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MYTH, REALITY, AND ANOMALY: THE COMPLEX WORLD OF REBECCA HAGERTY*

by *Judith N. McArthur*

Studies that have examined the image of the Southern lady and delineated her role in antebellum society have emphasized a chasm between myth and reality.¹ In fiction, she was gently-bred, soft-spoken, and ornamental; in fact, the upper-class woman was a hard-working domestic administrator, responsible for feeding, clothing, and nursing her own household and dozens of slave dependents. A number of women were widows who managed the planting operations as well, with the assistance of an overseer and perhaps a grown son or two. Historians have focused on the Southern lady's role because her identity has been presumed to be beyond doubt: she was usually Protestant, generally of Anglo-Saxon descent, and always white. My purpose in this brief biographical sketch of an East Texas plantation mistress is to describe an anomaly. Rebecca McIntosh Hawkins Hagerty had all the requisite characteristics of a Southern lady, as well as an additional distinction that does not appear in the conventional list of attributes: she was a nearly full-blooded Indian with strong and enduring ties to a non-white culture.

The public record of Rebecca Hagerty's life is fragmentary and her biography is not easy to construct. She did not keep a diary or a journal. If she wrote letters, she did not preserve copies; her papers consist almost entirely of records of business transactions and legal proceedings. Census schedules, tax rolls, and probate records fill in some, but not all, of the gaps. Two accounts of her private life—a slave narrative collected by the Federal Writers Project and a 1974 newspaper feature—contradict both each other and a substantial amount of the public record. Lucy Thomas, a former slave who lived on a plantation adjoining one of Hagerty's, told a Federal Writers Project interviewer that Hagerty's first husband was a Caddo Indian chief who had been murdered and scalped by his tribesmen for betraying them to the whites. Thomas further claimed that Hagerty kept a slave woman chained to a loom for a year and that at the end of the Civil War she poisoned her slaves and buried them at night rather than see them freed.² An account published forty years later in the *Marshall News-*

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* I would like to thank Randolph B. Campbell for commenting on a draft version of this article and especially for drawing my attention to relevant material in the slave narratives and the Cass County probate records.

Messenger describes a considerably more conventional woman, a matriarchial *grande dame* who was said to have employed a governess to oversee a houseful of children and grandchildren, and to have disciplined an unruly granddaughter by forcing her to sit on a stool and embroider.³ The contradictions of Rebecca Hagerty's story are complex: while she can be regarded as a very typical Southern woman in many respects, she was also a very different one, and her differentness generated a lingering mythology from which the real woman can be extracted only with difficulty.

I. Prologue: A Daughter of the McIntosh Clan

It is one of the more subtle ironies of Rebecca Hagerty's situation that she was as distinguished in descent as any of her white planter neighbors with their traditional Southern reverence for family and bloodline. Born in Georgia in 1815, she was the daughter of William McIntosh, the half-Scottish chief of the Lower Creek Nation, and his second wife, Susannah Coe, a full-blooded Creek.⁴ Although he was a powerful tribal chief, William McIntosh was intimately connected with the surrounding white culture and, like most of the Lower Creeks, had absorbed many non-Indian values. He held a general's commission in the U. S. Army and fought with Andrew Jackson in 1814 at the Battle of Horseshoe Bend, Alabama, leading the "loyal" faction of the Creek Nation and some Cherokee allies to victory over the nationalist Upper Creek contingent that had joined Tecumseh's confederacy and instigated the Red Stick (or Creek) War.⁵

The McIntoshes were part of the elite class of assimilated mixed-blood families who, under the guidance of Southern Indian agents, had adopted the lifestyle of the encroaching white culture and became cotton planters and slave owners. According to a historian who has documented the family history, "Chief McIntosh amassed considerable wealth and his plantation home at Indian Springs, Georgia, where he was served by a retinue of negro slaves, and where his herds and flocks grazed at will, was elegant in all its appointments." Rebecca and her younger sisters, Delilah and Catherine, and brother, Daniel, were Chief McIntosh's second family. By his senior wife he had a family of older children, two of whom, Chillicothe and Jane, would maintain close ties with Rebecca Hagerty throughout her life.⁶

William McIntosh's extensive ties in the white community led him to advocate voluntary removal as the only permanent solution to the increasing tensions between white settlers and the Indians of the lower South collectively known as the Five Civilized Tribes. His accommodationist views ultimately were his undoing. In 1811 the Creeks had passed a law, on McIntosh's recommendation, that promised the death penalty to any chief who participated in an unauthorized sale of tribal

