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A SURVEYOR'S LIFE: JOHN JACKSON IN SOUTH FLORIDA

By JOE KNETSCH

John Jackson was born in 1812 at Ballybag, County Monaghan, Ireland, the son of Hugh and Ann (Corcoran) Jackson. His early education appears, from the limited records, to have been obtained in the local schools of County Monaghan and rounded off, in the fashion of the day, in some form of apprenticeship to a local engineer. By 1841, with the economy of Ireland fairly depressed and the beginnings of famine already appearing, John Jackson and his younger brother, Thomas, immigrated to the United States. The Ireland he left was heavily populated and arable land was too expensive for anyone but an English Lord. The population was so high that Benjamin Disraeli declared that the country was more densely populated, on its usable land, than China. Even some of the census takers of Ireland thought that the numbers used by the official record (over eight million) were far too low. Unemployment was widespread and the specter of people living in caves and sod-huts surely influenced many to leave the Emerald Isle.

The Jackson brothers soon found themselves in the bustling port city of New Orleans and John made his living as the assistant city engineer. It was during this period that John Jackson met Simon Turman. Turman, who was then heading a group of "colonists" migrating to Florida, persuaded Jackson to join the group and take an opportunity to receive 160 acres of free land, offered to settlers under the Armed Occupation Act of 1842. To the young Irish engineer, 160 acres of free land seemed too
good to be true, given his background. Jackson readily accepted the offer and came to Tampa Bay in early 1843.³

The Armed Occupation Act of 1842, authorized an individual to stake a claim on government land if he agreed to clear at least five acres of land, build a habitation suitable for human beings and be able to bear arms against any Indian aggression. The purpose was to create a line of armed settlements on the frontier between the Indians remaining in Florida and the main white establishments.⁴ Jackson, Turman and many others eagerly sought out these lands on the frontiers of modern Hillsborough and Manatee Counties. Jackson's first permit, No. 917 Newnansville, requested the Southeast corner of Section 2, Township 34 South, Range 18 East. However, there was a conflict with a claim already filed by one William Mitchel and Jackson withdrew his request for this land and settled for the Southwest corner of Section 13, Township 34 South, Range 17 East.⁵ This land was near Turman's on the Manatee River, but, by 1845, both men had moved to Tampa and had begun relatively successful careers in their new homes.⁶

While living on the Manatee River, Jackson met and was befriended by United State Deputy Surveyor Sam Reid. From this friendship bloomed a new and lucrative career for John Jackson, that of a U.S. Deputy Surveyor. It was Reid who introduced Jackson, through letters, to Surveyor General Robert Butler, a former acquaintance of Reid's from his days in Leon County and as his superior in the surveying business. By late 1846, Butler had contacted Jackson to survey on his own as an official U. S. Deputy Surveyor.

Jackson's friendship with Reid, the subject of some sharp criticism and charges of fraudulent surveying in the Manatee region, lasted until the latter's death in 1847. But, another relationship grew directly out of the circumstances into which Reid had enticed Jackson. Because the Surveyor General's office was located in St. Augustine, Jackson, to file his Field Notes and returns, had to travel to the Ancient City. It was while on such a duty that Jackson met his bride to be, Ellen Maher, the daughter of Robert and Catherine Maher of County Tipperary, Ireland. The arrangements were quickly made between the two and they were married on July 22, 1847. This marriage lasted until John Jackson's death in 1887. She continued to live in her Tampa home until her passing in January of 1906.⁷ Thus, by conducting the business of surveying for the government, Jackson's friend had introduced him, albeit indirectly, to the person destined to be his closest friend and companion, Ellen Maher Jackson.

