the Kissimmee River.¹ The five Seminoles made their plans for a series of strikes against the exposed settlements lying just north of the reserve.

The first attack took place in July, 1849, at a tiny Indian River settlement situated four miles north of Fort Pierce. Four members of the previously mentioned outlaws visited the place and despite the obvious violation of a state law, received a cordial reception and a good meal. After they had left the several houses comprising the settlement, the four walked near two white men working in a field and began firing at them.² Both men were hit and the Seminoles were able to overtake James Barker and kill him with their knives but Inspector of Customs William Russell was able to make his escape and warn the other settlers. They quickly jumped into their small

boats and, with the Indians firing from the banks, rowed rapidly to a vessel anchored in the Indian River. When the men returned to their homes on the following day they discovered that one house had been burned to the ground and two others were sacked and vandalized. Soon word was carried from one backwoods group to another and the people living along the Indian River and adjacent section fled by boat to St. Augustine for protection.³

This savage and unprovoked assault alarmed the Seminoles as well as the frontier folk and they took immediate action to curb the trouble makers. Assinwah, leader of one band, was dispatched to apprehend the five but just missed catching them for they were rapidly moving towards the Peace River and another raid.

The second strike was at the Kennedy and Darling trading post on the banks of Payne's Creek near Charlotte Harbor. Four members of the band involved in the Indian River raid appeared at the place on July 17th and requested the use of a boat so that they might carry their large pack of skins across the stream and exchange it at the store for needed products. The unwary proprietor agreed to the appeal and the Indians crossed the creek but suddenly, while the whites were eating their evening meal, the Indians fired at the group about the table killing Captain George S. Payne and Dempsey Whidden and wounding clerk William McCullough. The clerk, his wife and child were able to escape but the store was looted and burned by the Indians.⁴

There were some unusual facts concerning the destruction at the trading post. A barrel of whiskey was untouched but a small bridge and the trading post's outbuildings were burned. The site of the store situated just north of the present day Wauchula became known to some Seminoles as Chokkonikla (burnt house). At Whidden's camp some five miles distant some money was taken but the buildings were not burned.

The news of the two attacks caused the settlers on both coasts of Florida to believe that a full scale Indian war had begun, and they left their homes, cultivated crops and livestock, fleeing to public and private fortified sites at Tampa, Ocala, St. Augustine, Garey's Ferry and Palatka. The panic affected the people living as far north as Ocala, and it was said that only one foolhardy person remained south of New Smyrna on the Atlantic coast.

At this time the two active military forts in Florida were Fort Brooke and Fort Marion and commanders of these two posts dispatched patrols to the scene of the attacks but no Indians could be discovered. The soldiers

operating from Fort Brooke were handicapped by a lack of proper mounts and were forced to make use of the draft horses. The detachment at Fort Marion had an equally grave problem in transportation — a heavy surf boat capable of carrying many men was available but it had neither a mast or sails. Many of the leading citizens in the state recognized the ineffectiveness of such a puny force in the event of a major Indian war and wrote frantic letters to Washington demanding the quick movement of regular troops to the zone of possible trouble.

Several persons began to spread stories which had no accurate foundation whatsoever. Express Rider James White informed the people living along his route from Tampa to Palatka that a band of one hundred Indians had forced a patrol at Peace River to retrace its steps.⁵ The story spread along the East coast was that because he would not supply them with rifles some thirty or forty Indians had attacked the house of Major Russell at Indian River. In Benton County there were reports of a man forced to jump into the Withlacoochee River to save his life, a burned outbuilding and four dead cows but an investigation disclosed no evidence of the Indians causing such happenings.⁶

Secretary of War George W. Crawford acted quickly and efficiently when he learned about the two attacks. Five companies of troops at posts near Florida were hurried into the state and the Seventh Infantry was dispatched from Jefferson Barracks, Missouri to the Gulf Coast: the total Federal force making a grand total of eighteen companies or approximately fourteen hundred men.⁷ Since the assembled small army outnumbered the known numbers of Seminole strength, five to one, and a most capable army officer Major-General David E. Twiggs was placed in charge of operations, Crawford had played his role as administrator very well. He had assembled a force large enough to meet any emergency.

The same type of frantic letters had been dispatched to Governor William Moseley at Tallahassee and he took equally prompt action. Senator David Yulee and Judge Isaac H. Bronson, Federal Judge for the Northern District of Florida, in separate letters urged the governor to call out at least five hundred militia men. Accordingly Governor Moseley immediately called into service two companies of mounted volunteers (175 men): one to guard the frontier line between New Smyrna and Fort Gatlin (Orlando) and the other one, the area between present day Plant City and Sarasota Bay. Both companies were advised that their operations were to be of a defensive nature and the Indians were to be attacked only when they were found outside

the reserve area.⁸ The commanders were also directed to report to their respective regular army posts (Marion for one and Brooke for the other) and offer their services to the Federal Government and, if not accepted, they should do their best to protect the frontier in any manner they saw fit.