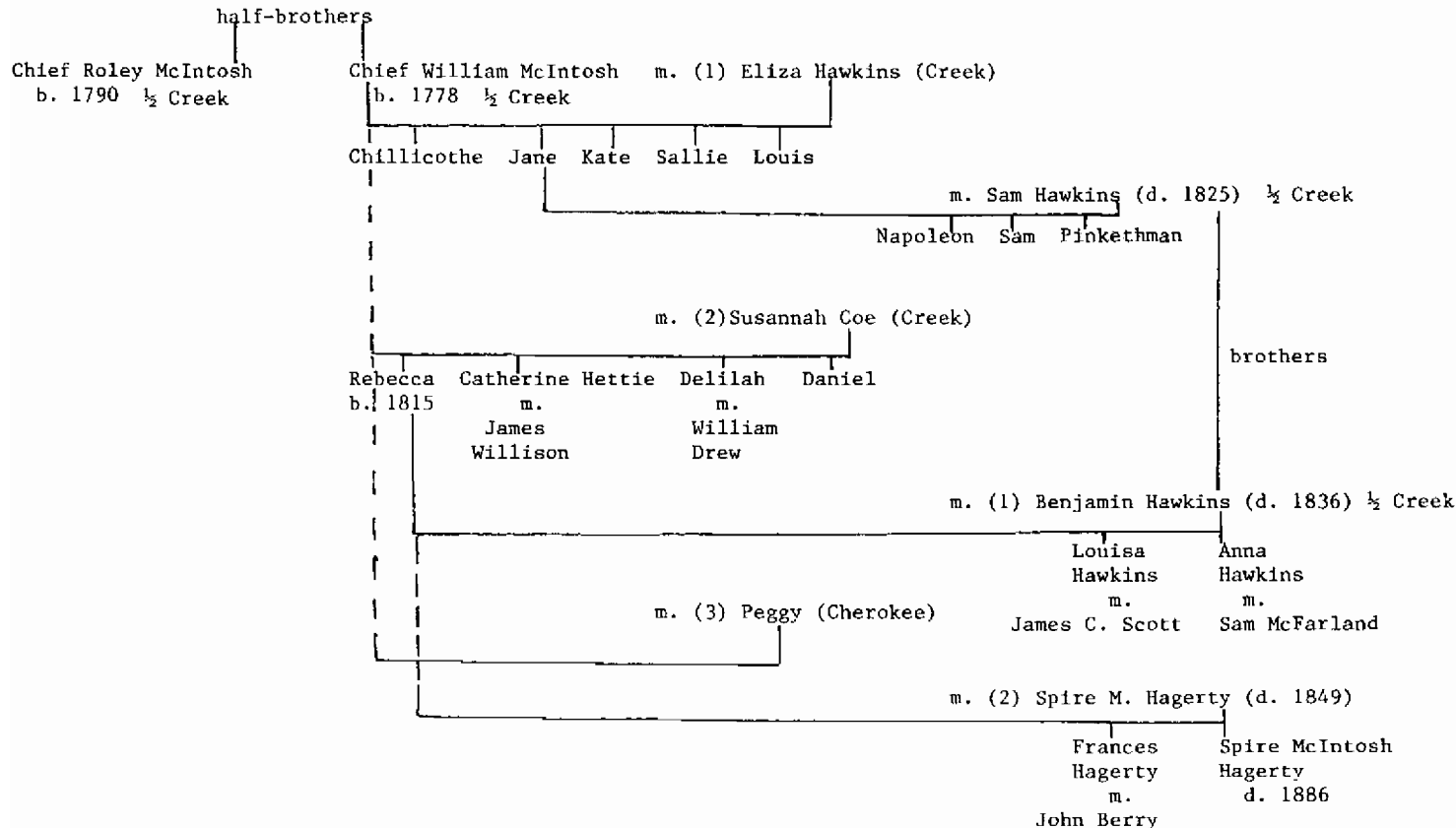
land. The neighboring Cherokees, under the leadership of Chief John Ross, were also resisting white attempts to appropriate their remaining lands, and their example apparently strengthened the Creeks' resolve. A Creek council in 1824 issued a declaration affirming the intention never to part with another foot of territory, and a succeeding assembly of chiefs re-enacted the law forbidding unauthorized sale of land.⁷

William McIntosh's violation of this law, and his subsequent murder by his own people, is well-known in Creek history. It is probably the basis of the dramatic but inaccurate story of betrayal and revenge that the slave Lucy Thomas recounted, with local geography and personalities superimposed on a remote historical event. In 1825, when Rebecca was ten years old, McIntosh and a group of lesser chiefs signed a treaty ceding all Creek lands in Georgia and a portion in Alabama in exchange for a tract of land in what is now Oklahoma. McIntosh's motives may have been monetary as well as ideological, for evidence suggests that he accepted a generous bribe in return for his signature; he had written a letter to the incorruptible John Ross in 1823 suggesting that the Cherokee leaders could collect substantial rewards for land cessions⁸

Creek retaliation was swift. A council passed a death sentence against McIntosh and appointed an assassination squad to carry out the verdict. The avengers set fire to McIntosh's house and shot him and another signer as they emerged. McIntosh's scalp was carried back as proof that the Council's order had been fulfilled. His son-in-law and lieutenant, Sam Hawkins, was also murdered. Hawkins was a mixed-blood who had married Rebecca's older half-sister, Jane; his younger brother, Benjamin, who escaped with a wound, would become Rebecca's husband six years later.

