

# Courthouse fire was suspicious

Cattle rustlers ruled the streets at time of devastating 1868 blaze

By Mark Andrews

OF THE SENTINEL STAFF

A fire destroyed the first Orange County Courthouse in 1868 and nearly all of the county's records with it.

The log building was believed to have been torched by arsonists during a cattle feud that raged in Orlando in the late 1860s, according to historian Eve Bacon's book *Orlando: A Centennial History*.

After the Civil War, hard currency was scarce in the South, and cattle became especially valuable because of the growing trade with Cuba, which paid for Florida beef with Spanish gold.

Cattle rustling in Orange County became more and more widespread, and law and order had little meaning, Bacon wrote. Witnesses often refused to testify in court, and armed men working for cattle owners crowded the courtroom to intimidate judges, jurors and those witnesses who did show up.

Street fights broke out frequently, and many people stayed indoors to avoid being shot in the street by ambush.

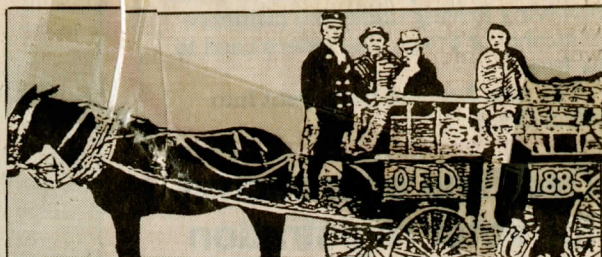
In the fall of 1868, a high-profile cattle-rustling case was first on the court docket. The accused thieves had brought in a New York lawyer. Townspeople were on edge because threats had been made, and rumors of vengeance were flying.

Early one morning, fire broke out in the courthouse. By the time residents saw the flames, it was too late to save the wooden building. Neighbors in their nightclothes struggled to save nearby stores from the flying sparks by sloshing water on them and spreading wet blankets on the roofs.

After the embers cooled, investigators discovered bottles of crude turpentine and flammable resin on one side of the building. There were prime suspects in the case, Bacon wrote, but nothing could be proved.

Only one deed book, which a clerk had taken home to work on the night before, was saved.

Two other stories from those rough-and-tumble days of cattle-ranching provide historic nuggets from Orange County's early years. Both involve the only



## Flashback

ORANGE COUNTY HISTORY

Orange County sheriff who was ever murdered on the job.

In the late 1860s, federal occupation forces had imposed a new tax on cattle herds.

A rancher named Mose Barber refused to pay his tax, and Sheriff David Mizell was sent to collect it. Instead of getting cash, Mizell took part of Barber's herd and rode off.

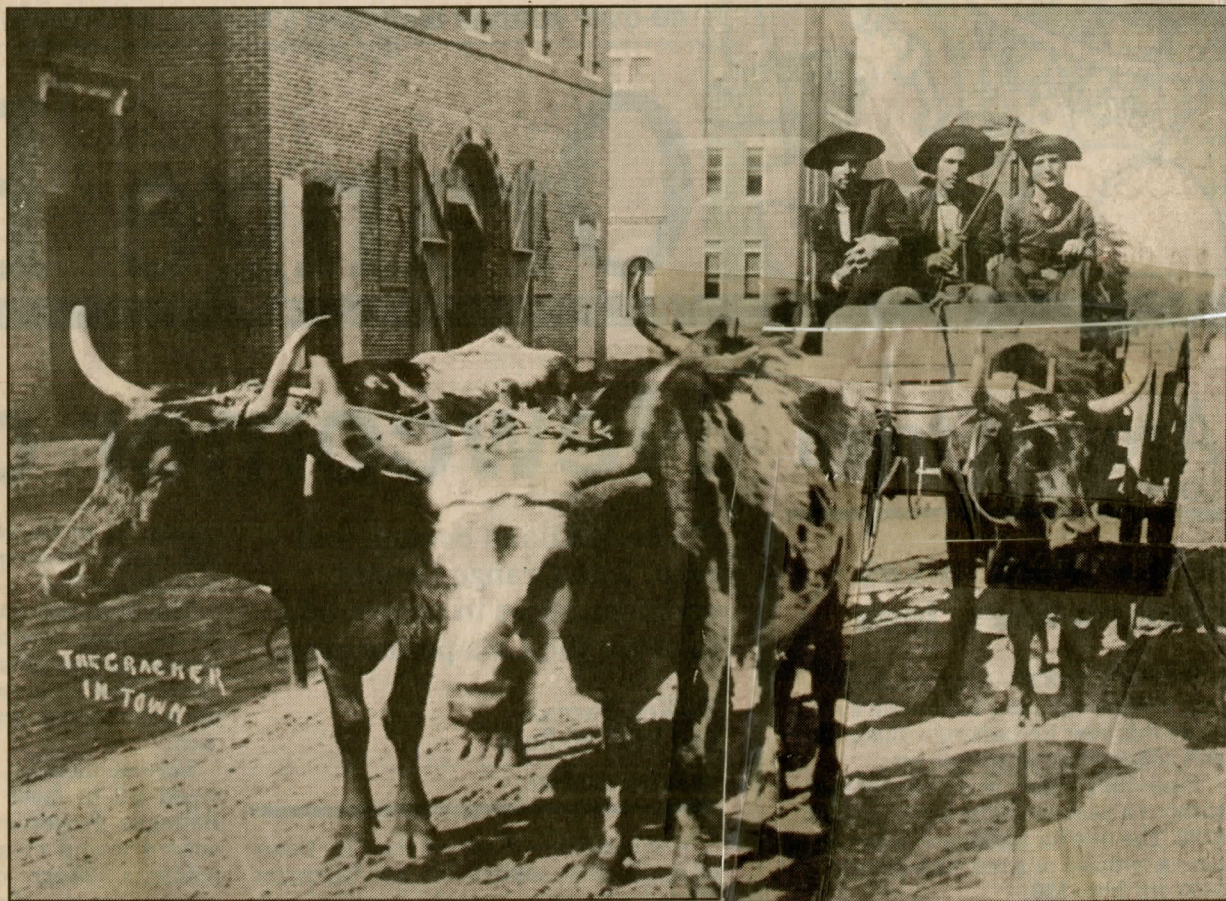
When Barber learned of the confiscation, he threatened to shoot the sheriff if Mizell ever came onto his property again. A feud between the two families lasted for years.

In 1870, Mizell was sent to collect another debt — this time an uncollected bill for the sale of some cattle from Robert Bullock. Mizell rode down to what is now southern Osceola County with his brother, Morgan, and 12-year-old son.

While crossing Bull Creek near present-day Kenansville, the party was ambushed by the people Mizell had set out to find, Bacon recounted. Mizell was so badly wounded by a shotgun blast that his brother and son thought he was dead. Morgan began the 75-mile journey back for help while Mizell's son, Billy, stayed.

But Billy reported later that his father regained consciousness and asked that no one seek revenge for his killing. Mizell, son of the first white settler in what is now Winter Park, died praying for his enemies, Bacon wrote.





PHOTO/ORANGE COUNTY HISTORICAL MUSEUM

Cattlemen on Magnolia Avenue in undated scene pass replacement courthouse (rear).