

Alcione M. Amos

THE LIFE OF
LUIS FATIO PACHECO
LAST SURVIVOR OF DADE'S BATTLE



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Luis Fatio Pacheco
Florida Times Union
October 1892
Courtesy of the Library of Congress

INTRODUCTION

In the course of research on the Seminole Wars, a great deal of information can be found that has not seen the light of day for a century or two. While probing the records in an effort to recreate this period of Florida's past in all its glory and shame, searching for clarification about an individual or a particular event, it is both rewarding and frustrating to find tantalizing hints of other information relating to the search, information that is pertinent to the subject but the very existence of which was unknown. Frustrating because following every lead would take a lifetime, yet there is no way of knowing where the trails might lead, what treasures of information might be found.

As a case in point, this writer, searching the letter book of Captain Francis Belton (in command at Ft. Brooke in December, 1835) for the specific order that sent Major Dade on his doomed march, found a letter from Belton to General Clinch written at 9:00 A.M. on the 23rd, "...two companies have been put in motion this morning at reveille under the command of Bt. Maj. Dade..." Further along he added, "I have just employed and sent an Interpreter to the Detachment." In the immediate aftermath of the destruction of Dade's command and until his death sixty years later, the interpreter, Luis Pacheco, denied the charge that he had been a "Guide" and had led Dade's command into ambush. The attempt to exculpate the military and the government of responsibility for the disaster by blaming Pacheco has become a part of the history of the battle and is repeated still. The serendipitous discovery of Belton's letter should put this false charge to rest.

Letter-books, quartermaster and weather records, post returns, diaries, etc. of the period are not readily available and rarely published. The Seminole Wars Historic Foundation is beginning a Pamphlet Series to bring such items to light and send the pamphlets as a benefit of membership.

In addition to providing our members with hitherto unpublished nuggets of Seminole Wars history, we will alternate the publications with sometimes out-of-print, sometimes newly written articles bearing on the Wars. This first issue presents Alcione Amos's new and previously unpublished work, *The Life of Luis Fatio Pacheco*, a biography of the slave, the man.

Frank Laumer, Editor

ALCIONE M. AMOS

Alcione M. Amos is a Brazilian national who has been living and working in the United States for the last 33 years. Her interest in the Black Seminoles started in the late 1970s when she did research for a monograph on black troops in the West. She co-edited a book on their history, *The Black Seminoles* (University of Florida Press, 1996).

In researching Black Seminole history she came across the tragic history of Luis Pacheco, a Spanish black slave in Florida who became embroiled in the Second Seminole War and ended up as a slave in Texas. This is his story.

Another historical interest of Ms. Amos is the Brazilian freed slaves who returned to West Africa in the 19th century to form very successful communities that still survive. She has published on this subject in France, Ghana and Brazil.

Ms. Amos holds a MSLS from the Catholic University of Washington, D.C. and a BA from the Faculdade de Filosofia, Ciências e Letras de Belo Horizonte.

THE SEMINOLE WARS FOUNDATION

The Seminole Wars Foundation was founded in 1992 with the goal of preserving sites significant to the Seminole Wars, establishing educational programs to disseminate information about the wars, and to publish books and other matter pertaining to these important but little understood conflicts.

To that end, the Foundation has published seven books, several pamphlets, and its members have given numerous talks throughout the state. The Foundation has also preserved the site of Fort Dade, and been instrumental in the preservation of the sites of Camp Izard and Fort King.

THE LIFE OF LUIS FATIO PACHECO

When the Second Seminole War exploded in 1835, several hundred blacks lived among the Seminole Indians in Florida. They had either been acquired by the Indians as slaves or had runaway from Georgia and South Carolina and voluntarily joined the tribe. Among the Seminoles they had lived a quasi-free existence and exerted a certain level of influence over the tribal leadership. Throughout the first two years of the war blacks fought, side by side, with the Indians in a futile attempt to stave off removal to Indian Territory. At the time the removal was halted, in 1858, at the end of the Third Seminole War, about 500 blacks had been sent West along with the Indians.¹

Among these hundreds of blacks, at least one man was erroneously identified as a Black Seminole and was removed with the others to the Indian Territory. He was Luis Fatio Pacheco, who had been hired to serve as interpreter for the ill-fated command of Major Francis L. Dade, which was decimated by the Seminoles at the onset of the war. Luis was one of the three survivors of the detachment and the one to live the longest. This article tells the story of his life and attempts to show that he was neither the hero nor the traitor that some historians tried to make of him, but simply a victim of circumstances.²

Luis Pacheco was born a slave on December 26, 1800 in New Switzerland, the plantation belonging to Francis Philip Fatio, Sr., located on the margins of the St. Johns River in Spanish Florida. Fatio, who was originally from Switzerland, had arrived in Florida in 1771 during the British occupation (1763-1783).³ Luis' parents were said to have been "descendants of pure-blooded Negroes, born in Africa." His father, Adam, "was a carpenter, boat builder, and driver ... [he was also] remarkably intelligent and ambitious...."⁴

Luis most likely passed the first eleven and a half years of his life at New Switzerland, growing up with some privileges because of his father's position as a skilled slave. It must have been at this time that he started learning how to read and write and began acquiring knowledge of French, Spanish and English, which he knew how to speak as an adult. He learned the Seminole language from a brother who had been stolen by the Indians and later returned to the plantation. In 1811, his owner Francis Fatio, Sr. died and Luis and his father Adam (and most likely other members of their family), were inherited by Francis Philip Fatio, Jr.⁵

In 1812 the life of the Fatio family, and by extension that of its slaves, was to be drastically changed when on August 13th the New Switzerland plantation was burned down by the Seminoles. The Indians were enraged by the assistance that the planters along the St. Johns River were giving to a group of Americans, called "Patriots," who were attempting to annex Florida to the United States. The Fatio family fled the plantation by boat with the help of two slaves, Dublin and Scipio.⁶