Jackson's first major job as a surveyor in the new area was to lay out the town of Tampa. The town had allegedly been platted by Judge Augustus Steele in 1838, however it appears that this work was not actually completed except for Tampa and Water Streets. Jackson was given the job of completing the survey and extending it into the new areas of settlement. In the process, he named many of the early streets of Tampa, mostly after presidents and military leaders. The survey took just a little over two months to complete and the town plat was recorded officially on January 9, 1847⁸

Shortly after John Jackson finished his work in Tampa, Surveyor General Butler sent him to survey the private grant given to the late Dr. Henry Perrine on the southeast coast, near the city which presently bears his name. This survey introduced Jackson to a whole new terrain which was not very appealing to the surveyor. Jackson wrote to Colonel
Butler on June 12th, 1847: “This is a very Rocky country we can wear out 2 pairs of Shoes (each of us) every week notwithstanding all this there are some tracts of very fine rocky firm land.” He even had trouble finishing the contract on time because, “the Country is so rough and (in the latter part of the time) so wet; that I could not get done sooner.” While waiting for representatives of the heirs of Dr. Perrine to show him the approximate location they desired, Jackson surveyed some additional mainland property and marked off the three acres that were to become the rebuilt Key Biscayne Lighthouse. Thus, John Jackson not only laid out the important Perrine Grant but also surveyed the sight for one of Southeastern Florida's major historical sites, the Key Biscayne/Cape Florida Lighthouse.

While on this survey, Jackson informed Butler of some technical difficulties he had with the variation used by the previous surveyor in the area, George Mackay. As he wrote his returns, he notified the Colonel that he would be in St. Augustine within three to four weeks to file his report and Field Notes. These two small isolated notices indicate the larger problems faced by the professional land surveyor of early Florida. In the first place, there was the technical competency needed to follow the directions of the Surveyor General and apply them in the field. Secondly, the surveyor, at his own expense, had to procure a survey team, outfit them, find transportation, file his bond, get provisions for the crew and get into the field and begin work. Upon finishing the field work, the surveyor would then have to pay the crew and other outstanding expenses, correct his field notes and sketches, get his accounts squared away (miles surveyed, and meanders run, etc.) and then travel to St. Augustine to file the finished product with the Surveyor General. If the Surveyor General found any errors or miscalculations, etc., he would return the work for personal corrections by the surveyor. Should the surveyor be fortunate enough to pass muster with the Surveyor General, he then ran the gauntlet of the General Land Office in Washington, which could accept or reject the work on any technicality. The Comptroller then had a review of his contract, bond and expenditures to make sure he met the standards of the day. Not until all of this was completed, was the surveyor compensated for his work by a draft drawn on a regional bank. As Florida's banking system was nearly non-existent in the 1840s, this meant the drafts were drawn on a regional bank, either a Savannah or Mobile based bank. The entire process could take as much as a year to complete and sometimes took even longer. By Implication, the surveyors had to be either men of some wealth or someone who had a good standing in the community who could be backed by citizens with the means to support the survey. The system was open to a variety of pressures which could lead to "insider trading", to use the modern term.

In late 1848, John Jackson was again called upon to survey in the immediate Tampa area. The citizens of Tampa applied, through the State Legislature, to the Federal Government for 160 acres of land to be used as a county site for Hillsborough County. In this effort they were successful and Jackson was awarded the contract for the survey of this land. On October 30, 1848, he informed Butler that he had completed the field work of this important survey and would file the returns as soon as possible. Thus, the two most important public surveys of early Tampa's history were conducted by one of her own citizens, John Jackson.

1849 saw a change of administrations in Washington and this also meant a change in
Surveyor General in Tallahassee. The new man on the job was Major Benjamin Putnam, one of the leading citizens in East Florida and a prominent Jacksonville attorney. Putnam immediately questioned the survey Jackson made of the county site. In a detailed letter of August 11, 1849, Jackson justified his work by quoting a letter by Major L. Whiting which was, by instructions from the previous Surveyor General, to guide him in the survey. His explanation appears to have persuaded Putnam and he was soon in line for more survey work.

