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FLORIDA FRONTIER INCIDENTS DURING THE 1850s

by GEORGE C. BITTLE *

FROM A MILITARY VIEWPOINT Florida's frontier at the beginning of the 1850s was relatively quiet. There was no significant warfare, but the Indian question was far from settled. Governor Thomas Brown's message to the Florida legislature in 1850 repeated many previous statements and complained about the almost total disorganization of Florida's militia. Governor Brown typically blamed this situation on the current militia law's unwieldy nature.¹ However, it should be noted, that Florida military officials had not made the militia returns required by the federal government since 1845.² There would seem to be some question therefore, concerning the state's desire to create an efficient organization, even in the face of unsettled frontier conditions.

Florida's confused military situation is clearly demonstrated by Governor Brown's dealings with Aaron Jernigan in 1851.³ Jernigan had informed the governor on December 8, 1851, that a mailrider, enroute from Orange County to Tampa, had been fired upon by two Indians. Acting under the assumption that Jernigan was a militia captain, Governor Brown, on December 18, authorized him to raise "a force" whose purpose was to protect the settlers and to return the hostile Seminoles to their reservation.⁴ Jernigan admitted that previously he had been un-

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1. "Governor's Message," *Florida House Journal* 1850, 16.
2. *House Executive Documents*, 32nd Cong., 1st sess., No. 2, 1852, p. 452.
3. Jernigan, one of the first settlers in the Orlando area, arrived with his family early in 1843. He represented Orange County in the state legislature in 1846, serving on the committee on elections and the committee on the militia. In 1849, when Fort Gatlin was abandoned, Jernigan built a stockade on the west shore of what is now Lake Holden. It was a convenient stopping place for travelers and a gathering spot for the settlers of the area. In 1850 a post office designated Jernigan was established. See A. J. Breakfast, *Romantic History of Orlando, Florida* (Orlando, 1946), 13-16, and D. B. McKay, *Pioneer Florida*, 3 vols. (Tampa, 1959), II, 564, 585.
4. Thomas Brown to Aaron Jernigan, December 18, 1851, *Florida House Journal*, 1852, appendix, 33. When, in August 1842, Colonel William

officially involved in operations against the Indians.⁵ At least two of his fellow frontier residents, however, warned that Jernigan was stealing Seminole hogs and that this could easily lead to another frontier clash.⁶ Evidently Governor Brown was impressed by this evidence and seemed to have realized that Jernigan acted at best as a vigilante or at worst as an outlaw. Jernigan was informed that a properly validated company election would have to be held before any commission could be granted and that no funds were available to support active duty militiamen. Unfortunately the governor was not firm enough. Jernigan announced that he intended raising an eighty-man company and that he was going to pledge the state's credit for the necessary wagons and supplies.⁷

The state's questionable frontier situation led to an investigation by Florida Militia Major General Benjamin Hopkins. On May 24, 1852, he reported that parties of Seminoles were definitely living outside their reservation and that they were stealing settlers' cattle. Later that year, however, Hopkins described the frontier as relatively safe and recommended that any Indian cattle or hogs found off the reservation should be considered the property of the finder. He justified Jernigan's position by recommending that the reservation boundary be patrolled by a 500-member volunteer force.⁸ Both Hopkins and Jernigan were paid by the state for the time they served in the 1852 anti-Indian crusade.⁹ By dint of persistence, Jernigan also managed to get paid for chasing Indians that may not have existed, or at least were not really a serious frontier threat. In 1852 Governor Brown admitted that he was not able to get the militia officers to take the annual census as required by Wash-

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- J. Worth announced that Indian hostilities in Florida had ended, it was estimated that there were some 300 Seminoles remaining in the state. They were "assigned" to a temporary reservation that ran from the mouth of Peace River to the fork of its southern branch, to the head of Lake Istokpoga, down the Kissimmee to Lake Okeechobee, through the Everglades to Shark River, and back to the starting point.)
5. Jernigan to Brown, January 19, 1852, *Florida House Journal, 1852*, 52-53.
 6. H. E. Osteen to Brown, January 19, 1852, *ibid.*, 55; John J. Marshall to Brown, January 26, 1852, *ibid.*, 51.
 7. Brown to Jernigan, February 10, 1852, *ibid.*, 53-55; Jernigan to Brown, February 16, 1852, *ibid.*, 61.
 8. Benjamin Hopkins to Brown, May 24, 1852, *ibid.*, 74-77; August 25, 1852, *ibid.*, 86-88; December 15, 1852, *Florida Senate Journal, 1852*, appendix, 137-39.
 9. *Florida Senate Journal, 1852*, 243-44.

