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FLORIDA HISTORICAL QUARTERLY

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## THE UNION BANK OF TALLAHASSEE An Experiment in Territorial Finance

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In view of the recent financial confusion in the United States, similar difficulties of the Florida of a century ago assume more than a passing interest. The problem of self development has always been pressing for Florida; since the days of the purchase from Spain exaggerated claims of economic opportunity have lured the investor sometimes to sound wealth and sometimes, alas, to the reverse. The first Florida boom was launched in 1821 when the United States government set itself the task of raising the five million dollar purchase price from the sale of the lands just acquired<sup>1</sup>. These internal improvement projects became involved in the frenzied finance of the eighteen thirties and forties, thus giving rise to a variety of investment devices resembling the last few years in the giddiness of their concepts and the calamitous quality of their failures.

Part and parcel of this movement was the Union Bank of Tallahassee whose possibilities of profit to the investor and benefit to the Territory seemed limitless until it struck the grim rock of reality of its decade. There was little banking as such in Florida prior to its becoming territory of the United States. Trading houses met what needs of credit and exchange existed. Pantón, Leslie and Company established such services during the English control and continued them after the Spanish reoccupation<sup>2</sup>. Hardly had the territory been organized before bank projects sprang up with mushroom-like rapidity; each plan constituting a special case as there were

<sup>1</sup>Monroe's Message, December 7, 1824. In Richardson, Messages and Papers of the Presidents, II, p. 253.

<sup>2</sup>Rerick, Rerick, Memoirs of Florida, II, p. 42. The Company was virtually banker for the Spanish colonial administration.

no general banking laws. The territorial Governor DuVal frustrated these measures until 1828 when the Bank of Florida was chartered over his veto. As none of these early corporations were successful, it is not necessary to consider them in detail.

The banking needs of the territory were keenly felt, however, and efforts to establish going concerns continued. In the early thirties, the Big Three came into existence: they were the Bank of Pensacola, the Southern Life Insurance and Trust Company, and the Union Bank of Tallahassee. Of the three, the last was the most fateful. The pattern for the organization of the Union Bank was the recently chartered Bank of Louisiana located at New Orleans; its specific planning was the work of John G. Gamble, a Virginian, who had come to the Territory about 1827. This bank had the doubtful honor of being the first institution of its kind supported by the governor. In fact, in his message to the Legislative Council of 1833, DuVal urged the establishment of a "planter bank" on the ground that the commercial institutions did not meet the demands of agricultural economy. "If an institution could be established on suitable terms and under such ample security as to induce the investment of foreign capital in it, this permanent objection would not exist. But to meet my approval it must be in fact as well as in name the planters' bank. I recommend this subject to the consideration of the Legislative Council"<sup>3</sup>.

Within a month the charter of the Union Bank had passed by a vote of eleven to seven. As the charter contained a clause conditioning the operation of the bank on the express approval of Congress, the Governor returned it to the Council on the

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<sup>3</sup>Message of DuVal. Legislative journal 1833.

ground that this provision would postpone if not defeat the desirable ends to be realized from the bill. The Council was amenable to the argument for it omitted the offending clause by a majority of two, and the bill was approved <sup>4</sup>.

The Union Bank thus authorized was opened with a capital of \$1,000,000 to be subscribed only by land-owning citizens who might secure their stock by a twenty year mortgage on land, slaves, houses etc. The value of this security was estimated by a Board appointed by the Governor. Two-thirds of the value of the stock could be returned to the stockholders in the form of loans. The actual working capital consisted of one thousand bonds of \$1000 each issued by the Territory and sold by the bank at par. After operating for a year, the bank had the privilege of raising its capital to \$3,000,000 by the same process. The charter lasted for forty years, the stockholders mortgages were due in twenty years and the bonds payable in twenty-four to thirty years; thus if the arithmetic of the enterprise was carried out according to plan, the schedule of payment could be met. For this generous use of its credit, the Territory received the right to appoint five of the twelve directors and, after the bonds had been redeemed, one half the profits for educational purposes.

