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BILLY BOWLEGS, SAM JONES, AND THE CRISIS OF 1849

by JAMES W. COVINGTON

ONE of the most unusual events that took place during the removal of some 4,000 Indians and blacks from Florida to Indian Territory during the 1836-1859 period, occurred during the so-called Outbreak of 1849 when the Seminoles delivered three alleged murderers to the whites for trial and possible execution. This outbreak blazed forth in July 1849 when a group of young Seminoles went on a rampage along both coasts of Florida. In the first attack, the Seminoles killed one man and vandalized a small settlement along the Indian River. Then they crossed the peninsula, killed two other persons, and burned the Kennedy and Darling store located on a tributary of the Peace River. Since the majority of the Seminoles did not want to endure another war, they arranged meetings with the whites at Charlotte Harbor and delivered three of the alleged culprits and the severed hand of a fourth to Major General David E. Twiggs and white justice. Both whites and Indians considered the three to be murderers, and there should have been a trial, but none took place. Then in February 1850, they were placed on a boat with other Indians and shipped west.

At the conclusion of the Second Seminole War in 1842, the Seminoles had been assigned to a temporary 4,288,000 acre reserve located in southwestern Florida. Billy Bowlegs (Holatter Micco), Fuse-Hadjo (the lawyer), and No-co-se-mathlar (the Bear King) were invited to sign an agreement at Fort Brooke on Tampa Bay on August 5, 1842, that would guarantee the Seminoles temporary hunting and planting rights in a 6,700 square mile area.¹ Although Sam Jones, leader of the Mikasukis,

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1. William J. Worth to the Adjutant General, August 12, 1842, in Clarence E. Carter, ed., *Territorial Papers of the United States*, 27 vols. (Washington, DC, 1934-1969), *Florida Territory*, XXVI, 524; "Order No. 27, Military Department No. 9," August 11, 1842, *ibid.*, 519.

and Chipco, leader of the Muskogeese, did not attend the Fort Brooke conference with Colonel William Worth, they may have given their approval in a council held before the Billy Bowlegs group departed.²

During the next few years, relations between the whites and Indians were relatively good. When ships were wrecked along the coast, the Seminoles helped in the rescue efforts and assisted the crews to make their way to Tampa or Key West. Since there were no trading posts available on the southwestern coast of Florida at that time, the male Seminoles in groups of ten or more came to Tampa and exchanged deer skins and furs at the post sutler's store for whiskey, cloth, knives, and utensils. Military authorities provided the visitors with an empty shack in which they could stay and "sober up." They could also hold dances and ball games on the lawn.³

To the whites, Billy Bowlegs was the principal chief of the Seminoles; he was a member of their so-called "royal family" and a descendant of Cowkeeper, who had established what may have been the first Seminole town in Florida near Paynes Prairie in the eighteenth century.⁴ Colonel Worth and others had prevented possible rivals to Bowlegs's authority from migrating south after peace was declared in 1842 by shipping them to Indian Territory. Whenever negotiations or a trip to Washington were needed, they sought Bowlegs's assistance, for he was approachable and did not have the negative attitude that others expressed.

In 1847, Captain John T. Sprague, who was to write a first-hand account of the Second Seminole War, met with the Seminoles and expressed his views to the authorities in

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2. The Seminoles were divided into two groups speaking "the related but not mutually intelligible Muskogee (Creek) and Mikasuki (Hitchiti) languages." John M. Goggin, "Source Materials for the Study of the Florida Seminole Indians, Laboratory Notes: 3" (mimeographed), University of Florida Anthropology Laboratory, Gainesville, August 1959, 2. Since there was a considerable amount of intermarriage and contact between the two groups, probably many persons spoke both languages. Chipco was leader of the predominately Muskogee speaking band, Sam Jones of the Mikasukis, and it is difficult to determine which language was the dominant one in the Billy Bowlegs band.
 3. George Ballentine, *Autobiography of An English Soldier in the United States Army* (New York, 1853), 185.
 4. Kenneth W. Porter, "The Cowkeeper Dynasty of the Seminole Nation," *Florida Historical Quarterly* 30 (April 1952), 341-49.