In spite of the Council's resolve, the Creeks were not strong enough to resist the U. S. government in its determination to remove them from the lands coveted by the encroaching white settlers. They were forced to give up all their remaining Georgia territory in 1826, the year after McIntosh's murder. Rebecca's older half-brother, Chillicothe "Chilly" McIntosh, led the first group of migrants and their slaves to Arkansas Territory (later called Indian Territory), where they settled, early in 1828, at the Three Forks of the Arkansas, Verdigris, and Grand Rivers, near Fort Gibson and the Western Cherokee Nation.⁹ There Roderick "Roley" McIntosh, William's half-brother and Rebecca's uncle, served as chief of the McIntosh faction of the tribe. When the Alabama Creeks were forced to migrate to the Western Creek Nation in 1837, he became chief of all the Lower Creeks. Ultimately, upon the joining of the Upper and Lower Creeks in 1840, he became Principal Chief and remained head of the tribe until 1859.¹⁰

THE FAMILY OF REBECCA McINTOSH HAWKINS HAGERTY



Although nothing is known of Rebecca's years in the Western Creek Nation, she probably enjoyed a lifestyle comparable to that of a white planter's daughter on the antebellum southwestern frontier. A trader who frequently visited the chief and other wealthy mixed-blood Creeks reported that the women rode sidesaddle and dressed in the fashion of the whites. Chilly McIntosh and his family were rich and comfortable, and insulated from the "privations and sickness" that most of the tribe endured.¹¹ The McIntosh Creeks lived in large, well-furnished plantation houses, raised cotton and livestock, and shipped the surplus to distant markets.¹² They observed a slave code reminiscent of the laws in force throughout the Southern states. Abolitionist sentiments were unpopular, and the Creeks regarded missionaries who preached emancipation with open hostility. In 1835 Chief Roley McIntosh, one of the largest slaveowners, filed misconduct charges against the missionaries, and the Indian Agent had them banished from the Nation.¹³

II. Marriages, 1831-1849

Rebecca McIntosh married in 1831, and as was appropriate for the daughter of a dead chief and the niece of a presiding one, she married an influential man. Benjamin Hawkins, an educated mixed-blood Creek, was a close friend of Sam Houston; the two apparently collaborated on trading enterprises in the Western Cherokee Nation, speculation in Tennessee lands reputed to contain gold, and attempts to get Indian rations contracts from the U. S. government.¹⁴ He was certainly not a Caddo chief, as the slave Lucy Thomas claimed, and apparently neither a Princeton-educated lawyer nor Houston's legal adviser, as the *Marshall News-Messenger* reported. The paper's claim that Benjamin Hawkins and his brother, Sam (who had been murdered with William McIntosh in Georgia), may have been the sons of the influential and highly-regarded Indian agent named Benjamin Hawkins who lived for years in the Creek Nation in the East, is not confirmed in any account of the agent's life.¹⁵

The evidence does not reveal how Benjamin Hawkins and Sam Houston became acquainted, although their paths could have crossed at several points.¹⁶ His friendship with her husband had significant consequences for Rebecca McIntosh Hawkins, however. Sometime in 1833 or 1834, she and Hawkins and their small daughter, Louisa, moved from Arkansas Territory to Mexican Texas and settled near Nacogdoches. Here a second daughter, Anna, was born.

The evidence of this period is scanty; it reveals almost nothing about Rebecca and only a little about her husband.¹⁷ Apparently he conspired with Houston, who seems to have had dreams of heading an Indian empire in Texas, to settle 5,000 Creeks on a tract of land

north of Nacogdoches.¹⁹ Hawkins brought Opothleyahola, the leader of the Upper Creeks, to Texas, where he negotiated for land owned by a New York company in which Houston had an interest. The Creeks were to pay \$28,000 for the land, and Opothleyahola gave a down-payment of \$20,000.¹⁹

Houston apparently had suggested that Hawkins approach Opothleyahola. He concealed his interest in the matter, however, by signing the letter that the Nacogdoches Committee of Vigilance and safety sent to President Jackson on September 11, 1835, expressing concern over the proposed Creek settlement and asking him to intervene to prevent it.²⁰ By January 1836 a Committee on the State and Judiciary was calling the proposed introduction of Creek settlers "criminal," and it requested that the government investigate the matter and determine the identities of the Texas citizens involved.²¹

A Cherokee band under Chief Bowles, who had settled on a nearby tract some years earlier under a grant from the Mexican government, was also hostile to the proposed Creek community. The Cherokees were fighting a losing battle to have their Mexican land claims acknowledged by the government of Texas, and were not kindly disposed toward the encroachment of the Creeks and the additional hostility that it generated in the white community. Although no evidence supports Lucy Thomas's story that Hawkins "betrayed the Indians to the white folks" and hid with his wife in a cave, she was correct in claiming that he was killed by Indians. Hawkins was murdered by Cherokee—not Caddo—Indians in 1836.²²

Benjamin Hawkins' projected Creek settlement never materialized, but Rebecca Hawkins, left a young widow with two small daughters, did not take refuge in the settled plantations of her rich Indian relatives in Arkansas Territory. To the estate she had acquired from her husband, she steadily added land and slaves of her own through purchases from her extended family. Although there is no evidence of how she came to have such large sums of money, she spent over \$13,000 on land and slaves in the first few months of 1838. In February she paid Thomas M. Hawkins \$500 for his league and labor of land, and the following month she bought the interest of her nephew, Sam Hawkins, Jr., in his deceased father's estate for \$3,000. That same day, March 19, she purchased twenty slaves—two couples with children and a young woman and her son—from another of her sister Jane's sons, Pinkethman Hawkins, for \$10,000.²³

