“Unfinished Revolution”: The Plight of the Black Seminoles during the Civil War and Reconstruction

“The territory no longer precedes the map, nor survives it. Henceforth, it is the map that precedes the territory—precession of simulacra—it is the map that engenders the territory and if we were to revive the fable today, it would be the territory whose shreds are slowly rotting across the map.” –Jean Baudrillard, (Simulacra and Simulations) 1988.

As I was completing my research on freedpeople’s health conditions during the Civil War and Reconstruction, I began to discover that many Union military leaders, Freedmen’s Bureau agents, and benevolent reformers never went back home to the North after the war, but were reassigned by the federal government to respond to the crisis of Native American resettlement. By 1865, Northern victory in the Civil War combined with the apparent success of free labor among freedpeople in the South offered the federal government a model for how to respond to displaced Native Americans. While army officials had established a permanent presence in the Southwest after the War of 1812 and Mexican War, the Civil War further increased their military presence; Union soldiers established federal camps and fortresses throughout the continental United States from Northern Florida to California to the Pacific Northwest to the Dakotas and Montana and even to Alaska.

The demise of the Freedmen’s Bureau in the late 1860s enabled the federal government to devote money, manpower, and other resources to promote “civilization” among Native Americans. It is not a coincidence that Congress approved the Indian Appropriation Act on April 10, 1869, which allocated over two million dollars to assist in
the transition of Native Americans from “nomadic life” to reservations, just as the
Freedmen’s Bureau began to collapse throughout the South. By that time the government
had received reports from Freedmen’s Bureau agents suggesting that Reconstruction had
succeeded.3

Having uncovered countless connections and similarities between the postwar
South and the Native American West, I argued in the epilogue to my book, *Sick from
Freedom*, contraband camps in many ways resembled Native American reservations. As
a result of skirmishes and war that broke out between Indians and white settlers in the
West in the late 1860s and 1870s, the question arose about how to respond to the social
and political status of Native Americans where the federal army claimed victory over
Native Americans. In response to this displacement of Native Americans, President
Grant increased the number of reservations throughout the West. While the reservation
system officially predated Reconstruction by a decade, the establishment of reservations
intensified throughout the West after the Civil War. Before the war, many Native
Americans under U.S. government control were either captives of unfair treaties or
refugees from military conflict; afterwards the federal government began using the
military to incorporate them into a labor force.4

The federal government’s idea of establishing a camp that would be powered by
free labor and placed under military control developed during Reconstruction. Free labor
ideology and practice began to define reservations. Thus, the reservation system became
the government’s panacea for the problem of Indian war refugees, similar to the
contraband camps and Freedmen’s Villages created in response to former slaves. Both
the contraband camp and the reservation system enabled the federal government to
develop a labor force by placing people in a regulated area, where the military could draw on their labor as needed.

Of the many that developed during Reconstruction, I would like to turn attention today to one important case I uncovered about Black Seminoles.

Black Seminoles traced their roots to runaway slaves form the Carolinas, who escaped to Native American communities in Northern Florida in the late 18th and early nineteenth-centuries. For a brief period, they lived peacefully among other Seminoles, often intermarrying with them. However, when the federal government began the process of forcefully and violently removing Native Americans across the Lower South to the Indian territories in the 1830s, their status became more precarious. In the new Indian Territory in Arkansas, they feared their fellow Seminole brethren would sell them into slavery due to their African ancestry. Compounding matters, some white planters abducted their wives and children from Indian Territories and returned them to slavery. Of often referred to as the “Negro Seminoles,” they managed to escape from Indian Territory in the late 1840s and journeyed south along the Rio Grande River, where they eventually made it to Coahuila, Mexico. The Mexican government enthusiastically welcomed the Black Seminoles to the country and hired them as scouts based on their stellar knowledge of the Rio Grande River. For over 22 years, they worked alongside of Black Cherokees, Black Creeks, and Seminoles. Working on the borderlands, they heard news of Union victory in the Civil War, and learned about emancipation, the promise of black suffrage, and the alleged collapse of racial categories promised by the Reconstruction amendments. Leaders of their tribe left Mexico and made it to Fort Clark, Texas, in March, 1870, where they asked U.S. military leaders if they could reenter the
United States and be transported to the Indian Territory in Arkansas to be reunited with their people. Three months later, while reviewing their request, a military official discovered that they were not simply Seminoles but also “negroes.” While the military remained initially confused by their mixed racial status, John Kesbitt, who served as the leader of the Black Seminoles, explained their genealogy to the U.S. military officials and mapped their plight from slavery in the Lower South to their marronage in Northern Florida to their displacement in Arkansas and their eventual settlement in Mexico. Their plight intrigued American military officials but more importantly their skills as formidable scouts and experienced marksmen earned them a deal with the government.