The Union Bank was not the sole institution to use territorial credit as capital. To the Bank of Pensacola were issued \$500,000 in bonds and to the Southern Life Insurance and Trust Company (primarily of St. Augustine) \$400,000. This brought

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<sup>4</sup>Act of February 13, 1833. The charter is nearly the same as that of the Bank of Louisiana which gave \$5,000,000 of faith bonds. Details of the passage of the charter were related several years later to the People," *Florida Herald*, St. Augustine, April 24, 1843.

the total number of territorial bonds or "faith bonds," as they came to be called, to \$3,900,000<sup>5</sup>.

The question of the validity of this new method of financing was raised at once; indeed, it was supposed to be the reason why the stock sold so slowly<sup>6</sup>. To overcome this reluctance, opinions were sought from eminent legal authorities on the following questions: 1) did the Territory have the authority to issue the bonds, 2) could they be annulled by Congress, and 3) could the Territory on becoming a state release itself from its obligations. Replies are recorded from Chancellor Kent, Peter Jay, Horace Binney and Daniel Webster. Whether others were asked who did not answer or whether there were adverse replies, there is no way of telling. The four cited, whose names were something with which to conjure in legal circles, disagreed on various points but were united in the essentials, namely that the Territory had the right to issue the bonds and that the bonds themselves once issued could not be denied<sup>7</sup>. Congress itself gave an apparent sanction to the practice by taking no contrary action. The charter, together with other territorial legislation, must have come up for consideration by December 1833 but no adverse report was made. Two years later, the Senate Committee on Finance conducted an extended examination of the three institutions using territorial credit. This action was occasioned by a resolution passed in May 1836 ordering the inquiry, and raising the query of the desirability of legisla-

<sup>5</sup>Report of the Banking Committee, Executive Documents, House of Representatives, 26th Congress, 2nd session, IV, no 111, p. 249. This source will be cited hereafter as Ex. Docs. of R no 111.

<sup>6</sup>Thomas, David Yancey, History of Banking in Florida, p. 31. (Unpublished manuscript. There are copies in the University of Florida Library, and the library of Julien C. Yonge, Pensacola.)

<sup>7</sup>Ex. Ex. Docs, H of R. no 111, Report of the Committee on the Judiciary, pp. 269ff.

tive action. The Committee sustained the power of the Legislative Council in granting the charters but criticised their provisions as "highly objectionable and such as no charter ought to have embraced." Inasmuch as the banks were already in operation, the Committee advised that the Council rather than Congress was the fitting agent for their readjustment. Accordingly it suggested a joint resolution declaring that the Territory amend the status of the faith bonds<sup>8</sup>. This measure passed the Senate but was allowed to die in the House in spite of the fact that there had been a similar discussion in that body<sup>9</sup>. The same year Congress prevented subsequent incorporation of banks by territorial legislatures without its approval. Thus whatever weakness future events might reveal, the supporters of the faith bonds had every reason to believe in the lasting legality of the territorial pledge.

The charter of the bank had stipulated that books should be opened at specified places reaching from Pensacola to Key West in order that the distribution of stock might be general throughout Florida. In spite of this, no books were opened east of Tallahassee and at no more than three places altogether - Tallahassee, Marianna, and Pensacola. Although sixty days was the limit prescribed for taking up the stock, the books stayed open from April 10, 1833 to January 22, 1835<sup>10</sup>.

<sup>8</sup>Senate Documents, 24th Congress, 1st session, v. 6, no 409. Report of the Committee on Finance, June 20, 1836. The chairman of this Committee was Webster who was most interested in preserving American credit abroad, (the territorial bonds were generally sold abroad), and later was actively engaged in bolstering up falling values. McGrane, R. C., "Some Aspects of American State Debts in the Forties" in *American Historical Review*, July 1933.

<sup>9</sup>Gilpin, Gilpin, Henry D., Statement of the Case of the Bonds and Guarantees issued by the Territory of Florida, Philadelphia, 1847, p. 7.

<sup>10</sup>Ex. Ex. Docs, H of R, no 111, p. 278. Report of the Committee on Banks.

