

1991

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Recommended Citation

Denham, James M. (1991) "'Some Prefer the Seminoles': Violence and Disorder Among Soldiers and Settlers in the Second Seminole War, 1835-1842," *Florida Historical Quarterly*. Vol. 70 : No. 1 , Article 5. Available at: <https://stars.library.ucf.edu/fhq/vol70/iss1/5>

“SOME PREFER THE SEMINOLES”: VIOLENCE AND DISORDER AMONG SOLDIERS AND SETTLERS IN THE SECOND SEMINOLE WAR, 1835-1842

by JAMES M. DENHAM

ON November 26, 1835, Seminole Chief Charley Emaltha was murdered brutally as an act of retaliation. Against the wishes of many native leaders, he had agreed to emigrate west, as required by the earlier treaties of Paynes Landing and Fort Gibson. It soon became apparent that Osceola, a rival leader, and his band of followers were responsible. The news, when it spread, created panic throughout the frontier. At Alachua County's seat at Newnansville, for example, Judge Robert Raymond Reid hurriedly dismissed the on-going session of the Superior Court of Alachua, Columbia, and Hillsborough counties so that everyone concerned could return to their homes.¹

The outbreak of war— which quickly followed Charley Emaltha's assassination— effectively suspended civil government in East Florida's inland counties. Settlers fled their farms to military posts or the closest towns. Travel was all but eliminated, and this fact made transacting court business nearly impossible. In 1840, with the conflict still continuing, court officials in Florida's Eastern Judicial District requested permission from Congress to prosecute cases at the St. Johns County court house in St. Augustine. Judge Isaac Bronson and other officers of the court claimed that holding court in the threatened counties was

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1. Newnansville was located about fifteen miles northwest of present-day Gainesville. Alachua, Columbia, and Hillsborough counties, Minutes of the Superior Court, book 1, 233, P. K. Yonge Library of Florida History, University of Florida, Gainesville. For Emaltha's murder, see John K. Mahon, *The History of the Second Seminole War* (Gainesville, 1967; revised ed., Gainesville, 1985), 101.

“very difficult & dangerous & sometimes impossible. . . . Administration of the Law is much impeded . . . and the punishment of crime is extremely uncertain & tardy.”² Handling court business at St. Augustine would lessen the necessity of travel. Even so, the plan worked hardships on law enforcement personnel, forcing them to transport accused criminals and witnesses through dangerous, Indian-threatened areas. The inability to summon competent jurors, a problem even in more stable times, necessitated the proposal. Court officials could see no way around the problem short of long postponement of judicial procedures or else allowing lawbreakers to go free.

The Second Seminole War had another impact upon criminal justice in the territory. During the period it was fought (1835-1842), Florida became a crossroads of regular army personnel and militia forces. Eventually, some 40,000 men participated in the conflict, and the war cost the federal treasury an estimated \$20,000,000.³ Crime and violence were no strangers to the ranks of this army.

Florida was not an attractive tour of duty. Many in the regular army, including graduates of West Point, chose to resign rather than serve in Florida. When Abraham R. Johnson learned that his unit might be assigned to Florida, he recorded in his diary: “Active service ought always to be sought after by a soldier, but in Florida . . . there is neither thanks, profit nor honor to be gained, therefore I confess my positive dislike for the service.”⁴ The number of resignations during the war was large, especially as compared with the period immediately prior to the Civil War. The average resignation total per year before 1861 was about twenty; during the first three years of the Second Seminole War, 202 officers resigned. Certainly poor pay and lack of advancement were reasons for some of these departures, but the prospect of assignment to Florida also was a major cause. Perhaps a few officers sympathized with the Seminoles, believing that they were being mistreated by the government. Others scorned what they considered the loathsome habits of the frontier settlers— known

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2. Clarence Edwin Carter, ed., *Territorial Papers of the United States*, 28 vols. (Washington, DC, 1934-1975), *Florida Territory*, XXVI, 157.
 3. Mahon, *Second Seminole War*, 325-26.
 4. Edward M. Coffman, *The Old Army: A Portrait of the American Army in Peacetime, 1784-1898* (New York, 1986), 51.

as crackers— whom they were supposed to protect. But probably the main cause for most of the unwillingness to serve was Florida's reputation as a death trap. Of 1,466 deaths during the Second Seminole War, including 215 officers, less than a fourth, 328, were killed in action. An estimated 14 percent of all regulars who served in the territory died of disease.⁵

As if the attitude of regular army men was not serious enough, that of the area's residents made the problem even more severe. Some Floridians viewed the soldiers with antipathy, and almost everyone believed that the government was not doing enough to protect them from the Seminole threat. They criticized the military strategy of the commanders and found fault with the high-handed behavior of the military toward civil authorities. The confrontations between settlers and army personnel often ended in violence. Settlers and soldiers sometimes appeared more hostile toward each other than they were toward the Seminoles.

