

**Preserving the Path of Peace:
White Plumes and Diplomacy during the
Frontier Panic of 1849-1850**

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In 1849, Florida appeared on the precipice of yet another war with the Seminoles. Although two wars (1817-1818 and 1835-1842) had already reduced the state's Native American presence from the thousands to the hundreds, many white Floridians bemoaned the continued presence of Seminoles in the state. The pretense for another war basically fell in their lap that summer when a few Seminole men committed two separate and equally brutal attacks on white settlements. Had warfare returned to the state, it would have been viewed as an act of vengeance requiring little explanation. The Seminoles had violated the 1842 truce that ended the Second Seminole War, a verbal agreement and hastily drawn map that divided Florida in two and secured the southern part of the peninsula for the Seminoles to occupy. The murders, at least for many Floridians, proved once-and-for-all that peaceful co-existence on the Florida frontier was only an illusion. White Floridians would ultimately

arrive at this same conclusion and wage a third war against the Seminoles in 1855, but in 1849 the seemingly impossible happened. Diplomacy overcame the forces of anger and paranoia, and peace withstood the forces of violence and misunderstanding. The events 1849 and the truce that ensued reveal the continued power of the Seminole's diplomatic and cultural world. The Seminoles effectively used traditional patterns of peacekeeping to negotiate the difficult situation and convince American officials that war was unnecessary. They used their oral conception of treaties that emphasized the global intent of agreements and relied on the tools and rituals of Native diplomacy. In short, the events of 1849 demonstrate that Seminole's understanding of treaties and diplomacy remained a valid if not the dominant paradigm in nineteenth-century Florida.¹

This ability of the Seminoles to use Native forms of diplomacy in the mid-nineteenth century contrasts sharply with the experiences elsewhere in the southeast. There, the large southeastern tribes

¹ For interpretations of events that treats the murders as a "false alarm" to an Indian war, see James Covington, "The Indian Scare of 1849," *Tequesta* 21 (1961): 53-63; Michael G. Schene, "Not a Shot Fired: Fort Chokonikla and the 'Indian War' of 1849-1850," *Tequesta* 37 (1977): 19-37.

attempted to resist removal by employing the rules and tools of western diplomacy. The Cherokees resisted removal by hiring William Wirt, the former U.S. Attorney General, to represent their position, and then by entering American courthouses and otherwise waging a legal war. They attempted to change public opinion by critiquing forced removal through its newspaper, *The Cherokee Phoenix*, and through the sermons and writings of their Christian missionary friends.² The Creeks waged war in 1816-1818 and again in 1836, and then ultimately engaged in formal diplomatic relations that ceded their southeastern lands in exchange for lands in the west. They too attempted to resist removal with the rules and tools of American diplomacy. They embraced centralized politics and written laws, and they employed ambassadors to represent their interests in their negotiations with the United States. The Creeks—like the Cherokees, Choctaws and Chickasaws—petitioned Congress, sent representatives to meet and negotiate with state and federal

² Theda Perdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears*. Viking, New York, 2007; Timothy A. Garrison, *The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations* (Athens: University of Georgia Press, 2002).

officials, and otherwise pursued formal diplomatic ties. All four nations similarly seemed to embrace the early Republic's understanding of treaties—one that insisted on the equal importance of all treaty stipulations rather than one that insisted on the supremacy of the central ambition of the treaty.³ The events of 1849 and 1850 reveal that the Seminoles operated differently.

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In July 1849, four Seminole men aroused little concern when they entered the Indian River settlement, a set of homesteads created shortly after the Second Seminole War in 1842. The settlement lay a few miles from Fort Pierce in Florida and just to the north of lands reserved for the Seminole Indians by the United States as part of the post-war truce. Although the Seminoles were technically confined to the lands that lay to south of Lake Istokpoga in the south central section of the Florida peninsula, they frequently traveled beyond the boundary to hunt and trade, and recently arrived white inhabitants were accustomed to their

³ Christopher D. Haveman, "The Removal of the Creek Indians from the Southeast, 1825-1838," (Ph.D. Auburn University, 2009); Michael D. Green, *The Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln: University of Nebraska Press, 1982).

presence. The Indians who frequented the white settlements, at least according to an account published in the *St. Augustine News* only a year after the Second Seminole War ended, did not always live up to the “savage” reputation often ascribed to them but instead were usually of a “friendly disposition.”⁴

On this day, the events that transpired began rather normally. The Seminole travelers shared a meal with their white hosts and likely engaged in some trade prior to leaving the homestead. What transpired next turned a common occurrence on the Florida frontier into a brutal reminder of the tensions that underlay the relationship between Florida’s white and Seminole communities. As the five Indian men headed out of the settlement, they turned their guns on two white men who were working in the fields. One man—Mr. Barker—died after one of the Seminoles stabbed him while Major William F. Russell managed to survive and warn his neighbors of the attack. The residents of the small frontier settlement fled to the water, crowded onto a schooner, and found safety. When the residents of Indian River returned a day later, one of the homes was burned to the ground and the others were looted. The Indian River