By early August the following units had been mustered into state service:

Leon County

Captain Fisher's company of mounted men July 30.

Captain Johnson's company of infantry August 4.

Alachua County

Captain Bill's company of mounted men August 2.

Duval County

Captain Ledwith's company of mounted men August 7.

Columbia County

Captain Knight's company of mounted men August 7.

Captain Ellis's company of mounted men August 8.

Hillsborough County

Captain Clark's company not mustered in but drew forage and food for twenty-six men and horses.⁹

During this tense situation Governor Moseley took measures to strengthen both his military and financial positions by dispatching General Leslie A. Thompson and Colonel Benjamin Whitner to Washington in an attempt to secure prompt Federal action in the movement of regular troops to Florida and removal of the Seminoles from Florida. En route to the nation's capital the two men stopped at Charleston, South Carolina, and based on Moseley's personal credit, negotiated a loan of twenty thousand dollars to finance the state's military efforts.¹⁰

Within a short time some persons realized that there could not be an Indian war for there were only five hostiles. Such a view was communicated to Secretary of War George W. Crawford as early as July 26th by Federal observers but it took some time for the state leaders to realize the true situation.¹¹ As late as August 22 a Second Lieutenant of the Florida Mounted Volunteers wrote the following words: "We are all well and in fine spirits and full ripe for an Indian fight and from all I can learn there can be little or no doubt but what we can and will be accommodated with a fight."¹²

It was fortunate for all white persons concerned that the outbreak of 1849 was a false alarm. Certainly the state of Florida was not in shape

militarily or financially to fight a large scale Indian war. The state troops had three hundred antique muskets as their weapons and the Federal commander hastily supplemented this untrustworthy supply with one hundred and ten rifles. The several hundred Federal troops available during July and early August were hampered by bad luck and greed on the part of certain civilians. A ship carrying some of the regulars and horses and mules needed for transportation blew up killing seventeen men and one hundred and twenty animals. When the military attempted to buy replacement wagons and horses from the Florida dealers they found price to be excessive and refused to purchase the necessary transportation.¹³ Consequently the soldiers were confined to operations in the neighborhoods of Fort Brooke and Fort Marion. As noted previously the Seventh Regiment was dispatched to Florida from Missouri, but an outbreak of yellow fever prevented a rapid passage.

Captain John Casey, the Indian agent, started the series of negotiations which would lead to a temporary peace along the frontier. He did his best to contact the Indians by leaving presents at places where they might find them. Finally the Indians left a peace sign "a white flag made of feathers encircled with a string of white beads" fastened to the door of John Bermudez, a fisherman at Sarasota.¹⁴ Within a short time a messenger waving a white flag carried word from Bowlegs to Casey saying that he was extremely sorry about the murders and presenting an accurate account of the affair.

A most important meeting took place at Charlotte Harbor in September, 1849. General David E. Twiggs accompanied by four officers and a company of artillery arrived at the bay by steamer and anchored near one of Kennedy's abandoned trading posts situated on the eastern shore near the mouth.¹⁵ On September 18, Billy Bowlegs came aboard the *Colonel Clay* and announced his avowed intention of surrendering the five murderers within thirty days.¹⁶ The following day Kapitsootsee representing the Sam Jones band arrived and gave his support to the same pledge. The willingness of the two Indian leaders to place themselves within the grasp of the whites was due to excellent pre-council diplomacy by Captain Casey.

A correspondent of the New Orleans *Delta* has described Bowlegs at the first meeting in the following words:

His beard (head) was enveloped in a red shawl, surmounted with white feathers, encircled with a silver band, the crescents of the same material suspended from his neck, to which was appended a large silver medal, with brackets a likeness of President Van Buren on its face; his throat was thickly covered with strands of large blue

beads, and he also wore bracelets of silver over the sleeves of his decorated hunting shirt.¹⁷

The second meeting at which the murderers were to be surrendered was arranged for the same place during the next month. As the Seminoles had no jails or bail bond, the five were held under what might be termed "light arrest". While they were en route to the settlements for another raiding spree, the five had been apprehended by Chitto Hadjo at a camp on the Kissimmee River. It was right and proper for Chitto Hadjo to approach the group for he was known as the sense-keeper or counselor and lawyer for Billy Bowleg's band.