Washington. "I have the honor to report that I met the Indians as anticipated at this place on the 8th instant. The chiefs Holatter Micco [Billy Bowlegs] and Assinwar, Echo-emathlar-Chopco, Chitto Hadjo, Nub-cup-Hadjo, subchiefs together with thirty-four young warriors, well armed without women and children, were present. I was disappointed in not meeting Arpeika or Sam Jones who sent a messenger stating that from age, indisposition and the extreme cold weather, he was unable to travel. My insisting upon seeing him tended to disparage the position and power of Holatter Micco who, in all respects, is qualified for supreme command which he exercises with skill and judgement. He is about thirty-five years of age, speaks English fluently, active, intelligent and brave. Arpeika [Sam Jones] is ninety-two years of age; without warriors, authority or influence. These chiefs and their followers express the strongest friendship and have adopted vigorous laws to punish those who violate the relation existing between the whites and red men but the young men, long accustomed to hunt the whites as they now do deer and turkeys, are ruthless, vicious and vengeful. To counteract this, I have enjoined the necessity of prompt and severe punishment and shall see that they are executed."⁵

Persons like Sprague did not understand that though Billy Bowlegs had the largest band of warriors (fifty-four), and considerable political power, he lacked the religious influence of Sam Jones who had a following of only thirty-two warriors. In addition, the twenty-six warriors led by Chipco and the eight in Ismahtee's boat party represented bands that were outside of Bowlegs's jurisdiction.⁶

It was the religious authority of shaman Sam Jones that swayed most of the Indians. Sam Jones, refusing all offers to negotiate with the whites, stood as the symbol of a struggle to the final end. In July 1849, Captain John Casey tried to give presents to the members of the boat party, but they refused all but tobacco and whiskey, saying that "Sam Jones would kill them if he heard of it."⁷ In December 1849, Kapiktsootsee, a Mikasuki

5. Captain John T. Sprague to Major General R. Jones, January 11, 1847, S26, Seminole Agency Office of Indian Affairs Records, National Archives, Washington, DC.
6. James W. Covington, "A Seminole Census: 1847," *Florida Anthropologist* 20 (September 1968), 120-22.
7. Captain John Casey to Jones, July 23, 1849, in *Operations in Florida*, Sen. Exec. Doc., vol. 1, no. 1, pt. 1, 31st Cong., 1st sess. (ser. 549), 116.

subchief, and his people wanted to surrender, but since "Sam Jones and others had made a strong law," he would only surrender when protected by a large force of cavalry.⁸ Even Billy Bowlegs had made two appointments to meet with the whites but was forced to cancel them when the other Indians in his party were afraid that he would be seized.

In October 1845, Thomas P. Kennedy, the sutler at Fort Brooke, was given permission to open a store at Pine Island, located near the mouth of the Caloosahatchee River, where he could trade with the Indians coming from the reserve. This venture was not very successful because some white settlers, wanting to sell whiskey to the Indians, warned them that if they went to the island, they would be seized and sent to Indian Territory.⁹ However, John Darling, a leading Tampa merchant, joined forces with Kennedy and added his thirty-two-ton schooner *Rosella* to the tiny fleet supplying their Tampa store and the Charlotte Harbor post.

The Pine Island store burned in 1848, and Kennedy and Darling were given permission in March 1849 to open another store some distance inland on present-day Paynes Creek, a tributary of the Peace River.¹⁰ Within a short time, the firm had erected a combination store and dwelling, wharf, storehouses, and a bridge. It was a sizeable enterprise staffed by proprietor Captain George Payne and employees Dempsey Whidden and William McCullough. Articles kept at the store for which the Indians traded skins and produce included rifles, gun powder, lead, brass kettles, blankets, saddles, cloth, tools, and whiskey.¹¹ A considerable number of Indians began visiting the store, including Chipco, chief of the Muskogee speaking band, who traded watermelons, bear skins, deer skins and meat, and sweet potatoes for needed articles.