⁴ *St. Augustine News*, September 2, 1843.

settlement would not be completely rebuilt until after the American Civil War.⁵

As the alarm spread across Florida of a brewing Indian war, the Seminole warriors struck again. This time, the same Indian warriors came to the Kennedy and Darling trading post that had recently been established in March on Payne’s Creek, a tributary of the Peace River. Once again, the episode began with a routine occurrence on the Florida frontier—the Seminoles and the traders exchanged pleasantries before trading some skins and hides for needed supplies. Unlike countless earlier meetings at the trading post, this one also turned bloody. While several white traders ate their evening meal, the warriors crossed Payne’s Creek aboard a borrowed boat and feigned heading home before killing two white men and wounding another. As the surviving residents of the trading post escaped, the Seminole warriors looted and then burned the store.⁶

The attacks of 1849 should not have surprised many Americans—especially those who had recently established their homes on the Florida peninsula. Although

⁵ Joseph D. Cushman, Jr., “The Indian River Settlement, 1842-1849,” *Florida Historical Quarterly* 43 (1964): 21-35.

⁶ Covington, “The Indian Scare of 1849,” *Tequesta* 21 (1961): 53-54.

most public accounts of the two attacks made it seem that white settlers were innocent victims who were caught completely unprepared for such depredations, it is hard to imagine that this is an accurate reflection of the settlers and Florida's officials. Only a few years earlier, in an 1845 plea for statehood, Territorial Governor John Branch referred to the peninsula as a "bloodstained wilderness" and "a soil which they [the Seminoles] have polluted with their horrid barbarities."⁷ In 1846, Charles T. McCay captured the general sense of unease when he wrote "Florida is exposed to a foe who has already come up even to her most populous district & ravaged her plantations."⁸ The following year, U.S. Captain John T. Sprague explained that most of the Seminole chiefs wanted peace, but "the young men, long accustomed to hunt the whites as they now do deer and turkeys, are ruthless, vicious and vengeful."⁹ Even as some white settlers

⁷ Governor's Messages to Legislative Council, January 10, 1845, in Territorial Legislative Council Papers [Bicameral], Florida State Archives, Tallahassee.

⁸ Charles T. McCay to [?], May 22, 1846, Ayer Collection, Newberry Library, Chicago, Illinois.

⁹ John T. Sprague to R. Jones, January 11, 1847, Seminole Agency, Office of Indian Affairs Records, S26, National Archives, Washington, DC.

engaged in trade with the Seminoles and believed that Indians no longer posed a serious threat to the state, they generally seemed to live with a presumption that another Seminole war would ultimately occur. As a result, many white Floridians lived with an uneasy sense that the Second Seminole War did not end but rather it was "*virtually* the termination of the war, [because] the enemy never again having shown himself in force."¹⁰ White Floridians, in this context, viewed the truce of 1842 as a temporary end to the fighting rather than the beginning of a lasting peace.

The overriding sense of fear was especially pronounced in the areas recently settled by white Floridians in the peninsula—south of the panhandle settlements that connected eastern St. Augustine and western Pensacola. Most of the settlers on former Seminole lands were de facto citizen-soldiers—men and women who recognized that they lived in a militarized zone that somehow lay on the edge of the federal government's concern. These white settlers resettled the Florida interior under the auspices of the 1842 Armed Occupation Act. This federal law

¹⁰ Fayette Robinson, "Major General Worth" *Graham's American Monthly Magazine of Literature, Art, and Fashion* 32 (May 1848): 3, emphasis added.

worked with the premise that tensions with Indians would not go away until the Seminole's lands were occupied and the Seminoles themselves removed far from their former homes. This act placed the burden of military protection on the settlers of the Florida interior, linking the gun-ownership of residents and the presumed necessity of Indian killing with the ability to obtain a homestead. This fulfilled the ambitions of Secretary of War John Spencer, who in 1842 suggested that the "occupation of the peninsula of Florida by a hardy and armed body of men" would be the "most effectual means of preventing any hostile incursions by the Indians."¹¹

The Armed Occupation Act, in many ways, fulfilled Congress's basic ambition of resettling the interior of Florida without the necessity of an expensive and unpopular military presence. From Gainesville to the Peace River, approximately two hundred thousand acres were opened to armed citizens and their families. Twelve hundred applicants applied for 160 acres of land in return for their willingness to cultivate it and

¹¹ John Spencer to David Levy, April 26, 1842, in *Congressional Globe*, 27th Cong., 2nd sess., 503. See Laura Jenson, *Patriots, Settlers, and the Origins of American Social Policy* (New York: Cambridge University Press, 2003), 181-184.

protect it from its former owners. Rather than the policy that "brought peace to Florida," however, the Armed Occupation Act ensured the continued militarization of the state and practically guaranteed that tensions with the Indians would continue even as the war ended. Indeed, much of the lands that the armed citizens occupied was described with references to their former Indian occupants. For example, surveys described homesteads as being "near Charley Emathla's town" or "near Black Dirt's Old Town."¹² With settlements and garrisons legally linked, the spread of white settlements into Florida occurred with a constant and conscious awareness of an enemy Indian presence. Indeed, many of the homes built after the Armed Occupation Act were, as one resident described, "barricaded in to protect [us] from the Indians."¹³

As armed white civilians occupied Indian lands, local politicians remained convinced that Indian removal was the only solution to a lasting peace on the frontier.