Given the composition of the military forces, the clash of soldiers and settlers is hardly surprising. Contemporary descriptions of the military personnel on duty in Florida seldom were flattering. Bartholomew Lynch noted that "a respectable character is very scarce in the U. S. Army" and that "good conduct is no passport to respect or promotion."⁶ One Newnansville-area resident described the army as "3,000 good for nothing drunken scapegoats, the scourings of other countries" and speculated that 1,000 local men "would do more than these Brandy-drinking sons-of-guns."⁷

The settlers' negative image of soldiers was enhanced by the army's cultural diversity. Lynch recalled that his outfit contained a number of drunken Irishmen, while army Lieutenant Henry Prince referred to the men in his outfit as "all talking with brogues on their tongues— mostly Irish, Dutch, and English."⁸ Prince's remarks were accurate. For example, forty-six of the ninety-

5. *Ibid.*, 51-52.

6. Felix P. McGaughy, "The Squaw Kissing War: Bartholomew M. Lynch's Journal of the Second Seminole War 1836-1839" (master's thesis, Florida State University, 1965), 211.

7. George Brown to Mandeville Brown, January 7, 1842, Newnansville letters (in the possession of Raymond Giron, McIntosh, FL).

8. McGaughy, "Squaw Kissing War," 211; Henry Prince diary, May 5, 1836, P. K. Yonge Library.

seven enlisted men who fell in the massacre of Major Francis L. Dade and his men on December 28, 1835, were foreign born. Enlistees originated from such places as Ireland, Canada, France, England, Scotland, Poland, and the German states. Moreover, the economic depression following the Panic of 1837 forced many of the nation's urban poor to enlist. The six or seven dollars a month enlistees drew was better than no income at all.⁹

How effective the recruits were as soldiers was a matter of public speculation. In 1842 the members of the Madison County grand jury concluded that the army was composed of "such material that it is impossible to make them good . . . Indian fighters." What Florida "requires," the jurors asserted, was someone like themselves. "[The] veteran hunter, the hardy frontiersman, who has spent most of his life in our forests," they stated, was the only type of man who could "make a successful 'bush-fight.'" The grand jury accordingly argued that the troops sent to Florida were inadequate for the difficult task of confronting the Seminoles.¹⁰

Ill feelings between Florida residents and regular army personnel predated the war. Troops earlier had garrisoned Pensacola, Key West, St. Augustine, and other points to protect settlers from the Indians and to secure the territory from foreign encroachments. Florida officials, of course, had looked to the military for support in times of crisis. As more families moved into the territory and the Indian threat became more perilous, new outposts had been established, such as those at Tampa Bay, Charlotte Harbor, and New River. The presence of the military was a source of comfort to Floridians, as well as the cause of problems. Settlers refugeed at these outposts during times of peril. They also came to buy and sell food and other commodities and to socialize. Some stockades increased in size, and often they became marketplaces, legal or otherwise, for transactions between soldiers and civilians. The army's presence gave frontiersmen an opportunity to secure cash. Soldiers were eager to supplement their meager rations with "groceries," a term that included a most sought-after commodity—liquor. The military frequently bartered clothing and supplies for whiskey, and an underground economy flourished.

9. Mahon, *Second Seminole War*, 118-19.

10. Tallahassee *Florida Sentinel*, May 6, 1842.

In 1832 the Territorial Council prohibited the sale of intoxicating liquors by settlers to soldiers without the express permission of the post commanders.¹¹ However, neither soldiers nor civilians worried too much about the law. Repeated violent outbreaks can be traced to the availability of liquor. In 1834, for instance, the buying and selling of whiskey around the Key West garrison was a serious problem. Major Francis L. Dade, frustrated by the failure of local authorities to curb the traffic, asked the local newspapers to reprint the law regulating liquor sales as a warning to the townspeople that all violators risked prosecution.¹²