The result of this procedure was to make a middle Florida planter institution of the Union Bank from the start. All the stock was centered in a few counties; of these Jefferson county controlled a majority of the subscriptions. Likewise, the stock was concentrated in comparatively small groups. John Gamble, the sole president the bank ever had owned 594 shares (\$100 per share) and Robert Gamble, also an official, possessed 754 shares. Such a situation was not surprising when one considers the rising influence of the middle Florida counties. Over half the taxable land of the territory lay in this section and a large percentage of the population. In 1840 the population of Florida was listed as 49,650 of which 10,713 were in Leon county alone<sup>11</sup>. Of the 654 white males over 21 years of age in Leon county, 106 held 13,727 shares in the Union Bank.

On the basis of the stock subscription, Governor DuVal issued 360 territorial bonds of \$1000 each on April 16, 1834. These were sold in New York and Philadelphia a few months later and a contract made with the bankers to dispose of the rest of the bonds when issued<sup>12</sup>. The sale was accomplished by February 1835 and a premium of one per cent made on the exchange drawn against the securities. Meanwhile the new institution opened for business on January 16, 1835.

In spite of high hopes, the late thirties. was hardly an auspicious time for financial experimentation. Events of both Territory and nation conspired to produce difficulties. The year 1837 witnessed the panic which was to engulf the whole country in financial loss and readjustment. Previous to the panic, in Florida there had been the freeze of 1835

<sup>11</sup>Assessment Roll in House Journal, 1846, App. 9-10.

<sup>12</sup>Most of the Florida bonds were marketed through Prime Ward & King, J. D. Beers & Company, and J. L. and S. Joseph of New York, and Thomas Biddle & Company of Philadelphia.

and then, as if the first two were not enough, the Seminole campaigns added their quota of destruction and widespread uncertainty. Planters who had possessed valid security for their stock purchases saw it swept away by the frost and the tomahawk. Many left the new country in discouragement and a very effective check was put to further immigration. In spite of these handicaps<sup>13</sup> the Union Bank prepared to increase its capital stock by another half million dollars. Such was the enthusiasm of the would-be investors that within sixty days the amount had been generously oversubscribed. Whereupon the directors decided to push the capital to its full amount under the charter, namely, \$3,000,000<sup>14</sup>. For this act they were to be roundly berated later on by the Banking Committee of the House of Representatives of the Legislative Council when the latter undertook its investigation of banking transactions:

The idea of a bank founded on borrowed capital had been ill understood, now it was perfectly comprehensible. To become suddenly rich, to become offhand the proprietor of land, negroes, houses and equipages simply by pledging property on a loan, with twenty years credit, which property could be bought with money thus obtained, was to enjoy in reality the vision of fiction. The charter of the bank was an El Dorado; it authorized a further issue of 2,000 bonds. The first 1,000 had been readily, spontaneously, unexpectedly converted into

<sup>13</sup>Ex Ex Docs, H of R, no 111, p. 279, Report of the Banking Committee. The condition of the bank in 1837 had been such that a loan of one-half million dollars had been contracted payable in three months to two years. \$300,000 was paid in New York and \$200,000 in London. This was repaid apparently from the new stock subscriptions. At one time it had been reported that the bank had actually failed. *Apalachicola Gazette*, May 13, 1837.

<sup>14</sup>*Ibid.*, p. 367. Reply of the Directors of the Union Bank.

money; could there be any doubts respecting the sale of the latter? Of course not, the possibility does not appear to have been entertained<sup>15</sup>.

Several irregularities occurred in connection with the new stock subscription. In the first place, the law stated that the Secretary of the Territory should affix the seal to the bonds, but the actual task was performed by Robert Copeland, secretary to the governor, who was compensated by the Bank. The point of the criticism was somewhat lost, however, by the fact that both the previous issues had been sealed by the Directors, the seal having been borrowed for the purpose as Westcott, then Secretary, refused to serve without pay<sup>16</sup>. A second irregularity was charged against the sale of the bonds which, contrary to the charter, were sold in foreign markets below their face value (\$1,000)<sup>17</sup>. To this, the Bank made two counter statements. One was to the effect that the law meant "par in Tallahassee" where currency had depreciated about 20%<sup>18</sup>, a thoroughly weak and untenable excuse. The other, a more substantial position attributed the difference in price to rates of exchange and advanced the justification that no American security could be sold in a foreign market which did not bend to this situation<sup>19</sup>.