¹² U.S. Congress, *Actual Settlements in Florida, Under the Armed Occupation Act*, 28th Cong., 1st sess., 1844, H. Doc 70, Serial 441, 2.

¹³ [?] Graves to Louis Graves, December 17, 1849, Seminole Indian Papers, Gilcrease Museum, Tulsa, Oklahoma. See Canter Brown, Jr., *Florida's Peace River Frontier* (Gainesville: University Press of Florida, 1991).

Florida's legislature repeatedly called for the U.S. Congress to use its "best endeavors to procure a speedy removal of the Seminole Indians now remaining in Florida." Its logic was clear: "the Seminoles have not remained within their boundary, but are frequently in parties beyond their limits, prowling through the settlements of the whites, killing and harassing stock, which it is believed will, in a period not far distant, cease to be endured, and terminate in results fatal to our frontier inhabitants and injurious to the interests and prosperity of the State." Once the source of discord could be eliminated, the proponents of removal contended, the nation could finally witness the unfulfilled economic promise of the young state. The forced removal of the Seminoles to Indian Territory "would tend to encourage emigration and agriculture, and the development of the resources of our State."¹⁴

In this context of a militarized frontier and local governments pining for an opportunity to demand federal assistance, the brutal attacks of 1849 provided proof that Florida officials used to convince the

¹⁴ U.S. Congress, *Removal of the Seminole Indians: Resolutions of the Legislature of the State of Florida Relative to the removal of the Indians remaining in Florida, May 3, 1848*, 30th Cong., 1st sess., H. Misc. Doc 82, Serial 523, 1.

federal government that it should intervene in the imminent Indian war.¹⁵ The *Weekly Herald* summarized the general feeling that the attacks of 1849 proved that Seminoles could not remain in Florida. "We trust and hope there will be no child's play adopted towards these hostile Indians, but that every means calculated to reduce them to subjection or to destroy them, will quickly be adopted."¹⁶ War, many observers concluded, could not be avoided, as the attacks "now demonstrated that large numbers of them are engaged in hostility to the settlers [and] the probability is that we will have another Seminole war."¹⁷

White Floridians helped their cause by spreading sensationalized details about the two assaults, adding to the prevailing sense that a war with the Seminoles could not and should not be stopped. One account, republished in the *National Intelligencer*, included false reports of captured and still missing white women, mutilated bodies, and

¹⁵ Floridians had sought such a ruse to "have these wretches removed from within our State" for several years. For example, see U.S. Congress, *Letter of the Governor of Florida in relation to the depredations of the Seminole Indians, January 11, 1847*, 23rd Cong., 2nd sess., 1847, S. Doc 51, Serial 494, 1.

¹⁶ *The Weekly Herald*, September 15, 1849.

¹⁷ *Barre Gazette* (Massachusetts), August 10, 1849.

the ominous prospect of rape.¹⁸ Another account summarized the events by concluding that “we are very much disposed to believe that the red-skins inhabiting that peninsula have made up their minds to carry on a game of murder, rapine and pillage similar to what they [i]ndulged in a few years ago.”¹⁹ Still other accounts repeated rumors that more than a dozen Indian warriors committed the crimes, “supposed there are six hundred warriors in the field,” increased the number of wounded to include many “men and several women,” and exaggerated the number of residents who were unable to escape and were otherwise missing. Perhaps most ominously, rumors spread that the Seminoles were also waging war on Florida’s African slaves. As far away as Massachusetts, the *Barre Gazette* reported that “the Indians first tried to carry off the negroes, but they resisting, were killed upon the spot.”²⁰ These rumors, which built upon a longstanding fear that Seminoles had harbored and allied themselves with runaway slaves, brought fear and anxiety throughout neighboring

¹⁸ *National Intelligencer* (Washington, DC), July 25, 1849.

¹⁹ *The Weekly Herald*, September 15, 1849.