ington. That the Florida Militia was disorganized was obvious, and this condition may help to explain how Aaron Jernigan was able to secure payment for both his legal and illegitimate frontier activities.¹⁰

The Florida legislature passed a Seminole Indian removal bill which Governor Brown vetoed on January 13, 1853. It would have required the governor to raise a 1,000-member militia force, half of which was to be infantry. The unit's brigadier general was to be elected by joint vote of both legislative houses. Governor Brown's veto message pointed out that Florida law required all militia officers to be elected by the men they would command, and that no state under the constitution could maintain an army on active duty in peacetime.¹¹ When his veto was overridden, Brown announced that he would not execute the law as he believed it to be illegal.¹² James E. Broome, who succeeded Brown as governor in 1853, tried to fulfill the law, but he was finally forced to admit that not a single company of the proposed infantry regiment could be raised.¹³ However, Broome, faced with a potential Indian outbreak, told the state legislature that he would attempt to raise an approximate 1,000-man mounted force whose services would be offered to the regular army.¹⁴ The governor does not seem to have fielded a unified command of this size.

South Florida's caldron of troubles began boiling again in December 1855, when a United States Army survey party working in Big Cypress Swamp wantonly destroyed Chief Billy Bowlegs' garden and refused to make amends. According to the official account of this episode, the opening action of the Third Seminole War, the soldiers were attacked while preparing to return to Fort Myers.¹⁵ In response to this situation, the federal government requested that five Florida Militia companies be placed on active duty. Each unit would be independent of the

10. "Governor's Message," *ibid.*, 17.

11. *Ibid.*, 332-34.

12. Brown to M. B. Leone, 1853, "Miscellaneous Letters and Military Orders Concerning Military Affairs in Florida," Special Collections, Robert Manning Strozier Library, Florida State University, Tallahassee.

13. "Governor's Message," *Florida House Journal*, 1854, 12.

14. *Ibid.* 1856, 11-12.

15. Andrew P. Canova, *Life and Adventures in South Florida* (Tampa, 1906), 6-7; *Soldiers of Florida in the Seminole Indian-Civil and Spanish-American Wars* (Live Oak, Florida, 1903), 11-12.

others; three were to be mounted and the other two composed of skilled "hunters and trailers" who would serve as infantrymen. No field grade Florida officer was to be placed on active federal duty.¹⁶ During early February 1856, Governor Broome said that in addition to the five companies requested for service with the regulars, Florida would provide two more companies for active frontier duty.¹⁷ Only one detachment of the requested two companies of foot soldiers could be raised however.¹⁸

During the early part of the 1856 Indian campaign, Aaron Jernigan's company became the subject of serious complaints from civilians in the neighborhood of the unit's posts. On May 23, 1856, First Lieutenant Enoch M. Moody "and other members of Captain Aaron Jernigan's company who abandoned their posts while protecting cattle," were discharged from the federal service, and the state refused to pay Jernigan for his current militia activities.¹⁹

A description of Florida Militia activities in 1856 is provided by William C. Brown who worked as a clerk in his uncle's general store in Tampa. Brown had the opportunity there to observe the volunteers arriving at nearby Fort Brooke. He described Captain William H. Kendrick's company as "the most motley looking set of men I ever saw together also their horses and ecoutrements [*sic.*]." They carried "shotguns muskets double borrell [*sic.*], fowling pieces Yegers" and every other possible type fire arm. The men, some mounted on mules, ranged "from the

16. U. S. Adjutant General to J. Munroe, January 7, 1856, *Governor James E. Broome Letterbook*, Florida State Library, Tallahassee.

17. Broome to Munroe, February 4, 1856, *Broome Letterbook*; Broome to Jernigan, February 15, 1856, *Broome Letterbook*. This latter letter adds Jernigan's company to those on state duty with the hope that Jernigan's men will be accepted by the regular army. Muster rolls of the Florida Indian Wars, Vol. 5, 89-90, located in the Florida Adjutant General's Office, State Arsenal, St. Augustine, show that Captain Jernigan commanded an active duty company in federal service from March 10, 1856 to September 10, 1856, with all officers and men serving the full time. This does not agree with the information given in *Florida House Journal, 1856*, appendix, Correspondence Relating to Indian Affairs, which says First Lieutenant Enoch M. Moody was to be discharged earlier.