It was during the 1837-38 stock subscription that the bank first acquired the charge of favoritism and catering to the interests of a selected few. Of the 20,000 shares put on the market in this transaction,

<sup>15</sup>*Ibid.* Report of the Bank Committee, p. 283.

<sup>16</sup>The question of the issue of the 2,000 bonds without the Secretary's seal was raised by a later Secretary (DuVal) in a letter to Blackburn, Chairman of the Bank Committee, *House Journal*, 1842, p. 128. Gamble replied to the charge in a letter to the Governor (Call) February 21, 1842. *Ibid.*, p. 237.

<sup>17</sup>Ex Ex Docs, H of R, no 111. Report of the Bank Committee, p. 281. Bonds were sold in London as low as 89.50 instead of 100.

<sup>18</sup>p. 285.

<sup>19</sup>p. 381. Reply of the Directors of the Union Bank.

old stockholders were permitted to absorb over 17,000 shares; the remaining shares were divided among 152 new subscribers while 164 would-be investors received nothing. In addition each person holding eight shares was allowed one more without increasing his security<sup>20</sup>. The Banks attempted to explain both actions; the first on the ground that according to their interpretation of the charter, it gave first choice to old shareholders and the second, by the claim that the increase of territorial land values necessitated such a practice to avoid discriminations against old stockholders<sup>21</sup>.

Before the total amount of stock had been actually raised the Territory issued the last two thousand bonds<sup>22</sup> and Gamble started North to negotiate their sale. A small number (200) were sold in New York but the greater part were marketed in Amsterdam where one hundred bonds were placed and London which absorbed nine hundred sixty-six. Thirty bonds were sold in Florida. The remaining seven hundred four bonds were left with an agent in London who was instructed not to sell them below ninety-five<sup>23</sup>. This limitation was subsequently removed but none of the securities sold<sup>24</sup>.

It was not a difficult task to induce European investors to purchase American stocks and bonds in the 1830's and 40's. European markets had an abundance of idle money and the rate of interest on American securities was two or three per cent higher than on those of foreign na-

<sup>20</sup> pp. 283-4. Report of the Bank Committee.

<sup>21</sup> pp. 368, 388. Reply of the Directors of the Union Bank. The Directors declared that the value of land, securities etc., had risen one third.

<sup>22</sup> p. 284. Report of the Bank Committee.

<sup>23</sup>Case of the Bonds and Guarantees, p. 16.

<sup>24</sup>Ex Ex Docs, H of R, no 111, p. 279. Report of the Bank Committee.

tions<sup>25</sup>. Inasmuch as previous investments had brought marked success, there was an abiding faith in the development as well as the reliability of the United States. Nicholas Biddle and his London agent Jaudon introduced the Florida bonds to the European market. Jaudon gave Gamble a letter of introduction to Hope and Company of Amsterdam in which the Union Bank bonds were described as "solid and desirable a security as any in the market"<sup>26</sup>. Contrary rumors were afloat, however, for the Barings of London had already become sceptical and were urging caution. Due to this factor, Gamble was unable to sell his bonds except at a discount and, at that, seven hundred four remained unsold<sup>27</sup>.

Adverse reports of Florida were by no means the sole reason why European bankers cast dubious eyes across the Atlantic. The whole financial fabric of the United States faced a collapse in the years 1835-38 which gave rise to the growing fear that, should this occur, the States would have neither the resources nor the will to meet the heavy obligations being incurred<sup>28</sup>. Subsequent events were to justify only too well this uneasiness. Thus the inability of the Union Bank to market its securities abroad was due rather to the general financial situation than to the anti-bank activities of the Territorial Council as the Bank directors charged later<sup>29</sup>.

<sup>25</sup>McGrane, McReginald, ("Some Aspects of American State Debts in the Forties" in *American Historical Review*, July 1933, p. 674.

<sup>26</sup>p. 676.

<sup>27</sup>*Apalachicola Gazette* October 30, 1839. A creditor speaks of the growing distrust in northern centers of Florida banks. This has been due to the irregular methods of the banks and a fear that their bills will not be redeemed.

<sup>28</sup>McGrane, McReginald "Some Aspects of American State Debts in the Forties," p. 678.