By June 25, 1870, the military officials at Fort Clark in Texas agreed to enlist the men as scouts. In September of 1870, the military enlisted 12 Black Seminoles; the military promised to pay them and provide them rations. Yet a problem immediately erupted. While the military was willing to support the scouts, they made no provisions for the women, children and other men who had traveled with the scouts to Fort Clark. The military complained that these people were “unfit for field service” and “desirous of provisions” to move to white settlements where they can work. The military claimed to not have the authority to finance their transportation to the white settlements or to provide them with rations, which meant that the Black Seminoles were without shelter, food, and the basic necessities to survive. Similar to the Reconstruction South, the military created a policy that employed formerly enslaved men in the army but made no provisions for the women and children who arrived with them to Union camps. In both scenarios, a humanitarian crisis ensued due to both the failures of bureaucracy and lack of
consideration for how those who were not employed or eligible to draw rations were to survive.

Meanwhile, a month later, due to the promise of the Black Seminoles robust militaristic talents as marksmen and scouts, which could seriously assist American military efforts in Texas in the early 1870s, the Department of Interior had arranged to pay for transportation and customs of over 200 more Black Seminoles from Mexico to Fort Clark. By December of 1870, the Chief of the Black Seminoles arrived in Fort Clark, and the military received reports that the rest of the tribe was on ferries and on the road to the fort. The military, however, only needed twenty scouts for each expedition and refused to enlist more because they feared they would be unable to manage them. While this may have made sense militaristically, it further exacerbated the humanitarian crisis. Over two hundred—some reports estimate close to five hundred Black Seminoles—lacked the food, shelter, and provisions to survive. Drawing on the Civil War policy of providing only rations to the families of the enlisted men meant that the majority of the Black Seminoles were left hungry, with no food or opportunity to hunt, fish, or cultivate a vegetable garden. Similar to the Reconstruction South, free labor ideology failed to address those who either could not work—the young, elderly, and infirm—or those who could not find work as scouts in the Rio Grande.

By June 1873, reports of the “destitute condition” of the Black Seminoles began to worry military officials. The military did not fear that they would become sick, suffer, and die but rather they worried they would begin stealing from neighboring white farms and rebelling against the military. When the Black Seminoles approached one military official for rations, he explained to them the War Department did not have the power to
issue rations and the Indian Department refused to recognize dependent people as worthy of support. He then explained to them—and even reported this in his letter to officials in Washington—that if the Black Seminoles would go to the frontier “and enter upon a murder, stealing, and burning, that within six months” the Bureau of Indian Affairs would be pressured to provide “rations, clothing,”… provisions to be transported.⁸

When confronted with how to respond to the poverty and suffering that Black Seminoles faced, the Bureau of Indian Affairs in June 1873 not only refused to provide rations but also repudiated “the whole transaction,” claiming that the government never made an agreement with the Black Seminoles in the first place. Six months later, Black Seminoles continued to suffer as winter cast over their makeshift camp. One military official noted that it was the Christmas season, but nonetheless, continued to deny Black Seminoles’ requests for food.⁹

Two months later, in February 1874, John Horse, who was one of the elders in the community and identified as “the Colonel and Father of all the Seminoles Indians who rules over all the Indian Tribes”, petitioned the federal government on behalf of the Black Seminoles. In an illuminating testimony, he explained, the plight of his people:

