

STARS

Florida Historical Quarterly

Volume 12
Issue 4 *Florida Historical Quarterly, Vol 12,*
Issue 4

Article 1

1933

Florida Historical Quarterly, Vol. 12, Issue 4

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Recommended Citation

Society, Florida Historical (1933) "Florida Historical Quarterly, Vol. 12, Issue 4," *Florida Historical Quarterly*. Vol. 12 : Iss. 4 , Article 1.

Available at: <https://stars.library.ucf.edu/fhq/vol12/iss4/1>

Volume XII

April, 1934

Number 4

The
QUARTERLY
Periodical of

THE FLORIDA HISTORICAL SOCIETY

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Published four times yearly at
OFFICE OF PUBLICATION
ROSE BUILDING
TALLAHASSEE, FLORIDA

SUBSCRIPTION TWO DOLLARS. SINGLE COPIES FIFTY CENTS.

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THE FLORIDA INTRIGUES OF JOSE
ALVAREZ DE TOLEDO ¹

By JOSEPH B. LOCKEY

Jose Alvarez de Toledo came to the United States in September, 1811, in the character of a political refugee. He gave it to be understood that he had been compelled to flee from Spain because of his sympathies with the revolutionary movement then beginning to make itself felt throughout Spanish America. He resided at Philadelphia until the end of 1812, and then proceeded to the southwestern frontier. Entering Texas he took command of the Republican army at San Antonio; but suffering a disastrous defeat, he escaped to Louisiana. He busied himself in that quarter during the next three years or more with the organization and promotion of divers revolutionary enterprises ostensibly in the Mexican interest. About the middle of 1816, he professed a change of heart, abandoned the independence cause, and in December of that year embarked for Spain, where royal forgiveness and honorable employment awaited his return.

The full story of Toledo's activities on this side of the Atlantic has never been told. A little has been written about his relations with Secretary of State Monroe, and a little more about his connection with some of the border incidents; but apart from these very brief accounts there is nothing in the published records to mark his goings and comings, nor to indicate the objects he pursued. His Florida intrigues

¹ This article is an outgrowth of an extended project undertaken by the writer for the Florida State Historical Society. The material upon which it is based consists in part of photostatic reproductions of documents provided by this Society, and in part of like material loaned by the Manuscript Division of the Library of Congress. The Research Board of the University of California has generously given the project financial support. To all these agencies the writer acknowledges his indebtedness.

illustrate the point. In two instances only has his name been even vaguely associated with the State. It has been said that he gave Monroe, in 1811, secret information regarding the designs of Great Britain on the Floridas;² and it has been asserted, without proof or detail, that he was the author, with General Mina, of the plots which culminated in the seizure of Amelia Island.³ In the first instance Toledo seems to have had little information to give and no purpose to subserve except perhaps to gain the good will of Monroe; but in the second, investigation shows, he was in effect the promoter of a vastly complicated intrigue which involved the destiny not only of Florida but of Louisiana, and, indeed, of America as a whole. To be understood this intrigue must be viewed against the background of Toledo's whole career.

The refugee's conduct in the United States justifies mistrust of all his professions of attachment to the independence cause. He was born in Cuba, but despite that fact was more Spanish than American. His father, an officer in the Spanish navy, and his mother both were born in Spain.⁴ He himself was educated in the Peninsula, and on growing to manhood followed his father's example by enlisting in his country's navy, in which he rose to the rank of lieutenant. In the war resulting from the Napo-

² I. J. Cox, "Monroe and the Early Mexican Revolutionary Agents" in *Annual Report of the American Historical Association*, 1911, I, 203.

³ Vincente Pazos, *The Exposition, Remonstrance and Protest of Don Vincente Pazos, Commissioner on behalf of the Republican Agents established on Amelia Island, in Florida, under the authority and in behalf of the Independent States of South America.*

...Presented to the Executive of the United States on the ninth of February, 1818. Translated from the Spanish. Philadelphia, 1818.

⁴ Carlos M. Trelles, "Un Precursor de la Independencia de Cuba: Don Jose Alvarez de Toledo," in *Discursos Leídos en la Recepción Pública del Sr. Carlos M. Trelles y Govín* (Havana, 1926), 49, 77, 84.

leonic usurpation in 1808, he saw service against the invaders. But his navel career was soon interrupted. In 1810, when the national assembly known as the Cortes of Cadiz was convened on the island of Leon, he was chosen to represent Santo Domingo in that body. Within a year, the course of his life changed again. He vacated his seat in the Cortes and embarked clandestinely for the United States.

It is important to know, if possible, why Toledo took this step. By his own account, which he set forth in a manifesto published at Philadelphia shortly after his arrival in the United States, he fled to escape the wrath of the very Cortes of which he was a member. He had written, it appears, certain letters to his constituents in the island of Santo Domingo counseling them to take measures for their own safety and well-being and warning them against trusting too much to the protection of the mother country dominated as it was by Great Britain. These letters by some untoward circumstance were intercepted after they reached the island. They were sent back to Spain and eventually were transmitted to the Cortes accompanied by charges which had been formulated against the writer. An order for his detention and trial followed. It was because he was fearful of the outcome that Toledo sought safety in a country where, as he expressed it, he would be beyond the reach of despotic power.⁵ But it is doubtful whether this account reveals the whole truth.

Is it possible that Toledo left Spain with a definite mission? The distrust of England, to which he gave expression in his speeches in the Cortes⁶ as well as in the correspondence with his constituents in Santo

⁵ "Manifiesto o Satisfaccion Pundonorosa, a Todos los Espanoles Europeos, y a Todos los Pueblos de la America, por un Disputado de las Cortes Reunidas en Cadiz," in Trelles *Discursos*, Appendix II.

⁶ Wellesley to Castlereagh, July 6, 1819 (Private and Confidential), Foreign Office, 72/225.

Domingo, and the friendly associations which he established with Bonapartist agents and sympathizers upon his arrival in the United States, suggest the possibility of a French connection. Indeed the Spanish minister, Onis, who watched with attention the refugee's movements, very soon came to the conclusion, at least so he asserted, that the flight from Spain was a premeditated step in an intrigue of the usurper Bonaparte whose object was to deliver the unsuspecting Spanish Americans into the arms of France. But after further observation the Spanish minister came to the very different conclusion—again it must be pointed out that this is what Onis asserted—that Toledo was the instrument of a plot instigated by the American deputies in the Cortes with a view to encouraging the colonies to strike for independence. With this purpose, Onis professed to believe, France and the United States were in active accord.⁷

Of these two views, the latter seems the more plausible ; for it is not wholly inconsistent with Toledo's own explanation nor with his actions during the first few months of his stay in the United States. Moreover this view derives a measure of support from a certain document which Toledo had in his possession at the time of his 'repentance' in 1816. This was a commission reputedly signed by the Mexican deputies in the Cortes on July 14, 1811, which empowered Toledo, then about to embark for America, to raise an army and establish a revolutionary government in the Internal Provinces of northern Mexico. But the authenticity of this paper cannot be vouched for. The original was torn to bits by

⁷ Onis to Bardaxi y Arara, September 25, and December 28, 1811, Archivo Historico Nacional, Estado, Legajo, 5554; same to same, January 20, 1812, A. H. N., Est., Leg. 5638.

Toledo,⁸ and the known copies do not, of course, contain the signatures and other data from a study of which the genuineness of the document might be determined. Nor has it been possible, by evidence of any other sort to establish the fact that such a commission was ever issued. Until that is done, Toledo's connection with the Mexican deputies must remain in the realm of doubt.

It may be that none of the explanations accords with the facts of the case. Toledo may have been neither a mere refugee, nor a Bonapartist emissary, nor a representative of the American deputies in the Cortes. He may have been at the beginning what he was at the end: a secret agent of Spain. If that was his role, the way he played it does honor alike to his loyalty and to his skill; but it is difficult to believe that his character was so stable or his actions so consistent. He seems on the contrary to have had an eye to the main chance. He served the master, it appears, that promised the greatest reward.

Why he chose to establish himself in Philadelphia, where Onis also had his abode, is difficult to explain; for life was made miserable for him there, he claimed, by persecution at the hands of that official. In the course of a few weeks, however, the unhappy exile found a friend. A correspondence which he opened with Secretary of State Monroe resulted in his being invited to come to Washington, at Monroe's expense, for an interview.⁹ What passed between the two men when they met late in December,

⁸ Juan Mariano Picornell and Father Sedella were able to join the torn pieces of the commission together and make a copy which Sedella sent to Onis under date of July 9, 1816. Cf. Onis to Cevallos, August 11, 1816, A. H. N., Est., Leg. 5554. Another copy was intercepted by Royalist forces in Mexico in 1815. cf. Trelles, *Discursos*, 153.

⁹ Communication was carried on for the most part through A. J. Dallas as an intermediary. See Dallas to Monroe, November 25 December 4, and December 25, 1811, State Dept., Miscellaneous.

1811, must be inferred in part from scraps of correspondence and in part from the subsequent course of events. Monroe became convinced, it appears, that Toledo was moved by a desire to defeat England's designs on the Spanish Islands and the Floridas, with reference to which he professed to have secret information ; and that he aspired, at the same time, to play a part in advancing the general cause of Spanish American independence. Of greater interest perhaps to Monroe was the visitor's apparent willingness to serve the United States in the impending contest for territory on the southern frontier; and an agreement of some sort on that head seems to have been reached.¹⁰

What the agreement was, can only be determined by viewing it in the light of certain contemporary events. Some two weeks before Toledo appeared in Washington, the Mexican agent, Jose Bernardo Gutierrez de Lara, who had been sent to the United States in search of aid for his country's faltering revolution, called at the White House to present his case directly to President Madison. The President received him with cordiality and expressed sympathy for his cause, but felt obliged to say that since the United States was at peace with Spain, it could not take sides in the contest. It would be feasible however, the President suggested, to send troops to take possession of Texas as a part of the Louisiana purchase ; and he intimated that these troops once they were established on the Rio Grande, could render valuable assistance to the revolutionists. Rejecting this suggestion as unacceptable, Gutierrez¹¹ sought in further discussions, mostly with Monroe,

¹⁰ Onis to Pezuela, October 7, 1812, A. H. N., Est., Leg. 5554. Under date of January 7, 1812, Toledo wrote Monroe in veiled terms about setting out on his mission. State Dept., Misc.

¹¹ The name was generally shortened, contemporaneously, to Bernardo, rather than to Gutierrez, or to Lara.

some other basis of cooperation.¹² An understanding, the exact nature of which is a matter of conjecture, seems to have been reached at about the time Toledo was invited to come to Washington. The invasion, it appears, was to be effected, not by United States troops flying the American flag, but by a heterogeneous expeditionary force composed of Mexican refugees and of American and other adventurers under the Mexican flag.

The arrangement with Gutierrez was doubtless a subject of discussion between Monroe and Toledo; and it may have been understood between them that Toledo was to command the expeditionary force. It does not follow, however, that Gutierrez was a party to any such understanding, though his presence on the border seems to have been required under the plan agreed upon. Both Gutierrez and Toledo left Washington early in January, 1812, and both, it appears, were to set out soon afterward for the proposed destination. Toledo returned to Philadelphia where he received on the order of John Graham, chief clerk of the State Department, the sum of seven hundred dollars, presumably to meet the expenses of the journey.¹³ For some reason, however, he delayed his departure for nearly a full year. Gutierrez on the other hand embarked within a few weeks for New Orleans. Upon his arrival there he presented himself to Governor Claiborne, to whom he had a letter of introduction from John Graham. Claiborne in turn introduced him to William Shaler, special agent of the United States to Mexico. After a number of conferences with Claiborne, the Mexican agent and the American agent took passage up

¹² "Diary of Jose Bernardo Gutierrez de Lara" in *The American Historical Review*, XXXIV. 71-77.