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8. General David E. Twiggs to Secretary of War George W. Crawford, December 10, 1849, in *Message of the President of the United States, Communicating Further Information Relative to Hostilities Committed by the Seminole Indians in Florida During the Past Year, Their Removal, &c*, Sen. Exec. Doc., vol. 13, no. 49, 31st Cong., 1st sess. (ser. 561), 73-74.
 9. Joab Griffin to Thomas P. Kennedy, September 27, 1845, John C. Casey Papers, file 4026.3818, Gilcrease Museum, Tulsa, Oklahoma.
 10. Michael G. Schene, "Not a Shot Fired: Fort Chokonikla and the 'Indian War' of 1849-1850," *Tequesta* 37 (1977), 21.
 11. "Deposition of William and Nancy McCullough," August 11, 1849, in *Message of the President*, 161-63.

A band of some twenty Seminole men, called the “outsiders,” had been declared outlaws at a recent busk or Green Corn Dance, and they moved beyond the limits of the reserve. Included among the “outsiders” was Chipco, five other members of his Muskogee group, seven Mikasukis, six members of Bowlegs’s group, one Creek, and one Yuchi.¹² It was not known why the members of this band were outlawed, but they were upset about an 1849 law passed by the Florida legislature that stated the agent could not authorize the Indians to leave the reserve, and anyone—including the agent—caught selling liquor to the Indians would be subject to a fine ranging from \$100 to \$500.¹³ Perhaps in anger against this law or to take revenge for unfair treatment by some traders, the “outsiders” decided to attack two isolated settlements—one on the east coast and the other on the Gulf coast. On July 12, four armed “outsiders” visited a small settlement four miles north of Fort Pierce where they ate at the home of James Barker. They later killed Barker and wounded William Russell as the two men were talking in a nearby field. Perhaps Barker was killed because he was a former Indian trader and may have cheated the Seminoles. Two of the Indians were recognized by Russell’s family as recent visitors; one was known as Sammy or Sam and the other as Eli.¹⁴

Hearing the gunfire and being warned by Russell, the forty-four whites and blacks in the settlement rushed into a boat and moved offshore. When they returned the next day, they found one house burned and two others vandalized. The news of the attack had reached the Indians living on the west coast, and Assinwar, a leader nearly seventy years of age, was sent to investigate the matter. By the time he and his men learned that the “outsiders” were moving west and were retracing their steps to Peace River, they arrived a day too late.¹⁵

The “outsiders” band, after a rest of several days, also attacked the trading post at Paynes Creek. On July 17, near nightfall, four Indians appeared at the store carrying rifles and re-

12. “Diary of John C. Casey, 1849-1854” (no pagination), Casey Papers.

13. Florida, *Acts and Resolutions of the Fourth General Assembly* (Tallahassee, 1849), 71.

14. Brevet-Colonel C. F. Smith to Jones, July 18, 1849, *Message of the President*, 29-30; Andrew Canova, *Life and Adventures in South Florida* (Tampa, 1906), 53.

15. Casey to Major W. W. McKall, September 6, 1849, *Operations in Florida*, 121.

quested the use of a boat to carry a pack of deerskins from the other side of Payne's Creek. Payne agreed to let them use his boat but refused their request to sleep in the store. While the men at the trading post were eating their evening meal, the Indians sat on the porch near the door smoking pipes. Then, without warning, they began firing their rifles, killing Whidden and Payne and wounding McCullough. When the Indians paused to reload, McCullough grabbed a rifle from the wall and followed his wife and child who were running to the bridge. Both McCullough and his wife were wounded, but they were able to escape by hiding in the underbrush. The Indians looted the store and set fire to the building and huts. The McCulloughs made their way some twenty miles to the nearest white settlement on the Alafia River. Later, Nancy McCullough identified one of the attacking party as Yoholochee, a Mikasuki whom she had seen frequently at her father's house on the Alafia River.¹⁶

Although authorities in Washington and Tallahassee ordered the mobilization of troops and were ready to attack the Indians, it was Indian Emigration Agent Captain John Casey who helped avert a possible conflict. Casey had sailed along the Caloosahatchee River from July 9 to the 18, 1849, searching for the Indians so he could arrange a meeting. He left "peace signs" at points along the way, but was unaware of the events taking place at Paynes Creek or Fort Pierce.¹⁷ Upon his return to Fort Brooke, Casey learned about the murders. As soon as Major William Morris, commander of Fort Brooke, was told about the Paynes Creek attack, he sent Lieutenant John Gibbon, four men, and an interpreter to Guy's settlement located on the Alafia River where he believed the attack had taken place. Gibbon met McCullough at the home of Jocky Whidden and learned the details of what had occurred.¹⁸

16. "Deposition of William and Nancy McCullough," *Message of the President*, 161-63.