<sup>29</sup>Ex Ex Docs, H of R, no 111, p. 395. Reply of the Directors of the Union Bank.

If the initiation of the Bank had been stormy, the course of its life increased rather than decreased its struggles. The dubious attitude of a portion of the citizens was never dispelled and the success of the Bank was not such as to win over its opponents. In fact, its opening saw the inauguration of a speculation which, from its description, was not unlike the boom years just passed. The sky seemed the limit in both instances. With such a spirit rampant, it was hardly possible to keep a sane and judicious course. The usual misrepresentation of property values appeared; negroes were shifted from plantation to plantation to swell the size of the slave groups offered as security for stock purchases<sup>30</sup>. Loans were contracted on thoroughly unsound bases as events proved. Lands were cleared and then deserted for lack of resources for their cultivation<sup>31</sup>. The citizens of middle Florida enjoyed a spree of paper prosperity which caused hopes and visions to soar but soon produced a severe economic headache. The finish came rapidly, for by the latter part of 1839 the condition of the Union Bank, as well as the other two corporations aided by Territorial credit, was sufficiently precarious to start political agitation. The issue was to become paramount during the next few years and resulted not only in the failure of the institutions but in the repudiation of the bonds themselves by the very authority which had created them.

As usual, mistakes of judgment and overoptimistic policies were branded as evidences of premeditated corruption; and many who would gladly have reaped the profits-had there been profits-now pointed the finger of dishonor and shouted that

<sup>30</sup>Thomas, *History of Banking in Florida*, p. 23.

<sup>31</sup>Long, Ellen Call, *Florida Breezes*, p. 209-10. This, part fiction, part fact, memoir of territorial days describes some of the social conditions resulting from the financial confusion.

"the people" had been betrayed. Friends ceased to be friends; reputations cracked and fell, some deservedly and some unjustly. As the author of *Florida Breezes* commented, the Bank had put more people in the graveyard than the doctors. No one who has lived through the last seven years can fail to appreciate the human fears, frailties, and disappointments involved. Territorial Florida was being caught in the jam of the financial indiscretions and poor judgment of her own leaders and the nation at large.

The first serious attack upon the banking situation was made by the St. Joseph Convention which had met to frame a prospective state constitution. In 1839, this convention made a formal petition to Congress "respectfully insisting" on the intervention of the national government to save the Territory from the disasters about to be inflicted by the banks possessing territorial bonds<sup>32</sup>. The memorial presented by the Territorial delegate, David Yulee, was ordered printed but Congress took no further action. In the Territorial Council of that year, the banks were sustained; efforts at investigation were sidetracked and came to nothing while the governor in his message endorsed them as being "in good condition and worthy of high credit." Call continued his eulogy by enumerating the financial services rendered to the Territory and declaring the banks to be "indispensible agents for the promotion of commerce and highly advantageous in the ordinary transactions of life"<sup>33</sup>.

The growing political opposition to the Union Bank was not directed to that institution alone for the other corporations carrying territorial bonds

<sup>32</sup>Senate Documents, 25th Congress, 2nd session, III, D 232. Resolution of the St. Joseph Convention, December 3, 1838.

<sup>33</sup>Senate Journal 1839. Message of Governor Call, January 9, 1839, p. 7.

were in equally stringent circumstances. Indeed, the Bank of Pensacola was the most insolvent of the three as the railroad project for whose assistance it had been created had entirely collapsed<sup>34</sup>. The fact was that the people of Florida were becoming panicky at the staggering load of indebtedness facing them. Furthermore, the bank policies had produced, or were credited with producing, an extravagance and sham luxury among the propertied classes always especially irritating to humbler groups. As a later committee of investigation expressed it, the creditor walks while the debtor rides in a carriage<sup>35</sup>. Another grievance was the large payments of interest to northern and European bondholders. It was frequently asserted that if the Union Bank would default on its interest payments conditions within Florida would improve. "The honor of the bank is just as much involved in fulfilling its promise to the poor man who holds but one single dollar of its money as to the foreign banker who holds one million of its bonds. The poor man worked for his dollar and expected the bank would act in good faith and redeem it. He did not expect that he would have to part with half of it to enrich the domestic or foreign banker"<sup>36</sup>.