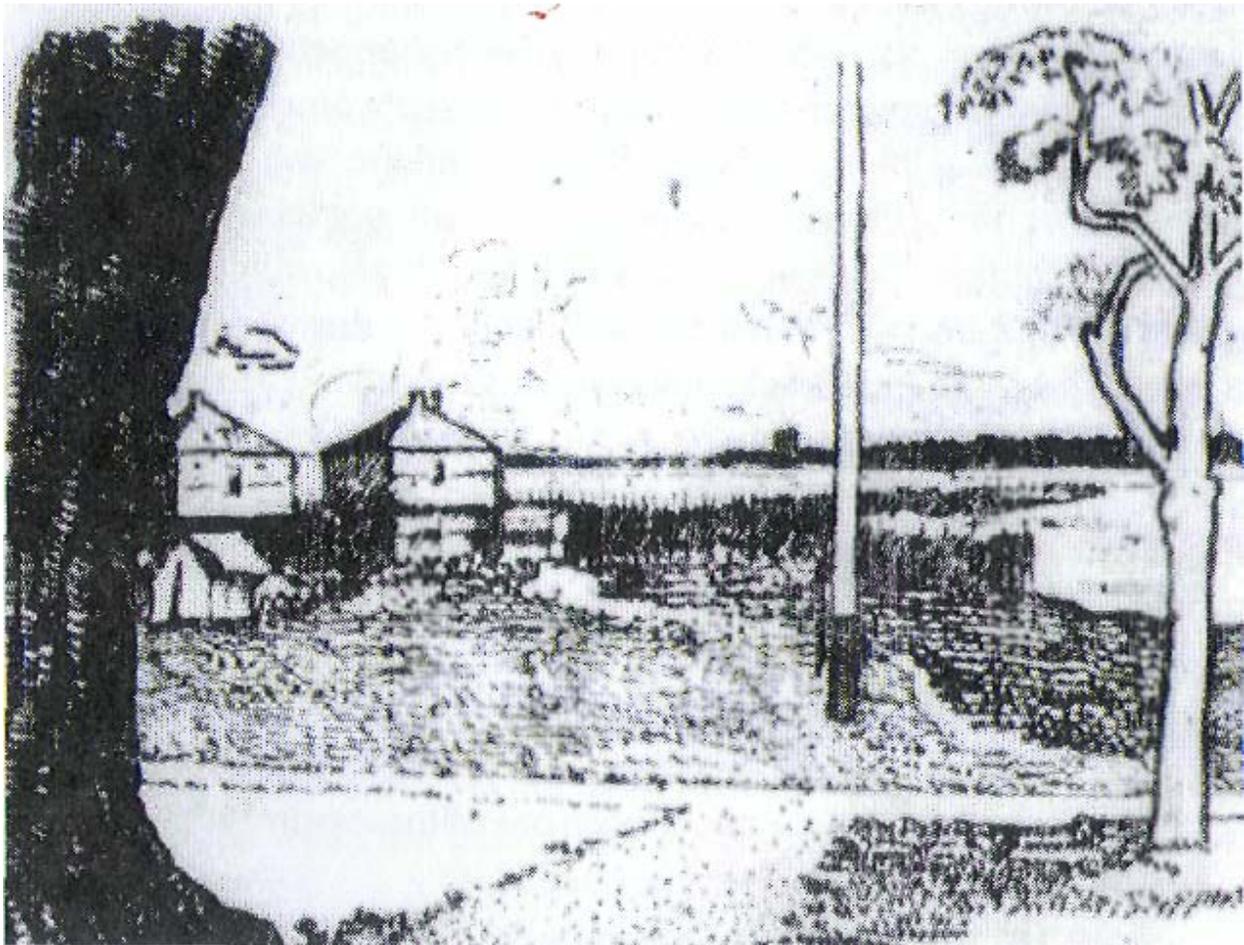
Although it is impossible to reconstruct what happened to Luis during the next decade we know that the family of Francis Fatio, Jr. moved several times and endured much misadventure before finally settling at a plantation called San Pablo around 1818. From San Pablo, Francis Fatio Jr. organized a private mail route which ran the mail between St. Augustine and St. Mary's in Georgia, passing through the San Pablo plantation and Fernandina. In 1821 Luis was being used as one of the couriers delivering the mail by boat. This mail route was discontinued when the United States took possession of Florida that same year.⁷

In later years Luis was described as being of "a roving disposition that hated restraint." But if his statement that he was delivering the mail for his master in 1821 is to be believed, he was actually a trusted slave who had been given a responsible job which demanded that he travel constantly. Luis was said to have married early in his life a woman who had been the property of Ramon Sanchez of St. Augustine, but had been able to buy her freedom for 300 pesos. Ramon Sanchez was also the agent for the Fatio family who, in 1821, had been in charge of returning all of the Fatio slaves to New Switzerland after the United States took over Florida. Most likely it was at that time that Luis, not being able to visit

his wife often, began to leave the plantation without permission to visit her. Another plausible reason for his restlessness could be that after having had the relatively interesting job of mail courier, Luis might have had trouble accepting the constraints of plantation life.⁸

According to Luis' recollections many years later, he "...was caused to run away [in 1824] by action of [his] ... young master, Lewis...", the oldest son of Francis Fatio Jr."⁹ Whatever happened between Luis and Lewis Fatio was serious enough to make the slave run to a place that was far from the New Switzerland plantation. He fled to the so-called "Spanish fisheries" of the Gulf Coast of Florida near Charlotte Harbor.¹⁰

For more than thirty years, Cuban fishermen, who employed Seminole men and intermarried with Seminole women, had occupied the fisheries. Luis' knowledge of Spanish and the Seminole language made his choice of haven wise since he would not have a problem in communicating with his new acquaintances. He also might have hoped to be carried away to Cuba by one of the fishing vessels as other fugitive slaves were doing. Under Spain's more lenient slave laws he might have had a chance of obtaining his freedom.¹¹



Picture of Fort Brooke around the time when Luis Pacheco lived there
From the diary of Lieutenant Henry Prince, courtesy Frank Laumer.

Whatever hopes Luis had entertained when he ran away to the Spanish fisheries came to naught. By early 1825 the fisheries had come to the attention of the American military. In November of that year Colonel George M. Brooke, commanding Fort Brooke on Tampa Bay, sent patrols to the area because he was concerned about the "... intercourse Existing [sic] between ..." those he considered "foreigners at heart and Indians." It must have been one of these patrols that captured Luis and returned him to Fort Brooke.¹²

At his own request Luis was sold to Colonel Brooke, who would have use for a "good-looking, intelligent [slave who could] ... read and write," spoke "four languages," and was also a carpenter by trade. Luis' abilities seemed to have been continuously appreciated by Fort Brooke commanders. When Colonel Brooke left in 1829 Luis was sold to Brevet Brigadier General Duncan L. Clinch who took command of Fort Brooke in November of that year. In 1831 Luis became the slave of Brevet Major James S. McIntosh, the next officer to take command of the fort.¹³

McIntosh in 1832 sold Luis to Antonio Pacheco, a Cuban who owned a trading post in Sarasota. Pacheco had been one of the inhabitants of the Spanish fisheries since 1813, thus most likely he was acquainted with Luis. Pacheco, who was illiterate, must have felt that the acquisition of an educated black man who spoke several languages and could read and write would be advantageous for his business in Sarasota. When Pacheco died sometime after November of 1834, Luis became the property of his widow, Mrs. Quintina Pacheco.¹⁴