¹³ Dallas to Graham, January 4, 1812, State Dept., Misc. Toledo also received divers sums from William Shaler in Louisiana. See Shaler to Monroe, May 16, 1813, State Dept., Spec. Agts.

stream for Natchitoches on the Red River at no great distance from the frontier.¹⁴ During the next three or four months, the two busied themselves-Gutierrez openly and Shaler secretly-with the organization of the expeditionary force. In August, 1812, the motley assemblage styling itself the "Republican Army of the North" advanced into Texas under the joint command of Gutierrez de Lara and Augustus W. Magee, who resigned from the United States army to join the expedition. Shaler was to follow in the event of success.¹⁵

Why Toledo lingered in Philadelphia while these things were going on, is a question. The Cuban historian Trelles believes that Toledo's immediate purpose was to embark for Havana to begin a revolutionary movement in the Spanish islands, and that it was only when the plans for this undertaking proved impractical that he looked, toward Mexico.¹⁶

This opinion is based in part at least on the fact that Monroe gave Toledo a letter-dated early in January, 1812-to William Shaler, who had gone to Havana in 1810 and was supposed still to be there. But Shaler had written Monroe, under date of November 13, 1811, that he expected soon to depart for New Orleans. That information he repeated in subsequent letters, and on December 11, in point of fact, he sailed for New Orleans. Monroe knew at the time of writing the letter of introduction that Shaler had quit, or was soon to quit, Havana; and he must have known very shortly after that he had arrived at his

¹⁴ "Diary of Jose Bernardo Gutierrez de Lara" in *The American Historical Review*, XXXIV, 286-294 ; Claiborne to Shaler, April 7, 1812, State Dept., Spec. Agts.

¹⁵ Shaler to Monroe, May 2, May 7, June 12, June 23, August 18, August 25, 1812, State Dept., Spec. Agents.

¹⁶ *Discursos*, 23, 27.

destination in Louisiana.¹⁷ If, therefore, the letter has any significance, it points to New Orleans as Toledo's immediate objective and to Texas, and not to Cuba, as the scene of his revolutionary activities.

However that may be, Toledo did not turn his face toward the west until December, 1812. He then set out in the company of half a dozen officers, all of whom like himself looked to the achievement of some ambition amid the turbulent scenes then being enacted on Mexican soil. At Pittsburg, one of the number, Colonel Nathaniel Cogswell, abandoned the party. He had been closely associated with Toledo for some months past, and before setting out had begun to entertain suspicions of Toledo's integrity. He had now come into possession of information that seemed to him to convert suspicion into certainty. He felt it to be his duty, therefore, to warn the leaders of the republican army in Texas, which he was able to do by despatching a letter by mail ahead of the party.¹⁸

I now pledge you my honor as a gentleman, and as an officer; and I call God to witness the truth of my assertion, that the object of Mr. Toledo is to play the same game with you as Miranda¹⁹ did in Caraccas. It has been fully ascertained that the people of Old Spain finding that it would be difficult or impossible to prevent the colonies from aiming at independence, have made arrangements to counter revolutionize, assume the garb of Patriots, and to have all the appearance of being persecuted for their Patriotism, in order to obtain the confidence of the Patriots,

¹⁷ Shaler to Monroe, November 13, November 25, December 6, December 8, December 27, 1811, State Dept., Spec. Agts. The letter of November 25, an endorsement shows, was received at the State Department on December 17. (The writer is indebted to Mr. Hunter Miller, Historical Adviser of the State Department., for this information.) An earlier letter of Shaler's required only twelve days to reach Washington. It is not unlikely, therefore that Monroe had received Shaler's letter of December 8, by the end of that month.

¹⁸ Cogswell to Gutierrez and Magee, December 29, 1812, [Extract] State Dept., Spec. Agts. See also in this connection Shaler to Gutierrez, May 28, 1813, and Shaler to Monroe, June 12, 1813, State Dept., Spec. Agts.

¹⁹ Miranda had recently surrendered to the Royalist forces in Venezuela. The belief was common that he had played the part of traitor. That view is no longer held.

and to be entrusted by them in important situations, so that when a favorable opportunity occurs to sacrifice the Patriots and their cause as General Miranda has done. Such a man is Mr. Toledo. I pledge you my life on the issue, for I know it to be a fact. To my certain knowledge Mr. Toledo is in close correspondence with his relation the Marquis of Villa Franca a member of the Spanish Cortes-with the Duke of Infantado, a member of the regency;²⁰ and with others, the most inveterate foes of the Patriotic cause. . . . The object is to place himself at the head of the expedition, of which yourself and Magee are now the chiefs. He would then get rid of you and Magee as soon as possible, when he would manage everything in his own way; and as far forth as lay in his power to the utter ruin and subversion of the Patriotic cause. Rely upon what I now tell you. Toledo has not a single particle of Patriotism, his only object is by a great shew of disinterestedness, and affected Patriotism to deceive you, and get himself at the head.

As intended, this letter went in advance of the party to Natchitoches, from which place it was forwarded to its destination.²¹ Meanwhile Toledo and his retinue proceeded at a slower rate down the Ohio and the Mississippi to Natchez. There Toledo found himself the object of further mistrust. At Rapides he was humiliated by arrest and brief detention on the ground that he was a French agent. Rumor preceded him and when he arrived at Natchitoches, in April, 1813, the mistrust had become general. But William Shaler was not among the doubters. Receiving his information from high sources he was little influenced by mere rumor or by unsubstantiated charges. He did everything in his power, therefore, to make known what he regarded as the correct view of Toledo's mission. He was so successful in allay-

²⁰ The Marquis of Villafranca was in effect a member of the Cortes, and the Duke of Infantado had been a member of the Regency since January 21, 1812. - Lafuente, *Historia General de Espana*, XVII, 269, 466. Toledo may have been related to the Duke of Infantado (Pedro Alcantara de Toledo) as well as to the Marquis of Villafranca. Cf. Trelles, *Discursos*, 44-45.

²¹ The letter was sent to the Postmaster at Natchitoches, who consulted Shaler before sending the packet on by express. There is a possibility that Shaler may have acquainted himself with the contents of the letter before it was allowed to proceed. See Jno. Johnston [Postmaster at Pittsburg] to the Postmaster at Natchitoches, December 29, 1813, and Shaler to Monroe, February 26, 1813, State Dept., Spec. Agts.

ing the suspicion that Toledo ventured to send his subordinates on to join the army and to go himself as far as Nacogdoches, in eastern Texas, to await developments.²²

But the conditions were not yet ripe for Toledo's assumption of power. Uninterrupted successes had been the portion of the army since it entered Texas eight or nine months before. Though Magee had died in the midst of the campaign,²³ Gutierrez was able to carry on as the sole commander with good results. He had just won, with the aid of the American volunteers, a brilliant victory over the Royalist army, capturing hundreds of prisoners including the Governor of the Province, taking a great quantity of arms and military stores, and laying the capital, San Antonio, open to occupation by his troops.²⁴ Now master of the Province, he formed a provisional government with himself at its head. His position at the moment seemed secure. In the circumstances Toledo saw no hope of achieving his aim.²⁵ Accordingly he retraced his steps to Natchitoches, where he continued, with Shaler's aid, to plot against the leadership of Gutierrez in the Texan regime.

Several months were to elapse before Gutierrez was at last forced to yield. His downfall may be attributed in great part to William Shaler. It was Shaler who encouraged the spirit of discontent among the Americans in the army. It was Shaler who laid the ugly charges against Toledo by facing Cogswell-when he appeared on the scene-and branding him as "a base and treacherous colum-

²² Shaler to Monroe, April 18, 1813, State Dept., Spec. Agts.; Morphy to the Viceroy of New Spain, May 8 and 25, 1813, Archivo General, Mexico, Guerra, Notas Diplomaticas, III.

²³ Shaler to Monroe, February 26, 1813, State Dept., Spec. Agts.

²⁴ Shaler to Monroe, May 7, 1813, State Dept., Spec. Agts.; Morphy to the Viceroy of New Spain, May 21, 1813, A. G. M., Guerra, N. D., III.

²⁵ Toledo to Monroe, May 6, 1813, State Dept., Spec. Agts.

niator." It was Shaler who gave countenance at every turn to Toledo's doubtful cause. But Gutierrez himself must bear his share of the blame. He was his own worst enemy. He weakly permitted a number of the officers captured at San Antonio to be butchered, to the great disgust of the Americans and of many of the Mexicans as well; he did nothing to strengthen his position or to pursue his advantage in the neighboring territory; and he failed miserably in his efforts to organize and administer a government suited to the peculiar needs of the situation.²⁶ In short, it was incompetence at San Antonio no less than intrigue at Natchitoches that opened the way for Toledo.

The denouement was astonishingly sudden. On July 24, 1813, Toledo set out from the Trinity in Eastern Texas for San Antonio, where he arrived early in August. He immediately assumed command, Gutierrez retiring to Louisiana. In the meantime, Colonel Arredondo with a Royalist force advanced from Laredo and took up a position on the Medina river a few miles from San Antonio. Thereupon Toledo mustered his army, freshly recruited and superior in numbers as well as in warlike equipment, and marched out to meet the foe. On August 18, the two forces clashed and after a sharp fight Toledo's band fled from the field in the greatest disorder.²⁷ From that day the proud Republican Army of the North ceased to exist. A few of its more fortunate members, among whom was Toledo, succeeded in reaching safety across the Louisiana border. So complete was the victory that the independence movement in Texas was left in a state of paralysis

²⁶ Shaler to Monroe, May 7, 1813, H. A. Bullard to Shaler, June 27, 1813, Jas. B. Wilkinson to Shaler, June 27, 1813, State Dept., Spec. Agts.

²⁷ Shaler to Monroe September 5 and September 19 1813 State Dept., Spec. Agts.; Onís to Labrador, October 8, 1813, A. H. N., Est., Leg. 5639.

from which it was not to recover for years to come.²⁸ The hopelessness of further effort was apparent at once to Shaler, and he soon returned to Washington. Toledo retired for a while into Tennessee.

Two weeks before the battle, Cogswell died of a fever at Rapides. If he had lived he would have had the dismal satisfaction of pointing to the disaster as the perfect vindication of his charges; but there the matter would have ended. Nothing could cause the tide of opinion to turn against Toledo. He was strangely immune from attacks on his personal character. The men who were with him on the Medina and who fled with him across the border found no reason to suspect him of double-dealing; Shaler continued to regard him as trustworthy; the Mexican insurgents with whom he was associated afterward in divers enterprises believed him to be devoted to their cause; and with few exceptions the chroniclers of the events in which he played a part have to this day represented him as a man of good faith.²⁹ But poor Cogswell may have been right and the supporters of Toledo wrong.

It might have made a difference if those who retained their faith in Toledo's integrity despite every suspicious circumstance could have seen a letter that Onís wrote in cipher to his Government under date of October 7, 1812, more than two months before Toledo set out for the western frontier.

The ex-deputy of the Cortes Toledo came the day before yesterday to tell me that since his arrival here he has been in direct communication with the Government [of the United States] with a view to fomenting revolution in our Americas, particularly in Mexico: that he acknowledges his inconstancy, that he remembers that Spanish blood flows in his veins, that he anxiously desires his pardon and readmittance to the bosom of the fatherland; but that although he recognizes the generosity of our Gov-

²⁸ Arredondo to the Junta de Guerra, April 10, 1817, A. G. M., Historia, Tomo 152.

²⁹ Alaman, *Historia de Mejico*, III, 488; Zamacois, *Historia de Mejico*, IX, 216; Bancroft, *North Mexican States and Texas*, II, 31; Yoakum, *History of Texas*, I, 173-175; Trelles, op. cit.

ernment and confidently expects to be treated by it with the benevolence with which a father treats a wayward son, he would not be satisfied with the pardon unless, before obtaining it, he gave proofs of a repentance consecrated by some essential service. He assured me that he believed himself to be in a position to render such a service by virtue of the fact that this Government has agreed that he is to go and take command of a body of two thousand men that have been raised in the Province of New Orleans, to which body another of Mexican insurgents in Texas will be united: that his plan is to concert with one of the chiefs of the Internal Provinces an arrangement by which he would surrender unconditionally the troops under his command along with the twelve thousand rifles and three thousand sabers that have been sent by this Government to the insurgents; and he adds that he is certain of success if he is provided with the funds requisite for carrying the plan into effect.³⁰

The sum required, five thousand pesos,³¹ presented a difficulty. Onis alleged that he did not have such a sum at his command ; besides he was unwilling to pay before the event. He held out the hope, however, that the reward might be even greater if the promise were kept. To encourage Toledo he offered to advance a modest sum to meet the expenses of travel, and he offered further to dispatch a special messenger to enlist the cooperation of the Commandant of the Internal Provinces. But Toledo maintained that money in hand was essential to the success of his plan. Since he could not obtain it, and since he had given up his original idea of leading an army against Spain, there seemed to be no reason for his making the journey to the frontier. He gave Onis to understand, however, that he would consider the matter further and return to report his final decision. But he did not return, and Onis concluded that his only object was to obtain money under the false pretense of loyalty to Spain.³²

Reverting to the subject in a subsequent despatch, Onis declared that this opinion had been confirmed. Time had passed and still Toledo had not returned.