18. "Governor's Message," *Florida House Journal, 1856*, 12.

19. Special Orders-No. 6, Headquarters, Department of Florida, May 23, 1856, *Florida House Journal, 1856*, appendix, Correspondence Relating to Indian Affairs, 19; Munroe to Broome, January 12, 1856, *ibid.*, 24.

Georgia to the Spanish filibuster." He noted, "a picture of the band would make the fortune of any artist."²⁰

Brown entered active militia service himself on February 15, 1856, enlisting as a commissary clerk in "Captain Siemon [*sic.*], L. Sparkman's company." The proceedings were very informal. He inquired at Captain Sparkman's house as to where the unit was located, and then, "after the Deed was done I went up home with Jake Summerlin and stayed all night." Brown spent the next nine days in routine civilian life before reporting three days late for active service. Even then he found that not all the men were present. The new soldier described his companions as "rough ungainly people . . . who look like and act like the characters we read about in Coopers Indian novels as near as I can judge."²¹

Most of Brown's military experience was in camp or moving camp, and he noted that from time to time Captain Sparkman appeared among his men. The soldiers went out on "scouts," but all reports of skirmishes came from other companies. Despite the lack of military activity the men received Yeager rifles and provisions, including forage for their horses.²²

The militia experiences of Andrew P. Canova, who served as a private soldier in the southern part of Florida during the years 1855-1858, confirm those recorded by William Brown. Canova, at the time in William Hooker's company, described one day's affairs: "We rose from an invigorating breakfast of fresh venison, . . . since for many days previous we had not been called upon to perform any serious or exciting duty . . . we had deported ourselves as hunters rather than soldiers."²³ Canova remembered that after marching two days on a scouting mission, the provisions gave out and the force gave up "hunting human beings" to "hunt something to eat."²⁴

An expedition through Big Cypress Swamp was described as "dreary and monotonous Finally we came to Ock-kollowah-

20. Brown "Diary." A typescript of the diary is in the P. K. Yonge Library of Florida History, University of Florida, Gainesville.

21. *Ibid. Soldiers of Florida*, 17, notes that Brown served in Abner D. Johnston's company from December 29, 1855 through August 1856. It should be noted that *Soldiers of Florida* is not always accurate.

22. Brown "Diary."

23. Canova, *Life and Adventures in South Florida*, 5, 96-100; *Soldiers of Florida*, 13.

24. Canova, *Life and Adventures in South Florida*, 96-100.

cootchee. Long and frightful as this name may seem, it was no worse than the thing itself" which was a dense four mile wide field of saw grass "two feet higher than our heads" through which the soldiers had to pass. The men "took turns" breaking a path and "no man could endure this task for more than five minutes." Canova's misery was made worse because of "poison" water that had infected his feet, and by the sun which "shone with terrible force upon us, and not a breath of fresh air could reach us." Unfortunately, in the course of this adventure, "no glimpse of an Indian rewarded our anxious gaze The volunteers from Middle Florida . . . were almost furious" as a result of this experience.²⁵

Canova was perhaps more fortunate than Brown in that he was present when a group of squaws and Indian children were captured near Lake Okeechobee. These captives were placed in boats "loaded to the gunwales," and the party attempted a lake crossing. "A heavy wind arose, when we were five miles out. . . . The boats rolled and pitched around in an alarming manner, and nearly every Indian was writhing in the bottom of the boats, suffering the agonies of seasickness." After spending a terrible night on Lake Okeechobee and then hand pulling the boats through "a mass of floating 'lettuce' " the soldiers arrived at a regular army camp where "we were soon seated around a campfire, chatting . . . and drinking strong black coffee, such as only soldiers can make."²⁶

Apparently Governor Broome found no shortage of applicants for such a life, and between January 12 and January 26, 1856, he turned down the offers of five volunteer companies to go on active duty. The services of other volunteer companies were also later rejected.²⁷ The governor was so unsure of the militia situation that he sent Florida Militia General Jesse Carter to the southern part of the state as his personal representative. At first Carter held no military title, but later he was awarded the campaign rank of colonel so that he could en-

25. *Ibid.*, 58-59.