I was born in Florida and my people were taken there from and brought to Arkansas. Everything was taken away from us when we left Florida, Houses, cattle, horses, to everything we had, and the government pledged itself at that time to pay us for all the loses, and that we should get land for a home and be furnished with everything for 8 years. This was in President Polk’s time and since that time we have been roaming about without a home and nothing has been done for us, and we now ask the government to give us a home for the sake of our children that they may learn something and get schooling where we can believe in God and can love each other. When I was in Washington, I was told that my people should get land if we would go back to Florida. General, you know this is best for us, you have the map and you know which is the best land for us for a home in Florida where I am born, or Arkansas, or any land in the Indian territory.
President Polk told me that we had the same rights as the Seminoles...General Jessup was there himself, and wrote everything down what I said to President Polk. General Jessup was at that time the commanding officers of Florida, and made all the treaty, and at that time the pure colored Seminoles numbered 1800, and all of them have never received a dime up to this day Sir. All of this is recorded in Washington, and now Sir if you please send this to Washington, so we can hear from the President, what can be done for our rights as quick as possible.10

He further explained that the agent from the Dept. of Indian Affairs promised that the American government would pay for his land and other resources in Mexico. He also noted that if in immediate future the United States “might take Mexico” he would like his land back. He concluded by stating,

“I, John Horse, being old, may die soon and be gone. I will give you the name of my son (Joe Coon) who can claim the land as our own…I want full rations for my people please if so granted, and I like to have the Mexicans who are intermarried with my people, and which are with us, and good men may be enlisted for scouting.”11

As a postscript, he then lists the names of the generals who made treaties with his people in Florida, and reasserts, “We come here not to tell a lie, but to tell the whole truth and that you do all for us as you can to have a home.”12

Six months later, after massive suffering and starvation, the military granted rations to the Black Seminoles. A year later, however, the Black Seminoles petitioned the military to leave Fort Clark and be transported to Florida. While this request began to make it through the military and government bureaucracy, Charles Jones, the Senator from Florida, wrote a scathing letter of protest opposing the transport of the Black Seminoles to their former home. He claims that the military prowess of the Black Seminoles will lead to insurrections and racial struggles in the state and destroy the peace and sanctity of Florida. He claims that the federal government has no authority to relocate
a population from one place to the next. He does, however, acknowledge Florida as the Black Seminole’s birthplace but then asserts they were there as slaves and their children were born in a foreign country, thereby having “no claims on the state.”

In the end, the military ultimately accepted the Senator’s opposition, but they, nonetheless, approved the transfer of the Black Seminoles to Arkansas based on three reasons. First, they acknowledged their tragic history from the forced removal from Florida to the “inhospitable” conditions of Mexico, which had rendered many of the elderly in “destitute condition.” Second, they described the Black Seminoles as “being brave and daring men and accustomed to the use of arms and if their request for a home is neglected, they will become hostile and troublesome.” Third, the military noted that the Black Seminoles know “something of agriculture and are willing to engage in it and endeavor to become self-supporting.” For these reasons, the Black Seminoles were ultimately given the provisions to return to Indian Territory in Arkansas in 1875.

The story of the Black Seminoles illustrates the failure of free labor ideology that developed in the Reconstruction South and was applied in the Rio Grande. The relocation of Native Americans and freedpeople to regions where they would be employed depended upon more than the sheer will to work and the ability to perform arduous and, even in the case of the Black Seminole scouts, skilled, specialized labor, it necessitated some plan or protocol to deal with those who could not find work or were unable to be employed. In both the Reconstruction South and the Rio Grande, a humanitarian crisis ensued because there was no bureaucracy in place to account for the blind spots in free
labor principles. Neither area could thrive without measures in place for those who could not work.

In addition to how Reconstruction policies circumscribed the Black Seminoles' plight, the specter of black emancipation and suffrage inspired many of the actors in this story both directly and indirectly. The promise of Radical Reconstruction first triggered the movement of the Black Seminoles to Texas. According to the Black Seminoles, an Indian Agent arrived in their camp in Mexico and asked them to come to the United States to serve as scouts. According to the military, they Black Seminoles came to Texas and asked to be transported to Indian Territory. Regardless of who is telling the truth—though my hunch it was the latter instead of the former based on the archival evidence—the possibility that mixed race or even Black identified formerly enslaved people could return to the United States in the 1870s uncovers a fascinating history about the reach of emancipation and the promise of black suffrage. While the Black Seminoles planned to return to the Indian Territories, which as Barbara Krauthamer has shown were not all granting freedom due to the Reconstruction Amendments but instead following their own nation’s laws, the political changes ushered in by emancipation and black military service during the Civil War allowed for the Black Seminoles to be hired as scouts to the army.\footnote{15}