³⁰ Onis to Pezuela, A. H. N., Est., Leg. 5554.

³¹ So stated by Onis in a later letter [to Ferdinand VII] dated September 19, 1819. A. H. N., Est., Leg. 5554.

³² Onis to Pezuela, October 7, 1812, A. H. N., Est., Leg. 5554.

Instead he had slipped away to Washington to confer with the Secretary of State, after which he had set out, with flattering promises from that official, for the western front.³³ Onis cautioned the authorities to be on the lookout. If the traitor attempted to enter the dominions of Spain he could be recognized, said Onis, by the following description: "Toledo is of medium height, light complexion, good figure, well proportioned, and about 36 years of age." But Onis gave the warning in a perfunctory manner; for the revolutionists lacked, in his opinion, the leadership and the resources necessary to achieve success.³⁴ When the news of the disaster on the Medina reached Washington he showed no surprise. He forwarded to his Government an account of the event which appeared currently in the newspapers. In his accompanying letter he betrayed no sign of exultation over the outcome nor of interest in the part Toledo played in the affair.³⁵

After the Texas fiasco, Toledo ceased to be, it seems, in any sense an agent of the State Department. On the surface he was a rebel against Spain, and Onis so characterized him in all his official correspondence, with the Government at Madrid as well as with that at Washington. Whether this was his true character or not, Toledo played the part successfully for two or three years longer. For a while he was on the Sabine inciting the Mexicans to shed their blood in the sacred cause of liberty.³⁶ In 1814, he went to New Orleans, where he was arrested on a charge of violating the Neutrality Act; but he escaped prosecution because no testimony was brought against him.³⁷ He took part, it is said, in the famous

³³ Onis to Labrador, March 4, 1813, A. H. N., Est., Leg. 5554.

³⁴ Onis to Labrador, August 18, 1813, A. H. N., Est., Leg. 5639.

³⁵ Onis to Labrador, October 8, 1813, A. H. N., Est., Leg. 5639.

³⁶ Trelles, *Discursos*, 131.

³⁷ *American State Papers: Foreign Relations*, IV, 431.

battle of New Orleans, on the American side.³⁸ During the next year and a half he was engaged, the evidence abundantly shows,³⁹ in all manner of enterprises intended, ostensibly at least, to promote the interests of the revolutionists. Yet none of his efforts resulted in the slightest benefit to the cause; indeed, in many cases, they seemed to produce the opposite effect.⁴⁰ Was this because Toledo willed it to be so?

Many of his dealings with the insurgents suggest a positive answer to this question; unfortunately, however, the limitations of space do not permit this phase of the subject to be inquired into. It must suffice to direct attention for a moment to the parallel case of a certain Juan Mariano Picornell, who served Toledo as aide-de-camp. Picornell, a Spaniard who had played an obscure part in the revolution in Venezuela, went to Philadelphia in 1812, and was one of the small group of men who accompanied Toledo to the West. Cogswell knew him and thought him even less to be depended upon than Toledo.⁴¹ It was Picornell's function, it appears, to go ahead and prepare the way.⁴² We was in Texas weeks before his chief, and if there were any secret negotiations with the Royalist commander, Picornell doubtless conducted them. Like Toledo he escaped to Louisiana and there continued to play the insurgent

³⁸ Trelles, *Discursos*, 33.

³⁹ Onis to the Viceroy of New Spain, October 26, 1815, and numerous other documents in A. G. M., Guerra, N. D., III, bear on this subject.

⁴⁰ This is an example: "Por una carta qe acabo de recibir del Vice-Consul Ynterino de S. M. de Nueva Orleans Don Diego Morphy, aparece qe la Goleta Petit Milan, qe Toledo habia enviado a Boquilla de Piedra, con cantidad de armas, municiones, proclamas, y otros efectos, ha perecido con todo su cargamento." — Onis to Cevallos, March 30, 1816, A. H. N., Est., Leg. 5641.

⁴¹ Cogswell to Gutierrez and Magee, December 29, 1812, [Extract] State Dept., Spec. Agts.

⁴² Toledo lo manda siempre por delante.—Morphy to the Viceroy of New Spain, June 11, 1813, A. G. M., Guerra, N. D., III.

role; but he threw off the disguise long before his chief.⁴³ As early as February, 1814, he gave up all pretense of insurgency, and being pardoned by his Royal master, was thereafter more successful in frustrating the plans of the revolutionists than he had ever been in promoting them.⁴⁴

The defection of Picornell, to be sure, proves nothing ; but it heightens the mistrust with which Toledo's acts must be viewed. The striking parallelism between the two cases is suggestive more of collusion than of coincidence. It is difficult to escape the conjecture, despite all Onis's declarations to the contrary, that both set out from Philadelphia to render some "essential service" to the crown of Spain; and if this be fact, the pardon in both cases was a mere device intended, no doubt, to serve the double purpose of disguising the transaction and of inducing other leaders to follow the example set.

Toledo was less fortunate than Picornell in obtaining the prompt indulgence of the crown. It is vaguely intimated that he too applied for pardon in 1814,⁴⁵ upon the return of Ferdinand to the throne; but if the boon was not then granted, it must have been because Toledo had not yet fully rendered the service to which he was committed as the duty of a Spanish agent, or as a sign of the true penitence of a recreant Spanish subject. Be that as it may, his continuance on the frontier put him in possession of a vast amount of information regarding the connivance of American authorities in the efforts of the revolutionists to dismember the Spanish empire in the New World ;⁴⁶ and that information presumably would

⁴³ Trelles, *Discursos*, 139; Apodaca to O'Donoju, March 30, 1814, Archivo General de Indias, Papeles de Cuba, Leg. 1856.

⁴⁴ Onis to the Viceroy of New Spain, January 8, 1816, and other letters in A. G. M., Guerra, N. D., III.

⁴⁵ See an undated report of Onis in A. H. N., Est., Leg. 5554, (L. C. p. 1126).

⁴⁶ Onis to Cevallos, August 11, 1816, A. H. N., Est., Leg. 5554.

be of great value in consolidating European opinion against so unholy a combination. When, therefore, Toledo quit New Orleans, about the middle of July, 1816, after a final repentance,⁴⁷ he did not go, crestfallen and ashamed, to assume the difficult task of rehabilitating a traitor's name: he went buoyantly to lay the fruits of his labors at his master's feet.

But he was not yet to embark, for Spain, nor was he immediately to lay aside his Patriot garb. Returning late in the summer of 1816 to his former haunts in the eastern part of the United States, he professed still to be attached to the Mexican cause. He renewed old associations and made constant companions of the numerous revolutionary agents who now congregated in the principal cities of the Atlantic seaboard. With Onís, his relations perforce were secret. Months passed and no one seemed to suspect him. Meanwhile, he was busy with his intrigues. In New York he attempted, with false designs, to encourage Joseph Bonaparte to assert his claims to the Mexican throne.⁴⁸ In Baltimore he spied on Xavier Mina and succeeded,⁴⁹ it appears, in interesting him in a scheme to launch an attack on Florida. Then, accompanied by Pedro Gual, a representative of the revolutionary government of New Granada, he went to Washington to lay the plan before the State Department. Due to the fortuitous

⁴⁷ Onís to Cevallos, July 7, 1816, A. H. N., Est., Leg. 5641, and the letter cited in Note 46. Toledo's formal application for pardon was dated at Philadelphia, December 12, 1816. The document is in A. N. N., Est., Leg. 5554. Trelles basing his narrative on the *Memorias* of García de León Pizarro, gives the date of this communication as December 12, 1815. This is manifestly an error.

⁴⁸ Onís to Cevallos, August 30, 1816, A. H. N., Est., Leg. 5554. For the development of this intrigue see, Onís to Cevallos, September 16, 1816, A. H. N., Est., Leg. 5641, and same to same in Leg. 5554 under dates of October 20, 1816, November 16, 1816, and November 23, 1816.

⁴⁹ Letter cited above under date of August 30, 1816. The discussion between Toledo and Mina on the subject of Florida is inferred.

circumstance of Monroe's absence from the city, the visitors conferred with John Graham who communicated at once the substance of the conversation in writing to his chief. Thus a record of the transaction was preserved.

Genl Toledo and Mr. Gual were with me yesterday [wrote Graham] to say that they had wished to have seen you, to assure you that the Patriots of Mexico & So America would do no act in the Ports of the U States contrary to Law-that they knew what the Law was and would take care not to violate it that they also wished to apprise you that the want of a convenient Port on the Gulf of Mexico might perhaps induce them to take possession of Pensacola, but if they did so it would be with no view ultimately to keep it as it ought to belong to the U States. They seemed anxious to know how such an act on their part would be viewed by this govt. On that point I could of course say nothing: but I intimated to them as my individual opinion that it was an act on which they ought maturely to deliberate as it might be seized on by the British Ministry as a reason for taking measures against them-and perhaps by bringing them so immediately in our neighbourhood lead to consequences which could not be foreseen and might not be agreeable either to us or to them-Should you & the President think it would be injurious to the U States that the Revolutionary Party should take Pensacola -I am of the opinion that an indirect intimation might be given in time⁵⁰ to prevent the attempt tho' perhaps in this I am mistaken-

Here seem to be the beginnings of the Amelia Island affairs. Vicente Pazos,⁵¹ whose *Exposition* was written shortly after the event, is the sole authority for the assertion that Toledo and Mina originated, in the summer of 1816, the plot which culminated nearly a year later in the seizure of the island by Sir Gregor MacGregor. Graham's letter supports that view; but it does not show what was undoubtedly true, that Mina was to be the instrument for carrying the plan into execution. The silence of all the contemporary documents on this point is strange, though it is not strange that Graham should have been left in ignorance of the fact. The conspirators, as a matter of discretion, no doubt refrained from

⁵⁰ Graham to Monroe, September 12, 1816, N. Y. Pub. Lib., Monroe Papers.

⁵¹ Pazos was connected with the Amelia Island establishment at the time of its suppression in December, 1817. See footnote 2.

disclosing their intention to violate the neutrality laws. Moreover, Mina was already under a heavy weight of suspicion. He had arrived a short while before from England with the nucleus of his Mexican expedition, -a ship, supplies, and a few officers -and deserters from his ranks had spread reports of his plans on all sides. Onis complained, but the government did not interfere.⁵² A week or so before the conference in Washington two vessels of the expedition, one the ship acquired in England and the other a schooner hired in the United States, put to sea. On board were arms and ammunition and some two hundred men, most of whom were recruited in the ports of Baltimore and New York. A few weeks later Mina himself sailed on board a brig, also obtained in the United States, and early in October joined the first contingent at the rendezvous in the harbor of Port au Prince.⁵³

From this port, Pazos asserts, the invasion of Florida was to be carried into effect. Two simultaneous attacks were to be launched, one under Mina and the other under Toledo. But, says Pazos, the damage sustained by some of the vessels in a storm and the defection of Toledo caused Mina to abandon the scheme and sail away to join Aury at Galveston Island. The concomitant circumstances-the arrival of the expedition at Port au Prince, the damage to the vessels, the delay, and finally the departure for Galveston Island-are amply corroborated by Robinson's narrative and by documentary evidence

⁵² Onis to Monroe, July 22, August 28, August 29, and September 11, 1816 (the last with affidavits enclosed), State Dept., Notes from the Spanish Legation; Monroe to Onis, August 16 and September 12, 1816, State Dept., Foreign Legations, Notes.

⁵³ William Davis Robinson. *Memoirs of the Mexican Revolution. Including a Narrative of the Expedition of General Xavier Mina* (Philadelphia, 1820), 57.

found elsewhere.⁵⁴ The principal facts, however, do not meet with a like substantiation. Robinson's account contains no reference to the supposed descent upon Florida, nor to Toledo's connection with the expedition in any capacity. Official communications and other available documents, published and unpublished, are equally silent, unless a single letter of Mina's be admitted as an exception. Writing from Port au Prince to General Montilla, Mina declared that "T- remained in Philadelphia because of the withdrawal of Gabriel and others."⁵⁵ That "T--" was for Toledo is not, in the light of all the circumstances, a rash surmise.