17. For an account of Casey's life, see Fred C. Wallace, "The Story of Captain John C. Casey," *Florida Historical Quarterly* 42 (October, 1962), 127-44. Casey was a trusted friend of Billy Bowlegs. One reason for the friendship may have been the fact that Elizabeth Bowlegs, Billy's sister, had been the mistress of Casey before she was shipped west in 1839. John Darling to Governor Thomas Brown, February 14, 1852, Correspondence of Governor Thomas Brown, 1849-1853, record group 101, box 2, Indian Affairs 1849-1852, Florida State Archives, Tallahassee, Florida.

18. "Order 105," July 20, 1849, *Message of the President*, 30.

Several days after the Peace River attack, Felipe Bermudez, a man who served as guide to Casey, found fastened to the door of his deserted fishing hut at the south end of Sarasota Bay, a peace sign consisting of a tall stick, small white flag, tobacco, white beads, and heron's feathers. This sign may have been left in reply to Casey's peace signs or as a gesture to avert hostilities caused by the murderers. Felipe left a reply to the Seminoles stating that he would return by the time of the full moon.¹⁹ After a patrol visited the burned trading post and buried the bodies of Payne and Whidden, federal authorities decided to send Major General David E. Twiggs to Florida to deal with what might be the beginning of another Indian war. Secretary of War George Crawford wanted Twiggs to use negotiators from Oklahoma and considerable financial inducements to persuade the Indians to leave Florida peacefully, but if those inducements failed, they would be forcibly removed.²⁰

By August 31, Casey was anchored near the rancho of Bermudez. The first contact with the Indians took place four days later in the early evening of September 3, 1849, at the place where the white flag had been found. Three Seminoles hailed Casey's sloop, and he landed carrying along their flag. Casey came alone because Sampson, the black interpreter, refused to leave the boat. Casey learned from the Indians that Billy Bowlegs was anxious to meet with him in a council.²¹

The following day, Casey was told that the murders had been committed by five outlaws, and that when the news of the killings had been delivered by runners sent by Sam Jones, Assinwar had been dispatched to detain them. As noted previously, Assinwar had missed the outlaws by a day, but when they could not get others to join them in other raids, the five were taken into custody by Chitto-hajo at a camp along the Kissimmee River. When Bowlegs learned of the killings, he called in his men who had been out on a hunting trip and attempted to contact Casey. Although Bowlegs wanted to confer with Casey, the agent pointed out that the whites were prepared for war and that only Twiggs had the authority to settle the matter. As a result, Casey and Bowlegs arranged a meeting at Charlotte

19. Morris to Jones, August 20, 1849, *ibid.*, 59-60.

20. Schene, "Not a Shot," 23.

21. Casey to Jones, September 9, 1849, *Operations in Florida*, 122-24.

Harbor on September 18. Fuss Enehan, a friend of Bowlegs, returned with Casey to Tampa to serve as a hostage and to demonstrate that the Indians were sincere in wanting peace.²²

The scheduled meeting near the site of Kennedy and Darling's burned store at Charlotte Harbor took place as planned aboard the steamer *Colonel Clay* anchored in the harbor. When the steamer carrying Major General Twiggs and Casey approached land, the two men saw Bowlegs and thirty-seven of his warriors on the shore awaiting their arrival. On the following day, September 18, Bowlegs and four or five of his warriors came aboard the steamer. Bowlegs again stated that the killings had been done by outlaws, and he insisted that the Indians wanted peace. The next day, Bowlegs returned with Kapiktootsee who was representing Sam Jones and the Mikasukis. Both Indians pledged that the killers would be surrendered at the next meeting scheduled a month later on October 19 at Charlotte Harbor.²³

