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James W. Covington

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THE SEMINOLE INDIAN MURDERS OF DANIEL HUBBARD

By JAMES W. COVINGTON, Ph.D.

In August, 1850 an orphan boy disappeared from a farm and after an investigation, it was determined that he had been carried off by Indians and murdered. Billy Bowlegs, a principal leader, was notified of the incident and after some time delivered three alleged murderers of the boy to civil authorities at Tampa where they were confined in the Hillsborough County Jail. Within a short time their bodies were discovered hanging from bars in the cell—death by suicide or murder. This is the account of the rather strange events that took place during the apprehension of the alleged criminals.

On Aug. 6, 1850 an orphan who lived on the farm of Jesse Sumner located near the boundary line of Benton and Orange Counties disappeared.1 The boy had been sent by Sumner to the nearby farm of Edward Crews to drive cattle to the Sumner farm. Although Sumner had seen or heard signs of Indians in the neighborhood— their fires and a gunshot, he was not concerned about the safety of the boy. When Hubbard's horse returned to the farmhouse without saddle or bridle, Edward Crews, Wiley Mobley, Hiram Brick and Sumner searched through the area to a spot where they found evidence that the boy had been seized by the Indians.2

Several months later after aroused citizens began to put pressure upon their representatives in Tallahassee and Washington, Seminole Emigration Agent Captain John Casey received a letter from the Secretary of War telling him to demand the surrender of all those Indians who had taken part in the apprehension of the boy and if this was not done, the President of the United States would hold the whole tribe responsible for the murder.3

MURDERERS DELIVERED

Actually, the means of settlement for such events had been agreed upon during the previous year. In 1849, a band of Seminoles had killed one man on the East Coast, vandalized a village there and killed two more at a Payne's Creek trading post on the West Coast.4 Within a short time Billy Bowlegs had delivered three of the alleged murderers to military authorities at Charlotte Harbor.

After the three murderers had been chained and led away, the other whites went below the deck leaving behind Major-General David E. Twiggs, an interpreter and the Seminole leaders together in a steamer cabin. Then, Twiggs told the Indians that he had been ordered to remove them from Florida but would pay them at so much a head to leave the state. Assinwar, a secondary leader, opened the response to Twiggs with the following words:

"We did not expect this talk. When you begin this new [removal] matter, I felt as if you had shot me. I would rather be shot. I am old, and I will not leave my country. General Worth said he spoke for your President, too—that 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. For many years you
have had no cause to complain; and lately, when a few bad young men broke the law, a thing that cannot be prevented among any people, did we not hasten to make atonement? We met you as soon as we could, and promised to give ample satisfaction; and from that day we have not rested. We have killed one of our people, and have brought three others to be killed by you, and we will bring the fifth. There has been much trouble and grief; but we have done justice, and we came here confident that you would be satisfied. Now, when you ask us to remove, I feel as though you had killed me, too. I will not go, nor will our people. I want no time to think or talk about it, for my mind is made up.”

Billy Bowlegs concluded the meeting with these words:

"We have now made more stringent laws than we have ever had before, and I have brought here many young men and boys to see the terrible consequences of breaking our peace laws. I brought them here that they might see their comrades delivered up to be killed. This business has caused many tears, but we have done justice.

I now pledge you my word that, if you will cease this talk of leaving the country, no other outrage shall ever be committed by my people; or, 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?'”

When the prisoners were returned to Tampa, Twiggs did not notify Governor of Florida Thomas Brown that he intended to deliver them to civil authorities for trial but approached Justice of the Peace and Judge of Probate Hillsborough County Simon Turman requesting that he use his influence to "prevent a civil process" being issued against the Indians. In presenting the delay request, Twiggs convinced Turman that he would use the Seminoles as guides during the efforts to remove the entire tribe from Florida.

**CIVIL AUTHORITIES**

When James Whidden, father of the young man who had been killed at the trading post attack, visited Twiggs he was told that the Indians would be kept under guard and after the removal plan had been tried, they would be delivered to the civil authorities of Hillsborough County for trial. Joseph B. Lancaster, Judge in the Southern Judicial Circuit Court and who would have presided at a possible murder trial was told the same story by Twiggs. Yet, on Feb. 28, 1850 when some seventy-four Indians were shipped from Fort Hamer on the Manatee River to Indian Territory, the three were included in the shipment, given five hundred dollars each and the civil authorities were not given any notification.

Unknown to the Tampa people, the military had learned that other persons involved in the two attacks were still at large and since they could not be apprehended, the three, having rendered some service in securing the removal of more than seventy persons, were sent unpunished to Indian Territory. The people of Tampa awaited another opportunity to give a civilian style of punishment to criminals. Such an opportunity was presented in the case of the missing Hubbard boy.
There were a few Indians called "outsiders" that roamed beyond the limits of the Indian reserve and Captain Casey believed that some of these were the ones who had taken the boy. According to John Casey the "outsiders" were considered outlaws and had been banished from the principal group of Indians and could not take part in the Green Corn Dance. Included in the ranks of the "outsiders" were Chipco and five other Muskogees, seven Mikasukis, six former members of Bowlegs' Band, one Creek and one Yuchi.  