In March, 1838, Rebecca Hawkins also married again. Her new husband, Spire M. Hagerty, was a white man who owned a plantation called Phoenix near Marshall, in the area that soon became Harrison County. Hagerty's background is obscure, but he had apparently

moved to Texas from Alabama. Thomas Woodward's *Reminiscences of the Creek or Muscogee Indians* claims that Hagerty had been married previously to the daughter of a white man and a "Tuckabatchy [sic]" woman, from whom he acquired property, and that after moving to Texas he "put her away" and married "a widow Hawkins."²² Hagerty petitioned successfully to be named the executor of his wife's estate from Ben Hawkins, and he and Rebecca had two children, Frances (Fannie) and Spire Jr., born in 1848 and 1849, who survived to adulthood. During this decade, members of Rebecca Hagerty's extended family began to appear in East Texas. At some point in the 1840s her two younger sisters, Delilah Drew and Catherine Willison, and their husbands and children came to Cass (later Marion) County and settled in the vicinity of Jefferson.

The Hawkins-Hagerty marriage was not a success. The undocumented account in the *Marshall News-Messenger*, the only available evidence, asserts that Spire Hagerty's bouts of drinking and abusiveness strained the relationship and that the couple separated frequently. In January 1849 Rebecca Hagerty, perhaps permanently estranged from her husband, signed a purchase agreement with her brother-in-law, James Willison for a property north of Jefferson called Refuge Plantation.²³ Apparently they bought the plantation as guardians of the Willison children and Louisa Hawkins, Hagerty's eldest daughter, because a year later James Willison petitioned in Cass County court for permission to sell the half of Refuge belonging to his four minor children. Willison claimed that the children's slaves had not made a cotton crop sufficient to pay what they still owed for their undivided half of the plantation and asked permission to sell his children's half of Refuge to Rebecca Hagerty.

Hagerty's own petition, asking permission to buy, stated that in her capacity as guardian for her daughter, Anna Hawkins, she had recently come into a large estate of "Negroes and other property suitable for farming purposes." She pleaded that since the other half of Refuge belonged to Anna's sister, Louisa, it would be preferable to have the two sisters' property together on one estate where it could be properly and profitably administered. On January 27, 1851, the court gave her permission to purchase the 1,700 acres comprising the Willisons' half of Refuge Plantation. She was to farm it jointly with her daughter, Louisa Hawkins Scott, who had married in April of the previous year, and manage Anna Hawkins' share of it.²⁴

III. Planter and Matriarch

Refuge was the second plantation to come under Hagerty's management. In December 1850, she had won a court battle to be made executor of Phoenix Plantation in Harrison County, the estate of her

second husband, who had died in Alabama the year before.²¹ Spire Hagerty's will, probated in Harrison County, had left Phoenix entirely to his small daughter, Frances. Spire Jr., he contended, was not his son, since his wife had left his home before the child was conceived.²² The details of the Hagertys' marital troubles cannot be reconstructed, but the record shows that Rebecca Hagerty went promptly to court to contest the disposition of Phoenix Plantation.²³

By 1851 she was administering two plantations, Refuge in Cass County, for the children of her first marriage, and Phoenix in Harrison County, for the children of the second. At Refuge she had the advantage of undisputed ownership and a son-in-law, James Scott, to help out, but the administration of Phoenix was more complex. In April 1851, she notified the court that executors in Louisiana controlled property that Spire Hagerty had owned in Caddo Parish and that this estate, consisting of \$12,000 worth of slaves, livestock, personal property and money, belonged to Fannie and Spire Jr. She posted an additional guardian's bond of \$75,000, for which four of her male neighbors signed as sureties, and was granted permission to go to Louisiana and remove the property to Harrison County. A few months later, in August, she gave notice that a large amount of money was due the children in Arkansas and asked permission to go and prosecute the interest for them.²⁰

Phoenix Plantation itself was the object of intense legal wrangling. Within a year after Hagerty assumed the administration of the property in 1850, the executors of Spire Hagerty's estate sued in Harrison County to have it returned to them. They charged that Hagerty had not accounted to the court for her use of the property, and that she had managed it and hired out the slaves without the required court orders. Most significantly, they claimed that since taking possession of the estate she had begun a series of lawsuits against the executors which they would be unable to meet if judgment were rendered against them.

The court returned control of the estate to the executors, and although they won the battle, the war went to Hagerty. As early as July 1850, she had engaged a Shreveport law office to advise her on the possibility of breaking her husband's will. The attorneys had concluded that adultery was not grounds for disinheritance and that children born during a marriage were presumed born of it and consequently were legal heirs. They advised Rebecca that she was entitled to one-half of Spire Hagerty's property and the use of the other half for as long as she remained widowed.²¹ In 1854 the will was struck down, with half the property going to Hagerty and the remaining half divided between Fannie and Spire Jr., for whom she remained legal guardian.²²

Hagerty's business records indicate that she managed her extensive

holdings astutely. The inventory of Phoenix Plantation that she filed in January 1852, while the executors were attempting to regain control, shows 179 bales of cotton harvested from the 1851 crop and a slave population of 61. The plantation assets included 70 hogs, 266 head of cattle, 4,000 pounds of pork and 1,800 bushels of corn from the previous year's crop. The cotton marketed in 1852 sold for \$9,340, but the 210 bales made in 1853 brought only \$6,522.