Luis was now a man in his thirties who had for some time proved to be a reliable slave and showed no signs of the wandering traits that had been attributed to him in his youth. In December of 1835 a detachment of troops was being sent from Fort Brooke to Fort King under the command of Major Francis L. Dade, in anticipation of an outbreak of war with the Seminoles. The commanding officer of the Fort, Captain Francis S. Belton decided to hire Luis as an interpreter to accompany the detachment.¹⁵ Belton directed Captain John C. Casey, who was acting assistant quartermaster at the fort, to negotiate with the executor of the Pacheco estate, William Bunce, to hire Luis for \$25 a month.¹⁶

On December 28, 1835, six days after departing Fort Brooke, ninety-eight soldiers and eight officers of Dade's command were killed by Seminole Indians.¹⁷ Luis Pacheco's role in the destruction of the detachment was controversial. Did he inform the Seminoles of the eminent departure of Dade's detachment from Fort Brooke, giving them time to lay an ambush? His contemporaries believed so. General Thomas S. Jesup, one of the commanders during the war in Florida, declared that "The evidence, was almost conclusive that ... [Luis] had been in constant communication with the Indians from the time the [Dade] command marched from Tampa Bay to that of its defeat..." Jesup never explained what kind of evidence he had received on the case. Later day historians, such as Mrs. Minnie Moore-Willson who later in the 19th century wrote about the Seminoles, also believed that Luis had betrayed Dade.¹⁸

The historical fact is that Luis did not know he was going to be an interpreter for the Dade command until after the command had left Fort Brooke. He was actually hired by Lieutenant Casey "after the command had started ..." its march. He left Fort Brooke around 9:00 a.m. on the 23rd of December, some two and a half hours after the detachment had departed. He was going to take the place of the interpreter originally assigned to accompany the detachment, a young white man named Stafford who knew how to speak the Seminole language but not as well as Luis did. Consequently Luis could not have advised the Seminoles of the command's departure.¹⁹

Alligator, a Seminole chief who participated in the attack, declared in 1838 that "the Negroes" at Fort Brooke had advised the Indians that the Army was preparing to march. He must have been referring to the black slaves at the fort and not to Luis, who lived in Sarasota, some miles away.²⁰ Furthermore, there is no indication that Luis identified himself with the Seminole cause. During most of his life he had been the slave of Spanish subjects and as a matter of fact had identified himself as "Spanish property" when captured by the Indians after the Dade battle. The Seminoles he was acquainted with at the time, the ones who lived at the Spanish fisheries, had been separated from the

tribe for quite awhile and were not part of the fighting.²¹

As for General Jesup's assertion that Luis was "... in constant communication with the Indians from the time the [Dade] command marched from Tampa Bay..." Alligator declared in his 1838 account of the events that "[Seminole] scouts were out from the time the soldiers left the post, and reported each night their place of encampment." If that was the case, there was no need for Luis to give them any information on the whereabouts of the troops. The available historical evidence indicates that he did not, and few current historians believe he was party to the ambush of Dade's command.²²

Luis, according to his own statement, was saved from death during the battle, because he could speak the Seminole language and could plead with the attackers for his life with the argument that he "was a slave and was doing as ... [he] was bidden." After being threatened several times with death, Luis was taken prisoner by the Seminoles and lived with them for almost two years. He once tried to escape by canoe but was captured and taken back. Again he escaped and, on September 4th 1837, turned himself in at Fort Peyton, near St. Augustine. He was one of many blacks belonging to whites who surrendered themselves at that time. He identified himself to the military authorities and indicated that he belonged to Mrs. Quintina Pacheco.²³

William Bunce, executor of Antonio Pacheco's estate, immediately tried to take possession of him. General Jesup did not even entertain the possibility. At first, upon learning that Luis had turned himself in, Jesup had wanted to try him for his perceived role in helping in the destruction of Dade's command. Fortunately for Luis, the general was extremely busy at that time attempting to get several Seminole chiefs to surrender, so he decided to send Luis out west. Jesup had also been concerned that William Bunce intended to send Luis to Cuba, where Mrs. Pacheco was living. Jesup believed that the Cubans were aiding the Seminoles in their fight against the whites. In his view if Luis was sent there he would be "... immediately employed against the [Americans] ..." ²⁴

Consequently, after being held in confinement at Fort Brooke, Luis joined the thousands of Indians and blacks transported to Tampa Bay from other points in Florida and from there to New Orleans in the early months of 1838. By May 1, more than 1,600 people were awaiting transportation to Indian Territory, many of them in poor health.²⁵

At some point in the process of being shipped to the Indian Territory, Luis had inquired from the officer in charge of the removal, Lieutenant John G. Reynolds (Luis years later remembered his name as Runnels), if he was being transported as "Indian property." The answer had been "... no ... you are free." But whatever opinion Lieutenant Reynolds had about Luis' status; it did not help him when he was sucked into the vortex of the claims that were being advanced against the Black Seminoles by Creek Indians and private citizens alike.²⁶

General Jesup, believing the war would not end while the Black Seminoles remained in Florida fighting alongside the Indians, had used conflicting policies to separate the two groups. He had offered the Black Seminoles a promise that those blacks that surrendered would be free. To the soldiers fighting the Seminoles, including a Creek contingent, Jesup had proclaimed that those blacks that had been captured would become property of the captors. Jesup believed that fear of capture by the Creek Indians or the white militia, versus the possibility of gaining freedom, would propel the Black Seminoles to surrender more promptly.²⁷

Thus, some of the Black Seminoles assembled in New Orleans were being claimed as war prisoners by the Creek contingent that had fought in Florida. Jesup, in an attempt to solve the problem that he himself had created, tried to buy the blacks back from the Creeks for \$8,000. The Creeks did not accept the offer and promptly sold their interest in the Black Seminoles to a white man. Luis was being claimed as part of this group despite the fact that he had surrendered himself.²⁸

On the other hand, Luis was also claimed as the property of a white man named Hugh Love from Georgia. Love was deceased, but his heirs stated that Luis and several other Black Seminoles had been bought years before from a Creek woman named Gray. It is very possible that Luis' good

appearance and well-known abilities, attributes that made him a very valuable slave, were making him the target of the claimants.²⁹

Though these claims were in general considered fraudulent and in the case of Luis, devoid of any merit, he and 31 other Black Seminoles were jailed for one month awaiting the outcome of a suit filed in court in New Orleans.³⁰ Finally released, Luis arrived in Indian Territory on August 5, 1838. It had been almost a year since he had surrendered himself at Fort Peyton in Florida and more than two and a half years after he had been hired as an interpreter to the ill-fated Dade command. Luis was now listed as “said to be free.”³¹

Ten years later, in 1848, Luis was included in a list of Black Seminoles who claimed to be free because they had surrendered in Florida to the American troops. It is possible that when he was in New Orleans, Luis had become acquainted with Micanopy, the principal Seminole chief, because now Micanopy appeared as his original owner. Luis was living on the Little River settlement in Indian Territory on land that had been allotted to the Seminoles by a treaty in 1845 that gave them some autonomy from the Creeks.³² Previously Luis had appeared in the official lists as being the property of Mrs. Pacheco and later as a free person, but he now appeared as a full-fledged Black Seminole under the ownership of a Seminole chief. This new status would have startling consequences for his future.