Although negotiations had begun, Twiggs began to plan for a campaign against the Indians in which a 200-mile line of forts stretching from the Manatee River to the Indian River would be erected. Garrison for the posts would be two companies each, making a total of forty companies. In addition, garrisons of thirteen companies stationed at depots on large rivers, 500 sailors and marines in ten boats, and a mounted force of three hundred men would be needed— a total of 4,150 regular soldiers. Secretary of War Crawford gave his approval to Twiggs's plan by suggesting that he take prompt steps to establish the forts and extend patrols from the posts so that all intercourse between whites and Indians would be prevented. The first post to be erected was Fort Chokonikla built on the site of the burned Payn's Creek store.²⁴

The *Colonel Clay*, with Twiggs and Casey aboard, arrived at Charlotte Harbor two days ahead of schedule, and there the whites found that the Indians had been waiting their arrival for nine days. As soon as it was possible, on October 18, Billy Bowlegs came aboard and informed Twiggs that three of the murderers were being held with his party of sixty warriors, another

22. Ibid.

23. Casey to Jones, September 23, 1849, *ibid.*, 125-26.

24. Twiggs to Lieutenant Colonel W. G. Freeman, October 3, 1849, *ibid.*, 126-28; Schene, "Not a Shot," 25.

had been killed while attempting to flee, and the fifth had made a successful escape. The following day, Bowlegs, accompanied by twenty warriors, again boarded the *Colonel Clay* bringing with them the three prisoners and the severed hand of the fourth to prove that he had been killed.²⁵ Yo-ho-lo-chee, a member of Sam Jones's band, had been identified by Mrs. McCullough as being in the attack. He had almost been captured while asleep but had heard the approach of the Indians and fled carrying his rifle with him. One shot from the pursuers hit his right hand, wounding him and causing him to drop the gun. The damaged rifle with blood on it was brought back as evidence for the whites.²⁶ By allowing so many of their warriors to watch the delivery of the prisoners to the whites aboard the *Colonel Clay*, the Indian leaders were showing their determination to keep the peace. Bowlegs promised that if another such attack ever took place, he and his people would willingly walk aboard the ships bound for New Orleans. Yet Twiggs, in response, stated that there was no peace for the Seminoles in Florida and that they should listen to a delegation that was coming from the West.²⁷

Acting under orders of Secretary of War Crawford, Twiggs placed the prisoners in chains and carried them back to Tampa where they were held for their trial on murder charges pending a decision by Florida Governor Thomas Brown. Crawford concluded that should state and local authorities not want to place the Indians on trial, they should be shipped west whenever it was convenient. Twiggs, before leaving Tampa to take charge of the prisoners, had declared that he would "hang them to the yardarm." Possibly due to a letter from Crawford and a desire to achieve fame by removing all of the Seminoles from Florida, however, Twiggs reconsidered the hanging threat.²⁸ Governor Brown was not notified of the need to make a decision concerning a possible trial, and Simon Turman, justice of the peace and judge of probate for Hillsborough County, was approached by Twiggs in an effort to delay a trial.²⁹ Twiggs re-

25. Twiggs to Crawford, October 19, 1849, *Operations in Florida*, 133-34.

26. Kenneth W. Porter, "Billy Bowlegs (Holata Micco) in the Seminole Wars (Part I)" *Florida Historical Quarterly* 45 (January 1967), 232.