²⁰ *Barre Gazette* (Massachusetts), August 10, 1849.

slave states.²¹

The advocates of war in Florida initially received the response from the federal government they wanted. The United States rapidly deployed 2000 soldiers to Fort Brooke near Tampa Bay, and it placed all Seminole affairs for Florida under the authority of the Department of War. As federal troops arrived, white Floridians mobilized for war as well. Residents evacuated isolated and smaller communities and sought the presumed security of the larger towns, and they began to organize their defenses. Several accounts reported the “Great alarm” that “prevails among the frontier settlers, who are abandoning their crops and homes for safety.... All the plantations are deserted, and the frontier towns along the St. Johns, Lake Monroe, &c, are under military discipline. Dwellings on plantations are being picketed in.”²² Coastal communities also “abandoned their fields and banded themselves together at

²¹ The complicated relationship between runaway African American slaves and Seminoles is explored in Kevin Mulroy, *The Seminole Freedmen: A History* (Norman: University of Oklahoma Press, 2007); Kenneth W. Porter, *The Black Seminoles: History of a Freedom-Seeking People* (Gainesville: University Press of Florida, 1996).

²² *Barre Gazette* (Massachusetts), August 10, 1849.

Jupiter, New River, and Cape Florida, for defense.²³ War seemed, as it had in 1835, to be on the immediate horizon—citizens evacuated the frontier towns, local militias mustered, and federal soldiers marched into the region.

As the U.S. military and local Florida communities mobilized for war, Seminole diplomats tried to alleviate the war mongering among state and federal officials. Communicating a desire for peace was the first concern of the Seminoles, and this proved to be complicated. Seminoles had to convince a militarized society to pursue peace, and they had to forge a path of diplomatic communication where no formal paths were available. Although the Seminoles had sent messages through interpreters and Indian representatives in the past, these options were undesirable or unavailable in the immediate aftermath of 1849 murders. Unlike in the past, the Seminoles could not employ the services of a United States Indian agent. The killing of

²³ S. R. Mallery to W. M. Meredith, July 22, 1849, in U.S. Congress, *Message from the President of the United States, communicating information, in answer to a resolution of the Senate, relative to hostilities committed by the Seminole Indians in Florida during the past year, their removal, &c. May 21, 1850*, 31st Cong., 1st Sess., 1849, S. Ex. Doc. No. 49, Serial 561, 38.

the agent at the start of the Second Seminole War—and the subsequent hostility to and fears of replacing him in both Indian and American society—left the Seminoles without the services of an official go-between in 1849. The closest they had was John Casey, the Indian Emigration Agent who was charged with removing the Seminoles from Florida lands but who had no explicit power to resolve disputes. In addition, the Seminoles did not want to send a headman to deliver the talk in person, a logical conclusion after the United States imprisoned Osceola a decade earlier when he attempted to initiate diplomatic talks. Their disinclination to send a peace mission may have also resulted from a ban on direct talks with senior officers at Fort Brooks. Chiefs would have to approach lesser officials if they wanted to initiate direct negotiations, and Seminole leaders would not have wanted to submit to this indignation.²⁴

Seminoles resolved this dilemma with a traditional means of diplomacy. Instead of risking capture or having village chiefs talk with representatives that were below their stature, the Seminoles initiated

²⁴ Patricia Riles Wickman, *Osceola's Legacy* (Tuscaloosa: University of Alabama Press, 2006), 95-106.

their diplomatic discussion by delivering a symbolic gift to Felipe Bermudez, a Spanish resident and fisherman of Sarasota.

Bermudez, who had apparently fled his home when the news of the nearby murders took place, returned to find “his house and property untouched, and this flag attached to his door. It is made of white crane feathers, forming a small flag, bound on it with a string of white beads in a small piece of smoking tobacco.” Another observer described the “Indian peace-token” as a “a snow-white flag, about six inches square, ingeniously made by attaching heron’s feathers to a stick. At the top of the little staff was fastened to small stick of white beads and a twist of tobacco. The flag was placed on a tall pole and left in a conspicuous place. It was meant and understood that the sender desired to communicate with the agent and smoke the pipe of peace.”²⁵ The white feathery bundle, similar to the one that Osceola had used a few years earlier, incorporated symbols that had been used routinely for generations in Georgia and Florida.²⁶ The Spanish

²⁵ Charles H. Coe, *Red Patriot: The Story of the Seminoles* (Cincinnati, OH: Editor Publishing Company, 1898), 196.

²⁶ Osceola’s bundle had a “white plume and a pipe beautifully wrought and decorated with beads.” See Clifford Lindsay

fisherman, who had served as an interpreter for agent Casey in the past and had many prior dealings with the Seminoles, interpreted the message for the local officials. As a reprinted newspaper account asserted: chief Billy Bowlegs (Holata Micco) used the symbol to state that “We desire peace, wish to communicate, smoke and hold a peace talk.”²⁷

Although some Americans misinterpreted the white flag as a symbol of surrender, the “white flag” of feathers symbolized a desire and a mechanism to keep Seminole-Florida diplomacy on the white path of peace.²⁸ The connection between peace and the color white permeated Seminole and southeastern Indian society, and the use of these bundles led many diplomats to provide Seminoles with sufficient white cloth, with which they could indicate that they wanted to come in peace in order to sign a treaty.²⁹ As a result, these

Alderman, *Osceola and the Seminole Wars* (New York: Julian Messner, 1973), 155.

²⁷ “Indian Troubles,” *The Friend: A Religious and Literary Journal* 22 (September 8, 1849): 408.