As has been previously stated the issue of anti-bankism first raised its head in the St. Joseph Convention. A political group organized itself as the Loco Focos in 1839 and spread rapidly<sup>37</sup>. Its membership consisted primarily of Democrats; in fact, in some localities, the name Democrat and loco foco were used interchangeably, and eventually the latter was discarded entirely. Support of the banks

<sup>34</sup>*Pensacola* *Pensacola Gazette* July 24, 1841.

<sup>35</sup>*Senate Journal* 1844, p. 72.

<sup>36</sup>*Florida* *Florida Sentinel*, Tallahassee, May 28, 1841. Editorial "Voice of the People."

<sup>37</sup>*Florida* *Florida Sentinel*, Tallahassee, September 16, 1843.

came from the Whigs although it was argued that the State Rights Whigs were really anti-bank. Agitation against the bank group, or the "ragocracy" as it was termed, was the key note of the election of 1839. For the three or four years previous, this party had held an undivided sway over elections. By 1839, their interest was not only protection of the banks but also opposition to the St. Joseph Constitution for its proposed financial regulations<sup>38</sup>. To break this influence, the politicians and the press sounded the alarm and fought the campaign with something akin to fury.<sup>39</sup> When the smoke cleared away, it was discovered that the House of Representatives had gone to the loco focus or Democrats. But the struggle was not over; during the three succeeding years, the same issues and intensity prevailed to the exclusion of all other questions. The bank cause was yoked in many combinations. The Democrats thundered against it as evidence of moneyed monopolies and a betrayal of the rights of the people in true Jacksonian style<sup>40</sup>. The Whigs tried to divert the attention of the people from things financial to the project of dividing the Territory into two states<sup>41</sup>. Possibly the most far-fetched story was that circulated in Tallahassee to the effect that the bank party was in league with the abolitionists. A crowd gathered around the office of the *Floridian* and before it was dispersed, an order went out to Quincy for a detachment of militia<sup>42</sup>. The end was inevitable from the beginning, however, and by 1844

<sup>38</sup> *Apalachicola Gazette*, September 4, 1839. Article entitled the "Constitution."

<sup>39</sup> *Pensacola Pensacola Gazette*, January 9, 1840. Letter from Tallahassee: June 13, 1840, Letter signed James Catlin.

<sup>40</sup> Senate Journal 1840. Message of Governor Reid, January 13, 1840. Reid, the new territorial governor, was a loco foco.

<sup>41</sup> *Florida Florida Herald*, St. Augustine, July 10, 1840; August 28, 1840.

<sup>42</sup> *Quincy Quincy Sentinel* August 7, 1840.

the question was a "rotten carcass" as the St. Augustine News elegantly phrased it <sup>43</sup>.

In spite of all this frenzy of local politics, actual investigation of the banks was brought about by the federal government. The increasing gravity of the territorial situation finally arrested the attention of the President and by him was carried before Congress <sup>44</sup>. The Senate thereupon, passed a resolution requesting the President to gather detailed information on the whole subject with special reference to the Big Three of Florida. On January 3, 1840, this resolution was sent by Secretary of State Forsyth to Governor Reid and, twelve days later, presented to the Legislative Council. The complexion of the House, as has been stated, was loco foco but the friends of the banks, of whom there were still a few, moved unsuccessfully to table the resolution. The majority then passed its own policy of referring the matter to the Bank Committee <sup>45</sup> (E. E. Blackburn, chairman) for the investigation of the banks and to the Committee on Judiciary (Walker Anderson, chairman) for an opinion on the validity of the territorial bonds <sup>46</sup>. Meanwhile the Senate, still pro-bank in character, reported through its committee on Finance and Banking, that the collection of such information was an executive concern as the Secretary of the Territory already had the data turned in by the Banks <sup>47</sup>. The Senate further assumed that the present session would see a thorough bank investi-

<sup>4</sup> <sup>3</sup>

*Augustine* September 14, 1844.

<sup>43</sup>Richardson, Messages and Papers of the Presidents, Message of December 2, 1839. III, p. 540.

<sup>44</sup>Ex Ex Docs, H of R, no 111, p. 250. Nine points were listed in the resolution on which specific information was requested. Their satisfaction constituted a searching inquiry into bank management as well as the political events and technicalities of the banks' organization.