27. Crawford to Twiggs, October 30, 1849, *Operations in Florida*, 135.

28. Testimony of Simon Turman sent to Governor Thomas Brown, box 2, folder 4, Brown Correspondence.

29. *Ibid.*

requested Turman to use his influence to “prevent a civil process” being issued against the Indians. Twiggs claimed that he could “use them to great advantage for a short time and can probably effect the removal of all the Indians of Florida through their instrumentality.”³⁰

James Whidden, the father of the young man who was killed at Paynes Creek, visited Turman to find out what was going to be done with the prisoners. After Turman had told him about the views held by Twiggs, Whidden visited the general and was told that the prisoners would be kept under guard in close confinement. After the removal plan had been tried, they would be delivered to the civil authorities of Hillsborough County for trial. Whidden agreed to the wait, for he believed that removal of the entire tribe from Florida through the assistance of the murderers was worthwhile.³¹

Joseph B. Lancaster, judge in the Southern Judicial Circuit Court, would have presided at the murder trial if it had taken place. He was also deceived by Twiggs who convinced him that if the prisoners were not transferred to Florida authorities, he would use them to help remove all of the Seminoles from Florida. If he failed in this venture, Twiggs promised that the Indians would be hung. Thus, Lancaster exerted little pressure upon Twiggs for a speedy trial.³²

By November, Twiggs was putting his plan into execution. District Judge Lancaster had agreed that since the fall court session was concluded, the captives should remain with the military and serve as guides if needed in a possible move against the Indians. The prisoners were sent to Fort Chokonikla where Twiggs hoped their families would come in and surrender. In a November 10 letter to Crawford, Twiggs admitted that he had not yet notified Governor Brown in Tallahassee that the prisoners were available.³³

On January 21, 1850, Twiggs, Bowlegs, and other Seminole leaders held a conference at Chokonikla to discuss possible emigration from Florida. At this conference, Twiggs announced a very attractive offer: each man was to be given a bonus of \$500, each woman and child \$100, and the leaders additional

30. Ibid.

31. Ibid.

32. Joseph B. Lancaster to O. B. Hart, April 27, 1852, Brown Correspondence.

33. Twiggs to Crawford, November 10, 1849, *Operations in Florida*, 136.

sums. Bowlegs promised to think it over, but some sixty other Seminoles readily accepted the offer and surrendered at Fort Arbuckle on the Kissimmee River. As this group moved towards Fort Hamer on the Manatee, others joined it making a total of seventy-four. On February 28, 1850, nineteen men (including the three prisoners), twenty-two women, fourteen boys, and nineteen girls boarded the steamer *Fashion* bound for New Orleans.³⁴ A total of \$15,953 was paid to the party of seventy-four persons including the prisoners who were now free from probable murder charges.

It took some time for officials in Florida and the Whidden family to understand what had taken place. Finally, under pressure by Whidden, the state of Florida indicated the three Indians April 27, 1852, on charges of murder. It was too late, however, for they were a thousand miles away.³⁵ Ossian B. Hart, solicitor for the Southern Judicial Circuit in Florida, hoped that Governor Brown would request that President Millard Fillmore order the return of the Indians, but nothing was done.

Before it can be concluded that a grave miscarriage of justice had taken place, both from the white and Seminole positions, more evidence must be considered. Several months before the February 1850 departure from Florida, Jim Jumper, the newly selected governor of the Western Seminoles, promised, in response to a letter written by Major General Edmund Pendleton Gaines, to send a delegation from Indian Territory to induce the Eastern Seminoles to join them. Marcellus Duval, Seminole sub-agent, finally obtained government approval of the trip and the sanction of a majority of the Western Seminoles. Halleck Tustenuggee, who favored removal, was appointed chairperson of the delegation that left Indian Territory on October 16, 1849.³⁶ With Duval representing the Indian Office, the group contained six Mikasukis (including Halleck Tustenuggee), three Muskogees, two Alachuas (former members of the Bowlegs band), and two interpreters. The delegation reached New Orleans, November 6, and Fort Brooke, November 10, 1849. Be-

34. Twiggs to Crawford, March 1, 1850, *Message of the President*, 84-85.

35. State of Florida to the Sheriff of Hillsborough County, April 27, 1852. "Indictment of the three Indians," Brown Correspondence.