²⁸ William Moseley to John Titcomb Sprague, October 15, 1849, Correspondence of Governor William D. Moseley, 1845-1849, Indian Affairs, File, 1820-1833, Florida State Archive.

²⁹ John Mahon, *History of the Second Seminole War, 1835-1842* (Gainesville:

flags were repeatedly used and often respected—even by Thomas S. Jesup, the U.S. officer who had Osceola arrested. Jesup and others recognized the utility of these white flags, as they “had been allowed for no other purpose than to enable them to communicate and come in without danger of attack from our parties.”³⁰ In addition, American officers used the symbolism of white cloth to encourage Seminoles to believe that it was safe to engage in negotiations with the United States. As

University of Florida Press, 1967), 215. For a discussion of diplomacy and white paths, see Joshua Aaron Piker, “‘White & Clean’ & Contested: Creek Towns and Trading Paths in the Aftermath of the Seven Years War,” *Ethnohistory* 50 (2003): 315-347; James Taylor Carson, *Searching for the Bright: The Mississippi Choctaws from Prehistory to Removal* (Lincoln: University of Nebraska Press, 1999); Angela Hudson, *Creek Paths and Federal Roads: Indians, Settlers, and Slaves and the Making of the American South* (Chapel Hill: University of North Carolina Press, 2010); Brent R. Weisman, *Unconquered People: Florida’s Seminole and Miccosukee Indians* (Gainesville: University Press of Florida, 1999), 43-50.

³⁰ Thomas S. Jesup to Joel Roberts Poinsett, July 6, 1838, in U.S. Congress, *Message from the President of the United States, transmitting a report from Major General Jesup of his operations whilst commanding the Army in Florida, in compliance with a resolution of the Senate of the 6th instant*. 25th Cong. 2nd Sess., 1838, S. Doc. 507, Serial 319, 5.

Jesup explained to Brigadier General R. Jones earlier: “I have used every possible means to draw them out without success. The most prominent measure adopted was causing staves, with white muslin attached, to be carried through the camps as a token of friendship.”³¹

Bermudez and others versed in Indian affairs translated other symbols within the bundle. The use of a white plume indicated that the bearer was on a diplomatic mission of peace, and as an indication of the purity of the bearer and his intentions.³² The other elements of the gift, the beads and tobacco, symbolized the first steps of southeastern Indian diplomacy and further indicated a desire to talk and secure a peace. Diplomats used beads and tobacco throughout the eighteenth and nineteenth centuries as ceremonial gifts, serving as a form of ritualized currency that could be

³¹ Thomas S. Jesup to George G. Reynolds, March 31, 1837, in *American State Papers, Military Affairs* 7: 869. See also “The White Flag,” *Florida Historical Quarterly* 33 (1955): 218-234.

³² This was the case throughout the southeast. For example, see James Adair, *History of the American Indians* (London, 1775), 15; Jacob Rhet Motte, *Journey into Wilderness: An Army Surgeon’s Account of Life in Camp and Field during the Creek and Seminoles Wars 1836-1838* edited by James Sunderman (Gainesville: University of Florida Press, 1963), 134.

compensation for a reciprocal exchange or a means to prevent a “negative outcome.”³³ Although two earlier Seminole Wars had limited the diplomatic power of the Seminoles, Native diplomatic discourse still remained in Florida. Rather than approach negotiations from a position of weakness, the Seminole’s use of the plume, beads, and tobacco to indicate that they believed they were acting from a position of strength.³⁴

With the message delivered, the Seminoles then initiated direct communication on their terms and on their terrain. As Captain John Casey traveled through Indian country to investigate, he was “hailed by three Indians on the shore” who wanted to discuss the murders. Despite pervasive fears of treachery, Casey met with

³³ Jason Baird Jackson, *Yuchi Ceremonial Life: Performance, Meaning, and Tradition in a Contemporary American Indian Community* (Lincoln: University of Nebraska Press, 2002), 232.

³⁴ Even as negotiations deteriorated in 1850, and the actions of the Seminoles were not perceived as the acts of good faith, the Seminoles continued to use traditional forms of communication to make their interests known. “At the same time he sent too me a string of white wampum with a short piece of red wampum attached as a warning to me or to caution to me not to go our into the nation.” John C. Casey to David Emmanuel Twiggs, April 15, 1850, Keenan/Brown Papers, P. K. Yonge Library, University of Florida, Gainesville.

the Indians because he believed that the earlier bundle was a trustworthy sign of peace rather than of “Indian treachery.” Casey, while holding the white flag left the boat and extended his hand in friendship. One of the Seminoles replied “‘more great friends do thus’ and took hold my arms above the elbow, while I did the same with his, and we shook each other heartily.”³⁵ In his meetings with Bowlegs and other chiefs, Casey became convinced of the isolated nature of the crimes and of the Seminoles sincere desire to maintain the peace. In this manner, the Seminoles turned Casey into their de-facto messenger and interpreter, and for the rest of the crisis he attempted to soothe the fears of General David Twiggs and War Department.