Rebecca Hagerty, however, increased her overall net worth in the antebellum years. Her annual report to the Cass County Court for 1853 showed an operating profit of \$10,388; by December 1861, it was \$35,866.³² The cotton crop from Phoenix had risen to 354 bales in 1860, from holdings of 1,350 acres, three-fourths of it cleared land. Less complete records for Refuge Plantation, where the family lived and Hagerty presided, showed that cotton and hides were shipped to New Orleans whenever the river was high enough to permit steamboats to dock at Smithland. In return, the exchange broker supplied Rebecca Hagerty with household furnishings, medicines, books, and the requisites of gracious living. Invoices from February and March 1852, show that Refuge Plantation shipped 310 bales of cotton to market and ordered half a dozen lobsters, assorted quantities of brandied cherries, peaches, and pears, a keg of almonds, and a demijohn of old brandy.³⁴

Rebecca Hagerty gave her occupation as "farmer" to the Federal census takers in 1860, and declared her net worth as more than \$30,000 in real estate, \$82,000 in personal estate.³³ She controlled two plantations which yielded an annual combined cotton crop of 500-600 bales or more. To the 1860 census taker she reported owning 102 slaves; in practice she controlled more than 150. Tax rolls for 1860 show 72 slaves at Refuge and 80 at Phoenix, and while some of them would have belonged legally to her children, the plantations on which they resided were under Hagerty's administration. With 3,296 acres, she was the fourth largest landowner in Marion County. In much larger Harrison County, where she managed her youngest children's estate, she was also a major planter. Only a handful of residents owned 70 or more slaves, and only one, with over 100, was larger.³⁵ Hagerty was in fact one of the richest citizens in the entire state. Only 260 Texans held more than \$100,000 total property in 1860, and of that number a mere 15 were women.³⁷ Only 1.9 percent of the total population of Texas owned real property worth \$20,000-\$49,999 in 1860; in East Texas only 1.1 percent did. A mere 0.5 percent of all Texas planters made more than 200 bales of cotton annually.³⁸ Fifty-four Texans, 0.1 percent of the population, claimed one hundred or more slaves in 1860; Rebecca Hagerty was the only woman in this elite group.³⁹

By 1860 this rich Creek woman planter had gathered a large

extended family around her in Marion County. Daughter Louisa was married to James C. Scott who sometimes acted as Hagerty's business agent in New Orleans. Daughter Anna was living at Smithland with her husband, Sam McFarland, and baby daughter. In the Jefferson area were Hagerty's two younger sisters and their families: Delilah and William Drew and their teenaged son and daughter, and Catherine and James Willison and their four children. The eldest Willison daughter, Kiametia, had already married Thomas Scott and set up housekeeping near Jefferson; the young couple were the parents of two small children.⁴⁰

At the same time that she presided as clan matriarch in East Texas, Hagerty was in regular communication with other Creek relatives in Indian Territory. She seems to have sent merchandise periodically: an 1851 invoice from her factor in New Orleans includes a shipment to the Creek Agency, and a letter from her half-sister, Jan McIntosh Hawkins in 1858 lists clothing and household goods that Hagerty was to order, perhaps for resale at Hawkins's store.⁴¹ Between 1851 and 1859, she also bought more than 30 slaves from Chickasaw, Creek, and Cherokee vendors, and some receipts specify that the transactions took place in the Indian Nations. Her brother, Daniel N. McIntosh, sold slaves to her in 1853 and 1859, and she hired nine bondsmen from Jane Hawkins in 1854.⁴²

Slavery and the cotton economy bound Rebecca Hagerty to antebellum white society, created her wealth, and conferred her status as a Southern lady. Although the Creek Nation underwent an internal conflict of its own, dividing along North-South lines during the Civil War, Hagerty's McIntosh relatives also felt strong ties to the South and its peculiar institution. As in the Southern states, slaveholding among the Creeks in Indian Territory was concentrated in a narrow strata of the population and created great wealth for a small number of families.⁴³ At the outbreak of the Civil War, the McIntoshes were among the richest of these slave owners.⁴⁴ So great was their wealth, for example, that at funeral observances for his daughter a few years before the war, Roley McIntosh fed between 800 and 1,000 people during three days of preaching.⁴⁵

With the country on the verge of splitting in two, families like the McIntoshes feared the consequences of a Federal invasion. In 1859 old Roley McIntosh relinquished his position as chief, and reportedly moved to Texas to live with his widowed niece, Delilah Drew, near Jefferson.⁴⁶ Both of Hagerty's brothers sided with other Lower Creeks of mixed blood, took up arms for the South and fought with the Trans-Mississippi troops.⁴⁷ Daniel, with a colonel's commission, led a regiment of Confederate Creeks; Chilly, a lieutenant colonel, commanded a battalion.⁴⁸