While this example is more contextual, the 1875 decision to fund the transport of Black Seminoles to Arkansas is more direct example of the influence of black political suffrage. In the letter approving the request, the Department of the Interior refers to the Black Seminoles as “negroes,” which is not merely a slip of the pen, but rather a disavowal of their identification as Seminoles. By marking them as Negroes, he separates them from the Seminoles and in so doing evokes the rights of birthright citizenship that
formerly enslaved people gained from the 14th Amendment. Approving their request to return to their home acknowledges their rights as black people. Also, during Reconstruction, the Freedmen’s Bureau approved requests made by freedpeople to regions where they could be employed.

The power of black rights also underpins John Horse’s letter of protest to the government. He not only makes a direct claim about his so-called rights, but he also alludes to the benefits of black citizenship that grew out of Reconstruction; he mentions how he wants education, land, contracts, labor, payment, and even Christianity for his people. John Horse’s testimony shows us how the understandings of Reconstruction became mapped on a different place and made legible the political concerns of a people that fell outside of the traditional binary of slavery and freedom. This also indirectly suggests the Rio Grande, like the West, as Stacey Smith has smartly argued, recasts the paradigm of slavery and freedom to ends that did not adhere to its traditional application in the North and South.16

But there is something more in John Horse’s letter that illustrates both the power of the archive—a topic that I addressed at the 2014 opening plenary—and the historiography on slavery, abolition and the Civil War. From the vantage point of both white Southerners and black freedpeople, Reconstruction marks a major turning point; it places federal power in the shape of Bureau agents and the military officials who came in direct contact with everyday iterations of ordinary peoples’ lives. The Bureau redefined labor, social, and political relations, and historians have subsequently argued that this interaction has either failed or succeeded. While I am not here to reanimate this old debate, the one feature that both sides of that argument can agree on is the novelty of the
federal government in the South, working on so many levels of Southern society, and engaging Southern people, both black and white, for the first time. John Horse’s testimony, however, tells a rather different story about the federal government; it shows how the federal government’s involvement in Reconstruction is not novel or new or unprecedented but instead part of a larger timeline that begins, as he notes, with Native American removal in the 1830s and continues with various treaties with President Polk in the late 1840s. For Horse, engaging with federal soldiers were not a new phenomenon; federal programs were not novel, and more to the point, the idea that the federal government could disappoint, lie, or even avoid responsibility for their actions was part of a much a larger chronology. In many respects, Reconstruction, for Black Seminoles and many other Native Americans in the South, was what Eric Foner, calls an unfinished revolution that began not in 1863 but decades earlier with Native American Removal in the 1830s and continued decades later. In fact, the Department of the Interior acknowledges this history as legitimate grounds (#reparations) for ultimately paying for Native Americans reallocation to Indian Territory. The story of the Black Seminole undermines the narrative of Reconstruction that begins with federal intervention in 1863 and illustrates how Reconstruction was part of a larger timeline that began in the 1830s.

Further, John Horse understood that when he appeared in front of the military official that his words would be recorded and they would be made into a letter that would travel to Washington, DC. It is why he even names the men who witnessed his previous treaty agreement. He believed in the power of the bureaucracy and the making of declaration that could carry his claim to higher authorities, even though he could not read or write himself. He signed his name with only the mark of an “x”, which was a common
practice that sealed many freedpeople’s labor contracts and other documentation throughout the Reconstruction South.

By ensuring that his story got documented, John Horse and the saga of the Black Seminoles reveals how Reconstruction polices were carried to the Rio Grande; it shows how the slavery and abolition paradigm often prescribed between the North and South does not tell the entire story of emancipation; that the political history that narrative engenders often obscures a more national history of emancipation that reaches to Mexico and beyond. That the unwriting of freedom narrative, which Carole Emberton has eloquently and recently articulated, better explains how the Black Seminoles fit into a larger story of the complicated history of emancipation that captures the migrations of people from the dusty roads that Yael Sternhll describes to “the larger process of state-making and the conquest of indigenous people that stretched across the long nineteenth century,” that Barbara Krauthamer describes.17

But, even more importantly, the story of Black Seminoles reveals that abolition came after emancipation, an argument that James Oakes claimed in his book, Freedom National. The Black Seminoles may have been liberated from plantation slavery since they fled the Carolinas in the 18th century but they did not become officially free until the creation of policy many decades later.