WITHLACOOCHEE HEADQUARTERS

In November, 1850 J. L. Sparkman gave a deposition to Casey which stated that three weeks after the disappearance of the boy he had seen an Indian camp on the Pelakehaha Trail some distance from the reserve. On October 1 he went out again and saw a deserted encampment near the headquarters of the Withlacoochee River which had five houses with double roofs made of cypress bark and four that had roofs that were flat. Nearby were fields of rice, peas and corn.

In response to Casey's request that he be allowed to seize these "outsiders" and hold them responsible for the safe return of the boy, Secretary of War Conrad gave his approval. This proposal however did not work and Casey was forced to resort to negotiation with Billy Bowlegs.

By January, 1851 Casey was able to contact Bowlegs and learn the names of three of the killers of Daniel Hubbard, Pahosee, Yaholee and Oklahlachulee and arrange for a council with the Indians on April 13, 1851. Casey demanded delivery of the three and Billy promised to bring them to Casey as soon as possible. In the council held on April 13, 1851 Casey, T. K. Walbridge and interpreter Ben Bruno met with Bowlegs, Assinwar and three others. Bowlegs was not able to deliver the three murderers at this meeting and indicated that if he were not careful in his approach, they would escape to the North. Bowlegs wanted another meeting ten or twelve miles distant at Cabbage Key but Casey told Bowlegs that two previous meetings scheduled there had failed due to nonappearance by the Indians. In a conversation held in English with Casey, Bowlegs suggested that at the coming Green Corn Dance, the three be given much whiskey so that they could be seized without much of a problem.

TOUGH ON BOWLEGS

Bowlegs at this time was in a tough situation for he had promised to leave Florida if the three alleged murderers were not surrendered and yet they probably were from Chipco's band—a group not under the control of Billy. Finally, lowaneah Hajo and Nokas Hajo, message carriers, came to Casey and told him that in a council held near Assinwar's house and attended by Chipco, it was decided to enforce the agreement of 1849 and the three should be taken into custody when they came to trade. Finally, the three visited Walbridge's store in Fort Myers and were arrested on May 17, 1851 nearly nine months after the murder. Within a short time the three were delivered by Casey to civil authorities in Tampa. On May 19 the sloop Kozak carried the three Seminoles and six whites including Walbridge to Tampa where the Seminoles were surrendered to Justice of the Peace Turman on the next day. The prisoners were rather talkative claiming that Chipco did not like them and alleging that men from Chipco's band had done the actual killing. Casey believed the three-Pahosee aged 50,
his son Yaholee aged 19 and Oklahlachulee aged 20 were scapegoats and Chipco and three of his followers did the actual killing.

The entire affair ended in a rather startling event. After the three had attempted an escape from the Hillsborough County Jail located at the corner of Water and Washington Streets in Tampa, Constable Campbell used harsh language and chained the Indians in their cell.\textsuperscript{18} At noon on May 23, 1851 the three were found hanging from the bars in their cell. According to a report one was found to be still alive but was not cut down until the next day when he was dead. According to Casey many citizens believed that the Seminoles had been executed by Sheriff B. G. Hagler, Constable William A. Campbell and young Whidden, Campbell’s son-in-law and brother of Dempsey Whidden killed in the Payne’s Creek attack.\textsuperscript{19} It was a terrible end to the affair of the murdered orphan.\textsuperscript{20}

\textbf{NOTES}

\textsuperscript{1} Secretary of War to Captain John Casey October 7, 1850, John Casey Papers, Thomas Gilcrease Museum Library, Tulsa, Oklahoma.

\textsuperscript{2} Jesse Sumner to Casey November 20, 1850, Casey Papers.

\textsuperscript{3} Secretary of War to Casey October 7, 1850.


\textsuperscript{5} Unidentified newspaper clipping Collection of Clippings from Contemporary Newspapers 1836-1865. Jacksonville Florida Public Library. Assinwar was a father-in-law of Billy Bowlegs.

\textsuperscript{6} Ibid.

\textsuperscript{7} Testimony of Simon Turman sent to Governor Thomas Brown, Box 2, Folder 4, Correspondence of Governor Thomas Brown, Florida State Archives, Tallahassee, Florida.

\textsuperscript{8} Joseph B. Lancaster to O. B. Hart April 27, 1852, Correspondence of Governor Brown.

\textsuperscript{9} Ibid.

\textsuperscript{10} General David E. Twiggs to Secretary of War George W. Crawford March 1, 1850 Sewte Executive Document 49 31 Cong., 1 sess. 84-85.

\textsuperscript{11} John Casey’s Diary, John Casey papers.

\textsuperscript{12} November 12, 1850 Deposition of J. L. Sparkman, Casey Papers; so far as it can be ascertained, the body of Daniel Hubbard was never found.

\textsuperscript{13} Diary of John Casey January 10, 1851, Casey Papers.

\textsuperscript{14} Notes of Council April 13, 1851, Casey Diary.

\textsuperscript{15} Ibid.

\textsuperscript{16} Notes May 13, 1851, Casey Diary.

\textsuperscript{17} Casey Diary.

\textsuperscript{18} Ibid.

\textsuperscript{19} Notes, Casey papers.

\textsuperscript{20} Helen Byrd, "Geneological Sketch of the Whidden Family," Hillsborough County Historical Commission, Tampa, Florida.