As Luis was struggling to adapt to his new environment in Indian Territory, Mrs. Quintina Pacheco was trying to obtain compensation from the American government for the loss of her property. Mrs. Pacheco had conveyed to Joseph Elzaurdi a power of attorney on August 5, 1839 in Havana, empowering him to claim compensation for the losses her husband’s estate had suffered due to the war in Florida. Those losses included Luis.

Elzaurdi wrote a petition to Charles Downing, Florida’s delegate to Congress on November 9, 1839. The petition was presented to Congress on February 6, 1840 and eventually forwarded to the Committee of Claims in January of 1841. This was the beginning of an unsuccessful claim process which would continue for ten years.³³

After the initial petitions, a bill was finally introduced to the House in the 2nd session of the 27th Congress on April 1st 1842 by the Committee of Claims. The bill asked for “relief of the petitioner” in the amount of one thousand two hundred dollars. Nothing came of this attempt. A second bill introduced in 1844 was also unsuccessful,³⁴

Four years later, in 1848, another bill, introduced to the 30th Congress and again favoring Mrs. Pacheco’s claim, would be successful. Unbeknownst to Luis, this attempt to obtain compensation for his loss as a slave, would make him a *cause célèbre* of abolitionists in Congress. While a majority of the House Committee on Military Affairs agreed to recommend that Mrs. Pacheco be reimbursed for the loss of Luis, anti-slavery members of the Committee hastily drew up a minority report opposing the compensation, on grounds that when Luis “... joined the enemy ... his master, the government, and the laws of Florida lost their control over him. He then became free.” This instance, according to anti-slavery Congressman Joshua R. Giddings, was the first time that “a minority report from any committee” had been written “against slavery.”³⁵

After protracted discussions and parliamentary maneuvering that included the counting and recounting of votes, the bill finally passed the House on January 19, 1849, by a margin of 5 votes (98 yes and 93 no) with Congressman Abraham Lincoln voting against the bill. Before the bill was approved, Congressman Giddings had the opportunity to deliver two fiery speeches on the subject of slavery. The bill, which made provision to pay \$1,000 for Luis, was never brought for discussion in the Senate and Mrs. Pacheco never received the money. A final attempt was made to pay Mrs. Pacheco for her loss in January of 1850. Her petition was again presented to the House by the Committee of Military Affairs. A bill was introduced on February 6, 1851, but nothing came of it.³⁶

Years later Luis described his years in Indian Territory in very simple terms: “I lived with them [the Seminoles] ... until ... I was purchased of the Indians by Marcellus Duval, the agent there on Indian

Affairs, ...” The Black Seminoles of the Little River communities were in constant upheaval over the effort of assorted people (white men, including Marcellus Duval and his brothers, in addition to Cherokee and Creek Indians and mixed-bloods) to acquire, either lawfully or unlawfully, the titles to as many blacks as possible. Micanopy, under whose protection Luis apparently had placed himself, was growing feeble and although retaining his title as head chief, was no longer an active player in the Seminole leadership.³⁷

In 1845, in response to rampant attempts to kidnap them for sale outside the Territory, several Black Seminoles who had claimed freedom under General Jesup’s proclamation in Florida sought refuge behind the walls of Fort Gibson. There, sixty or seventy of the men helped build some of the new fort structures. The situation of the Black Seminoles claiming to be free was finally settled in 1848 when the U.S. Attorney General declared that Jesup’s proclamation was not legal and that the blacks should be returned to the Seminoles. In December of 1848 when the return of the blacks should take place, Micanopy died, thus making his slaves, among them Luis, entirely vulnerable to speculators.³⁸

While attempting to get hold of the Black Seminoles who claimed to be free under Jesup’s proclamation, the Seminole Indians had provided attorney William J. Duval, brother of Marcellus Duval, with a power of attorney to act on their behalf. Although the power of attorney did not stipulate how much the lawyer should be paid for his services, the Duval brothers believed that they had the right of ownership over one-fourth to one-third of the Black Seminoles.

Despite Marcellus Duval’s attempts to obtain the blacks in 1848 while they were under military protection, and again in 1849 after they had moved to the Seminole Nation, he was not able to get them until 1850. In June of that year he arrived in the vicinity of Wewoka, a black settlement on the Little River, with a party of Creek and Cherokee Indians and a group of white men, including his brother Gabriel from Alabama who was representing the interests of William who had died the previous year. The group captured those blacks that they considered their property. One hundred and eighty blacks were seized at the time and distributed among the various claimants.³⁹

Luis seems to have escaped this dragnet. In July Marcellus Duval attempted to capture him while he was working at Fort Smith, Arkansas. He had been working there for a year as a free man along with August, a famous Black Seminole chief in Florida, and Primus, who had served as an interpreter during the war. General Jesup had promised both men their freedom. Luis left the safety of the fort and returned to the Seminole reservation.⁴⁰

Luis must have been caught by Marcellus shortly thereafter because many years later he remembered being “purchased ... for \$50 [along] with 30 others [and being] ... moved ... to Van Buren, Arkansas.” William Duval had owned a plantation near Van Buren and apparently Marcellus and Gabriel Duval had moved Luis and his unfortunate companions there sometime after the summer of 1850. In 1853 an Army officer indicated that Marcellus had been holding a large number of Black Seminoles at the Van Buren plantation who claimed to be free.⁴¹ Luis’ life had gone full circle. He was a plantation slave again but this time under even more harrowing circumstances.