36. Marcellus Duval to Commissioner of Indian Affairs Orlando Brown, November 5, 1849, *Message of the President*, 143-45; Edwin C. McReynolds, *The Seminoles* (Norman, 1957), 266.

fore beginning negotiations with the Florida Seminoles, Duval and his group, needing food and medicine for the trip into the wilderness, killed some deer near Fort Brooke and collected roots to make medicine.³⁷ The members of the delegation visited the three prisoners then being held at Fort Chokonikla to ascertain where the different Seminole camps were located so word could be sent that the delegation had arrived and that it wanted to meet with the Florida Seminoles.³⁸

The visit of the delegates to the fort at Paynes Creek produced some information concerning the recent disturbances. The prisoners told the delegates "there were many more Indians concerned in the murders (directly and indirectly) than reported to General Twiggs." The principal culprit had not escaped but was being protected by Sam Jones. Furthermore, the prisoners claimed that they had been "delivered as a sacrifice to save others" and to relieve the members of the tribe from responsibility for the murders.³⁹ The two attacks had been planned as retaliation for the law passed by the state of Florida on January 13, 1849, that forbade the Indians from leaving the reserve and levying a fine upon anyone selling them liquor. When the federal and state authorities reacted with the movement of nearly 2,000 troops in the area, the leaders felt it better to turn over to the whites several of the Indians who had taken part in the affair.

The view expressed by the Indian prisoners was likewise given by an unidentified writer to a newspaper at the same time. The two attacks were planned and made under the direction of Sam Jones. Several minor leaders and at least thirty warriors from both bands were in the neighborhood of the attacks and shared in the plunder taken from the store.⁴⁰ Since Sam Jones had refused to surrender any of the murderers or those who had taken the plunder, it was up to the great peacemaker Billy Bowlegs to make the needed adjustments.

Captain John C. Casey was the one who explored the matter, and he was able to identify the participants through information

37. Duval to Orlando Brown, November 12, 1849, *Message of the President*, 145-46.

38. *Ibid.*; Duval to Orlando Brown, November 19, 1849, *ibid.*, 146.

39. Duval to Orlando Brown, November 19, 1849, *ibid.*, 146.

40. Unidentified clipping, "Florida Indians 1836-1865," collection of newspapers from contemporary newspapers, Haydon Burns Public Library, Jacksonville, Florida.

supplied by Billy Bowlegs and other Seminole informants. The attack at Indian River was made by four Indians, including Hoithlemathla Hajo, Panukee, Kotsa Eleo Hajo, and Seh-taigee.⁴¹ In the killing of the storekeeper and clerk at Paynes Creek, Pahay Hajo, Gahouchee Hoithlemathla Hajo, and Kitso Hajo took part.⁴² When the Seminoles discovered that McCullough and his wife had survived and fled, three of them—Chipco, Pahay Hajo and Yahloochee—pursued and fired at the fleeing whites. Delivered to the whites at Charlotte Harbor were Pahay Hajo, who had taken part in the Peace River attack; Yahola Hajo, who had pursued McCullough; and Kotsa Eleo Hajo, who had been at Indian River. The hand of Hoithlemathla Hajo, who took part in the Indian River attack, was given to the whites. Lahtaigee was the one who escaped at Kissimmee River.⁴³ Thus, most of the alleged criminals had been surrendered to the whites, but Chipco and a few others had too much influence and power to allow their followers to be made captive.

Actually, the three prisoners may have been of help to Twiggs, for the two chiefs—Kapiritsootsee and Cacha Fixico, leaders of the band that had gone aboard the ships in February 1850—had lived along the Kissimmee River, the place where the prisoners had resided. It may have been due to their influence that Twiggs was able to attain a measure of success. Within a short time, most of the newly erected forts were decommissioned, the troops were transferred to other places, and the crisis in Florida appeared to have ended. It appeared also that Billy Bowlegs possessed the political power among the Seminoles, but actually it was Sam Jones and the “hard liners” who had made the decisions concerning the selection and surrender of possible murderers.

41. “Diary of Casey.” Hoithlemathla Hajo was difficult to identify from Casey’s list and one published in the Jacksonville *Florida News* August 27, 1853, but Panukee is 30 in a list of Sam Jones’s warriors, Kotsa Eleo Hajo 19 in the Jones list and Panukee 16 in Chipco’s warrior list.

42. It is difficult to identify Pahay Hajo and Gahouchee from the lists, but the other two took part in the Indian River attack.

43. “Diary of Casey.”