Charlotte Harbor, at the site of the old trading post, was again selected as the scene for the second meeting between the two groups. When he arrived on October 18, General Twiggs found Bowlegs and Sam Jones had been waiting for him for at least nine days. Three murderers were surrendered to Twiggs; another had attempted to escape and was killed — his hand was available and the fifth member of the band escaped but was being pursued. By demonstrating to all their cooperation in this affair, the Seminoles proved their determination to remain peaceful.¹⁸

When the chief executive of Florida realized that he was not threatened by hostile Indians he ordered the demobilization of the hastily summoned state militia on October 1, but the Federal Government tried some old tactics in an attempt to solve an old problem.¹⁹ The approach of the Seminole problem as planned by Federal authorities after the July incidents involved the movement of a greatly increased number of regular troops to Florida and the sending of a delegation of Western Seminoles to negotiate a peaceful removal. In line with the latter project a group of eleven Western Seminoles, including Halleck Tustenuggee, two Negro interpreters and Agent Marcellus Duval, travelled to Florida *via* New Orleans in the Fall of 1849.²⁰ They had difficulty contacting the Eastern Seminoles but finally a parley took place between Twiggs, Bowlegs and other representatives of the Mikasuki and Tallahassee (Cow Creek) bands on January 21, 1850. At the conference Billy told about his love for Florida but also expressed the determination of himself and his people to leave Florida. Twiggs offered the sums of five hundred dollars to each warrior and one hundred dollars to each woman and child who travelled westward. The offer also included such fringe benefits as: subsistence for a year, travel expenses, payment for livestock left in Florida, a physician's services, free blankets and dresses and additional payments for the leader.²¹

At first, it seemed that all the Seminoles were ready to leave Florida. Seventy-four Indians including Napiktsootsee and eighteen Mikasuki warriors, twenty-two women, fourteen boys and nineteen girls sailed from Fort Hamer, Manatee River, for New Orleans on February 28th and the information was learned that more Indians were coming. Casey paid out fifteen thousand dollars to the Indians as a reward for migrating and also presented to them the sum of nine hundred and fifty-three dollars for livestock left in Florida which made a grand total of \$15,953 or \$212.50 per Indian.²²

At the same time the above mentioned negotiations were being conducted the War Department poured men and equipment into Florida at a rapid rate. A chain of crude roads bound together by military stockades had been forged from Tampa Bay to Indian River. Twiggs listed the established posts and proposed ones in a November, 1849, letter to Washington: a post near mouth of Manatee; Fort Hamer on the Manatee; Fort Crawford fifteen miles from Hamer; Fort Myakka; Fort Chokkonickla on Peace River; Fort Gardiner on the Kissimmee; a post on Lake Tohopekaliga; Fort Gatlin; Fort Pierce on Indian River; Fort Dallas, Key Biscayne and two or three posts to be located between Indian River and Kissimmee.²³ Movement of the troops into this section and the construction of forts and roads did not cause any friction between red men and white — in fact when a road was being constructed to link the Indian River with the Gulf coast, the Indians assisted the soldiers in fording the rivers at safe spots and finding their way through the unmapped wilderness.²⁴

The crudely constructed eighty foot square outpost known as Fort Meade became the temporary home of several outstanding military leaders. Thomas J. (Stonewall) Jackson served at Fort Meade from the Fall of 1850 until May, 1851, when he resigned in order to accept a post as professor of military science at Virginia Military Institute. Others who served at the post included George G. Meade and A. P. Hill.

David Twiggs applied great pressure upon the Seminole leader for a general meeting to plan removal of the tribe and finally was able to arrange one at Fort Chokkonikla. At this meeting held on January 21, 1850, Billy Bowlegs and four lesser leaders agreed to leave Florida. Twiggs, in order to speed the event, promised a bounty of three hundred dollars per warrior, one hundred dollars per woman and child and food for a year in Indian Territory to all who agreed to the plan. The general hopefully placed a deadline of four months for removal. Billy Bowlegs with his tongue in cheek replied that he was most willing to go but he was a little unhappy for his

naval cord had been cut in Florida, his blood spilled here and the peninsula was like part of his body.