Marcellus Duval, nemesis of the Black Seminoles, did not stop at seizing the blacks he could catch in Indian Territory. He also relentlessly pursued those who escaped and made their way to Mexico. Beginning in the fall of 1849, hundreds of Black Seminoles had made the arduous trip, facing untold hardships, including being captured and tortured by Plains’ Indians, in order to reach Mexico and freedom. In Mexico their families could be safe and the men could find employment as frontier troops.⁴²

In order to try to catch the Black Seminoles who had found sanctuary in Mexico, Duval made contact with American military officers, slave catchers and even Texas’ Governor Peter H. Bell. Duval spent so much time in Texas on this endeavor, which seems to have become an obsession with him, that he was eventually fired from his post as Seminole Indian agent in November of 1852.⁴³

After his dismissal as Indian Agent, Duval moved to Austin where he was well connected, having

been related to the wife of Texas' Attorney General George Washington Paschal. Duval had been bringing slaves into Texas from the South before his dismissal from his agent's job. He moved Luis and about 30 other Black Seminoles from the Van Buren plantation to Travis County where Austin is located.⁴⁴

On November 16, 1853, Duval registered his brand in the First Book of Marks and Brands in the Travis County Clerk's Office. By then he was most likely already settled as a plantation owner near Austin on the west side of the Colorado River. Nevertheless, Duval's new life did not last long. He died of unknown causes at his home on November 6, 1855.⁴⁵

Luis remained in Travis County after Duval's death. Ten years later he must have celebrated, along with other men and women who had been held in bondage, when freedom finally came in 1865. Two years later came the right, at least temporarily, to vote. The Reconstruction Act of March 13, 1867 had included the requirement that regional military commanders in the post-Civil War occupied South register those who were eligible to vote. In this category were included white and black men at least 21 years old who were loyal to the Union. Over 140,000 men registered to vote in Texas between 1867 and 1869. Among them was Luis Pacheco.

These voting registration records were among the first official records "to include a last name for men who, as slaves, generally had but a first name." Luis had to make a decision on which surname he was going to adopt in his new life as a free man. He decided that he would be known as "Lewis Fatio," and under that name he was registered to vote in Travis County on August 5, 1867.⁴⁶

What happened to Luis during the decade or so is unknown. Efforts to locate him in the 1870 and 1880 censuses of Travis County have not been successful. Nevertheless around 1880 Luis gave an interview to the *Austin Commercial Journal* in which he told the story of his life. The interview was picked up for reprint by several newspapers in Florida. It appeared in the *Tampa Sunland Tribune* on May 6, 1880, the *Bartow Informant* on August 25, 1881 and the *Gainesville Weekly Sun and Bee* on September 8, 1881.⁴⁷

In 1882, the 82nd year of his life, Luis Pacheco made his way back to Florida and located the daughter of his former master, Mrs. Susan Philippa Fatio L'Engle who was living in Jacksonville. Almost sixty years had passed since Luis had fled the Fatio plantation, but he was able to convince her of the veracity of his identity, perhaps by mentioning his work as courier to her father or other facts that were not widely known. Mrs. L'Engle seems to have helped him during the last years of his life.⁴⁸

In his old age, Luis was concerned with setting the record straight. He wanted the world to know that he had not led the Dade command into an ambush. In 1892 he and Mrs. L'Engle gave an interview to the *Florida Times Union* and he stated that he had "been anxious to have his history written and to correct the accusation of treachery which has lived so long." Although an old man, Luis still cut an impressive figure and the journalist observed that "his remarkable alertness and compact frame ... [is evidence] ... of what was once almost a giant's strength." Luis' assertion that he had not betrayed Dade seemed credible to the journalist.⁴⁹

An artist was commissioned to draw Luis' picture to illustrate the article. He appears in a dignified stance, well dressed in a suit and tie. But despite the goodwill evident from the tone of the author of the article, Luis' story elicited the wrath of at least one reader. On November 21, 1892 a rebuttal article appeared in the *Florida Times Union* authored by George R. Fairbanks, "Florida's pre-eminent nineteenth-century historian." Fairbanks refuted Luis' assertions that he was not guilty of betraying Dade's command by referring to historical documentation and published works and by stating that Luis' recollections were a "garrulous and probably made up story of an old negro."⁵⁰

Despite the controversy, after his interview Luis seemed to have come to peace with himself and the world. During the last years of his life his "thoughts were fixed on the beyond" and "he did not care to live now as he had set himself right before the world." He died on January 6, 1895 of "senility."⁵¹

As a sign of the high esteem in which he was held by the white community of Jacksonville, either

because of the support provided by Mrs. L'Engle or because he had been a living symbol of a bygone era, Luis was attended in his last illness by a white doctor of Spanish origin, Dr. John D. Fernandez, who signed his death certificate. He was also buried by a white undertaker, and his funeral was attended by "many representatives of the old families of Jacksonville." Luis was buried at Magnolia Springs Cemetery located on the opposite margin of the St. Johns' River, a few miles from New Switzerland where he had been born 94 years earlier.⁵²

Thus was the last chapter of the Dade battle and of Luis Pacheco's life written. Only three other men from the Dade Command had survived the ambush, and all had long been dead. Luis had been the only one of the players in the deadly event to endure for a lifetime the effects of having been connected to it. One can only speculate that with his intelligence and physical presence, he could have lived a happier and more productive life after being removed from Florida to the Indian Territory and acquiring the identity of a Black Seminole.⁵³ As it was, he lost all chance of controlling his destiny when he became the target of an unscrupulous slave trader who operated under the guise of Indian Agent. By the time Luis was freed in 1865, it was too late for him to restructure his life; he had even lost the ability to write. Thus his life had ended as it had begun, back in Florida as a dependent of the Fatio family. Amazingly, Luis had not been destroyed by adversity. He had learned to live with it, and had ended his life with dignity.

END NOTES

¹ For an account of how blacks came to be among the Seminoles see Porter, Kenneth W. The Black Seminoles: History of a freedom Seeking People, revised and edited by Alcione M. Amos and Thomas P. Senter, Gainesville: University Press of Florida, 1996:4-7; for an account of black participation in the Second Seminole War see chapters 4,5 and 6 of the same book. A map depicting the principal battles in which Black Seminoles participated can be found after page 37. A review by the author of this article of the Seminole Emigration files in the National Archives yielded a total of 443 Black Seminoles removed from Florida to Indian Territory between 1838 and 1858. Daniel Littlefield, Jr. in his study of the Black Seminole estimated that "nearly five hundred...had emigrated." Littlefield, Daniel F., Jr. Africans and Seminoles: From Removal to Emancipation. Westport, Conn.: Greenwood Press, 1977:176.

² Luis was variously listed as Louis, Lewis and Luis in the documents and publications cited in this article. Because he was originally held as a slave by a Spanish subject, and for consistency sake, the author has decided to use the Spanish spelling of his name throughout the article.

³ L'Engle, Gertrude N. A Collection of Letters. Information and Data on our Family. Jacksonville: n.p. 1951:14; "The Dade Massacre." Florida Times Union. October 30, 1892:2; McKay, D.B. ed. Pioneer Florida. Tampa: Southern Publishing, Co., 1959:480; Sunland Tribune (Florida), May 6. 1880.