If it be assumed then, as the evidence seems to warrant, that the Pazos account is substantially correct, it is interesting to speculate on the motives of the two protagonists of the enterprise. Mina undoubtedly acted in good faith. Intrigue was foreign to his character. A devotee of liberty, he had been forced to flee his native Spain soon after Ferdinand returned to the throne. He made his way to England whence he embarked, with British assistance, on his expedition for the liberation of Mexico. The Florida invasion, whether it first occurred to him before his arrival in the United States or after, seems to have been incidental to his main purpose. Disappointment at Port au Prince may have caused him to banish the idea from his mind altogether. If so, he soon had occasion to give the subject fresh consideration; for while he was busy at Galveston Island with his preparations for the invasion of Mexico, he received overtures from certain persons in New Orleans who

⁵⁴ Robinson, *op. cit.*; Simon Bolivar to Maxwell Hyslop, September 26, and October 4, 1816, in *Cartas del Libertador* (Lecuna Ed.), I, 252-253.

⁵⁵ September 17, 1816, in O'Leary, *Memorias*, XI, 348. This letter was obviously misdated, for Mina did not arrive at Port au Prince until early in October. Cf. Robinson, *Memoirs*, 57, and the letters of Bolivar cited in note 54.

desired to have him lead an attack on Pensacola and who offered to furnish men and arms for the purpose. Accordingly he went to New Orleans, early in 1817, to investigate the proposal; but finding it, to be, in his opinion, a mere mercantile speculation from which no advantage would accrue to his Mexican undertaking, he rejected it. For, "As a soldier and a patriot," says Robinson, "he disliked to war for mercenary considerations, and he was most decidedly hostile to all predatory projects."⁵⁶

The matter may not have been as simple as Robinson makes it appear. It is not improbable that the New Orleans overture was of a piece with the Toledo intrigue. Spanish agents-Picornell and Father Sedella, perhaps-in collusion with Onis, may have been attempting to do what Toledo had failed to do; that is for reasons known to themselves, they may have been attempting to divert the Mina expedition from the coast of Mexico. Yet Mina, despite his unwillingness to lead the attack against Pensacola, saw the advantage of an insurgent base in Florida,⁵⁷ and he may still have cherished the hope of obtaining one on that coast. In April, 1817, his expedition, escorted by Aury's privateers, landed at the Mexican coast town of Soto la Marina.⁵⁸ His purpose was to hold that port, or some other convenient place on the Mexican coast, as a point of contact with the outside world. In any logical development of the plan, Aury's function would have been to acquire an additional port in Florida, and to keep the communication open between the two places. There is no proof

⁵⁶ *Memoirs of the Mexican Revolution*, 76. Charles Morris, Commanding the U. S. Frigate Congress, reported the rumored attack by Mina in a letter to the Secretary of the Navy under date of March 14, 1817. See extract of his letter in State Dept., Despatches from Consuls. The British Consul at New Orleans gave similar information under date of March 4, 1817.-F. O. 115/27.

⁵⁷ Robinson, *Memoirs of the Mexican Revolution*, 261.

⁵⁸ The correspondence relating to the expedition is found in A. G. M.. Historia, Tomo 152.

that such an understanding existed. But in view of all the circumstances-Mina's known interest in the subject, the relations between Mina and Aury, and the raising of the Mexican flag by Aury at Amelia Island a few short months later-the conjecture is not wholly, without justification. If the plan was never fully realized, it was perhaps due more to Mina's failure in Mexico than to Aury's mismanagement of affairs at Amelia Island.

Toledo's motives are more difficult to divine. In part, his purpose was no doubt to frustrate Mina's plans.⁵⁹ The expedition, it seemed obvious, could not be prevented from sailing, given the weakness of the neutrality laws and the indifferent attitude of the government at Washington.⁶⁰ If it landed in Mexico it might do infinite harm, for Mina's prestige and his capacity as a leader might readily turn the balance in favor of the revolutionists. If it could be diverted to Florida, which was doomed to be lost in any case, it would spend its strength in vain. Moreover, the resulting delay would give Toledo or some other agent time to compass its destruction by boring from within.⁶¹

Yet destruction of the expedition was not the only object sought. The actual seizure of a Florida port was no less desired. That being the case Pensacola could hardly have been the objective, for its defenses rendered it impregnable against a force such as that at Mina's command. Shortly before Mina sailed from Baltimore a rumor, probably inspired by the conspirators themselves, that Pensacola was to be

⁵⁹ Onis to Cevallos, August, 30, 1816, A. H. N., Est., Leg. 5554.

⁶⁰ Onis to Cevallos, September 11, 1816, A. H. N., Est., Leg. 5641.

⁶¹ Onis to Cevallos, December 7, 1816, A. H. N., Est., Leg. 5641. Robinson gives a circumstantial account (*Memoirs*, 69-71) of a mutiny at Galveston Island led by a certain Correa, who was an agent of Onis. The plot was discovered and Onis's part in it exposed. In writing to his Government (December 7, 1816, A. H. N., Est., Leg. 5641) Onis mentioned the charge, but did not deny it.

seized by the Patriots was circulated in the public press. During the fall of 1816 and spring of 1817, the rumor gained fresh currency from time to time.⁶² Meanwhile the eyes of the conspirators must have been on defenseless Amelia Island in the other corner of the State. At any rate there, months later, the blow was to fall.

But why should Toledo, a Spanish agent, instigate an attack upon his own sovereign's territory? The answer to this question has already been intimated: to precipitate a war in which England or other European power, or powers, would be brought to the side of Spain. Shortly before the Toledo intrigue came to a head, Onis wrote his government that the United States had taken measures for strengthening the defenses of West Florida and Louisiana in anticipation of a possible war with Spain. The authorities at Washington desired the war, said Onis, but in order to make it popular they were attempting to maneuver Spain into the position of the aggressor. Beginning with the insult to the Spanish minister in 1809,⁶³ there had been a long series of acts offensive to Spain. The Floridas had been invaded, Mobile and Pensacola had been taken, the insurgents had been permitted to operate on our soil, our agents had fomented revolution throughout the Spanish colonies, and privateers had been allowed to fit out in our ports to cruise against Spanish commerce. Back of all these acts was the deliberate intention of pro-

⁶² *Niles' Weekly Register*, XI, 64 (September 21, 1816) ; *Ibid.*, XI, 106 (October 12, 1816) ; *Ibid.*, XII, 46 (March 15, 1817). See also Captain Charles Morris to the Secretary of the Navy (Extracts), March 14, and April 17, 1817, State Dept., Despatches from Consuls.

⁶³ From 1808 to 1814 there were two governments in Spain: one at Madrid under French auspices, and another at Cadiz under a regency in the name of the captive Ferdinand. Onis came to the United States in 1809 as the representative of the government at Cadiz; but he was not received until 1815. The government at Madrid was not recognized.

voicing Spain to declare war. Dread of complications alone prevented the United States itself from taking the initiative. "The only thing that restrains, or can restrain, this government," declared Onís, "is the fear that England, France or Russia might make common cause with us. . . ." ⁶⁴

The United States undoubtedly was restrained by the fear of European intervention; but it was restrained even more by the confident expectation of attaining its end by peaceful means. ⁶⁵ Spain on the other hand had everything to lose unless a general war could be provoked. To the achievement of that aim its agents in the United States seem to have been directing all their efforts. Just before Toledo returned to Philadelphia from the West, Onís proposed in a letter to his Government a measure which, if it had been carried into effect, would have resulted inevitably in the desired conflict. His idea was to cede the Floridas-if the United States declined to accept them in exchange for Louisiana-to England, or better to France. War of course would result, and Louisiana would be recovered and ceded to one of the allies. Spain would perhaps reserve the island and city of New Orleans for itself. Thus, a powerful and ambitious nation, whose subversive principles were a menace to the monarchical form of government, would be confined to limits within which it could do no harm. ⁶⁶

After he had had an opportunity to confer with Toledo, Onís wrote again, adding fresh details. The cession of the Floridas to England, it now appeared, was to be in the nature of a bribe to hold that power in check. Spain itself would take Louisiana. Toledo

⁶⁴ Onís to Cevallos, May 30, 1816, A. H. N., Est., Leg. 5660.

⁶⁵ Adams to Monroe, March 30, 1816, Manning, *Diplomatic Correspondence*, III, 1437; Erving to Monroe (Private and Confidential), September 22, 1816, Monroe Papers, N. Y. Pub. Lib.

⁶⁶ Onís to Cevallos, August 11, 1816, A. H. N., Est., Leg. 5554.

would see to that. His knowledge of the conditions in the territory and his influential connections there admirably fitted him for rallying the disaffected population to the standard of Spain. The conquest made and a friendly power installed, assistance would always be at hand in time of need. The western States of the American Union, cut off from the navigation of the Mississippi and the other rivers that flow into the Gulf, would eventually be compelled to reunite with Spain. The tranquillity of Mexico and of all the colonies to the south would be assured.⁶⁷

The Mesa, a section of the foreign ministry to which these letters were submitted for recommendation, endorsed on the first a brief report which in part reads as follows:

Onis's idea of ceding the Floridas to England in order to remove the Anglo-Americans from our vicinity would be like chasing a fox out of the sheepfold and throwing in a wolf instead. England has been, is, and will forever be the natural enemy of Spain and of every power that has coasts or colonies, or that may have ships or foreign trade.⁶⁸

The second letter bears a similar indorsement. A man of Onis's talent should have perceived, declares the report, that Toledo was openly mocking him. The talk of conquering Louisiana was ridiculous. It was equally absurd to count upon any assistance from the inhabitants of that territory; for they were the ones who had been most active in giving support to the insurgent cause.⁶⁹ That was a strange way to show love for Spain.

These were the views, it must be observed, of under officials who may not have known that the seemingly fantastic proposals had a practical end to serve; that is, that they were intended to trap the United States into assuming the offensive to ward

⁶⁷ Onis to Cevallos, August 30, 1816, A. H. N., Est., Leg. 5554.

⁶⁸ Onis to Cevallos, August 11, 1816, A. H. N., Est., Leg. 5554.

⁶⁹ Onis to Cevallos, August 30, 1816, A. H. N., Est., Leg. 5554.

off imminent attack. If this were the purpose, it was essential that knowledge of the plot should be permitted to leak out. The conspirators themselves, it may be presumed, attended to that detail. In the midst of the affair, Colonel Thomas S. Jesup commanding the United States forces in Louisiana wrote Monroe :

I have positive information that an attack is contemplated by the Spaniards on this City [New Orleans], during the present season-The Spanish Minister De Onis, has a number of Agents in this Country, who are, I understand, endeavouring to ascertain what individuals are favourable to Spain, and are using other means, for the purpose of organizing a revolution. The last mail brought a letter from the Minister on the subject. I am not at liberty to say how I obtained my information, but you may rely on the correctness of the fact.⁷⁰

Some two weeks later Jesup wrote:

A secret negotiation is going on between the courts of Madrid and London for the purpose of transferring to Great Britain the Floridas and the Island of Cuba, for which, it is understood, she is to assist in reducing to subjection the revolted colonies of Spain. This information is derived from a person in the confidence of the Spanish Consul and who has seen the papers.⁷¹

Aroused by this information, Jesup was disposed to precipitate the conflict; for he was a strong believer in the offensive defense. It was his intention, at the first hostile gesture on the part of Spain, to occupy Florida ; and with the assistance of the naval commander on the station, he proposed to carry the war deeper into the enemy country by seizing Cuba, the key not only to the islands and the Spanish Main, but to all Western America.⁷² But there were cooler heads. "If the offensive defense alluded to by this officer," said President Madison, "should be carried into execution it would be perhaps the boldest project ever assumed by no higher authority." Yet

⁷⁰ August 21, 1816, State Dept., Misc.

⁷¹ Letter to Monroe. September 3, 1816. State Dept., Misc.