The problems at Key West did not begin under Dade's command. His predecessor, James Glassell, lost his position because of a confrontation between citizens and soldiers. The row began when a man named Harris helped a soldier to desert, and the two were caught stealing the sheriff's boat. The sheriff, upon discovering the plot, assembled a posse. The soldier was arrested, and his captors, as Major Glassell recalled, "stripped [and] tied" him and then "whipped his back almost to a jelly." In response to this treatment of their comrade, the soldiers were "much exasperated & went into town the succeeding night under a concerted & deliberate plan to catch the sheriff as well as Harris." The military located Harris in a grogshop and beat him, but the "sheriff made his escape."¹³

The incident greatly aroused the Key West community. Pardon C. Greene, as senior militia officer for Monroe County, complained personally to Major Glassell and sent an official complaint to the secretary of war in Washington. Glassell answered Greene's charges. He noted that restraining the men was difficult, especially since he received little cooperation from the authorities in enforcing the laws regulating grogshops. "It is well known, to all," Glassell admitted, "that I am unable, by my restricted force, to form a cordon of sentinels around the quarters so as to prevent the soldiers from going out at night: It is equally well known that men in their situation will resort to the grog shops for exhilaration; and it is as well known that with few exceptions your grog sellers will make a soldier beastly drunk,

11. *Acts of the Legislative Council* (1832), 31-32.

12. *Key West Enquirer*, December 6, 1834.

13. Carter, *Territorial Papers*, XXIV, 795.

provided he receives money in hand, or had previously received a full equivalent in labor.” He continued: “Under such circumstances what can be expected? . . . I would . . . ask what civil officer, or citizen . . . have ever brought to justice men for vending ardent spirits to soldiers in the face of Territorial & City laws? I believe there are none on record. I would now ask whether your City authorities are so low as to permit a petty sheriff of an hour’s or a day’s standing to assume the office of *Dictator* & take a man, have him tied, stripped & scourged almost to a jelly, merely because he was in a passion . . . and this event without any hearing of this case, nor any application to a civil magistrate? No person would wonder at the result. I only wonder that the sheriff did not come into the affray as I understand he was quite stout-hearted the ensuing morning.”¹⁴

Glassell did not attempt to dismiss the misconduct of his soldiers. He believed, though, that the sheriff was the responsible party: “I . . . cannot be answerable for consequences if another such outrage should be perpetrated as was by the Sheriff.” He added, “The Soldier who inflicted the blows . . . is a sober, quiet, but deliberate & firm man. I have no doubt that some of the N[on] C[ommissioned] officers were present at the transaction & encouraged it, but cannot tell who they were to a certainty.”¹⁵

In a letter to the adjutant general, Glassell acknowledged responsibility for the incident “in part,” but insisted that proper management of his force was impossible. He had too few men to put on an adequate watch. As a result, he argued, “[I]t is impossible to keep them in their quarters at night . . . and in a place like this where almost every third house is kept as a grog shop by the most depraved of men.” Glassell added that prominent citizens in the community kept his men in a state of uproar. Only a few weeks earlier Greene had “wantonly attacked” one of his sergeants by sneaking up “behind his back & beat[ing him] with a bludgeon . . . to such a degree that his life was much endangered.” Glassell attempted to prefer charges against Greene in the superior court, but they later were dropped. Glassell in the end lost his command.¹⁶

14. *Ibid.*, 796-97.

15. *Ibid.*

16. *Ibid.*, 761-63. Pardon Greene was indicted in May 1832 for assault and battery, but the charge was dismissed in December. Monroe County, Minutes of the Superior Court, 1830-1840, 97-98, 105, P. K. Yonge Library.

Illicit liquor traffic also was a problem in districts where there was conflict with the Indians. On March 20, 1842, Captain William Seawell, stationed at Cantonment Winfield Scott in East Florida, complained to his superiors that all attempts to put a stop to the whiskey traffic around his post had failed. "[Nearby] citizens," he wrote, "consider it greatly to their interest to carry it on; far more so than they consider the presence of troops necessary for the purpose of protection against depredations." Seawell reported that an itinerant musician shot and killed his first sergeant. The shooting started when the soldier tried to force the man to hand over two bottles of whiskey he had tried to sell. The officer blamed James L. Townsend, Simon Dell, and another man named Waller for most of the mischief around the post. "They have a negro," Seawell added, "who also sells whiskey and no doubt for their benefit as they refuse to correct him."¹⁷

Seawell's complaints are supported by records of the Alachua, Hernando, and Hillsborough counties court—the area where the largest concentration of troops was engaged against the Seminoles. In the years 1835-1837 they list twenty-eight indictments for selling whiskey without a license. They also reveal that during lulls in the fighting soldiers and civilians spent their time at gaming houses, tenpin alleys, and billiard tables.¹⁸