Through their intermediary, John Casey, the Seminoles created an alternative interpretation of the murders of 1849. Rather than the first signs of a brewing Seminole War or widespread discontent among the Florida Seminoles, Bowlegs and other “chiefs expressed profound sorrow.”³⁶ They

³⁵ Coe, *Red Patriots*, 197.

³⁶ “The Troubles in Florida—An Indian Talk,” *National Era* 3 (November 22, 1849): 186. For a contrasting interpretation of the events, see James W. Covington, *The Seminoles of Florida*. (Gainesville: University Press of Florida, 1993), esp. 112-121; “Quarterly Chronicle,” *American*

insisted that the assault was by a handful of so-called “outsiders” who were as much a problem for the Indians as white Floridians. As Bowlegs explained: “In 1842 General Worth made a convention with these people. For seven years its terms were kept by every individual in the nation. The nation has not yet violated one stipulation. In seven years, unexampled in our history, no murder was committed on an Indian frontier of some three hundred miles. In July, 1849, three murders were committed, the deed disclaimed by the nation, and the offenders offered to our justice.”³⁷ In this regard, the chiefs downplayed the diplomatic significance of the murders and blamed a few marginal men for the violation of the truce. Seminole leaders attributed the murders to “a few desperadoes, who received no countenance from the[m] generally.” The chiefs proclaimed that these “desperadoes” did not act with the sanction of chiefs and they did not represent the interests of the Seminoles themselves. If anything, the Seminole chiefs proclaimed that the murderers had violated the trust of the Seminoles too. In a statement that was repeated in newspapers nationwide,

Quarterly Register and Magazine 3 (December 1849): 350; *Boston Cultivator* (November 3, 1849): 352.

³⁷ Coe *Red Patriots*, 199.

Bowlegs “disavowed all participation” in the murders and revealed that the perpetrators had been declared outlaws at the recent Green Corn Ceremony.³⁸

As white officials learned of the Seminole version of the facts—that the “outrage” was committed by a handful of outlaws and that the Seminoles were committed to a future of peaceful relations—face-to-face negotiations finally occurred. On September 18, Bowlegs personally met with General Twiggs aboard the *Colonel Clay*, a boat dispatched to subdue the region. The meeting of the military leaders—a breach of the American rule that the chief would have to meet with a lesser official—Bowlegs pledged to apprehend the murderers and he continued to use symbolic speech to demonstrate his intentions. According to one description of the meeting, Bowlegs’ “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

³⁸ Diary of John C. Casey, 1849-1854, (no pagination), Casey Papers, Gilcrease Museum.

large blue beads, and he also wore bracelets of silver over the sleeves of his decorated hunting shirt.”³⁹ Although Twiggs was unfamiliar with much of the symbolic meanings that Bowlegs’ appearance implied, the message was delivered and received. Seminole diplomacy convinced Twiggs—as it had already convinced Casey—that Floridians did not face an imminent war with the Seminoles but rather had the opportunity to return to the straight path that the Seminoles had forged with the American President and the United States.

The actions of the Seminoles within their territory further confirmed the verbal and symbolic promises of friendship. As Seminole leaders initiated diplomacy with the gift of feathers, beads, and tobacco, Assinwah and other warriors pursued the outlaws. The Seminole chiefs announced that they, not American officials, would fulfill the obligations of the post-war truce and capture the transgressors. Shortly after, Chief Bowlegs—accompanied by 20 other warriors—delivered three of the accused murderers to General Twiggs as well as “the severed hand of another, as proof that the fourth was dead.” Bowlegs further claimed “he had made strict laws in his nation to

prevent the recurrence of such deeds, and that he had brought his young warriors with him to witness the delivery of the murderers, as a warning lesson.”⁴⁰ He further explained that the Seminoles lived up to their responsibility, and now it was up to the United States to fulfill its obligations. “We expect you will punish them, we arrest them at the hazard of our lives, and we desire to see the law enforced and in presence of our young men.”⁴¹ This public act had a message for both the U.S. and Seminole dissenters: Bowlegs intended to adhere to the terms of the 1842 truce and he expected others to do the same.

Bowlegs’ actions—although ceding the authority to punish the perpetrators—allowed the Seminoles to live up to their understanding of the universal ambitions of the 1842 agreement: mutual recognition of the two Florida communities and a permanent commitment to peace. In short, Bowlegs linked his enforcement of the treaty with a general resistance to attempts to remove the Seminoles from Florida. As Bowlegs repeatedly made clear, “he can not leave this country now nor induce his people to go. He desires peace and his people will

³⁹ Cited in *New York Journal of Commerce*, October 8, 1849.