⁷² Jesup to Monroe, August 21, 1816, State Dept.; Misc.; Jesup to Claiborne, August 24, 1816, Claiborne Papers, Library of Congress.

the matter was not, as Madison saw it, of trifling importance. He thought the intriguing at New Orleans was probable and the meditated attack possible, though he would have said impossible if there had been less of folly in Spanish councils or less likelihood of foreign support for Spanish undertakings. In any case, if mischief were brewing our minister at Madrid would discover it. In the meantime it would be sufficient to pay attention to such precautionary measures as prudence and the means at our disposal might warrant.⁷³

If aggression on the part of the United States had been the outcome, the conspirators might have had their wish. The Old World might have combined against the New. The conditions on the whole favored such an alignment. The reactionary governments of the continent were strongly inclined to lend assistance to Spain. Feeling toward the United States was generally hostile. "The Royalists everywhere," said J. Q. Adams, who viewed the situation from the vantage point of London, "detest and despise us as Republicans. . . . Emperors, kings, princes, priests, all the privileged orders, all the establishments, all the votaries of legitimacy eye us with the most rancorous hatred."⁷⁴ An obstacle, to be sure, stood in the way of the desired combination. That obstacle was England. This power had steadfastly refused to intervene by force of arms to restore the rebellious colonies to their former subjection. Moreover, its policy was to maintain friendly relations with the United States.⁷⁵ Yet popular feeling in England as elsewhere was hostile toward the upstart republic, and the feeling was heartily

⁷³ Madison to Monroe, September 22, 1816, N. Y. Pub. Lib., Monroe Papers.

⁷⁴ J. Q. Adams to John Adams, August 1, 1816, J. Q. Adams, *Writings*, VI, 61.

⁷⁵ C. K. Webster, *The Foreign Policy of Castlereagh*, 408, 437.

reciprocated on this side of the Atlantic. In the circumstances a trifling incident might have brought the two powers to blows.

Influences tending to produce the incident were constantly at work. During 1815 rumors of the cession of Florida to Great Britain were repeatedly circulated in the British press.⁷⁶ Whatever the purpose, the effect was to exacerbate feeling between the two nations. The rumors were so persistent and so circumstantial in character that Adams went early in February, 1816, under instructions from his Government, to make inquiries at the Foreign Office. He was assured that the reports were without foundation. "Military positions," said Lord Castlereagh, "may have been taken by us during the war of places which you had previously taken from Spain, but we never intended to keep them. Do you only observe the same moderation. If we shall find you hereafter pursuing a system of encroachment upon your neighbors, what we might do defensively is another consideration."⁷⁷ But British trouble makers continued to busy themselves with Florida. The machinations of Colonel Nicolls more than anything else, perhaps, set in motion the train of events that resulted in the execution of Arbuthnot and Ambrister. War on that occasion would have been the outcome, Lord Castlereagh afterward declared to Rush, "if the ministry had but held up a finger."⁷⁸

If Jesup's offensive defense had been undertaken, and especially if it had been directed against Cuba, the finger of the British ministry might have been

⁷⁶ On January 1, 1816, Onis reported to Cevallos that the news from England regarding the supposed cession had caused general consternation, that General Jackson, then in Washington, was holding frequent conferences with the President, and that nobody doubted but that Jackson was going to be given command of an army to take possession of the Floridas.-A. H. N., Est., Leg. 5641.

⁷⁷ Adams to Monroe, February 8, 1816, *Writings*, V, 502.

⁷⁸ Rush, *Memoranda of the Court of London*, (Ed. of 1833) 488.

raised in 1816. But the conspirators must have known that such a move would be made only in response to a warlike gesture on the part of Spain. The Florida intrigue gave promise of throwing the onus of aggression on the United States. By the secret Act of January 15, 1811, the President had been authorized to take possession of Florida in the event of an attempt on the part of any foreign government to occupy it. The Act was still in force, and the policy of the Administration was still to carry it into effect, if occasion demanded.⁷⁹ In the light of these facts, the visit of Toledo and Gual to Washington for the purpose, as they alleged, of apprising the government of their intention to seize a Florida port takes on fresh significance. "They seemed anxious to know," said Graham. "how such an act on their part would be viewed by this govt. . . ." Graham's guarded reply that the contemplated seizure might lead to British intervention or to other consequences disagreeable to the United States must have been encouraging to Toledo, if not to Gual. But more encouraging must have been Monroe's reply to Graham directing that "Mr. Toledo" be told that in the event the revolutionists took possession of Pensacola, the law of 1811 might be considered applicable to the case.⁸⁰ How ingenuous was Monroe in all his dealings with Toledo!

With Spanish territory invaded by the United States, the rest would be simple. England would immediately undertake to repel the invasion by force of arms. That this was the view of the agents in the United States can scarcely be doubted. The principals in Madrid entertained a like view, though they may have been unacquainted with the full details of the Florida plot. But principals and agents both

⁷⁹ Richardson, *Messages and Papers of the Presidents*, II, 24.

⁸⁰ Monroe to [Graham], September 17, 1816, State Dept., Misc.

were reckoning without their host. A private letter of Castlereagh's to Wellesley, British ambassador at Madrid, written shortly after the events of the summer and fall of 1816, throws a flood of light on the subject.

I think Spain cannot be too cautious in avoiding by every possible means a quarrel with that power [the United States] ; and don't let her falsely calculate upon embarking Great Britain in her cause by such an expedient. I make this remark the rather, because I observed in the note presented in October by Fernan Nunez, but which was prepared at Madrid, an assumption that we had pledged ourselves to resist by War any Encroachment on the part of America in the Dominions of Spain.⁸¹

The assumption, Castlereagh went on to say, was based erroneously on his conversation with Adams—the one alluded to above—the substance of which had by some means become known at Madrid. In concluding this interesting communication, Castlereagh said :

I have stated thus much, in order that you may correct any Misconceptions you find to prevail, & which do mischief in proportion as by holding out false hopes of involving other States in their Quarrels, the Spanish Govt. postpones, from day to day, adopting a rational Course of Policy for itself.

This counsel went unheeded. Spain obstinately pursued its course. It preferred to believe that the great powers of Europe, England included, could be brought to support its cause. It was loath to abandon the position of innocent victim of atrocious wrong. It did nothing to adjust its differences with the United States. On the contrary it permitted conditions to arise which at last resulted in the courted violation of its territory. Late in 1817, the military and naval forces of the United States took possession of Amelia Island to suppress the establishment formed there some months before by Sir Gregor MacGregor. If Spain, itself, had destroyed the establishment, which it could have done with slight effort,⁸² the United States would have been

⁸¹ January 10, 1817, F. O. 72/196.

⁸² See "MacGregor's Invasion of Florida, 1817" by T. Frederick Davis, in the Florida *Historical Society Quarterly*, July, 1928.

deprived of its pretext for invading Florida on that occasion. Likewise Jackson's invasion a few months later to punish the Seminole Indians would have been forestalled if the Spanish authorities had not complacently allowed certain British subjects to embolden the Indians by imbuing them with the false belief that England would come to their support. On neither of these occasions did the desired European interposition result; yet it must be remembered that it was in connection with Jackson's invasion that England and the United States were brought to the verge of war.

These invasions were in some sense the culmination of Toledo's Florida intrigues. When they occurred, however, their author already had embarked for Spain. Before his departure, the break with his insurgent past was made public by what appears to have been a carefully prearranged plan. Toledo, it is known, contemplated sending an agent to Havana in the summer of 1816.⁸³ The ostensible object was to revolutionize Cuba; but it is perfectly well established that Toledo was not now, if he had ever been, a devotee of the cause. If, therefore, the agent went on the mission, and the evidence shows that he did, his object must have been different from the one assigned. Undoubtedly it had to do with Toledo's exit from the insurgent stage. In November a packet of letters, prepared, it appears, with design, was dispatched by the Captain General of Cuba to the Spanish minister in Washington.⁸⁴ On the way, also by design, no doubt, these letters were allowed to fall into the hands of insurgent agents by whom they were delivered to the editor of a news-

⁸³ The Captain General of Cuba to the Minister of War, June 12, 1816, Tréllés, *Discursos*, 97.

⁸⁴ Onís to Cevallos, November 23, December 4, 1816, A. H. N., Est., Leg. 5554; same to *same*, December 7, 1816, A. H. N., Est., Leg. 5641; Onís to Captain General of Cuba, December 8, 1816, A. G. I., Papeles de Cuba, Leg. 1898.

paper in Baltimore.⁸⁵ All except two communications in cipher, which could not be read, were published. Among these published letters was one from Toledo's father to Onis inclosing a bill of exchange for two thousand pesos to be delivered to the son in the event he fulfilled his promise; and another from the father to the son exhorting him to follow the path of honor and give proof of his true devotion to the king.

To his own government, Onis characterized the interception and publication of the letters as an outrageous act, unheard of among civilized nations. He would have complained to the authorities at Washington and brought suit against the publisher, but was advised by eminent counsel that nothing could be accomplished by such a course. In his opinion the worst of it was the probability that all the correspondence of the legation, both going and coming, was tampered with.⁸⁶ The reader of the despatches, indeed, is led to suspect that Onis always acted on this belief; that is, that he committed to the ordinary correspondence only what he was willing to have, or designed to have, any foreign government read, and that he carried on really secret communication by safer means. His complaints about the interception of the letters must therefore be taken with reserve, and likewise the further complaint that the publication of the letters spoiled a plan that he had projected with Toledo for bringing to an end forever the interference of the Americans in the Mexican revolt. The truth of the matter probably is that Toledo's 'defection' and departure were in exact accordance with a carefully laid plan.

Toledo's Florida intrigues did not end with his abandonment of American shores. He spent several

⁸⁵ *The Baltimore Patriot and Evening Advertiser*. The letters were published in the issues of December 2 and December 4, 1816.

⁸⁶ Onis to Cevallos, December 7, 1816, A. H. N., Est., Leg. 5641.

years at the Spanish court, in evident favor with the Cabinet to whom he gave advice on American affairs.⁸⁷ In the summer of 1819, while Spain was searching for some means of evading ratification of the treaty of cession signed at Washington on February 22 of that year, Toledo was sent to London to arrange, if possible, the sale of the province to Great Britain. The plan was for England to advance six million dollars by way of a loan to enable Spain to discharge the American claims and thus get rid of the treaty lately concluded at Washington. The Floridas would then be made over to Great Britain as security for the repayment of the loan.⁸⁸ On being informed of the mission by Wellesley, Castlereagh conceived that it might have consisted merely of a report put in circulation to feel the ground, or that it might have been connected with some "low intrigue" of the Camarilla at Madrid, or of persons interested in the recent grants of crown lands in the Floridas. By taking this view, which he made known to the Spanish ambassador, Castlereagh forestalled all negotiation.⁸⁹ Thus the last Florida intrigue with which Toledo was connected came to a fruitless end.

⁸⁷ Trelles, *Discursos*, 40-42.

⁸⁸ Wellesley to Castlereagh (Private and Confidential), July 6, 1819, F. O. 72/225.

⁸⁹ Castlereagh to Wellesley (Private and Confidential), July 21, 1819, F. O. 72/222.

WILKINSON CALL, SOLDIER AND
SENATOR

By ALBERT HUBBARD ROBERTS

PART II ¹.

After the severe strain of the election of 1876 it was perhaps well that the Democratic party, now returned to power in the government of Florida, was not burdened with the selection of a United States senator in 1877. Two years later, with a majority of two to one over their Republican opponents, the Democratic members of the Legislature went into caucus to nominate a candidate for senator without the necessity of seeking votes from the opposition. On the seventeenth ballot Wilkinson Call, who had not fallen below thirty votes on any ballot, received forty-nine votes, only two short of the required two-thirds majority, and his nomination was then made unanimous; the name of his principal competitor, General Robert Bullock, of Ocala, being graciously withdrawn.

At noon the following day (January 21, 1879) Call was elected by the two houses of the Legislature, receiving a majority in each branch, a total of 69 votes to 22 for Senator Conover, with 8 scattering. The following day Call was introduced to the houses in joint session, and in an eloquent speech expressed his appreciation of the honor, pledging his efforts to the advancement of the people of all sections of the

1. Part I of this paper, which appeared in the last number of the *Quarterly*, recorded Call's birth in Russellville, Kentucky; the removal, in his boyhood, to Tallahassee; his early legal and political activities; his service in the Confederate States army; his election to the United States Senate in 1865, and the refusal of that body to seat him; his removal to Jacksonville in 1867 or 1868; his defeat for United States senator in 1875; and his successive defeats for presidential elector on the Democratic ticket in 1868, 1872, and 1876. In connection with the latter, on page 113 of that number of the *Quarterly*, "Electoral ticket" should be "Electoral Commission."