Some citizens joined army officials in recognizing the dangers of an unregulated trade in liquor. In December 1841, the grand jury for Alachua, Hillsborough, and Columbia counties found that the "conduct of licentious individuals in establishing grogshops, & especially at and about the United States Posts" was a "great public evil." It demanded that public officials bring offenders to "speedy justice." Nothing less than "rigid enforcement" of the licensing law, its members felt, should be tolerated.¹⁹

Even when soldiers and residents consumed alcohol legally, tragedy sometimes resulted. In 1840, Alfred Tanner, an innkeeper at Fort Harlee near Newnansville, was killed when he "got into a scuffle with a man" in his dimly lit barroom. Someone

17. William Seawell to Superior, March 20, 1842, Keenan-Brown Papers, box 2, folder: Misc. Correspondence, P. K. Yonge Library.

18. Alachua, Hernando, and Hillsborough counties, Minutes of the Superior Court, 1838-1843, book 2, 26-320, P. K. Yonge Library (hereafter, AHH Minutes).

19. Alachua, Hillsborough, and Columbia counties grand jury presentment, December 1841, in AHH Minutes, book 2, 144.

in the crowd fired a gun, and the bullet struck Tanner. Everyone present, except the lifeless Tanner, fled the scene. District Attorney Thomas Douglas, responsible for sorting out the exact circumstances of the killing, was frustrated when no one would come forward with any information. He believed, he recorded, that the man was murdered, but the “circumstances connected with his death” were shrouded in “obscurity and mystery.” The killer escaped undetected.²⁰

Fort Harlee at the time of Tanner’s murder contained almost as many refugees as it did soldiers. Lieutenant Prince thought it was “overrun with crackers who complain of drunken soldiers insulting their families.” But the settlers were most at fault for such outbreaks, he concluded, since they were the ones who “slyly sell them liquor.”²¹

Many commanding officers felt powerless against the illicit sale of liquor. When matters got out of hand, as they often did, some officers tried to enforce regulations by suspending normal civil authority. At Picolata a lieutenant ordered one civilian to be whipped. The St. Johns and Mosquito counties grand jury indicted the officer for “cruelty,” but the lieutenant ignored the court. The panel branded his conduct as a wanton outrage, a product of “military despotism . . . ; the greatest danger which any country has to apprehend.” The Duval County grand jury noted the affair and called for an “efficient remedy against the lawless and arbitrary conduct of certain officers of the U. S. Army who have constituted themselves both accusers and judges of alleged offenses committed by citizens who approached their posts, having dared to cause them to be tied and flogged by the soldiery and having in other instances detained the service of civil process by every means in their power.”²²

Robert Raymond Reid, as territorial governor, often noted civilian resentment to military authorities. In a complaint to Captain Redding, Reid specified that “troops under your command have destroyed hogs, hurt a horse until he is disabled, entered a private house during the absence of the owner, and threatened

20. Thomas Douglas to Territorial Auditor, April 24, 1841, Territorial Auditor Vouchers, record 352, series 584, box 4, folder 1, Florida State Archives, Tallahassee; St. Augustine *Florida Herald and Southern Democrat*, December 31, 1840.

21. Henry Prince diary, May 10, 1838.

22. St. Augustine Florida Herald, May 26, 1838.

to drive the owner out." He speculated that the soldiers' behavior had caused the settlers to "prefer the Seminoles." He insisted: "Such conduct will not, and can not be passed over . . . by the commander in chief." Soldiers are in "service for the protection of the inhabitants," he continued. "When they cease to perform this duty they are worse than useless." Reid reminded the captain that the "military is always subject to the civil authorities and while I am in office no violation of private rights, and of the Laws will be tolerated."²³

Florida militia forces also were guilty of misdeeds. On February 12, 1840, Governor Reid demanded an immediate investigation of the "frequent complaints of injury and loss of property occasioned by the volunteers and of injustice . . . to the Inhabitants." He informed the militia commander: "These can no longer be tolerated. Troops, I fear, are vitiated by the use of ardent spirits. You will discover if possible, who are engaged in this wretched traffic & furnish me with their names." He noted as well other common problems. "I am informed that there are many women hangers on upon the Camps— whose presence is injurious to the Army. Let them be sent away or dispersed. . . . Some officers are in the habit of dealing with and speculating upon their men, furnishing them with whiskey and other things and then taking power of Attorney and collecting the pay of the soldiers. Such practices must be put down."²⁴