⁴⁰ Coe, *Red Patriots*, 199

⁴¹ John C. Casey to Charles Conrad, April 18, 1850, Keenan/Brown Papers.

not break it. They will be contented with a smaller reservation of land, and will promptly deliver up to us all murderers as heretofore.”⁴² The Seminoles, in other words, would maintain their sovereignty and their right to remain in Florida by regulating their internal affairs in accordance with the treaty. They would keep the path of peace white and clean, and the United States would do the same.⁴³

This Seminole interpretation of the murders, aided by observers who wished to avert a war and maintain a minimal federal presence in the state, helped counter the belief that Floridians faced another imminent war with the Seminoles. This certainly shaped Gen. Twiggs’s approach to

⁴² John C. Casey to David Emmanuel Twiggs, April 9, 1850, Keenan/Brown Papers.

⁴³ Scholars of the Seminoles typically take an article-by-article approach when they examine whether treaties were fulfilled or violated, often demonstrating how Natives and Americans both failed to live up to the details. This is especially true in regard to Seminole agreements to return fugitive slaves to their owners in the United States. For example, see Brown, “The Florida Crisis of 1826-1827,” 419-442; George Klos, “Blacks and the Seminole Removal Debate, 1821-1835” *Florida Historical Quarterly* 68 no. 1., (1989): 55-78. American officials eventually recognized Seminole compliance, but normally it was after the fact. See William S. Harney Report (1857) Keenan/Brown Papers.

the problem, as he began to deemphasize the federal government’s need to play a role in the affair. In a letter to the Secretary of War, he explained “the prisoners had been surrendered unconditionally, and with the belief that they would be immediately executed.” An Ohio newspaper followed this logic and asserted, “There is no reason... to suppose, however, that this recent outrage of the few indicates either the feeling or purpose of the tribe.” Although accounts of the murders and their aftermath varied, they generally concurred that several Seminole chiefs acted quickly and within just a few months had brought the accused Indians to justice.⁴⁴

The events that surrounded the Seminole’s apparent compliance with the law gradually appeased many American observers at the time, especially those distant from the affair. They called the Seminole’s actions “ample reparation” and many Americans tried to quiet the renewed calls for a war of extermination. Brevet Colonel C. F. Smith, for example, tried to mute Colonel John J. Marshall’s vitriolic call for arms. “I do not regard the burning of a few houses at Indian River, as indicative of a determination on the part of the Indians

⁴⁴ *Weekly Ohio State Journal*, August 14, 1849.

for war, but rather as an act of retaliation for some injury fancied or real—with which they will remain satisfied.” Smith did not dismiss the fears of Florida’s settlers, but reminded Marshall of the obligations of the local communities themselves. “If it becomes necessary, I can furnish muskets and cartridge. I need scarcely add that the best reliance of the inhabitants ought to be upon their own efforts.”⁴⁵ Floridians, he explained, should be able to defend themselves rather than rely on a federal presence.

The gift of feathers and the arrest of the murderers in 1849 did little to soothe the fears among Florida’s white residents. The Seminoles after all, had made it clear that they had no interest in vacating Florida but rather sought to protect their sovereign status. In this conversation, the Seminoles and Floridians offered two different understandings of the 1842 agreement. The Seminoles believed that the 1842 agreement was a permanent solution—one that required

⁴⁵ C. F. Smith to John J. Marshall, July 17, 1849, in U.S. Congress, *Message from the President of the United States, communicating information in answer to a resolution of the Senate, relative to hostilities committed by Seminole Indians in Florida during the past year, removal, &c.*, 31st Cong., 1st Sess., S. Exec. Doc. 49, 1849, Serial 561, 26-27.

both sides to keep the path white and clean or otherwise maintain the peace, and one that allowed Seminoles to maintain sovereignty over the lands reserved for them. White Floridians thought otherwise. Rather than envisioning a permanent solution, these settlers understood the 1842 truce simply as an end to the Second Seminole War and a license for the United States to pursue other means of removing the Indians. Many Americans in the early nineteenth century imagined the treaties with the Seminoles to be temporary solutions in an incremental process that ultimately resulted in removal. The Seminoles may have fulfilled the technical requirements of the 1842 truce, but resisting removal indicated that the Seminoles rejected the American’s overarching ambition of the treaty process itself.⁴⁶ As a

⁴⁶ A description of the 1842 agreement can be found in Clarence Edwin Carter, ed., *Territorial Papers of the United States* (Washington D.C.: Government Printing Office, 1962), 26: 515-522. On the map, William J. Worth describes where the Indians “are permitted to hunt and plant” and the general nature of the “arrangement.” It states that the President will allow the Seminoles to remain in “Florida or go to Arkansas as they may prefer; but . . . he advises them . . . to join their red brethren in the West.” In addition the Seminoles “must see that any depredations which may be

result, the Seminoles effectively ended the calls for war, but did little to end the federal government's earlier policy of pursuing the removal of the Indians.