<sup>45</sup>Both Blackburn and Anderson had made unsuccessful efforts to subscribe to the stock of the Union Bank in 1838.

<sup>47</sup>Senate Journal 1840, p. 19.

gation - even though it doubted that there was time for any action-and on January 23, resolved for a joint committee to undertake the task. This attitude of complaisant leisure was rudely shattered when the House rejected the joint committee on the ground that it had already proceeded with its own investigation <sup>48</sup>.

A month later the Senate was thrown into dismay by the report of the Committee of the Judiciary already endorsed by the House. The bank supporters rallied to the fort, as it were, and passed a resolution that the opinions and doctrines contained therein were "disorganizing in their character, subversive to settled order of society, dangerous in their tendencies and calculated in the eyes of the civilized world to destroy all confidence in the honor, integrity and good faith of the people of Florida <sup>49</sup>". A second resolution declared them absolved from any reproach in the matter of bank investigation inasmuch as the House had rejected the joint committee <sup>50</sup>.

The two reports against the Union Bank made in 1840 were therefore the work of the House and, from that very fact, highly partisan <sup>51</sup>. The charges of the Bank Committee may be reduced to three classifications: 1)violations of charter requirements, 2)mismanagement of banking activities, especially in the matter of unsound loans, and 3)the creation of serious social conditions due to the extravagance and speculation which it fostered. The first class of indictments has been treated in connection with the bond issues; no more need be said here. Unsound

<sup>48</sup>Ex Ex Docs, H of R, no 111, p. 256.

<sup>49</sup>Senate Journal 1840, p. 126.

<sup>50</sup>*Ibid.*, p. 128.

<sup>51</sup>There were also reports on the Bank of Pensacola and the Southern Life Insurance and Trust Company, but these banks together held only \$900,000 in territorial bonds while the Union Bank held \$3,000,000.

loans there undoubtedly were but some transactions which proved unsound did not appear so when made <sup>52</sup>. If the high hopes and visions of the Territory had materialized, many of the unsound loans would have been paid off. When credit began to fail, efforts were made to bolster it up by more credit, a procedure which usually results in catastrophe but is just as usually tried, as events of the last seven years have demonstrated. The Committee made much of the ethical effect of the bank's existence on the community. It was a point which lent itself to the always popular contrast of rich and poor even though it was an exaggerated picture of the half bankrupt, overdeveloped plantations of middle Florida.

The second report, that on the validity of the bonds, was the more significant of the two because, should its position be adopted by the Territory none of the three banks, sound or unsound, could survive. The Committee on the Judiciary struck boldly at the root of the question by denying the constitutionality of the faith bond. The Territory, it maintained, had never possessed the authority to issue such securities inasmuch as, during the territorial period, the sovereignty of the people lies dormant. The power of the Council extended only to needful rules and regulations not to calling into existence institutions which are protracted far beyond its own life and yet obligate the sovereign people <sup>53</sup>. Congress, in the opinion of the Committee, was the rightful authority to assume responsibility for the bonds

<sup>52</sup>A pioneer resident of St. Augustine reported one case in which the planter had used a well developed and prosperous plantation as security for his loan with every prospect of making the necessary payment. During the Indian wars, he was wiped out completely.

<sup>53</sup>Ex Ex Docs, H of R, no 111, p. 259. Report of the Committee on Judiciary.

issued <sup>54</sup>, but the Territory could not afford to allow the matter to ride. Therefore, there followed the recommendation for immediate passage of two resolutions to the effect that the bonds were null and void, since they were not issued by a competent authority <sup>55</sup>.

The directors of the bank fought this report more than any criticism of their management and well they might, for it undermined their very existence. Accusing the Council of seeking to ruin the bank, they gave a strong defense of the legality of the bonds and the power of the Council:

If the Territorial Legislature is . . . incapable of creating a corporation because . . . it has no attribute of sovereignty then the conclusion is inevitable that every charter hitherto granted by the Council . . . whether for pious, literary or commercial purposes is not merely voidable but . . . absolutely null and void. Nay every other legislative act of implied sovereignty, being equally destitute of constitutional authority is alike null and void . . . Every execution of a malefactor convicted of a capital offense under a territorial law is murder; every imposition of a tax for general or local purposes a fraud or a trespass; and every restraint upon personal liberty an act of tyranny <sup>56</sup>.