As noted, military personnel occasionally exceeded their power by suspending the normal operations of civil authority. General William Worth in 1843 issued an order from Fort Brooke expelling all civilians "who have made themselves obnoxious to the military" from the post's twenty-mile "reserve." According to a newspaper account, a "Major Wright thought proper to direct the deputy marshal to expel from Tampa . . . the Judges, the Sheriff, the Coroner, the Constable[,] and all other civil officials and citizens settled under the Armed Occupation Act. One official described the evacuation order as the "edict of his Majesty Worth of Hillsboro." The general had refused to allow

23. Robert R. Reid to Captain Redding, January 27, 1840, Correspondence of the Governors, 1836-1909, record group 101, series 32, letterbook 2, 13, Florida State Archives (hereafter, *Governors' Correspondence*).

24. Reid to General J. Graham, February 12, 1840, *Governors' Correspondence*.

“his subjects” the right to use their “land permits to locate on his majesty’s dominions.”²⁵

The Alachua, Hillsborough, and Hernando counties grand jury also became involved. The behavior of the military, it charged, was a gross outrage. The service had broken “laws, by actually sending off on board a transport vessel, the sheriff of Hillsborough County, and threatening like consequences upon one of the magistrates of said county while in the discharge of his official duties if he should persist in holding his court in pursuance of law.” The jury further noted, “[W]hile we lament that such encroachments upon the laws and common rights of our citizens have been made by those who are presumed to have, a moderate share of intelligence and whose duty it should be to protect and defend instead of *insulting and abusing* the rights of the citizens; we can not shrink from our duties as jurors.”²⁶ A year later another grand jury presented that the “conduct of some of the Army Officers at Tampa Bay and their improper treatment of some of the citizens . . . is highly censurable.” The jurors insisted without avail that some of the officers should be held responsible for their conduct.²⁷

An additional source of friction that led to violence and disorder was the rivalry between the regular army and the Florida militia forces. Intemperate statements from federal officials, regular army officers, and leaders among the citizen-soldiers often sparked conflicts. Some regular army soldiers claimed that settlers had brought the war on themselves. Worse, they charged— and not without reason— that some soldiers even desired its extension so that they might obtain money from the

25. Tallahassee *Florida Sentinel*, October 31, 1843.

26. Alachua, Hernando, and Hillsborough counties grand jury presentment, December 19, 1843, in AHH Minutes, book 2, 340-43; St. Augustine News, January 13, 1844.

27. Alachua, Benton, and Hillsborough counties grand jury presentment, May 1844, in Alachua, Hillsborough, Benton, and Marion counties. Minutes of the Superior and Circuit Court, book 3, 27-30. P. K. Yonge Library; St. Augustine *Florida Herald and Southern Democrat*, June 4, 1844. Practically every grand jury presentment filed in these inner East Florida counties made some reference to the military’s continuing violation of the rights of citizens. One such presentment deprecated the “illegal and oppressive manner in which the personal rights of the citizens of the territory have been invaded, and their persons abused, by officers of the army, under the color and cloak of their office.” St. Augustine *Florida Herald and Southern Democrat*, May 2, 1839; St. Augustine News, May 11, 1839.

federal treasury. A contemporary of President Andrew Jackson claimed that he, impatient with a series of military setbacks, disparaged the courage of Florida's male settlers and suggested their wives would be better off if their husbands were dead so that they could remarry brave men.²⁸

One officer remarked that settlers later coming into East Florida under the terms of the Armed Occupation Act "have neither weapons, nor the disposition to use them: not one in ten appeared with arms of any description." To be so unprepared, the officer asserted, was a "practical satire upon the purpose and policy of the law." Answering the implication of cowardice, the Marion County grand jury responded that its citizens had every "disposition" to use their arms and that they were as willing to defend their country "as this officer has been to traduce us." As to the residents being a satire upon the law's purpose and policy, the jurors charged that the accusation was more "applicable to another branch of the armed occupation of Florida; as it is very evident that the military have for years been engaged in financial, instead of military operations."²⁹

On some occasions the local residents, if they felt threatened, used their arms against the military. A soldier who wandered upon a farmer's land, either by mistake or to loot or molest, might expect to be challenged with a gun. In July 1838, the *St. Augustine Florida Herald* reported that a farmer named Stephenson, near Garey's Ferry, had shot two soldiers "about 12 O'clock in the night . . . when he discovered two persons in his watermelon patch." One soldier was killed, and the other was severely wounded. The paper reported that Stephenson had fled and had not been apprehended.³⁰

Such fugitives could usually rely on the goodwill of others to shield them from military authorities. On May 22, 1838, Lieutenant Prince recorded that the inhabitants of Newnansville "deserve no protection from the regular troops for concealing the murderer of one of Lieutenant Hooper's men." Prince was referring to the murder of Private Abner Dunnegan by a man

28. Ellen Call Long, *Florida Breezes; or, Florida, New and Old* (Jacksonville, 1883; facsimile ed., Gainesville, 1962), 208-09.