In the aftermath of the murders of 1849, the United States intensified its demands for the Seminoles to leave Florida. White feathers and tobacco served to create a diplomatic path to peace, but few Americans foresaw a future of peaceful coexistence. The United States offered compensation or bribes to leaders who could convince their followers to move west; it brought a delegation of western Seminoles to tell the Florida Indians about the opportunities of Indian Territory; and it otherwise concluded that the choice was either removal or a "war of extermination."⁴⁷

Not surprisingly, the Florida Seminoles largely rejected the dualism of removal or war, and repeated their long-standing desire to "remain on the soil guaranteed to them by the faith of the

committed by their people on the whites are punished by the Indian law."

⁴⁷ "The Troubles in Florida—An Indian Talk," 186. See also John C. Casey to Orlando Brown, May 15, 1850, Keenan/Brown Papers; Samuel [?] to Orlando Brown, October 7, 1849, M-234, reel 801; Samuel [?] to Orlando Brown, September 24, 1849, M-234, reel 801.

Federal Government." The renewed calls for removal proved especially frustrating for Seminole leaders who had believed that they had recently demonstrated commitment to the 1842 truce. One Seminole leader, Assinwah, replied: "We did not expect this talk. When you began this new [removal] matter, I felt as if you had shot me. I would rather be shot. I am old, and will not leave my country." The chief did not point to any symbolic or ancient connection to the land. Instead, he delineated the right of self-determination as declared in the earlier 1842 truce. "General [William Jenkins] Worth said he spoke for your President," the chief declared. "He was authorized to make peace, and leave us quiet in our country; and that so long as our people preserved the treaty, yours would." The recent events, the chief explained, did little to change this relationship. Despite the "trouble and grief . . . we have done justice, and we came here, confident that you would be satisfied." The Seminoles' response to the murders in 1849 proved their commitment to the 1842 agreement. In addition, Assinwah pointed to a continued commitment to the boundary that defined Seminole country. "If ever hereafter the worst among my people shall cross the boundary and do any mischief to your people, you need not look for runners,

or appoint councils to talk. I will make up my pack and shoulder it, and my people will do the same. We will all walk down to the sea-shore, and we will ask but one question: ‘Where is the boat to carry us to Arkansas?’” The 1842 agreement, which was declared a “temporary” truce by American officials, was for the Seminoles the foundation for a diplomatic relationship. Assinwha insisted that the United States and the Seminoles maintain the terms of the treaty, and for the Florida Seminoles to remain on the lands that they controlled. “I will not go, nor will our people. I want no time to think or talk about it, for my mind is made up.”⁴⁸

Just as they had in 1849, the Seminoles voiced their diplomatic concerns through traditional manners. Demands for removal made the prospect of engaging in direct talks precarious, especially as the United States threatened to renew war and send captured Seminoles west. As a result, Bowlegs and others turned to the use of

⁴⁸ “The Troubles in Florida—An Indian Talk,” 186; William DuVal to William Medill, June 6, 1848, Letters Received by the Office of Indian Affairs, 1824-81: Seminole Agency Emigration, 1849-1850, Microcopy 234, reel 801; John C. Casey to David Emmanuel Twiggs, April 15, 1850, *ibid.*; William DuVal to Orlando Brown, September 24, 1849, *ibid.*

“runners” to send messages “that neither he nor his people would emigrate.” Instead, Bowlegs hoped that the United States would “make arrangements with me through them and some sub chiefs for preserving peace, if possible.” Not content to let the indirect verbal communication stand on its own, Bowlegs once again used symbolic speech to make the cultural and political sovereignty of the Seminoles known. As John Casey traveled to Fort Myers to assess the prospects for removal, Bowlegs “sent to me a string of white wampum with a short piece of red wampum attached as a warning to me or to caution to me not to go out into the nation.” The new message was clear to all who saw it. The Seminoles acted from a position of power and would continue to resist emigration. Voluntary removal would not take place. As Casey concluded: there was “no hope of getting them to go west in a body.”⁴⁹

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The success of traditional diplomacy in 1849 and 1850 reminds us that the “work of conquest & removal,” as James Gadsden called Florida’s Indian policy, was about more than imposing military might. It was also a dispute over the nature and content of

⁴⁹ John C. Casey to David Emmanuel Twiggs, April 15, 1850, *ibid.*

diplomatic discourse.⁵⁰ Americans would attempt to impose their version of diplomacy and law long after the dispute over the 1849 murders dissipated, but Seminoles did not acquiesce. They retained the symbolic importance of white feathers, tobacco, and beads into the twentieth century, and they continued to embrace a more holistic understanding of treaties that was rooted in their oral culture.⁵¹ A diplomatic frontier would remain, with the United States and the Seminole Tribe retaining distinct cultural understandings of how best to communicate and mediate differences deep into the twentieth century. As a result, the “work of conquest & removal” remained incomplete.

⁵⁰ James Gadsden to Lewis Cass, January 16, 1836, James Gadsden Letter, P.K. Yonge Library.

⁵¹ Buffalo Tiger and Harry A. Kersey, Jr., *Buffalo Tiger: A Life in the Everglades* (Lincoln: University of Nebraska Press, 2008), 85-86