As for Rebecca Hagerty, years of cultural assimilation and residence in Marion County, where plantation agriculture dominated the economy, slaves outnumbered whites, and the vote for secession was 467-0, meant that she would suffer the fortunes of the Confederacy along with her white neighbors. Jefferson's position as the terminus of Red River navigation made it a strategically important supply depot for the Trans-Mississippi Department." Like most Southerners, Rebecca Hagerty and her son-in-law, Sam McFarland, sold cattle and hogs to the Confederate Commissary and lost money on the transactions. The receipts for these sales are marked "not paid for want of funds."³⁰ In December 1864, with the Confederacy in its death throes, she turned in almost \$8,000 "old issue" banknotes for two-thirds of that amount in "new issue" currency, which was valueless after the war.³¹

Hagerty's fortunes, like those of her white neighbors, were greatly reduced by the war. There is no way of verifying or disproving Lucy Thomas's claim of poisonings in the slave quarters, a neat inversion of the nagging suspicion of antebellum planters that slaves frequently plotted to poison the inhabitants of the big house. The days of luxury and expansive wealth made possible by slave labor, however, were at an end. The woman who appears in the 1860 census as a planter worth \$33,000 in real estate and \$82,000 in personal estate, reported herself ten years later as "keeping house" with assets of \$6,000 in real property and \$695 in personal property. Living with her were Fannie, 22, and Spire Jr., 20, and two grandchildren, Louella and Samuel McFarland, the children of her daughter Anna, who had died during the war. Also in the household were two young men who gave their birthplaces as Indian Territory and their occupations as "working on the farm."³²

The end of the old plantation lifestyle and the financial retrenchment that accompanied the end of the Civil War caused the East Texas McIntoshes to feel their ties with the Creek Nation more strongly than ever. In 1866 Hagerty and her niece, Susannah Drew, the daughter of Delilah McIntosh Drew, made a trip to Indian Territory. There they hired some Cherokees to build a log ranch house, where they stayed for several months before returning to Texas. In 1867 Susannah took her mother and the family's negro servants back to Indian Territory to live.³³ Two years later William, David, and John Ingram, residents of Indian Territory whose relationship to Rebecca Hagerty is unknown, appointed her their attorney and agent to sell "or make whatever disposition she should see fit" of their plantation in Harrison County.³⁴ Louisa Hawkins Scott, separated from her husband, also went back to Indian Territory.

Hagerty and her remaining children, Fannie and Spire Jr., went into a business with a Jefferson merchant named T. B. Goyner that

apparently was not a great success. Hagerty's papers include promissory notes totalling more than \$3,000 that the group signed and were sued for in 1876 and 1880.⁶⁵ According to the *Marshall News-Messenger*, Spire Jr. acquired a reputation for gambling and hard drinking. He owned a saloon in Jefferson and lived in the Excelsior House Hotel, where he died of tuberculosis in 1886. Rebecca Hagerty died not long afterward, while visiting her brother Daniel in Indian Territory, and was buried in Checotah, in what is now McIntosh County, Oklahoma.⁶⁶ Of her four children, only Fannie, who married John H. Berry, survived her, and she too, ultimately returned to Indian Territory. The tribal census conducted near the turn of the century shows Frances Berry and her three children, Adesta, Josephine, and Spire McIntosh, as residents of the Creek Nation.⁶⁷

One facet of Rebecca Hagerty's life, and it is potentially the most interesting one, cannot be reconstructed. In the absence of diaries, memoirs, interviews, or oral histories, it is not possible to know Hagerty's feelings about her activities as a planter and businesswoman or about her mixed racial heritage. Nor is there any available evidence to suggest how white residents felt about the three rich Indian families living near one another in Marion County. Hagerty's daughters apparently married white men, and it is worth noting that when Hagerty herself filed her second guardianship bond for the estate of her younger children, she did not have to rely on her son-in-law or brothers-in-law as guarantors; the signatories must have known her well and believed that they ran no risk in guaranteeing \$75,000.

Lucy Thomas's story, wildly inaccurate as it appears to be, suggests, however, that Rebecca Hagerty's Indian ties and history must have been well-enough known in the area to have permeated even the slave quarters. Despite the fact that she was a Southern lady who administered two plantations, shipped her cotton crop to New Orleans, and lived in style and comfort on the proceeds, the durable stereotype of the treacherous, murdering Indian still managed to take root. By all the external evidence, Rebecca McIntosh Hawkins Hagerty seems to have been a conspicuous success in the white, male-dominated society in which she lived; by what standards she herself evaluated her life, we cannot ascertain.

NOTES

¹See Anne Firor Scott, *The Southern Lady: From Pedestal to Politics, 1830-1930* (Chicago, 1970), and Catherine Clinton, *The Plantation Mistress* (New York, 1982).

²George P. Rawick, *The American Slave: A Composite Autobiography*, Ser. I, vol. 5, Texas Narratives, part 4 (Westport, Conn., 1972), p. 90.

³Marshall News-Messenger, August 25, 1974.

⁴John Bartlett Meserve, "The MacIntoshes," *Chronicles of Oklahoma*, 10 (September 1932), p. 313.