The year 1849 stands out in Jackson's life for two other reasons. The first involved a serious outbreak of Indian trouble (or apparent trouble). This trouble began with the attack on two men in the Indian River settlement and the murders of Captain Payne and Mr. Whidden at the Kennedy and Darling store on present day Payne's Creek, near Wauchula, Florida. As Jackson informed Putnam: "The Indians have set the whole country in an uproar -- people are gathering together in every neighborhood building Forts & Blockhouses in order to protect themselves this country never will be settled whilst the Indians are allowed to remain." The second reason was the beginning of his general store on the corner of Tampa and Washington Streets. Jackson, if writer Karl Grismer is to be believed, was fortunate to be able to accomplish this goal. In the great hurricane of 1848, Jackson's home, like most others near the water in Tampa, was destroyed and the contents of two strong boxes, which he kept at the store of W. G. Ferris, were carried away by the action of the water. Luckily, "Jackson employed two trustworthy Negroes to search for the strong boxes in the debris along the riverbanks. Both boxes were found, near the foot of Washington Street, with the cash still in them." Jackson's store proved to be a life-long business but the Indians were an important source of anxiety until the end of the Third Seminole War.

The Indian Scare of 1849, which Jackson noted had caused such panic on the frontier, also found more troops being sent to the area and other problems being mentioned in his letters. It has long been known that there was fear of a slave rebellion if Indian troubles rose again in Florida. As a passing note to Surveyor General Putnam, Jackson observed in his August 11, 1849, letter: "T.S. Mr. Irwin was here a few days ago he was obliged to go to the Manatee again in order to muster a party to go with him to the Myacka where he left his Waggon & cos. &c when he was here he gave a pass to 2 Boys belonging to a Mr. Sanchez from St. Augustine to go home -- Major Morris the Commander at this place followed them and brought them back -- on suspicion of having invagled a negro of here away with them. He has them in the guard house instead of delivering them over to the civil authorities Mr. Irwin was gone before they were brought back he has not heard of it yet." Major William W. Morris, then commander at Fort Brooke, with two companies of the Fourth Artillery as his sole support in the face of an Indian outbreak, was not taking any chances with Surveyor John Irwin's hirelings causing any disturbances or defecting to Billy Bowleg's camps. Having served in Florida during the Second Seminole War he was not about to allow the large scale defections witnessed in the first year of that conflict. Major Morris would not be responsible for allowing a slave/Indian rebellion while he was on watch duty.

Indian tensions continued to build along the frontier. With the murder of one Daniel Hubbard, the situation became so tense that rather than risk another war, Billy Bowlegs,
who had been living near Lake Thonotosassa, decided to leave the vicinity of white society and retire to the relative safety of the Everglades. With the departure of the Bowlegs encampment, the last was seen of the Indians in Hillsborough County, until the outbreak of war in December 1855.19

The strong suspicion of a possible renewal of war against the remaining Seminoles was expressed frequently in John Jackson's letters of 1854-55. Writing the new Surveyor General, John Westcott, on July 1, 1854, Jackson quipped: "I cannot go to the field for some time yet until I get supply's which I sent for to N. Orleans. Unless the Indians get my scalp (which is the opinion of many in this part) you shall hear from me occasionally."20 For the entire last quarter of 1854, while Jackson was in the field, Westcott did not hear from his old friend and fellow surveyor. Jackson opened his January 12, 1855, letter as follows: "I presume on account of my long silence that you begin to think by this time (with others of our neighbours) that King Billy has got hold of us but such is not the case as you will presently see on my reporting progress."21 This somewhat playful attitude seems to have been necessary to survival facing the conditions of Florida's difficult frontier, Indians and all.