State; to preserve the sovereign right of the people to the control of their government; to protect the citizen from injustice under the form of law; to engraft on the Southern population fellow citizens from other sections; to the repeal of reconstruction measures; and the removal of the courts from partisan influences. In conclusion he said,

Connected with those who have passed away and who bore no undistinguished part in the early settlement and traditions of the state * * * a citizen of the state from my earliest childhood, always receiving marks of the attachment and sympathy of her people, I am bound to her by the strongest ties of affection. No object lies nearer to my heart than that of promoting the advancement of her people and whatever shall be for the interest of the State.²

The Tallahassee *Floridian* (Jan. 21, 1879) in an editorial presumably written by Captain Charles E. Dyke, the leading journalist in Florida at the time, said, in part,

Mr. Call has been a faithful worker in the cause of reform. His ability is unquestioned. Under the "Johnson reconstruction" he was elected to the senate along with Governor Marvin, but was not allowed to take his seat. He goes now with a commission that will not be questioned; and we predict that he will make his mark in that body.

Commenting upon the election of Call with more restrained enthusiasm the Florida Mirror, published at Fernandina, which had supported General Bullock after its fellow-townsmen, former Senator David Levy Yulee had declined to allow the use of his name, said in its issue of January 25, 1879,

On the 21st instant the legislature elected Colonel Wilkinson Call to succeed S. B. Conover in the United States senate. Colonel Call is a showy and rather pleasing speaker; a man of industrious habits. We sincerely hope he may be able to lift Florida from the depths to which our representation hitherto in the Senate has sunk the state. He is not our first choice, still, from Conover to Call is a very perceptible gain.

Mr. Call is one of many who might sing with unctious-
"This is the way I long have sought,
"And mourned because I found it not."

² Florida legislative journals, 1879.

The same paper; in its issue of March 22, 1879, reported the appointment of the new Senator to the Committees on Pensions, Patents, and Enrolled Bills, and reprinted the following laudatory editorial from the *Ocala Banner*.

If there were any real grounds of opposition to Hon. Wilkinson Call's election to the Senate-any real disappointment felt in any part of the state over his election, that disappointment will no longer be felt after reading his masterly speech in the Senate on the infringement of the personal liberty of the citizen. It is a scholarly production, and will place Mr. Call among the conspicuous members from the south. His array of facts were overwhelming and unanswerable.

Also an editorial from the *Union*, published at Jacksonville,

Our calls are numerous for Hon. Wilk. Call's great speech, recently delivered in the senate. We are unable to supply the demand as we have no copies of our paper left which contained it. We had a few copies sent us by the senator, but they are constantly in the hands of someone. We have promised to lend them to four or five different men as soon as possible to do so.

To this, the *Florida Mirror* added its own comment.

We have not seen a copy of the speech, and the meagre extracts in the papers are not what we want to judge the performance by. We hope the senator's modesty will yield so far as to permit his sending us a complete copy.

The concluding words may not have been entirely devoid of irony, as "the Senator's modesty" had not been sufficient to keep him silent during the then traditional probationary period of a newly elected member.

When Call entered the Senate, he found John David Walker, his cousin, and like himself a native of Russellville, Kentucky, beginning a six year's term as a Senator from Arkansas, whither his family had removed while he was a young boy, as Call's family

had moved from the same vicinity to the Territory of Florida.³

Senator Call's first term, during which time the executive department of the Federal government was under Republican control, seems to have been relatively uneventful, and his re-election in 1885, without serious opposition, as it was a well established Democratic policy to give its public officials a second term. On January 20 he received a majority of the votes of each house, a total of 75, to 21 for Jonathan C. Greeley, and 4 for D. L. McKinnon. The following day he again expressed to a joint session of the Legislature his thanks for the honor conferred upon him, referring particularly to the fact that the Democratic party, for the first time in a quarter of a century, was shortly to resume executive direction of national affairs.

Questions of inter-state commerce and of transportation, questions of public health, of public education, of the general diffusion of knowledge, of reciprocal trade and treaties between adjacent countries, the improvement of the waterways of the country, all were mentioned by the speaker as of primary importance. Referring to racial relations, he said,

We have been confronted in the Southern States with questions of fearful consequences to both races of their people. These have sought to be determined by the interference of the federal power instead of leaving the adjustment of the relations of the two races to the states, and the softening influence of time and the employments of industry. This mistaken policy will happily pass away with the inauguration of a president and a party who have faith in a government of the people, and recognize the beneficence of the distribution of power which leaves to the people of the states the regulation and control of their own domestic affairs. There never was, and there never will be any danger in leaving to the people of the states the interests of their own people. If this were not true, our whole system of government would be a failure.

³ Congressional Biography : *Call, Wilkinson, and Walker, John David*. Senator Call also was a nephew of General Richard Keith Call, an early delegate in Congress from Florida and later governor of the Territory.

At the conclusion of the address the legislature extended its thanks to Senator Call in a resolution offered by Representative J. E. Yonge, of Escambia.⁴ That occasion was a high point in the life of Wilkinson Call. It is true that twelve years in the Senate still lay before him, but his re-election six years later was to be amid circumstances that marked it as his last.

Probably Call's greatest constructive service to the country as a whole during the entire period of his senatorial service, was his support of the act creating the first Inter-State Commerce Commission. Speaking at length on this bill on January 12, 1887, he said, in part,

Representing a terminal state, approving the policy of the bill, the spirit of the bill, and objecting most earnestly as I do to the implied legalization of the bill of \$3,000,000,000 of fraudulent debt upon the people of this country and \$300,000,000 of annual taxation for nothing, objecting to legalizing this enormous and oppressive taxation upon the people, I still approve the policy, the great features of the measure, and expressing my dissent upon these subjects I now expect to give the bill ultimately my support.⁵

With Federal regulation of interstate commerce so long an accepted policy of government, we may remember that at this time there was strong opposition to the measure, and that Southern Democrats of this period were particularly opposed to anything which they regarded as undue extension of Federal power.

Likewise, Call was considerably in advance of the strict states-rights policies of the day in advocacy of Federal aid to common schools. It was in a debate on this subject, on February 8, 1888, that he irritated Senator Isham G. Harris, the veteran Democrat, of Tennessee, into exclaiming :

⁴ Florida legislative journals, 1885.

⁵ This and subsequent quotations from Call's speeches, unless otherwise noted, are from "Speeches of Hon. Wilkinson Call in the U. S. Senate," in the Jacksonville Public Library, consisting of reprints from the *Congressional Record*. Presumably selected by Senator Call for this single bound volume.

The senator adopts a method in this discussion somewhat peculiar, it is said, to New England. I do not know whether it is or not, but instead of answering a question so plain that no human being can misunderstand it, he asks another wholly foreign to the subject.

Speaking on "The Tariff" October 12, 1888, three or four weeks before the general election of that year which resulted in the defeat of President Cleveland, (whose tariff message a year before, together with his side remark as to where the presidency might go if the country did not approve his stand, had made this question the overshadowing issue of the campaign), Senator Call said,

I am in favor of a reasonable tariff. There is no question of free trade here. * * * I am for taxing the luxuries of life for the support of the Government to the highest extent possible and exempting the necessities of life from taxation. * * *

* * * All wise public economics and policies of state * * * must center in such economic forces as will result in such a distribution of the results of labor, of aggregate production, as will give to each man all the necessities and as much of the comforts of life as may be possible.

Allowing for crudity of expression, this formula stated a principle recognized much farther and more clearly now than when the words were uttered, forty-five years ago. It may have been to Call's injury, though not to his discredit that when he was the nearest to right, he was the more in advance of his environment and of his times.

On February 20, 1890, Call addressed the Senate on the murder of Deputy United States Marshal Saunders, near Quincy,⁶ and on June 10 of the same year, on the subject "Treasury Notes and Silver Bullion." In the latter speech he declared, "The free and unlimited coinage of the precious metals

⁶ It is not clear from this speech just what caused this homicide. Presumably it resulted, either directly or indirectly, from the then disturbed political conditions in Leon, Gadsden, Jefferson and Madison counties especially, which occasioned a special communication from President Benjamin Harrison, to his Attorney General, under date of April 24, 1890. *See Messages and Papers of the Presidents.* Vol. IX, pages 104-105.

is the only proper solution of the financial troubles which now rest upon the country." He did not, however, commit himself to any fixed ratio between gold and silver coinage. He had, indeed, opposed the idea of fixed ratio in a speech on "The Treasury Surplus" four years earlier (July 30, 1886).

Mr. Call had scarcely taken his seat in the Senate for a second term (or, perhaps, we should say that he had scarcely discarded his shoes and decorated his desk with senatorial feet protected from the surrounding atmosphere only by a pair of blue cotton socks, to record here an informality currently credited to him at the time) when he began an active warfare against certain railroad land grants in Florida which was to overshadow practically everything else he did, or failed to do, during this term. Beginning with the avowed intention of protecting individuals who had erected homes on lands granted to several railroad companies in Florida, his activities expanded into numerous efforts to forfeit the grants themselves as fraudulent. On January 28, 1886, he introduced the following resolution,

Resolved, that all railroad land grants heretofore made where the land was not earned by the completion of the line of railroad and the performance of the conditions required by the granting act within the time required therein, and where the time has not been extended by an act of Congress, or shall not hereafter be extended, shall be declared forfeited and opened to homestead entry and cash entry in small bodies, securing to actual settlers the preferred right in all cases to make entries of their homes to the extent of 160 acres, and confirming to all purchases of town sites, where lots have been sold and improvements made, their title to the same.

It would be useless to discuss this question in detail now, or to attempt to quote from the numerous speeches made by Call on this subject over a period covering his second and a part of his third term in the Senate. No direct results came of the long agitation, of any great public benefit. It was virtually a lone fight, and Call himself was probably the chief

beneficiary, politically, for a season, though the animosities thus aroused contributed largely to his eventual defeat. Four years after his retirement from the Senate in 1897, Governor William S. Jennings stopped the issuance of deeds of public lands and land grant corporations; and in 1907, under the administration of Governor N. B. Broward, with Mr. Jennings then serving as counsel for the Trustees of the Internal Improvement Fund compromise settlements were made of outstanding claims against the Trustees, and the principal land grants for which deeds had not been issued, were assigned to the State Board of Education.⁷

Call's fight on the railroad land grants excited especially the opposition of William D. Chipley, of Pensacola, Vice-president and Land Commissioner of the Pensacola and Atlantic Railroad system, and a former chairman of the State Democratic Executive Committee. Early in 1890 the antagonism had reached a point where Colonel Chipley published and distributed over the State a pamphlet of 123 pages, entitled "Review of Senator Call's Record." From this lengthy document we quote the following :

Mr. Call has shown all his life as a reflected glory. As the son of his father, the nephew of his uncle, and the brother of Maj. George W. Call * * * Senator Call's advancement was rendered possible by the reaction which followed the Civil war, when our people in a spirit of conciliation and submission, elected Mr. Call over the battle-scarred veteran, General Patton Anderson. His prominence is more a reproach 'upon those times than a tribute to any real worth * * * His record is absolutely barren of any good. * * * A more prolific creation of bills, and a more sterile result, is not exhibited on the records of Congress.

Call replied through a speech in the Senate, saying in part,

I think it is due to the people who have so often honored me with their confidence, that I should say that this pamphlet from

⁷ This compromise settlement removed a serious legal and financial obstacle to the state's plans for reclamation of lands in the Everglades.

the first sentence in it to the last word in it is a falsehood; that it does not contain one syllable or one word of truth; that even its commas and periods and semi-colons and quotation marks speak a falsehood.

Those who anticipated an interesting session of the Legislature of 1891 were not disappointed.