29. Marion County grand jury presentment, May 1845, in AHH Minutes, book 3, 152-53; *St. Augustine News*, May 24, 1845.

30. *St. Augustine Florida Herald*, July 14, 1838.

named Asa Smith. Prince speculated that the soldier had lost his life because of a case of mistaken identity. While walking towards the garrison alone after dark, “[Dunnegan was] followed & stabbed in the back. He ran— was chased— and stabbed over & over again— til he fell. A blow on his head with a hammer then closed his consciousness . . . forever & he died on the spot.”³¹ John P. DuVal called for Smith’s arrest, and authorities speculated that the killer would either have fled to south Georgia where he had relatives or to Texas. Nonetheless, Smith appears to have made his getaway.³²

The same month as Dunnegan’s murder Prince recorded in his diary the details of another shooting affray. The incident occurred in Newnansville when a sergeant led a volunteer guard to apprehend a drunken resident. In the shootout that ensued between the soldiers and settlers the “drunken fellow was hit in the right hip near the joint.” The sergeant’s right arm was shattered, and Prince had to assist the surgeon in amputating it.³³

The *New York American* reported a similar incident at Black Creek— between Jacksonville and Picolata— in which one soldier was stabbed to death and another seriously injured. Surprised at the conduct of the community, the paper’s correspondent charged that “for this piece of gallantry, instead of securing the perpetrator of this disgraceful act, and bringing [him] to justice, a contribution was raised and a horse and wagon was given to the murderer so as to afford him a means of escape.”³⁴ Also at Black Creek, two settlers named Lucas and Barnes attacked a soldier, beating him “about the head [and cutting] him across the face and eyes with a knife.” The culprits were apprehended, put in stocks, and whipped but were released the next day. In retaliation, civilians captured a soldier named Hall, whom they thought responsible, and subjected him to a tarring and feathering. For several evenings afterward the garrison was the target of random gun shots from outside the post.³⁵

31. Henry Prince diary, May 22, 1838.

32. Tallahassee *Floridian*, June 2, 1838; St. Augustine *Florida Herald and Southern Democrat*, November 8, 1838; Tallahassee *Florida Watchman*, November 3, 1838.

33. Henry Prince diary, May 14, 1838.

34. *New York American* quoted in St. Augustine *Florida Herald*, June 30, 1838.

35. St. Augustine *News*, October 6, 1839.

Soldiers often sought revenge when one of their friends was killed or otherwise harmed. On December 4, 1849, several years after the Second Seminole War ended, a soldier was found shot in the back outside Antonio Castillo's oysterhouse in Tampa. José Epperfino, who was known as Indio, immediately was suspected. Epperfino was a native of Cuba and, according to an observer, a "somewhat eccentric character distinguished . . . for feats of this sort." The incident particularly was unfortunate because at the time Tampa residents and the military seemed finally to be getting along.³⁶ A coroner's inquest questioned and then released Indio. When additional evidence was discovered, he was rearrested. At the April 1850 session of the circuit court a jury found Indio guilty of murder. Six days before the scheduled hanging, however, he escaped. Governor Thomas Brown issued a proclamation for his arrest, and a day later a military posse captured him. Epperfino subsequently was shot, supposedly while trying to escape. The circumstances of the shooting went unrecorded. Nevertheless, Private Michael Daly "did arrest and deliver" the corpse to the Hillsborough County sheriff on May 20, 1850, and collected the \$100 bounty.³⁷

The militia was an important institution both during and after the war, but it also served to promote violence. To the good, it gave men a chance to mix socially, and, since the leadership was elective, social status was conferred upon those selected as officers. Though organized for military service, militia units sometimes were involved in social and political activities. Peter Gautier, editor of the *St. Joseph Times*, described a unit organized in his community that had caused "some little bustle and commotion. The drum, the fife, the march and the counter march, the floating flag, troops and little boys, and all paraphernalia of a modern training have passed before our eyes, in all the pride and pomp of a beautiful war." Gautier thought the "company. . . a fair specimen of town population in these piping times of peace, a little pure metal mixed up with a great deal of alloy."³⁸

36. Tallahassee *Floridian and Journal*, December 22, 1849.

37. Benjamin Hagler to Thomas Brown, May 18 and 22, 1850, Office of the Governor, Correspondence of Thomas Brown, 1849-1853, record group 101, series 755, box 1, folder 6, Florida State Archives; Proclamation for the Arrest of José Perfino, alias Indio, June 1, 1850, Book of Record, record group 156, series 13, book 1, no. 132, 112, Florida State Archives; Tallahassee *Florida Sentinel*, June 4, 1850.