The 1854-55 surveying season was a very harsh one for John Jackson and his crew. It begun with the admonition of Surveyor General Westcott: "It is my wish and intention, so far as I can control the matter, to have all surveys made under my supervision to be more perfect than they have been heretofore, and esuted strictly according to Law." The surveys of Florida, up to this time, had not been noted for accuracy, but for the "careless manner" in which many had been conducted.22 By starting in August, Jackson ran into Florida's rainy season which complicated a survey that was already in trouble by having incorrect measurements for the township corners. On August 14, he wrote Westcott: "I have ran west on the standard line as far as Peas Creek we had some swimming through the swamp before we got as far as the bank of the creek every Pond and Prairie swamp &c arc flowing over -- I have taken the Chills on saturday last I presume Its owing to my not being accustomed to wading waste deep in water for some years past."23 By September 10, the rains had caused the entire area to be under water and forced Jackson to suspend operations. To complicate matters, one of his chainmen caused a number of errors which forced the surveyor to resurvey portions of the area again, in the same adverse conditions. He notified Westcott: "when I commence again (which I will as soon as the water falls) I hope to have better Chainmen."24 To make sure the Surveyor General had a clear idea of the cause of this suspended operation, Jackson wrote: "I am very sory that I can not proceed with the work, as you seem to be in a hurry with--I will loose but as little time as possible untill I try it again--my men were very ill with the diarea &c & could not get them to continue."25 By October 1, 1854, Jackson was writing that provisions were a problem: "I scarcely know what to do for provisions as there has not been a vessel here from New Orleans in 2 or 3 months and there is not one Barrel of Flower or Bread in the place; however I will be able to get some provisions in the country untill the steamboat arrives. She is expected about the 8th Inst."26 Jackson and his crew(s) did not finish the work of his contract until February of 1855.

This same survey also brought another problem to the fore. The Seminoles were watching the progress of his survey party
and made some highly visible gestures to warn them not to enter the area. In one of the more telling letters written by the surveyor, he stated:

I had a great deal to contend with in having a rough country, bad weather, and what was worse than all in trying to dispell the fears of the men - The Indians were watching our movements, ever after our crossing Charlepopka Creek and particularly about the Big Prairie and thence to Istockpoga Lake they set the woods on fire about us frequently; I presume they thought to frighten us from going further on their Boundariy, however I was determined to go on with the work unless they were to come up and explain themselves, they tried to keep out of sight all they could - but in the end I caught one of them reconitering our camp it happened on Sunday near the S.E. corner of T. 34. R. 28 I was out examining the country and on my return as I emerged out of a spruce pine scrub I saw an Indian travelling along our line from our Camp I called to him and motioned to him to come up to me, he signed to me and stood untill I went to him I shook hands with him and asked him to our Camp he appeared very much mortified at my seeing him he came to the camp and east and smoked the pipe with me and was to return the next day with a few dressed Buckskins, when the Foxey (Sun) would be about one hour high he did not return nor did they set fire near us after - They have been complaining to Capt Casey that we frequently crossed their lines.27

Jackson's candor indicates that he knew he was close to the twenty mile neutral area that was guaranteed by General Worth in 1842. It was the deliberate policy of the U. S. Government, with heavy pressure from the State's officials to violate the line with surveys, it being presumed that if the lands were surveyed, and the Seminoles knowing what that implied, they would see the fruitlessness of their resistance to emigration. It was a policy of "peaceful" pressure to get the Indians to remove and the U. S. Deputy Surveyors, like John Jackson, were the instruments of this policy. In December of 1855, when Lieutenant George Hartsuff and his command violated the infamous "banana patch" of Billy Bowlegs, they were not in the area as surveyors in the manner of Jackson, Irwin and others. They were on a scouting mission for the U. S. Army seeking to locate Indian settlements and fields. There was a marked difference between the activities of Jackson and those of Lt. Hartsuff, which explains why, of the three U. S. Deputy Surveyors in the field at the outbreak of hostilities, none of them were harmed in any way. The Indians knew the difference in the functions of the groups violating their boundary, even if historians have confused the issue.28

Jackson's experience with the Indians in the field, immediately prior to and during the Third Seminole War, illustrates the dangers which the surveyors were subject to on the volatile frontier. Yet, even at the end of the war, the tensions had not totally subsided. On February 20, 1858, Jackson reported to Surveyor General F. L. Dancy:

…on the 9th of this month near the station of Fish eating Creek between there and Fort Denaud 2 Indians met my waggon and made signs to my camp man to leave the prairie he was a negroe man and was so much
frightened that he put out for Fort Denaud the next morning he met another Indian who stopped him on the road and inquired for his master. He told him he was coming after him and he also held up two fingers and struck the man on the breast and signed him to be off. The negro was nearly frightened out of his wits. On saying his master was coming after him the Indian got excited and struck himself on the breast at the same time pointing to the hammock saying “a heap.” I presume meaning there were a heap such as he was to meet the master. He told the man to stop and put out for the hammock but as soon as the road was clear the negro put whip to the mules and made himself scarce as fast as he could. After going without food and fire, Jackson’s crew continued searching for their campman. We pushed on after the wagon until after about 1 Ocl when we saw some Indians ahead of us on the road going the same way that we were going. They stopped on the road where there were some cabbage trees extending to a hammock on each side of the road as we approached to about 3 or 4 hundred yards of them they squatted and we could see them extending toward the hammock on each side and every one taking a tree. I did not like the movements of the Indians and did not deep it prudent to aproach them in that position upon which we made a circuit round and came in on the road out the other side of the hammock. My idea for so doing was that they thought we were armed with revolvers and altho’ they must have been 3 or 4 times our number they would not wish to attack us openly. Jackson’s crew was, in fact, unarmed and could not have offered resistance to the Indians. The campman was found the next day “crying like a child” because of the fright. Jackson sent him to Fort Meade and continued his survey, but was continually watched and having the woods set on fire around him.

During the 1855 surveying season, Jackson found himself involved in the surveying of lands around Tobacco Bluff and Terra Ceia, in particular, the permits of some of the Armed Occupation Act settlers. He had been contacted early in 1855 to prepare to survey Tobacco Bluff and had even discussed this with Westcott. However, it does not appear that Westcott was in a hurry to have the area surveyed. On June 11, 1855, Jackson disclosed to Westcott that he needed to know about the survey because; “I have been indiscreet in mentioning the conversation that you and I had on the subject.” Jackson was probably correct in assuming that he had been indiscreet, he did not get the contract to survey this part of the area until 1858.

Directly related to the surveys of this island area was the survey of the Joseph Atzeroth permit. This survey was very unique in that, though technically not difficult, it had a bureaucratic history which caused serious delays in Atzeroth finally obtaining his patent. In her fine article, “The Joseph Atzeroth Family: Manatee County Pioneers,” Cathy Bayless Slusser made a special point of showing some of the difficulties faced by this early and important settler. She correctly notes that Atzeroth received Permit No. 949, dated October 29, 1844, for the land in U. S. Government Lot No. 1, in Section 34, Township 33 South, Range 17 East. He, indeed, did travel to Newnansville to finish the proceedings and file additional documents, a cumbersome
requirement of the law, until changed, at the request of David Levy Yulee, and probably assumed things were fine. According to Slusser's research, in January of 1849, the problem of mixed Permit numbers was allegedly solved by the testimony of Judge Simon Turman and Samuel Bishop. Why then, didn't Joseph Atzeroth get his patent to the land he had obviously settled, until April 14, 1870? Slusser assumed that the mix-up over the numbers and the intervening war years were the causes of delay. This is true as far as it goes, and it goes much further.

What Jackson's letters to the Surveyor General and others show is that there were technical problems with the survey of the grant. As noted above, Jackson was hired to survey the Terra Ceia site in 1858. The survey was not accepted by the Commissioner of the General Land Office because the starting point of the survey was not sufficiently clear. In a letter to the Register and Receiver of the Tampa Land Office, dated October 24, 1859, Commissioner S. A. Smith wrote: "The testimony in question is not sufficiently clear upon the point at issue to justify this office in concurring in your joint opinion in the case." The letter also noted that, "a Stake or Blazed Tree bearing N.W." was not clear enough to establish a proper corner. Smith further questioned as to where this alleged point fell in relation to the official public surveys. All in all, Smith did not feel justified in approving the patent until, "competent testimony," was offered to properly establish the corner. What happened next is of note in the history of Tampa Bay. The case was turned over to the Tampa Land Office for further work just as the War Between the States commenced. In a hand written note at the end of a letter from Acting Commissioner of the General Land Office, Joseph Wilson, dated May 24, 1859, is the wording, -filed by John Darling in the Tampa Land Office on October 11, 1861, --well after the start of the conflict. As many of Darling's personal papers were burned during the war, it may be that the Atzeroth claim went up in these same flames.