Although some Seminoles had applied for and been granted westward passage, the vast majority of the Eastern Seminoles, including Billy Bowlegs and his band, would not make such a move. One suggested deadline had been passed and it appeared likely that the expressed desire to remove no longer existed to any great extent among the Seminoles. Finally John Casey was sent to Fort Myers to determine the exact situation and mood of the Seminoles. En route he received a gift from Bowlegs: a string of white wampum with a short piece of red wampum attached — a warning not to go into Seminole land.²⁵ However, on the 11th and 12th of April, Bowlegs and Casey were able to discuss a possible change in the temporary reservation's boundaries and, from the conversation, Casey was forced to conclude there was "no hope of getting them to go west in a body".²⁶ Twiggs dispatched Casey's letter to Washington and suggested in a separate note the military forces remain at Charlotte Harbor, Fort Hamer, Chokkonikla, Fort Meade, and Indian River and that Fort Brooke be dismantled. He concluded by saying, "If government wants to remove Indians by force, I can inform Department that I am ready to commence".²⁷ Twiggs was ready but the Federal authorities wanted to try the soft approach a while longer.

One incident which took place in March possibly alarmed the Indians and caused them to withdraw from the negotiations was the shipment to Oklahoma of two young men. Holahteelmathlouchee (Cow Creek) and Ishaiah-taikee (a Mikasuki) came into a town to trade and were carried along to Fort Hamer with the emigrating party. By the time the two men reached the Manatee River and were paid by Casey, they seemed to like the prospect of a journey and did not protest. Their friends, however, in the Everglades recognized the event as a "kidnapping" by persons who could not keep their word. Showing his distrust, Bowlegs moved from one town to another one more remote.²⁸

Slowly the news began to circulate throughout Florida that General Twiggs had not been too successful in his negotiations with the Seminoles. The delegates to a political convention held on June 10th at Tampa voted for the removal of the Indians: "Removal desired because it is the only way they may preserve from certain destruction and our frontiers relieved from perpetual terrors of Indian warfare."²⁹ These Florida frontier folks demanded that the next assembly take Indian removal action.

An editorial in the August 10, 1850, St. Augustine paper hit hard at the Indian removal record for the past year. "Last fall, 1500 troops were sent here against Indians to coax 130 assassins to give up 5 of number and use two months to deliberate. Nine months time was wasted. Millions of dollars (were used) to bribe 70-80 old men, women and children and three murderers out of Florida. The murderers are set free in the West.

"We can expect nothing from a Federal government committed to peaceful removal and only to our State legislature. Florida Indians should be outlawed and reward of \$1,000 for man dead or alive and \$500 for live woman and child. Thus people could still hunt them . . . soldiers not worth \$7 per month. We need thousands of still hunters."³⁰

The white people were not of one mind in their approach towards solution of the Indian problem. Those living along the frontier, realizing that the Federal government was not yet interested in direct military action, sought to have the state of Florida use the militia against the Indians. This, however, just could not be done for Florida did not have enough money to finance a relentless search through the Everglades and Big Cypress Swamp. A minority view of the Seminole problem was expressed by "Old Settler" in a letter printed in the *Florida News*: "Why don't we let Indians stay. They have not hurt growth of State. A few stock minders along the frontier are the only ones who would benefit. . . . Volunteers get purses filled. Sam Jones is ninety years old and too old to travel. Let's settle rich sugar, cotton and tobacco lands . . . war would lead us into great debt."³¹

When it appeared that there was no danger of attack, the frontier people drifted back to their homes from the crowded, pest hole atmosphere of the stockades. Surprisingly enough the abandoned homes had been unmolested and the orange trees and fields of pineapples looked most promising. Live-stock including cattle and swine were seen in excellent condition and wild hogs weighing as much as three or four hundred pounds were hunted in the woods, slaughtered and taken to the smoke house.³²

In August, 1850, another incident took place which posed a threat to frontier peace. A young boy named Daniel Hubbard of Marion County was captured by three roaming Indians and brutally murdered. It took some time for the details of the incident to become known to the authorities but blame was finally placed upon several Indians and Casey requested Bowlegs to surrender the guilty ones. Indian justice could not act immediately for the ones involved in the murder were outside the reserve, but finally they returned

and were delivered to the military authorities at Fort Brooke for trial. The three included: Pohosee, age fifty, Istahchukeho, age eighteen and Kitso Hadjo, age nineteen, claimed they were not guilty and had been delivered to white justice because Sam Jones did not like them. Since the three were members of Chipco's band, the statement was probably true. Before a trial could be held, the bodies of the men were discovered hanging by their necks in the county jail — death by suicide.³³

In the previous pages relating the account of the 1849 Indian "scare", it has been seen that the Seminoles were most anxious to keep the peace and remain in Florida. They cooperated fully with the apprehension of murderers and were prompt in their delivery to white justice. The regulars were not anxious to tangle again with the Indians and did their best to negotiate a peaceful removal of the entire tribe. The Indian scare of 1849 ended without much bloodshed but increased white pressure six years later would result in a long and costly Indian war.