A caucus of the Democratic members met April 13, and by a vote of 56 to 41, adopted the time-honored rule of Democratic conventions requiring a two-thirds vote to make a nomination. The first ballot for a party candidate for United States senator gave Call 60 votes to 35 for ex-Governor William D. Bloxham, of Leon, while the second ballot gave Call 54, Bloxham 38, and the caucus then adjourned. Three days later, Bloxham withdrew and the Farmers Alliance, then powerful in Florida politics, put up the name of Judge James G. Speer, of Orange, who received 37 votes to 59 for Call and 2 for Bloxham. On the 23rd ballot, April 21, Call received 55 votes, Speer 41 and Bloxham 1.⁹

As formal balloting for senator was to begin in the Legislature that day, a committee was appointed by the caucus to so distribute the votes that no candidate would receive a majority until a Democratic nomination had been made. For that reason the official balloting, as shown in journals, does not reflect the actual strength of the candidates. Call could have been elected on any joint ballot but for the caucus agreement.

⁸ *Congressional Record*, June 3, 1890, in Florida State Library, Tallahassee. Whatever the fate of his bills, Call had by this time acquired some really important committee assignments, including Appropriations, Fisheries, Immigration, and Mines and Mining, as shown by the same document.

⁹ A file of the *Daily Floridian*, of Tallahassee, covering this session (in the library of J. C. Yonge, Pensacola) contains a great deal of data concerning this memorable contest. See also *Appleton's Annual Cyclopaedia* for 1891, under article Florida, in the Florida Supreme Court Library, Tallahassee, and the Florida legislative journals, 1891.

On the 59th ballot, on May 25, Judge Speer's name was withdrawn and that of Representative D. H. Mays, of Jefferson, was presented. Mays received 42 votes to 49 for Call. On the 85th and final ballot, on May 25, Call received 52 votes to 42 for Mays and 2 for Bloxham, and the seven weeks' deadlock was ended by the Call forces carrying through a motion to adjourn the caucus *sine die*.¹⁰

Only one chance was now left to defeat Call, and that was to prevent the holding of a joint session the following day. A majority of the Senate were anti-Call men, and they quickly faded out from the Capitol, spending the night in the open, in the northern part of Leon County, and acquiring for themselves the facetious appellation, "Babes in the Woods." The Senate, upon convening the next day, ordered the sergeant-at-arms to bring in the absentees, giving him three assistants for that purpose, one of whom was Napoleon B. Broward, then sheriff of Duval county and later governor of Florida. But by this time the babes in the woods were across the Georgia line, and out of the Senate's jurisdiction.

At noon the President of the Senate (Jefferson B. Browne, of Monroe) and the remaining 14 senators, proceeded to the House of Representatives, and Call was elected on the joint ballot, receiving 51 votes to 1 for Mays. One senator, a supporter of Call's, withdrew his vote because he was paired with an absentee member. The anti-Call members of the House present, with one exception, left the chamber or refused to answer to their names.

The usual committees were appointed to notify the Governor and the Senator-elect of the results.

¹⁰ Although Call was favorable generally to the policies of the Farmers' Alliance, this organization opposed him throughout this contest. The state president of the organization, the late Robert F. Rogers. (who died in Ocala in December, 1933) was Senator from Suwannee county in the legislature of 1891.

Governor Francis P. Fleming was not friendly to Call, and the first of these committees returned in due course and "reported that they had visited the Governor's office, and did not find the Governor in;" a unique report, suggesting that probably the Governor saw them first. The second committee was more fortunate, and returned with Senator Call, who for the last time thanked the Legislature for electing him a United States senator. Probably because they were too wearied with the long struggle, none of the members moved that his address be spread on the journals.

During the entire session Call had been heavily bombarded by the opposition press, which charged him, amongst other offenses, with being the only Southern Senator to vote for "the \$200,000,000 pension steal."¹¹ He had overcome the opposition at the last, but all the circumstances pointed conclusively to this hard-won triumph as the beginning of the end.

Three days later, on May 29, the seventeen anti-Call senators returned to the Capital, where they were received enthusiastically by their sympathizers, and corrected the journal of the 26th, so as to throw all possible doubt on the legality of the senatorial election, and refusing to approve the journals of the 27th and 28th, in which disciplinary measures were threatened against the absentees.

After long consideration, Governor Fleming concluded that the election of Call was illegal and appointed former Congressman R. H. M. Davidson, of Quincy, to the supposed vacancy. The Secretary

¹¹ *Daily Floridian*, April 30, 1891. At that time the Democratic Southern States were able to pay a mere pittance, or nothing at all, to their ex-Confederate soldiers and sailors, and were bitterly resentful at the rapidly growing roll of Union pensioners paid by the Federal government. President Cleveland's numerous vetoes of private pension bills, during his first administration, increased his popularity in the South while contributing, in the North, to his defeat for re-election in 1888. He was, however, again chosen President in 1892.

of State, John L. Crawford, a Call man with opinions of his own, refused to attach the Great Seal of the State to Davidson's commission until required to do so by the Supreme Court of Florida. (State ex rel Fleming vs. Crawford 28, Fla. 441) the court holding this duty to be purely ministerial, and not discretionary, on the part of the Secretary of State. The Attorney General, W. B. Lamar, holding with the Secretary of State, the Governor was represented in these proceedings by Fred T. Myers, of Leon, then a state senator and one of the late Babes in the Woods.¹² Eventually, however, Call's election was upheld by the United States Senate, which, on February 4, 1892, adopted without a record vote the unanimous report of its Committee on Privileges and Elections, in his favor.

In addition to continuing his fight on railroad land grants and the railroad interests antagonistic to him in Florida, Call made a number of speeches during his last term on currency questions, holding generally with the advocates of free silver, while professing continued admiration and respect for President Cleveland, an unflinching advocate of the gold standard, who found his second administration sadly disrupted by the troublous money question of the 1890's. Call also manifested great interest in the Cuban insurrection, offering a resolution on December 3, 1895, to accord belligerent rights to the Cuban government ; and a year later (December 9, 1896) he offered a resolution recognizing the Republic of Cuba as a free and independent government, thereby

¹² Mr. Myers, for twelve years a state senator from Leon County, and a "favorite son" in the finest sense of the word, consistently opposed Senator Call's aspirations in 1891 and again in 1897. Some months before his death (in January, 1927) Mr. Myers, in conversation with the writer of this paper, made the comment that Senator Call, in a somewhat crude way had been a pioneer advocate of railroad regulation, primary nominations, and other measures which were regarded as radical at the time, but which later were accepted generally.

anticipating final action by our Government to this end by sixteen months.¹³ In one of the last speeches he was to deliver in the Senate, (January 6, 1897) on a resolution offered by himself and adopted, to inquire into the imprisonment of an American citizen, Julio Sanguilly, by Spanish authorities in Cuba, he said in part,

While we do not advocate or desire war, we are satisfied that there are worse things than war. If any part of the country be exposed to the possible chances of injury in a condition of war it would be the peninsula of Florida, but her people are courageous, her people are a Christian people, her people sympathize with the progress of mankind, with liberal institutions, with republican governments, with patriotism, with the sentiment which would make the stars and stripes the symbol of power and protection to the citizens of the United States, wherever the sun shines.

A little melodramatic, perhaps, but not an ignoble declaration, as the curtain fell.¹⁴

Senator Call had made his own campaign in 1896, speaking for the Democratic national ticket, headed by William J. Bryan, and endeavoring to elect a majority of Call men to the legislature. He attended the Democratic state convention in Ocala, as a visitor, and spoke in all parts of the state—a losing fight from the start, as most of the newspapers were against him, and, to a large extent, the railroad and other corporate interests. Many of his old supporters were alienated by now, also, and a deficiency of really constructive statesmanship had at last proved his undoing. His record was not as bare as

¹³ Call's bill (which became a law,) prohibiting the sale of adulterated food in the District of Columbia, may also be credited to him as an act of pioneer legislation, though its operation was confined to the Federal district.

¹⁴ Senator Call also served as a member of a sub-committee of senators and representatives which visited Cuba in the winter of 1892-93, and submitted, for the Committee on Immigration, its report on "Cuba and Florida Immigration Investigation," to the Senate, on February 4, 1893. The report dealt largely with the danger of the introduction of yellow fever into Florida from Cuba. Mention should also be made of Call's successful efforts in securing Federal aid in the State's fight against the yellow fever epidemic of 1889.

his enemies painted it but he did not have much in concrete accomplishment to show his constituents for his eighteen years in the Senate. He carried his uncouthness of dress and manner to still greater extremes, causing yowls of agony from the enemy's camp which in some cases perhaps were fully as affected as Call's own antics in his efforts to emphasize his alignment with the House of Want in its eternal warfare with the House of Have.¹⁵

Call's chief journalistic supporter in this campaign, Editor Frank E. Harris, of the *Ocala Banner* (a native of Tallahassee, who died, full of years and honors only five years ago,) introducing the Senator in Ocala at a political meeting in October, 1896, answering the old question, "What has Call done?" said in part,

He has voted for every democratic measure.

He has voted against every measure that was not democratic. * * *

Senator Call has succeeded in obtaining larger appropriations for public improvements in Florida than the entire aggregate amount she received in all the years before his entrance into the United States Senate.

He succeeded in having appropriated a larger sum of money for a public building in the city of Jacksonville than was obtained for Savannah by Georgia's able senators and representatives.

Through his efforts public buildings have been erected at Tallahassee, Tampa and other places. * * *¹⁶

¹⁵ His action in removing his collar while making a speech on a hot summer day at a country political rally, and other unconventionalities, was made the subject of a humorous editorial in the nationally prominent *Courier-Journal*, of Louisville, Kentucky, then edited by the renowned Henry W. Watterson. A present-day tradition that he wore trousers with bi-chrome patches in his campaigns, is of doubtful validity.

¹⁶ The Federal building in Jacksonville, referred to by Mr. Harris, was opened in 1895 and housed the United States court, post office, custom house, etc., until the new Federal building was dedicated early in 1934. Call was not author of the bill which gave Tallahassee its federal building, erected in 1890 and still in service, but he did introduce a bill for this purpose, and he was also author of the Act passed in 1889 which made Tampa a port of entry. Tampa, then a rather insignificant town, was destined within comparatively few years to become one of the principal ports of entry in the United States.

He was the strenuous advocate of that measure the last Democratic platform "pointed to" as one of the "proudest achievements" of the Democratic party. * * *

"The Democratic party has reclaimed from corporations and restored to the people, nearly one hundred million acres of valuable lands to be sacredly held as homesteads for our people, and we pledge ourselves to continue this policy until every acre of land so unlawfully held shall be reclaimed and restored to the people. * * *"

What has Call not done?

He has never grown rich out of his office. * * * He is as poor today as when he first entered public life. * * *

What has Call done?

He has been honest. He has been faithful to his trust. He has been loyal to the Democratic party. He has been true to his friends. * * *

A man whom the common people love and the corporations fear.¹⁷

There was no Democratic caucus in the legislature of 1897. William D. Chipley, now a senator from Escambia county, had become an active candidate against Call, and neither had the remotest chance of a two-thirds majority under the usual caucus rule. The legislature convened April 6, 1897, electing Charles J. Perrenot, of Santa Rosa, and D. H. Mays, of Jefferson, both avowed Chipley men, as president of the Senate and speaker of the House of Representatives respectively, and on the 20th, balloting for United States senator began, Call receiving a total of 33 votes to 24 for Chipley, 14 for George P. Raney, of Tallahassee, 12 for William A. Hocker, of Ocala, 7 for Robert A. Burford, of Ocala, and 6 scattering; total 96.¹⁸

On May 1, Call reached his maximum strength, with 41 votes, and pairs, to 33 for Chipley. Five days

¹⁷ Reprinted in the Florida legislative journals, session of 1897.

¹⁸ Call's term having expired March 4, 1897 before the legislature met and Congress being convened in extra-ordinary session, Governor William D. Bloxham appointed John A. Henderson of Tallahassee, to the vacancy, but his credentials were not accepted by the Senate. Colonel Henderson had served in the legislature of 1875 as a senator from Hillsborough County, and in that session had received the votes of the Democratic members for United States senator through a number of ballots. In referring to this (page 111, of the January *Quarterly*.) his name was incorrectly given as John Anderson.

later Chipley nosed into first place, with a vote of 36 to Call's 35, and the old senator, complying with his promise to his friends at the outset, reluctantly abandoned the fight. The following day his name was withdrawn and that of Representative John N. C. Stockton, of Duval, put up in his stead, Call urging his friends to support Stockton. But it is doubtful if he ever fully forgave the supporters who insisted upon his withdrawal.¹⁹

We may wonder whether Call, with his dreams of another term in the United States senate ended, went back in memory twenty-nine years and recalled the speech in the same Capitol in which he came so valiantly to the defense of "the citizens of Columbus, falsely accused of the murder of the miserable wretch, Ashburn." If so, the echo of his words must have mocked him; for the outstanding figure amongst those citizens of Columbus, had been William Dudley Chipley.