⁵Donald E. Green, *The Creek People* (Phoenix, 1973), pp. 34-37; Angie Debo, *The Road to Disappearance* (Norman, 1941), pp. 78-82, 87.

⁶Meserve, "The MacIntoches," pp. 313-314, 321, 324. William McIntosh was married concurrently to three women. By Peggy, a Cherokee, he apparently had no children. By his senior wife, Eliza Hawkins, he was the father of Chilli-cothe, Jane, Kate, Sallie, and reputedly, a son named Louis, who did not survive. The pressures of the expanding cotton frontier on Southern Indian tribes and the U.S. government's policy of "civilizing" them in order to facilitate land cessions is discussed in Daniel H. Usner, Jr., "American Indians on the Cotton Frontier: Changing Economics with Citizens and Slaves in the Mississippi Territory," *Journal of American History*, 72 (September 1985), pp. 297-317.

⁷Debo, *The Road to Disappearance*, pp. 87-88.

⁸Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist* (Cleveland, 1915), p. 236. John Bartlett Meserve, who also reprints the incriminating letter, regards McIntosh as a bribe-taker who was in the pocket of government officials.

⁹Debo, *The Road to Disappearance*, pp. 90-91, 95.

¹⁰Grant Foreman, *The Five Civilized Tribes* (Norman, 1934), pp. 166-67, 216.

¹¹Grant Foreman, *The Five Civilized Tribes*, pp. 149, 163, 189, 199; Green, *The Creek People*, p. 58.

¹²Debo, *The Road to Disappearance*, p. 110.

¹³Janet Halliburton, "Black Slavery in the Creek Nation," *Chronicles of Oklahoma*, 56 (Fall 1978), pp. 303-305, 308.

¹⁴Jack Gregory and Rennard Strickland, *Sam Houston with the Cherokees, 1829-1833* (Austin, 1976), pp. 114, 130, 150-51; Donald Braider, *Solitary Star: A Biography of Sam Houston* (New York, 1974), pp. 99, 107; Marquis James, *The Raven: The Story of Sam Houston* (New York, 1929), p. 126; Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland, 1926), p. 186.

¹⁵A wealthy North Carolina planter, Senator, and former delegate to the Continental Congress, Benjamin Hawkins instructed the Creeks in plantation-style agriculture and encouraged them to grow cotton with the use of slave labor. His biographer, Merritt B. Pound, in *Benjamin Hawkins—Indian Agent* (Athens, Ga., 1951), reports several daughters but only one son, James Madison Hawkins, as does Thomas S. Woodward, *Woodward's Reminiscences of the Creek, or Muscogee Indians, Contained in Letters to Friends in Georgia and Alabama* (Montgomery, Ala., 1859). Pound says there is no evidence that Hawkins followed the common practice of taking an Indian wife and claims that he declined the offer of a woman referred to as the Queen of the Tuckabatchee to live with him. Hawkin's own report of the incident does not support this assertion. See Benjamin Hawkins, *A Sketch of the Creek Country in the Years 1798 and 1799*, Collections of the Georgia Historical Society, vol. III, pt. 1

(Savannah, 1848), p. 7.

¹⁶Houston had fought with Andrew Jackson and the Creeks at the Battle of Horseshoe Bend. He passed through Creek Country again in 1829, when he turned his back on white society and took up residence in the Western Cherokee Nation; there he operated a store with John Drew, the brother-in-law of Rebecca's sister, Delilah. Houston had scarcely arrived in Arkansas Territory when a huge delegation of Creek Indians, led by Roley McIntosh, appeared at Fort Gibson with a petition for relief to President Jackson. Houston forwarded it to his old mentor with a note urging that the complaints be investigated. By 1830 he was dramatizing the McIntosh history in his series "The Indians!" for the *Arkansas Gazette* and petitioning the U. S. government for redress of Indian grievances. James, 111-113; Amelia W. Williams and Eugene C. Baker, eds., *The Writings of Sam Houston*. Vol. 1, 1813-36 (Austin, 1938).

¹⁷A bill of sale shows that Hawkins sold his wife, a slave woman and two children for \$800 in November 1834, perhaps as a legal safeguard, for the following March two men referred to as M. Garrett and Migel Cortinas filed an action of debt against him for an unspecified amount. Three days later a \$10.00 fine was recorded against him for an unnamed "infraccion a las ordenanzas municipales." Hawkins Family Papers, Folder 3, Rebecca McIntosh Hawkins Hagerty Papers, Barker Texas History Center, University of Texas at Austin; Nacogdoches Archives, March 17, 1835, vol. 78, p. 160; March 20, 1835, vol. 78, p. 177; June 27, 1835, vol. 80, p. 177; June 29, 1835, vol. 80, p. 183, Barker Texas History Center.

¹⁸Juan N. Almonte, "Statistical Report on Texas, 1835," trans. by Carlos E. Castaneda, *Southwestern Historical Quarterly*, 27 (January 1925), p. 251, documents the existence of a Creek camp north of Nacogdoches in 1834.