FOOTNOTES

- ¹ Captain John Casey to Assistant Adj. General, September 6, 1849, *Senate Ex. Doc. 1*, 31 Cong. First sess., 121. Hereafter cited as *S.E.D. 1*. Casey says attack took place on July 12.
- ² Quote from *Washington Republic* of July 26, 1849 in *Pensacola Gazette*, August 4, 1849.
- ³ Casey to Assist. Adj. General, September 6, 1849, *S.E.D. 1*.
- ⁴ Disposition of William and Nancy McCulloch before Judge Simon Turman, Hillsborough County Court Records, Tampa, Florida.
- ⁵ Captain Charles Smith to AAG, July 31, 1849, *S.E.D. 1*, 40.
- ⁶ T. K. Walbridge to Morris, August 9, 1849, *ibid.*, 50-51.
- ⁷ Crawford to Gale *et al.*, August 14, 1849, *ibid.*, 5.
- ⁸ Moseley to Captain William Fisher, July 30, 1849, *ibid.*, 52-53.
- ⁹ Governor Brown to President Taylor, November 29, 1849, *ibid.*, 67.
- ¹⁰ Governor William Moseley to Congress of the United States, September 29, 1849, *Senate Journal*, 1850-, 19-20.
- ¹¹ Letter printed in *Jacksonville Florida Republican*, August 9, 1849.
- ¹² Letter of E.I.H., Camp Moseley (near Enterprise) in *ibid.*, August 30, 1849.
- ¹³ Twiggs to Asst. Adj.-Gen'l., September 1, 1849, *S.E.D. 1*, 119.
- ¹⁴ Casey to Asst. Adj.-Gen'l., August 20, 1849, *ibid.*, 116-117.
- ¹⁵ This region is known to some persons in the Punta Gorda area as Burnt Store. Since Kennedy had several stores and at least two of them were burnt, sometimes the location of a Burnt Store is difficult to identify. Maps of the section, however, properly place the site of the meeting between Twiggs and Bowlegs at a place on the eastern shore of Charlotte Harbor near its mouth. See map of Charlotte Harbor and Peace River mouth as found in *Memoirs of Reconnaissance with maps during the Florida campaign commencing on April 13, 1854 and continued to December, 1855*. Compiled by Major Francis N. Page, Records of the Army, National Archives.
- ¹⁶ Twiggs to Crawford, September 23, 1849, *Senate Executive Doc. 49*, 31 Congress, First sess., 62. Hereafter cited as *S.E.D. 49*.
- ¹⁷ Quoted in *New York Journal of Commerce*, October 8, 1849.

- 18 Twiggs to Jones, October 19, 1849, *S.E.D. 1*, 133-134. It would appear from available evidence that the three possible murderers were not tried in court but shipped to Oklahoma. Billy Bowlegs was the acknowledged leader of the Seminole Mikasuki group which lived on the southern, eastern and western sides of Lake Okeechobee. Chipco and his band of Creek speaking (Tallahassee) Seminoles were located to the north of Lake Okeechobee. They maintained friendly relations with Billy Bowlegs and his bands but were not under the control of the Mikasukis. Thus, it was easier for Bowlegs and Sam Jones to surrender to the white authorities, Indians not directly associated with them.
- 19 *Wakulla Times*, October 10, 1849. The volunteers were discharged on October 1. Captain Fisher in a letter dated September 24, 1849, claimed that some refugees were still living in temporary forts and were destitute.
- 20 Duvall to Commissioner Brown, November 5, 1849, *S.E.D. 49*, 143-145.
- 21 The sum of one hundred thousand dollars was set aside for Seminole removal. Sec. of War, Crawford to Sec. of Interior Ewing, December 24, 1849, *S.E.D. 49*, 49.
- 22 Casey to Crawford, March 1, 1850, *ibid.*, 84.
- 23 Fort Meade was established in December, 1849.
- 24 *Florida Republican*, February 7, 1850.
- 25 Casey to Twiggs, April 15, 1850, Seminole Emigration T 222. Office of Indian Affairs, National Archives.
- 26 *Ibid.*,
- 27 Twiggs to Crawford, April 15, 1850, *ibid.*
- 28 Casey to Twiggs, April 9, 1850, *S.E.D. 49*, 94.
- 29 *Ancient City*, June 10, 1850.
- 30 *Ibid.*, August 10, 1850.
- 31 *Florida News*, August 27, 1853.
- 32 *Ibid.*, February 7, 1850.
- 33 Statement of Justice of Peace Simon Turman, August 23, 1852, *Senate Executive Document 71*, 33 Cong., First sess., 27. A somewhat less reliable account of this affair is found in J. A. Hendley, *History of Pasco County, Florida* (Dade City, no date), 4.

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