⁴ Florida Times Union, 1892; the New Switzerland plantation was located on the margins of the St. Johns River, in today's St. Johns Co, Fla., on Route 13 (San Jose Boulevard) near New Switzerland Point. New Switzerland Point actually was where the plantation's boat landing was located. The exact location of the plantation manor has not been determined. Lytton, Eugene R. Fatio Family. S.I: S.n., 1992:1.13: Florida Atlas and Gazetteer. 4th ed. Yarmouth, Maine: De Lorme, 1997:57.

⁵ The Florida Times Union article of 1892 reports that Luis was taught how to read and write by Miss Susan Philippa Fatio, granddaughter of the senior Fatio. But most likely, Luis was taught how to read and write along with Susan and her sister Lenora, who were taught at home. L'Engle, Susan. Notes of my Family and Recollections of my Early Days. New York: The Knickerbocker Press, 1888:51. In her study of black society in St. Augustine. Jane Landers found that many slaves living in St. Augustine had mastered at least three languages and most were at least bilingual. Landers, Jane. Black Society in Spanish Florida. Urbana: University of Chicago Press, 1999: n.16. 349. The Fatio family was multilingual speaking French, German, Spanish, English, and Italian. L'Engle. Notes of my Family. 1888:13. In the partition of the estate of his father Francis Fatio Jr. received twelve slaves. Adam and Lewis are the first on the list. The author has inferred that these were Luis and his father. L'Engle, A Collection of Letters. 1951: 194; "Division, y particion de bienes por fallecimiento de Dn. Francisco Felipe Fatio, y su consorte Da. Maria Magdalena Crespill," Records of

Testamentary Proceedings, 1756-1821, East Florida Papers, reel 145. bundle 318Q3; document no. 23, Manuscripts Division, Library of Congress.

⁶ L'Engle. Notes of my Family. 1888: 13.28-29; L'Engle. A Collection of Letters. 1951: 52.

⁷ In a Spanish census of 1814 the family of Francis Fatio Jr. was living in Fernandina. They owned 28 slaves. Five were boys between 7 and 14 years old, Luis undoubtedly was one of them. Lytton, 1992:18. L'Engle. Notes of my Family.1888:39, 45-47; L'Engle. A Collection of Letters. 1951:55,57; McKay, 1959:480. The San Pablo plantation was built sometime between 1814 and 1818 in what is today Duval Co. Fla. It was located slightly north of today's Beach Boulevard, near San Pablo Road and San Pablo Creek, in the vicinity of Jacksonville Beach. Lytton, 1992:3.15.16; Florida Atlas and Gazetteer. 1997:58.

⁸ Florida Times Union. 1892; Commonly, slaves in St. Augustine could buy their freedom for between two hundred and three hundred pesos. For details on how slave women in St. Augustine used this system to obtain their freedom see Landers, 1999:139-44.

⁹ L'Engle. A Collection of Letters. 1951: 69; McKay, 1959: 480.

¹⁰ McKay, 1959: 480; for details about the "Spanish Fisheries" see Hammond, E. A. "Spanish Fisheries of Charlotte Harbor." Florida Historical Quarterly. 51, 1973:355-80 and Covington, James W. "Trade Relations between Southwestern Florida and Cuba — 1600-1840." Florida Historical Quarterly. 38, 1959:114- 128.

¹¹ Hammond, 1973: 361; Covington, 1959:121; Covington, James W., ed. "A Petition from some Latin-American Fishermen, 1838." Tequesta. 14, 1954:61- 65.

¹² Hammond, 1973: 362; Clark to Jesup, Feb. 20 1825; Brooke to Jessup [sic], Nov. 30, 1825; Brooke to Scott, Aug. 29, 1825 in The Territorial Papers of the United States. Washington, D.C.: Government Printing Office, 1958, 23:183, 314, 365; Covington, 1959:122.

¹³ McKay, 1959: 480: 25th Cong., 3d Sess., H.D. 225 (serial set 348): 120; 30th Cong. 1st Sess., H.R. 187 (Serial Set 524): 2; Elzaurdi to Downing, Nov. 7, 1839; Documents pertaining to the Claim of the Heirs of Antonio Pacheco, Petition and Memorials Referred to the Committee of Military Affairs, Records of the U.S. House of Representatives, Record Group (RG) 233, National Archives (NA), herewith cited as Claim of the Heirs of Antonio Pacheco; Chamberlin, Donald L. "Frontier Outpost: 1824-42." in Suncoast Free-Net Historical Essays, HTTP [online] <http://scfn.thpl.lib.fl.us/bbs/ctbhcessays2.txt>:7-8.

¹⁴ Major McIntosh sold Luis to Antonio Pacheco in 1832 when Ft. Brooke was apparently temporarily abandoned, Chamberlin, 1995:8; McKay, 1959: 479; Affidavit of Major James S. McIntosh, Apr. 26, 1839, Hillsborough County, Territory of Florida, Claim of the Heirs of Antonio Pacheco, NA; Spanish Land Grants in Florida. Historical Records Survey Projects, Works Projects Administration, 1940, v. 1, Unconfirmed Claims: 211; Mathews, Janet Snyder. Edge of Wilderness: a Settlement History of Manatee River and Sarasota Bay. 1528-1885. Tulsa, OK.: Caprine Press, 1983: 77-78. The name of Antonio Pacheco appeared in a "Memorial to the Secretary of War by Inhabitants of Hillsborough County" on November 1834, in Territorial Papers of the United States. 25:69-70. Pacheco's name is followed by that of Jose[ph] Elzaurdi, who would become the second executor of his estate; Power of Attorney of Quintina Pelace (Pacheco) to Jose[ph] Exaurdi [Elzaurdi] in Havana Aug. 5, 1839, certified by the American Consul on Aug. 6, 1839, Claim of the Heirs of Antonio Pacheco, NA.

¹⁵ H.R. 187: 2-3; Casey to Levy, Jan. 31, 1842, Claim of the Heirs of Antonio Pacheco, NA.

¹⁶ H.R. 187:1.

¹⁷ For the definitive account of Dade's massacre see: Laumer, Frank. Dade's Last Command. Gainesville, FL.: University Press of Florida, 1995. For an earlier account by the same author see Massacre! Gainesville: University Press of Florida, 1968.

¹⁸ H.R. 187:3; Jesup to Levy, Jan. 21, 1842, Claim of the Heirs of Antonio Pacheco, NA; Miller, Wayne G "Half-breed Negro Guide is blamed for Dade Massacre." clipping from an unidentified newspaper, dated Dec. 22, 1935, copy in the personal collection of the author, courtesy of Frank Laumer; Moore-Willson, Minnie. The Seminoles of Florida. Philadelphia: American Printing House, 1896.