26. *Ibid.*, 19-21.

27. Broome to A. J. T. Wright, January 12, 1856; Broome to Paul Arnon; Broome to I. Jernigan, January 22, 1856; Broome to Oscar Hast, January 19, 1856; Broome to S. J. Thomas, John Adams, and I. M. Baker, and Others, January 26, 1856, *Broome Letterbook*. This manuscript also contains other similar letters of rejection sent by Governor Broome.

sure that Brown's orders would be carried out in the field. Colonel Carter apparently believed there were too many militiamen on active duty, and he ordered half the men to remain on their respective farms while the other half acted as soldiers. Governor Broome, however, complained that this was not the proper way to secure federal government pay for the men.²⁸ Broome needed federal aid; as of March 31, 1856, he had provided \$8,000 for militia support and said he could probably secure \$4,000 more from various state accounts. This was in addition to the \$30,000 he borrowed in Charleston, South Carolina. The governor said that as of February 20, 1857, Florida would owe approximately \$225,000 in militia bills if the current field force were maintained and beyond that point a similar sized active organization would cost around \$18,333 a month.²⁹ It appeared that the state did not have sufficient money to pay its projected military debts if the Third Seminole War were to continue for a lengthy period.

The governor also faced other militia problems. On April 26, 1856, Broome ordered Colonel Carter not to enlist or to discharge any man on active duty "who is guilty of drunkenness to such an extent as to disqualify him to pursue Indians" at a moments notice.³⁰ Another and even more serious problem was that some white men were masquerading as Indians. William Brown in his diary noted that a group of whites dressed as Seminoles scared two local women, and he suggested that there were other similar cases on record in Florida.³¹ The most serious incident of this nature involved Militia First Lieutenant Enoch Daniels who was accused of aiding two white men arrested for criminally portraying Indians. The lieutenant was technically cleared of the charge against him, but the governor called for his discharge.³²

28. "Governor's Message," *Florida House Journal, 1856*, 15-17; Broome to Jesse Carter, March 18, 1856, *Florida House Journal, 1856*, appendix, Correspondence Relating to Indian Affairs, 44-45; Broome to Carter, July 29, 1856, *Florida House Journal, 1856*, appendix, Correspondence Relating to Indian Affairs, 58-59; Broome to Carter, February 4, 1856, *Broome Letterbook*.

29. "Governor's Message," *Florida House Journal, 1856*, 14, 17; Broome to Carter, March 31, 1856, *Broome Letterbook*.

30. Broome to Carter, August 16, 26, 1856, *Florida House Journal, 1856*, appendix, Correspondence Relating to Indian Affairs, 27-28.

31. Brown, "Diary."

32. M. Whit Smith to Broome, June 26, 1856, *Florida House Journal, 1856*,

Not all of the Florida Militia's efforts during the Third Seminole War were of a dilatory nature. An Indian attack against Willoughby Tillis' home near Fort Meade illustrated the organized militia's potential effectiveness. A seven-man mounted force responded to this raid, and at the militiamen's approach, the Seminoles retired into a cornfield. The soldiers divided and rode down each side of the field firing into it. Lieutenant Carlton and two of his men were killed, and one soldier was wounded, but the Indians were routed. Captain F. M. Durrance pursued the marauders for two days and then ambushed them.³³

The war came to a gradual end. Without fanfare individual militia units were removed from active duty until Governor Madison S. Perry could announce in November 1858 that with the exception of one or two volunteer companies there was no organized Florida Militia.³⁴ Approximately twenty-four companies were called to active state and federal duty in the period from 1856 to 1858 with the bulk of the activity taking place in 1856.³⁵ This was the last major Indian campaign on the Florida frontier.

appendix, Correspondence Relating to Indian Affairs, 25-26; Broome to Smith, July 12, 1856, *ibid.*, 28.

33. James D. Tillis, "An Indian Attack of 1856 on the Home of Willoughby Tillis," *Florida Historical Quarterly*, VIII (April 1930), 183-85; D. B. McKay (ed.), *Pioneer Florida*, 3 vols. (Tampa, 1959), II, 574-76.
34. "Governor's Message," (November 1858), Volume 4, Governors' Messages to the Legislature, 1845-1858, Florida State Library.
35. *Soldiers of Florida*, 12.