¹⁹Gregory and Strickland, 150. In the Nacogdoches Archives, February 13, 1835, vol. 76, pp. 204-206, there is a reference to Hawkin's interest in an undated meeting that a Don Justo Liendo attended with an unspecified group of Indians.

²⁰*The Writings of Sam Houston*, vol. 1, pp. 205-206.

²¹Anna Muckleroy, "The Indian Policy of the Republic of Texas," *Southwestern Historical Quarterly*, 25 (April 1922), p. 259. See also Ralph W. Steen, "Analysis of the Work of the General Council, Provisional Government of Texas, 1835-1836," *Southwestern Historical Quarterly*, 40 (April 1937), p. 322.

²²Grant Foreman, *Pioneer Days in the Old Southwest*; *Marshall News-Messenger*, August 25, 1974.

²³Hawkins Family Papers, Folder 3, Hagerty Papers, BTHC.

²⁴Woodward, *Woodward's Reminiscences . . .*, p. 104.

²⁵Other Legal Documents, Folder 6, Hagerty Papers.

²⁶Cass County, Final Records of the Probate Court, vol. 2, 1849-51 (microfilm in Texas State Library); Frances Terry Ingmire, *Cass County, Texas, Marriage Records, Books 1-2-3-4, 1847-1880* (St. Louis, Mo., 1981).

²⁷Legal Documents, Hagerty Papers.

²⁸Spire M. Hagerty Papers, Folder 4, Hagerty Papers; *Marshall News-Messenger*, August 25, 1974.

²⁹Legal Documents, Hagerty Papers.

³⁰Cass County, Final Records of the Probate Court.

³¹Legal Documents, Hagerty Papers.

³²Legal Documents, Hagerty Papers.

³³*Marshall News-Messenger*, August 25, 1974.

¹³Legal Documents, Hagerty Papers.

¹⁴Financial Records, Folder 7, Hagerty Papers. See also Scott and McFarland Family Papers, Folder 9, and Rebecca Hagerty Correspondence, Folder 8.

¹⁵U. S. Eighth Census, 1860, Schedule No. 1, Free Inhabitants (microfilm, Barker Texas History Center). This section of the microfilm is difficult to read. The personal worth figure appears to be \$32,000, although Louise Bullard Blackburn, *1860 Federal Census: Marion County, Texas* (Jefferson, Tex., 1966), p. 12, transcribes it as \$33,000. Fred Tarpley, *Jefferson: Riverport to the Southwest* (Austin, 1983), p. 82, gives \$35,000.

¹⁶Tax Rolls, Marion County (Texas), 1860; Harrison County (Texas) 1860, (microfilm, Texas State Library). There is also a transcription of the 1860 Marion County Tax Roll in Blackburn.

¹⁷Ralph A. Wooster, "Wealthy Texans, 1860," *Southwestern Historical Quarterly*, 71 (October 1967), p. 177.

¹⁸Randolph B. Campbell and Richard G. Lowe, *Wealth and Power in Antebellum Texas* (College Station, 1977), pp. 38, 49, 80.

¹⁹Ralph A. Wooster, "Notes on Texas' Largest Slaveholders, 1860," *Southwestern Historical Quarterly*, 65 (July 1961), p. 79; Campbell and Lowe, *Wealth and Power . . .*, p. 41.

²⁰U. S. Census, 1860.

²¹Jane Hawkins to Rebecca Hagerty, March, 1858, Hagerty Papers.

²²Other Legal Documents, Folder 6, Hagerty Papers.

²³Andre Paul DuChateau, "The Creek Nation on the Eve of the Civil War," *Chronicles of Oklahoma*, 52 (Fall 1974), pp. 310-311. In 1860 the 1,651 slaves in the Creek Nation belonged to 267 individuals; two owned more than 75.

²⁴Meserve, "The MacIntoches," p. 323.

²⁵Grant Foreman, *The Five Civilized Tribes*, p. 208.

²⁶Meserve, "The MacIntoches," p. 320, makes this claim. If he did go to Jefferson it must have been a bit later. The 1860 census shows Delilah's husband still living and Roley McIntosh is not listed as a resident of any of the family households.

²⁷DuChateau, "The Creek Nation . . .", p. 315.

²⁸Debo, *The Road to Disappearance*, pp. 150, 155.

²⁹Tarpley, *Jefferson*, pp. 82, 94.

³⁰Scott and McFarland Family Papers, Folder 9, Hagerty Papers.

³¹Financial Records, Folder 7, Hagerty Papers.

³²U. S. Ninth Census, 1870, Schedule No. 1, Free Inhabitants. Rebecca Hagerty's Papers (Other Legal Documents, Folder 6) show, however, that she had paid \$2,000 the year before to John W. Scott for his interest in the estate of his father, from whom she and James Willison had bought Refuge Plantation twenty years before.

³³Caroline Foreman, "A Creek Pioneer," *Chronicles of Oklahoma*, 21 (September 1943), p. 274.

³⁴Other Legal Documents, Folder 6, Hagerty Papers.

³⁵Other Legal Documents, Folder 6, Hagerty Papers.

³⁶*Marshall News-Messenger*, August 25, 1974.

³⁷Commission and Commissioner to the Five Civilized Tribes, *Index to the Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory* (Washington, 1907), p. 557.