¹⁹ Laumer, Dade's Last Command. 1995:34, 50, 33; Casey to Levy, Jan. 31, 1842, Claims of the Heirs of Antonio Pacheco, N A; [Belton] to Clinch and Dade, Dec. 23, 1835, General, Special and Other Orders Received from Superior Commanders, 2nd Regiment of Artillery, Records of the U.S. Regimental Army Mobile Units, RG 391, NA. By an almost unbelievable twist of fate Stafford was saved from death with Dade's command but died suddenly less than one year later on June 1, 1836. Prince, Henry. Amidst a Storm of Bullets: the Diary of Lt. Henry Prince in Florida. 1836-1842. ed. Frank Laumer. Tampa, FL: University of Tampa Press, 1998:51.

²⁰ Sprague, John T, The Origin, Progress, and Conclusion of the Florida War. Gainesville, FL.: University Press of Florida, 1964:90.

²¹ Florida Times Union. 1892; Covington, 1954:64.

²² Jesup to Levy, Jan. 21, 1842, Claim of the Heirs of Antonio Pacheco, NA; H.R. 187:3; Sprague, 1964:90; phone conversation between the author and Frank Laumer, Aug. 11, 2000. In the 1920s Mrs. Moore-Willson interviewed Miss Mary L'Engle of Jacksonville, Florida about Luis. She was a descendant of the Fatio family and had known Luis as a child. Miss Mary L'Engle denied that Luis had had a hand in bringing about the demise of Dade's command. Unidentified newspaper clipping, dated Dec. 22, 1935.

²³ McKay, 1959:481; "Register of Negro Prisoners Captured in Florida by the Troops Commanded by Maj. Gen. T.S. Jesup in 1836 and 1837 and Slaves to White People." Records of the Adjutant General Office (AGO), RG 94, NA, General

Thomas S. Jesup Papers. Luis is erroneously listed as being 30 years old although he was almost 37 years of age. A note is entered after his name indicating that he belonged to Mrs. Pacheco; 25th Cong., 2d Sess., S.D. 507 (Serial Set 319): 3.

²⁴ Jesup to Levy, Jan. 21, 1842, Claim of the Heirs of Antonio Pacheco, NA: H.R. 187:3

²⁵ Affidavit of Captain John C. Casey, Apr. 15, 1839, Hillsborough County, Florida, Claim of the Heirs of Antonio Pacheco, NA; Foreman, Grant. Indian Removal: the Emigration of the Five Civilized Tribes of Indians. Norman: University of Oklahoma Press, 1972: 364-65.

²⁶ McKay, 1959:481.

²⁷ Jesup to Marcy, Jul. 1, 1838, Records of the Bureau of Indian Affairs, RG75, Special Files, 1807-1904, Microfilm Publication (M) 574, Special File 96, Roll 13:101-102.

²⁸ Order No. 175, Headquarters Army of the South, Tampa Bay, Sep. 6, 1837, Records of the Office of the Quartermaster General. RG92, NA, Consolidated Correspondence File, "Jesup, General Thomas"; Jesup to Medill, Jun. 20, 1848, RG75, NA, M574, Special File 96, Roll 13:45-47.

²⁹ For an excellent study of the intricate claims that involved the Black Seminoles see: Littlefield, 1977.

³⁰ "List of Seminole Negroe [sic] Prisoners Turned over at Fort Pike, La the March 1828 to Lieut. J.G. Reynolds..." List I, in Littlefield, 1977; 41-43.

³¹ Luis arrived in Indian Territory on Aug. 5, 1838 along with 31 other blacks that had been in jail with him in New Orleans. A baby had been born in jail to one of the imprisoned women and another woman had died during the last leg of the trip. "Muster Roll of Negroes Detained at New Orleans to be Appended to the Genl. Muster Roll of the Party Emigrated on the 22d of May 1838." RG75, NA, Letters Received, 1824-81, M234, Roll 290: R290/1838.

³² "List of Negroes who surrendered under proclamation of Major General Jesup when in command of the Army in Florida ..." RG75, NA, M574, Roll 13:143- 154. Luis' name appears in frame 149 as Lewis belonging to Micanopy and living at Little River; Foreman, Grant. The Five Civilized Tribes. Norman: University of Oklahoma Press, 1972:242-43. Micanopy had moved to Little River in 1845, Logan to Crawford, RG75, NA, M234, Roll 800:no frames.

³³ Power of Attorney from Quintina Pelace (Pacheco) to Jose[ph] Exaurdi [Elzaurdi], Aug. 5, 1839; Elzaurdi to Downing, Nov. 9, 1839, Claim of the Heirs of Antonio Pacheco. NA.

³⁴ 27th Cong, 2d Sess., H.R. 472 (serial set 408); 28th Cong., 1st Sess., H.R. 523 (serial set 447); U.S. House Journal. 1844. 38th Cong., 1st sess., 7 Jun., 1024. HTTP [Online]: <http://memory.loc.gov>: January 20, 2001.

³⁵ H.R. 187:14-27; Giddings, Joshua R. The Exiles of Florida: or. the Crimes Committed by Our Government against the Maroons who Fled from South Carolina and other Slave States. Seeking Protection under Spanish Laws[^] Gainesville: University of Florida Press, facsimile ed, [1858], 1964:108., italics by Giddings.

³⁶ Giddings, 1964:107-114; Giddings, Joshua R. Payment for Slaves. Speech of Mr. J.R. Giddings. of Ohio, on the bill to pay the heirs of Antonio Pacheco for a slave sent West of the Mississippi with the Seminole Indians in 1838. Made in the House of Representatives. Dec. 28, 1848. and Jan. 6, 1849. Washington, D.C.: Buell & Blanchard, 1849; Giddings, Joshua R. Speeches in Congress. New York: Negro University Press, reprint edition, [1853], 1968:289-318; U.S. House Journal. 1848. 30th Cong. 2nd Sess., 29 December, 165; 1849. 30th Cong. 2nd Sess., 6 January, 205; 8 January, 212; 12 January, 237; 13 January, 242; 19 January, 276; 5 February, 183; 1850 31st Cong. 1st Sess., 24 January, 396; and 1851. 31st Cong. 2nd sess., 6 February, 241. HTTP [online]: <http://memory.loc.gov> January 20, 2001; U.S. Senate Journal. 1849. 30th Cong., 2nd Sess., 19 January, 138; 5 February, 183; Table of Bills of the Senate and House of Representatives, 480. HTTP [online]:<http://memory.loc.gov>. January 28, 2001.

³⁷ McKay. 1959:481; Marcellus Duval was appointed Seminole Sub-Agent on July 11, 1845. He had come from Alabama and believed in strict bondage for blacks. The relationship that the Seminole Indians had with the Black Seminoles was incomprehensible and unacceptable to him. Brown, Thomas Elton. "Seminole Indian Agents, 1842-1874." *Chronicles of Oklahoma*. 51, 1973:65, 67; Miller, Susan A. "Wild Cat's Bones: Seminole Leadership in a Seminole Cosmos." PhD. diss., University of Nebraska, Lincoln, 1997:291.