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1 Legal Historian Sarah Barringer Gordon challenges Eric Foner’s claim that 1877 marks the collapse of Reconstruction. She argues that a second reconstruction occurred in the West in the campaign against polygamy in the late-nineteenth-century Utah. See Sarah Barringer Gordon, The Mormon Question: Polygamy and Constitutional Conflict in
Nineteenth-Century America (University of North Carolina, 2002), 14, 242. Moreover, historian Elliot West calls for a “Greater Reconstruction,” which focuses on an exploration of how “western expansion and the Civil War raised similar questions and led to twinned crisis.” See Elliot West, The Last Indian War: The Nez Perce Story (NY: Oxford University Press, 2009), xx.

2 Richard White has brilliantly argued that the West “served as the kindergarten for the American State.” While this is certainly true, I am fascinated by the ways in which the South and West, which have been typically seen as two separate entities, actually shared some common features during Reconstruction. As I explain, there was a coming together of similar federal policies, military personal, benevolent reformers, and, most of all, bodies of knowledge that attempted to transform displaced people in both the South and the West into agricultural producers. This effort, in both situations, often led to sickness, which government officials in both regions of the country needed to respond to. Furthermore, historians of late have been calling for scholars to recognize the connections between the South and the West during Reconstruction. See Richard White, “It’s Your Misfortune and None of My Own”: A History of the American West (Norman: University of Oklahoma Press, 1991), 58. Elliot West, The Last Indian War: The Nez Perce Story (NY: Oxford University Press, 2009), xix. Steven Hahn, “Reconstruction and the American Political Tradition,” Keynote Address, W.E.B. DuBois’ Black Reconstruction in America 75th Anniversary Symposium, November 10, 2010


4 While one can certainly draw a comparison to the government’s forced removal of Native Americans from Georgia to Oklahoma, in what has become famously defined as the “trail of tears,” my sense is that this was a different occurrence based on the government’s effort to create a reservation system powered by free labor in the West in the late 1860s. In the 1830s, the government was simply concerned with removing Native peoples from the land without even gesturing toward how they would survive in the newly settled region. By the late 1860s, something had changed: Reconstruction in the South had provided a blueprint on how to address the dislocation that a marginalized group of people endured. The government consequently developed ways, which ultimately proved ineffective, in responding to Native people’s conditions. Although the government and military’s efforts did not thwart the alarming mortality, sickness and starvation that plagued Native peoples, their efforts represent a change from the Trail of Tears. Additionally, for a sophisticated analysis of federal policy that responded to Native Americans in the West and the last Indian War, see Elliot West, The Last Indian War (NY: Oxford University)

5 Edwin Smith to the Department of Indian Affairs, 20 September 1875, Special Files Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 820-824, National Archives (hereafter abbreviated as NA).

6 “Brief of Papers in Relation to the Seminole Negro Indians,” “Special Files”. Created by the Military Division of the Missouri, M1495, Roll, 13, NA.

7 Downs, Sick From Freedom (NY: Oxford U.P.), 42-64, 120-145.

8 C.C. Auger to Adjutant General, 21 February 1874, Special Files Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 751-757, NA. (Although this
letter was written after June 1873, it reflects on the earlier period and explains the continued problem that Black Seminoles endured.)

9 “Brief of Papers in Relation to the Seminole Negro Indians,” “Special Files”. Created by the Military Division of the Missouri, M1495, Roll, 13, NA
10 John Horse to General Augur, 1874, Special Files Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 820-824, Frames 762-768, NA
11 Ibid
12 John Horse to General Augur, 1874, Special Files Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 820-824, Frames 762-768, NA.
13 Charles Jones to the Secretary of the Interior, 8 September 1875, “Special Files” Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 824-828, NA.
14 Department of the Interior, 20 September 1875, Special Files” Created by the Military Division of the Missouri, M1495, Roll, 13, Frame 820-824, NA.
16 Stacey Smith, Freedom’s Frontier: California and the Struggle over Unfree Labor, Emancipation and Reconstruction (Chapel Hill: UNC Press, 2013)