38. *St. Joseph Times*, July 15, 1837.

A resident of Tallahassee recorded that militia units contained “full blooded Southrons— composed of a mixture of aristocracy & ignorance (the latter predominating).” Of those who could credit their prominence in the community to their election as officers in the militia, he wrote, “[T]his is a very numerous class with us at present— there are more or less of them who instead of being where they should be, at their posts in the field, may be seen walking in the sunshine in the city. Here may be seen walking baboons. . . . These blackguards . . . are thus suddenly converted, not by any worthy conduct of their own, but by the unseen power wielded by military buttons & epaulets.”³⁹

With so much potential for status and power at stake, a militia muster could turn into a scene of violence. On March 5, 1836, a quarrel over command of a Jefferson County militia unit resulted in the shooting death of Thomas Redding. Leonard Dozier discovered Redding and several others from his unit gathering up their clothes. They intended to leave his command and join Captain Holloman’s company. One witness overheard Dozier swear “that he would kill someone before sunset and did not care a damn who it was, so long as it was one of Holloman’s friends.” Dozier was intoxicated, and the others had been drinking also. The fatal incident occurred when Dozier, in a fit of rage, shot a dog belonging to Robert Gamble. The two men “commenced fighting,” and Dozier stood back and fired his shotgun but hit Redding by mistake. A jury of inquest found the “greater part of his head shot off.” When Dozier was arrested, he insisted that Redding was not the man he had wanted to kill, but that he “would not have cared a damn” if he had shot Gamble. Dozier never was convicted. Though indicted in May 1836, he and several other felons escaped before the case was brought to trial.⁴⁰

Volunteer units from other southern states joined regular army personnel and militia forces serving in the Second Seminole War, and— once in Florida— many fought violently against each

39. James T. Campbell, “The Charles Hutchinson Letters from Territorial Tallahassee,” *Apalachee (1950-1956)*, 16-17.

40. Judge Thomas Randall denied Dozier bail after “examining a number of witnesses” in his chambers. Jefferson County, Minutes of the Superior Court, book 1, 199-200. For the testimony of the witnesses, see *Territory v. Leonard Dozier*, 1836, Jefferson County case files, Jefferson County Court House, Monticello, Fl.

other. On September 21, 1836, Captain David Denny of the Saluda Volunteers preferred charges against his commanding officer, "General William A. Bull of the Second Brigade of the South Carolina troops in the late campaign in Florida." At court martial proceedings held at Edgefield, South Carolina, Denny cited Bull for frequent drunkenness. Bull also "unofficial[ly] and with out cause cocked and presented a loaded shotgun at Jonathan Hughes, a private, in the company of the Saluda volunteers . . . with intent to shoot." The captain swore that Bull would have shot Hughes if he had not prevented him. The result of the inquiry is unknown.⁴¹

On January 31, 1836, Lieutenant Prince recorded that he had lost the "only acquaintance I had in the 'mounted volunteers.'" About ten o'clock that morning he heard a double-barreled shotgun blast "but of course was not aware of the dread messenger it hurled."⁴² The affair occurred at the makeshift military barracks located at General Duncan L. Clinch's plantation in Alachua County. Formerly a cadet at West Point, Lieutenant William Ward had returned to Florida after the death of his father. He joined a company being organized in Middle Florida under the command of close family friends Richard C. Parish and Augustus Alston. The night before the shooting, Colonel Parish ordered Ward on "duty that is performed by tours, when it was not his tour." When Ward refused, they quarreled, and Captain Alston overheard a heated exchange between the two men. When Parish asked Ward why he was "willing to bring disgrace on himself and his family by his misconduct," he replied, "By God Sir, you cannot bring disgrace upon me and my family." Parish responded with "go on then and I'll see if I can't hereafter have my orders obeyed." Ward left the tent, but the matter was left unsettled.