³⁸ Porter, 1996:121;124-25.

³⁹ Power of Attorney from Micanopy and eight other Seminole chiefs to William J. Duval, Nov. 19, 1847, RG75, NA, M574, Special File 96, Roll 13:19-20; Dent to Flint. July 15, 1840, RG94, NA, Letters Received by the AGO, 1822-60, M567, Roll 422, A135: 458-60; Brown, 1973:67-68.

⁴⁰ Duval to Arbuckle, Jul. 29, 1850; Belknap to Page, Aug. 6, 1850, Belknap to Page, Dec. 9, 1850, Records of the Army Continental Commands, RG 393, N A, Records Headquarters Army of the Southwestern Frontier and Headquarters Second and Seventh Military Department, 1835-1853, M1302, Roll 7, 546-49, 217-19, 245-249; Porter, 1996:95,68; Jesup to Marcy, Jul. 1, 1848, RG75, NA, M574, Roll 13, Special File 96, 101-102; Lieutenant Reynolds had told Luis in New Orleans that he and Primus were free. McKay, 1959:481.

⁴¹ McKay, 1959:481; Henshaw to Manypenny, Jun. 7, 1853, RG75, NA, M234, Roll 801 :H251/1853. The statement that Luis was bought for fifty dollars, despite the fact that just a few years earlier his previous owner had been requesting reimbursement for him in the amount of one thousand two hundred dollars, was not as far fetched as it might seem. During that period, Black Seminoles in Indian Territory were being bought even in exchange for whiskey. Porter, 1996:118.

⁴² Chapters 10 and 11 of Porter, 1996, tell the story of the exodus from Indian Territory of the Seminole Indians under Wild Cat and the Black Seminoles under Chief John Horse. See also Miller, 1997, chapters 6 and 7.

⁴³ Littlefield, 1977:157; Brown, 1973:68; Duval to Bell, Oct. 21, 1850; Bell to Brooke, Nov. 8, 1850; Bell to Duval, Nov. 9, 1850 in Texas Indian Papers. Dorman H. Winfrey, ed. Austin: Texas State Library, 1959-1966, 3:127-29; 5:92-93.

⁴⁴ “O’Connor, Elizabeth Paschal (ca. 1850-1931);” “Paschal, George Washington (1812-1878)” in *The Handbook of Texas Online*, HTTP [online] [http:// www.tsha.utexas.edu/handbook/online](http://www.tsha.utexas.edu/handbook/online): February 1, 2001; O’Connor, T.P., Mrs. “My Beloved South.” 1914:42, in *Documenting the American South*, HTTP [online]: <http://docsouth.unc.edu/oconnor/oconnor.html>: February 1, 2001.; McKay, 1959:480, 481.

⁴⁵ First Book of Marks and Brands of Travis County, Texas:29, Travis County Courthouse, County Clerk’s Office, Austin, Texas; Deed from Henry H.Williams to Marcellus Duval, on January 22, 1853 in Galveston, Texas for 2,214 acres, paid at \$5,535 in cash, Book 1:524-25; Travis County Deed Records, Travis County, Texas Courthouse, County Clerk’s Office. In 1854 the property was being valued at over \$11,000. In addition to the land Duval owned 31 slaves valued at \$15,000, Tax rolls for 1854, Travis County, Texas, Texas State Library and Archives, Austin, Texas. If indeed these 31 slaves were the same ones he had brought from the Seminoles for fifty dollars a head, (including Luis) he had made an astonishing profit in just two years. Marcellus Duval obituary in Miscellaneous Texas Newspaper Abstracts — Deaths. Michael Kelsey, Nancy Graff Floyd, Ginny Guinn Parsons, comp. Bowie, Md: Heritage Books, Inc., 1995:50.

⁴⁶ 1867 Voters’ Registration Index in Texas,” in *The Texas Slavery Project* at the University of Houston, HTTP [online]: <http://www.texasslaveryproject.uh.edu/> : February 1,2001; Brice, Donaly E. and John C. Barron. “The Index to the 1867 Voters’ Registration of Texas.” CD-Rom [online]: Bowie, Md.: Heritage Books, Inc, 2000:3-4; 720: February 1, 2001; Voter Registration Lists, 1867-1869: 107, Texas State Library and Archives, Austin, Texas. Luis signed the register with a mark. It is possible that he no longer knew how to write after having lost the opportunity to read and write for over 30 years.

⁴⁷ Unfortunately it has been impossible to obtain a copy of the original article from the Austin Commercial Journal. There are no extant issues for 1880.

⁴⁸ The death certificate of Luis Fatio indicates that in 1895 he had lived in Florida for 13 years, thus placing his arrival in 1882, copy of the death certificate of Luis Fatio in the private collection of the author. Mrs. Susan L’Engle was living in Jacksonville, Fl in 1882 at 58 E. Monroe St. Webb’s Jacksonville Directory. New York. N.Y.: Webb Bros. & Co., 1882:121.

⁴⁹ Florida Times Union, 1892.

⁵⁰ Fairbanks, George R. The History and Antiquities of the City of St. Augustine, Florida. Gainesville, FL: University Presses of Florida, facsimile edition [1858], 1975:[viii]; “Believes him to be a traitor.” Florida Times Union. November 21, 1892:5.

⁵¹ “Luis Fatio dead.” Florida Times Union. January 8, 1895; death certificate of Luis Fatio.

⁵² Death certificate of Luis Fatio. The undertaker was Dey J. Ramsay who also run a stable; Webb’s Jacksonville Directory and Consolidated Business and Partnership Directory. Jacksonville, Fl: Da Costa Printing Company, 1895:78, 84; Florida Atlas and Gazetteer, 1997:57; Florida Times Union. January 8, 1895. Luis Pacheco’s obituary erroneously lists his place of burial as New Switzerland. Magnolia Springs Cemetery has disappeared under housing built for the military. Spence, Elizabeth R. They are Here. Cemeteries of Clay County, Florida and a Brief History of Clay County and Northeast Florida. Orange Park, Fl.: S.n., [c1973]:221.

⁵³ For the history of the lives of the two other survivors of the Dade massacre see White. Nathan W. Private Joseph Sprague of Vermont: the Last Soldier-Survivor of Dade’s Massacre in Florida. Ft. Lauderdale, Fla.: S.n., 1981; Laumer, Frank. “The Incredible Adventures of Ransom Clark.” *Tampa Bay History*, 3, 1981:5-18.