However John Jackson was not a man to let a neighbor down. On June 29th, 1867, Jackson wrote to Hugh A. Corley, Register of State Lands, asking him to look into the granting of the patent to Atzeroth, "which he should have had years ago." He requested that Corley look into the documents at hand in Tallahassee to see the justice of Atzeroth's claim. As Jackson pleaded: "He is one of our best Citizens and is very much injured by not having his Patent like other settlers under the Armed occupation." He also informed Corley that Atzeroth had written him to intervene as the surveyor of the land and one most knowledgeable about the boundary. Jackson followed up with another letter dated October 1, 1867, to Corley, asking that he intervene on behalf of Atzeroth with Dr. Stonelake, Register of Public Lands for the Reconstruction Government, pointing out to him the Justice of Atzeroth's claim. Jackson asked him to argue most strongly that the Atzeroths had totally complied with the provisions of the Armed Occupation Act and were living on the land. Whether these entreaties on behalf of Atzeroth had the desired impact is difficult to judge, however, it should be noted that Jackson stressed their compliance with the law, their citizenship and the implication that unnamed "interested parties" were trying to oust them as arguments for the patent. This last allegation was sure to set well with Stonelake and other Reconstruction bureaucrats in that it was almost universally assumed that these "interested parties" were
probably unreconstructed rebels and obstructionists.

Jackson continued to have an interest in his surveying career long after he had quit the fields and settled in as a full-time businessman. On April 27, 1861, shortly after the beginning of the Civil War, a "Military Company" known as "The Silver Grays," was organized in Tampa. These citizens were "not subject by law to militia duty" and were mustered for "home defense". John Jackson was a charter member and was listed as the company's 2nd Lieutenant. He often wrote letters to the Surveyor General suggesting corrections to surveying problems that arose in his area and referred to his days as a United States Deputy Surveyor. His case was strong in asserting his position, as he was often employed by Surveyor General F. L. Dancy as an examiner of other surveyors, work. His widely recognized abilities as a surveyor, community leader and businessman assured him the continuing respect of his peers and the community as a whole. Jackson's life was full of adventure, daring, hard work and the true pioneering spirit that helped to settle the wilderness of Florida. It is now time to more fully recognize the accomplishments and life of this splendid pioneer.

ENDNOTES


3 Florida Genealogical Journal; Grismer, 105-106.


6 Grismer. 106.

7 Florida Genealogical Journal.

8 Grismer. 106.

9 Letter of April 5, 1847. Jackson to Butler. Letters and Reports to Surveyor General, Volume 1: 1825-1847. 819-20. Land Records and Title Section, Florida Department of Natural Resources, Tallahassee, Florida. The letters to the Surveyor General are bound into three volumes and are a fruitful source of primary information regarding the conditions of surveying the Florida Frontier. For the sake of brevity, they will be referred to only as Letters and Reports, volume number and page number, if given.


12 For Jackson's problems, see letters of July 17 and 29, 1848. Letters and Reports. 2. 107 and 111-12.


16 Grismer. 113-14


19 Grismer. 123.

20 Letter of July 1, 1854. Jackson to Westcott. Letters and Reports. 2. 139.

21 Letter of January 12, 1855. Jackson to Westcott. Letters and Reports. 2. NP #.


25 Ibid.


27 Letter of February 7, 1855. Jackson to Westcott. Letters and Reports. 2. NP #.


29 Letter of February 20, 1858. Jackson to F. L. Dancy. Letters and Reports. 3. 3.


34 Letter of October 24, 1859. Smith to the Register and Receiver. Tampa Comr's Letters, Volume 16. Unnumbered. P. K. Yonge Library of Florida History, University of Florida, Gainesville, Florida. Thanks to Elizabeth Alexander, the individual land office letters are preserved in good condition and are an invaluable source for anyone interested in local land conditions, sales, patents, etc. The individual land offices were: Tallahassee, Tampa, Newnansville, St. Augustine and Gainesville.


38 Tampa Florida Peninsular. May 4, 1861.