The rest of the senatorial contest of 1897 is not the story of Call, but the story of Chipley, who, with an actual majority of the votes cast for him on the final ballot (May 14, 1897,) saw the prize snatched from his grasp by the change of votes during the verification of the roll call, the final official vote giving the senatorship to Stephen R. Mallory by a vote of 53 to 44 for Chipley, and 1 for Call. Mallory, a son of a former senator from Florida who later became Confederate Secretary of the Navy, was a fellow townsman of Chipley, but the men were political enemies and by no means personal friends.²⁰ He had

¹⁹ Though Call lived for 13 years after this defeat, no other senator from Florida prior to his death had served as long as he. Since that time his record has been eclipsed by only one other Florida senator (Duncan U. Fletcher, now serving his fifth consecutive term), while the present junior senator Park Trammell, is the only other Floridian to be elected three times.

²⁰ Mallory had served in the national House of Representatives from 1891 to 1895, and had been defeated for a third term principally through the opposition of Chipley.

been selected the night before the final ballot by a conference of anti-Chipley members, and was elected, amidst scenes of the wildest disorder, without being formally placed in nomination.

Chipley himself is said to have been the calmest man present at the fateful last ballot, and it was Chipley who offered the formal motion to adjourn over the week-end after the Senate had resumed its separate session. The following day (Saturday) he and his friends sought to forget the turmoil and the disappointments of politics in the beauties of Wakulla Spring, and its sylvan setting.

Call's friends in the house passed a resolution through that body requesting the governor to name him as commissioner to adjust the Indian War Claims of the State of Florida, but the resolution was defeated in the senate. Call had been criticized severely both in 1891 and 1897 for his alleged ignorance in handling this subject in the senate. The majority of a special committee appointed by the legislature of 1891 had held, the criticisms to be unfounded.²¹

Given a great ovation and reception by his constituents upon his return to Pensacola after the legislative session, Chipley expressed satisfaction on having driven Senator Call from public life, and with him, John N. C. Stockton.²²

While Call was not seriously considered for the senate in 1899, he received 8 votes on the first ballot, and 6 on the second, which resulted in the election of

²¹ Florida legislative journals, 1891 and 1897.

²² Pensacola *Daily News*, June 8, 1897. Chipley was very popular in West Florida, and his return to Pensacola from Tallahassee, after the adjournment of the legislature, was more like that of a conqueror than of a candidate who had suffered a tragic defeat.

James P. Taliaferro,²³ of Jacksonville, as successor to Senator Samuel Pasco, of Monticello. Chipley's death, after a brief illness, in Washington on December 1, 1897, had ended the hopes of his friends that he might eventually be chosen a senator from Florida.

In 1902 the first state-wide Democratic primary election was held, and Call announced his candidacy against Senator Mallory, but later withdrew.²⁴ In 1904, however, he made an active campaign against Senator Taliaferro, John N. C. Stockton and Governor W. S. Jennings. Though he spoke over the State with much of his old fire, he had none of his old force left, and he received only 1,138 votes out of a total of approximately 45,000 ; but enough, withal, to force Senator Taliaferro into a second primary with Stockton. Four years later, he engaged in a futile effort to organize Florida for the Independence League, a short-lived political party promoted by the prominent publisher, William R. Hearst, of New York.

After his defeat for the senate in 1897, Call practiced law in Jacksonville and Washington, spending his latter years almost entirely in the national capital. He was for a time president of the Jacksonville Ortega Town Company, a New Jersey corporation, which owned much property along the St. Johns River south of Jacksonville, later acquired and developed (in 1911,) as Ortega, by the Ortega Com-

²³ Senator Taliaferro still resides in Jacksonville, the only living incorporator of the Florida Historical Society. He was the last of a long line of ex-Confederate soldiers to be elected to Congress or governor by the Democrats of Florida from 1875 to 1899. The short-lived Spanish-American War of 1898 wiped out a great deal of the sectionalism which had for so long afflicted the nation, and turned the thoughts of the people of Florida toward new leaders and new issues.

²⁴ Though Call was opposing Mallory, he scarcely mentioned the latter in his one campaign pamphlet published early in 1902, directing his attacks almost entirely against Senator Taliaferro (whose term did not expire until two years later) and Taliaferro's principal supporters.

pany, of Jacksonville, headed by Call's old political associate, John N. C. Stockton.²⁵ Senator Call's old home in Jacksonville stood on the present site of the Woman's Club, in Riverside.²⁶

Wilkinson Call died at the Emergency hospital in Washington, D. C., on August 24, 1910, having been stricken with apoplexy the previous Saturday at his home, 1903 N street.²⁷ His daughter, Lucy Call, was with him. He was laid to rest in Oak Hill cemetery the following day in the lot with his wife, Caroline P. Call, who had died (June 27, 1906), at the age of 50, and two infant sons, Arthur W. Call (died April 5, 1883, age three years) and Richard W. Call (died August 6, 1887, age 6 months.) His grave is unmarked by any stone.²⁸

Although we have in Tallahassee several prominent and beloved families who are descended from Governor Call, through his two daughters, I find no record of any males of the Call name now living. When Rhydon Mays Call (the former senator's nephew and at one time his secretary) died near Jacksonville six years ago, after a judicial career of 34 years and of unusual honor, the family name which had been conspicuous in Florida through its first hundred years under the American flag, passed into history with that century.

²⁵ Letters to the writer from Hon. Gilchrist B. Stockton, of Jacksonville, formerly minister from the United States to Austria, and from Mr. T. Frederick Davis, of Jacksonville, Treasurer of the Florida Historical Society, author of *History of Jacksonville*.

²⁶ Same letters. In P. D. Gold's *History of Duval County* reference is made (page 131) to the Acosta family's occupying "the deserted dwelling of Wilkinson Call" near Ortega, toward the close of the Civil War. This property must have been acquired at a later date by Call, who apparently did not remove to Jacksonville from Tallahassee until 1867 or 1868.

²⁷ The records of Oak Hill Cemetery, Washington, D. C., give Call's age at death as 76 years, 7 months and 15 days, which corresponds with his date of birth (January 9, 1834.) as given in the *Congressional Biography* and other biographical sketches. For reasons stated in the *January Quaterly*, it would seem probable that he was, in fact, born several years earlier, but no other record has been found.

²⁸ Records of Oak Hill Cemetery.

THE PANTON, LESLIE PAPERS
JOHN LESLIE TO ROBERT LESLIE

St. Augustine E. F. 9th May 1796

Dear Brother-

Some Mickasookie Indians in town, say they are to return straight home ; tho this may not be true, I give a few of the latest newspapers here a chance of reaching you by them. I have nothing from you or from Pensacola since my last of 21 January, at which I have of late been wondering. Governor Quesada left us the 15 March last; but our new governor (White) has not yet appeared, nor has arrived at Havana, by the last from thence-you will have heard of some great doings intended on St. Marys, between the Americans and the Creeks :-The latter it's said, are invited to assemble there in Congress for 1 month, to receive a talk from Mr. President Washington, and one from the Legislature of Georgia and are to receive presents to the value, some say of \$90,000-other reports reduce the amount to \$60,000. We understand the goods and provisions requisite for this purpose, have some time since arrived at St. Marys from the northward, that the business is to be conducted by some Commissioners from Congress at Philadelphia, jointly with others deputized from the Assembly of Georgia ; Mr. Seagrave assisting in his capacity of Superintendent of Indian Affairs. The objects we comprehend are to establish and confirm peace and friendship-a cession, or renewal of the former cession, of Indian Lands, etc., explain to the Red Men the nature and

Note-This letter is in continuation of the series of records of Panton, Leslie & Co., and its successor John Forbes & Co., the publication of which has been continuous in the *Quarterly*. These are in the possession of Mrs. John W. Greenslade who has transcribed them.

plan of the Indian trade, on [illegible] of the Federal government, etc.

I have seen in a Savannah paper, a copy of the late Treaty, Spain with the United States, and am sorry I have not one to send you ; tho perhaps you may have it.

The Spanish possessions on the east of the Mississippie -from the 31st Degree of Latitude northward are given to the United States; which throws Chickasaw Bluff into the American Territory. I have some notion, Mr. Panton may move our people, etc., there, to the west side of the river; but of this I cannot form a clear judgment.

The navigation of the Mississippie is opened at last to the Americans-New Orleans named as a place for them to deposit and reship their produce and merchandise, with many other regulations as to commerce, seemingly all on one side, in favor of the U. States. We are rebuilding the stores on St. Johns at Picolatta. Our other concerns jog on in the old way-remember me to Mr. Panton and other friends at Pensacola when you write.

I have got Mr. Hutton's watch, but do not think it right to send it with this. Cannot say if it goes right, as there is no key with it, nor can I get one to fit it. My wife and little Bet, desire their love to you and I remain Dear Robert

yours J. Leslie

Mr. Robert Leslie
Appalachie.

[Endorsed:]

Jno. Leslie 9 May 1796

Recd. 24 Do.

Answd. 9th Oct. Do.

FLORIDA LOCAL HISTORICAL SOCIETIES

The Tallahassee Historical Society, in conjunction with other civic organizations of the city, is planning an appropriate observance of the one-hundredth anniversary of the death of General LaFayette on May 20, next. Chief Justice Fred H. Davis of the Florida Supreme Court will deliver the principal address. The Society is desirous of having the name, "LaFayette Memorial Park" given to a new park in the northern part of Tallahassee and lying within the township given to him in 1825 under grant of Congress in recognition of his services in the War of the American Revolution. This grant made LaFayette, though he was never a resident of Florida, the largest individual land-holder of record in Leon County, the township (36 square miles) containing approximately 23,260 acres.

* * *

At a meeting of the Jacksonville Historical Society on March 23, attended by many members and others interested in Florida's history, Hon. W. T. Cash of the Florida State Library spoke on "Guides to Florida History," and Dr. Kathryn T. Abbey, of Florida State College for Women, read a paper on "Banking in Territorial Florida."

* * *

A tablet placed by the Pensacola Historical Society upon old Christ Church was unveiled on April 8. Chaplin Francis L. Albert, U. S. N. spoke on "The Value of Preservation and Marking of Historical Spots." Other speakers were the Right Reverend Frank A. Juhan, Bishop of the Protestant Episcopal Diocese of Florida, and H. Clay Armstrong, president of the Society. This church, the

oldest surviving public building in Pensacola, was completed in 1832 and consecrated in 1838.

* * *

The Tallahassee Historical Society has issued its first Annual, comprising papers read before its regular meetings during the past year. It contains :

LaFayette and the LaFayette Land Grants

William Pope DuVal

The Proctors-A True Story of Ante-Bellum Days

Legislative Information and Important Events Concerning Florida, 1822-1845

Fort San Luis (with a map)

The Gamble Family in Florida

Early Settlers of Tallahassee, 1824-1850

Old Houses of Tallahassee

David Shelby Walker

The volume is in mimeograph, of sixty pages, and contains several illustrations in line and silhouette of historical value. Old Houses of Tallahassee is of especial interest, and prompts the wish that some of these might be preserved as they were and are still.

* * *

The activities of these local historical societies are heartening to all who feel an interest in Florida's history and should encourage the formation of similar societies in other old towns of the State.

Francis M. Williams died at his home in Jacksonville on March eighth. For twenty-six years of the sixty-two years of his life he was a member of our Society, and for the past ten years has been its secretary. No one has served longer or more faithfully. Scattered about the State as our members are, few can come to the annual meetings, but wherever these were held Secretary Williams was always there—in Tallahassee, St. Petersburg, Lakeland, St. Augustine, Ocala, Winter Park—and through his minutes, which are far more than mere records, the members everywhere have felt the spirit as well as shared the interest of these gatherings. We are grateful.

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