The next morning Parish summoned a guard and ordered Ward's arrest. As the guards approached Ward's tent, the lieutenant emerged holding one pistol in his right hand and two in his left. He defied the guards or anyone else to disarm him. By then a crowd had gathered, and, according to testimony given by one witness at the court of inquiry, Ward "appealed to the men of

41. See "Copy of the Charge," in J. W. Wimbish to William A. Hull, September 21, 1836, box 5, miscellaneous manuscripts, P. K. Yonge Library.

42. Henry Prince diary, January 31, 1836.

his company— ‘Is there any man who will suffer me to be treated in this way?’” Captain Alston then approached Ward “in a friendly way to drop the affair and go to his quarters,” adding that “he had no right to make such an appeal to his men.” Parish again ordered the guards to disarm Ward, but they did not respond. Ward shouted back at Parish, “God Damn your soul, I will put a ball through you and as many more who attempt to disarm me.” Captain Alston testified that Parish then shot Ward as the lieutenant “raised his pistol and pointed it at the crowd.” Alston added that “from what I know of [Ward], . . . he would shoot any man who would have attempted to lay his hands upon him.” All testimony indicated that Parish had no choice but to shoot.⁴³

General Clinch ordered a court of inquiry, and it exonerated Parish of all wrongdoing. However, the lieutenant’s politically influential brother, George T. Ward, was not satisfied with the court’s decision. From information that he obtained through a number of sources, Ward held Alston particularly responsible for his brother’s death. The two eventually fought a duel that left both severely wounded. While arrangements were underway for another encounter, Alston was killed in a separate politically motivated duel with Florida Militia General Leigh Read.⁴⁴

Native employees for the army sometimes found themselves the victims of violence. Troops operating against the Seminoles often received assistance from guides and interpreters who either were Indian or black. These individuals frequently encountered hostility from other troops, especially if their skins were dark. One black vassal of an Indian chief, a man named Murray, was captured in 1836, and from that time until the summer of 1839, he served as a guide. An army correspondent of *Niles’ Register* called Murray “the best and most useful man we have in that

43. All testimony comes from “Court of Inquiry of Colonel Richard C. Parish,” in Register of the Records of the Proceedings of the United States Army, General Courts Martial 1809-1890, record group 153, 145, National Archives, Washington, DC. Also on the affair see Jacksonville *Florida Courier*, February 11, 1836; Pensacola *Gazette*, February 20 and March 10, 1836; Tallahassee *Floridian*, February 6, 1836; *Niles’ Register*, February 27, 1836, 441, and, March 19, 1836, 28; “Trial of Colonel Parish for Killing Lieutenant Ward,” *Army and Navy Chronicle*, vol. 2, no. 10, March 10, 1836; *Charleston Courier*, February 24, 1836.

44. James M. Denham, “Duelling in Territorial Middle Florida,” (master’s thesis, Florida State University, 1983), 52-57.

capacity." But Murray also suffered resentment over his status and privileges. One night he taunted an orderly sergeant named James Edgar at an outpost near Newnansville. In the presence of a number of others, he accused the sergeant of cheating at cards. According to a witness: "Edgar told him to go about his business, and not to use such language towards him; that he never gambled with a negro and advised him to cease using such language." Murray countered that "he *ranked him* and would report him to Colonel Whistler." Instead, Edgar complained to the colonel, but when he was told the matter must wait until the following day, he grabbed a rifle, returned to Murray's tent, and while the man was sleeping "discharged the contents into his stomach." Edgar was taken to Newnansville, indicted for murder, and released on bail. By November 1840 the sergeant had jumped bail. One observer commented that Murray's death was not a "great public calamity." He added: "[Murray] was not liked by the people of the country; but was looked upon as a sort of Merry-Andrew, by a few gentlemen, and contributed something toward dissipating the dull and monotony." Sergeant Edgar never was apprehended.⁴⁵

Violence punctuated relations between regular army personnel, militia forces, and civilians throughout the Florida war. Without question the military was in many ways an institution apart—separated by its very nature from the everyday lives of most Floridians. And yet, because Florida contained relatively large numbers of military forces, few settlers could escape coming into routine contact. A lack of respect and distrust highlighted the relations between the military and the citizenry. Physical violence often resulted. Violence also dominated relations between the soldiers and their commanders. The military was a major component of the population in antebellum Florida, and as such it could not escape the frontier violence that permeated the region.

45. St. Augustine *Florida Herald and Southern Democrat*, July 11, 1839; *Niles' Register*, June 22, 1839, 265; AHH Minutes, book 2, 27.