By the time the Council met in 1841, a new situation had arisen, the Union Bank had to pay \$670,000 on July 1, 1841, or default. The directors petitioned for permission to sell the remaining seven hundred four bonds at a discount to meet this obligation while stoutly asserting the inherent solvency of the bank

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<sup>54</sup>*Ibid.*, *Ibid* p. 268.

<sup>55</sup> p. 269.

<sup>56</sup>*Ibid.*, *Ibid*, pp. 396-99. Reply of the Directors of the Union Bank.

itself<sup>57</sup>. Unsuccessful efforts in both House and Senate were made to grant the request but no sentiment in active support of the bank could be mustered although the Council was obviously not ready to take drastic action. Just before the close of the session the direction of the political wind revealed itself through a resolution introduced in the Senate to submit the territorial bond issue to the people at the next election. This was rejected three to seven<sup>58</sup>.

In the course of the following year the whole question was removed from the future to the immediate present by two events: first, the bondholders of the Bank of Pensacola applied to the Governor for the defaulted interest payments, and, second, the Union Bank passed its interest in July 1841. The first situation was treated elaborately in the message of the new governor, Richard Keith Call. Call believed in the validity of the bonds but realized the impossibility of meeting the payments; his solution was to refuse to admit the responsibility of the Territory until the bondholders had exhausted legal steps to force payment from the stockholders<sup>59</sup>. His views did not meet the mind of the Council, however, who saw itself confronted by the bogey of their bad dreams, responsibility for a debt far beyond their capacity to meet. Repudiation resolutions passed both houses in spite of all opposition<sup>60</sup> and were followed by an act prescribing the method of cancelling the bonds<sup>61</sup>. Indeed, the House was willing to go still farther and provide for the closing up of the Union Bank on the ground of insolvency. A bill

<sup>57</sup>Senate Journal 1841, Appendix. Memorial of the President and Directors of the Union Bank.

<sup>58</sup>Senate Journal 1841, p. 123. The people were to write on the ballots "faith bonds" or "no faith bonds."

<sup>59</sup>Senate Journal 1842. Message of Governor Call. January 6, 1842, p. 15ff.

<sup>60</sup>*Ibid.*, *Ibid.*, p. 116. House Journal 1842, p. 174.

<sup>61</sup>Acts and Resolutions . . . Florida, 1842. p. 45.

to this effect passed through its hands and after some amendment was endorsed by the Senate. All the anti-bank legislation were vetoed by the Governor, but the repudiation measures were repassed over his veto<sup>62</sup>. The text of the repudiation resolution was as follows:

Resolved: That the Territorial Legislature does not possess nor was it ever invested with the authority to pledge the faith of the Territory so as to render citizens of the Territory responsible for debts or engagements of any corporations chartered by any said Territorial Legislature<sup>63</sup>.

The people of the Territory sustained this action although the cause for the validity of repudiation was never wholly won. Everyone admitted that the bonds could not be paid; the Territory had not the resources to make good the obligations nor was there any temper on the part of the people to tax themselves excessively to reimburse foreign bondholders. On the other hand, many rejected the notion that the bonds had never been valid and were not unaware of the blot which repudiation placed on the credit of Florida, no matter what view of the legalities one might take. One of the excellent discussions of this point of view appeared in the *Pensacola Gazette*, September 19, 1840, doubtless written by Benjamin D. Wright:

There are some in Florida who affect to think the Territory is not responsible for these bonds because we lack many of the attributes of state sovereignty . . . Some again pretend to believe that the general government is responsible and not the Territory . . .

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<sup>62</sup>Senate Journal 1842, p. 168. House Journal 1842, p. 294.

<sup>63</sup>Acts and Resolutions . . . Florida, 1842, p. 53.

These are all kindred views, are mere pretexts, too poor to merit serious refutation. Ours is as truly and thoroughly a government of the people, as far as the law making power is concerned, as is any state government in the Union. It is true that Congress has reserved the power to annul our laws but no one ever imagined that the mere reservation of this power of annulment operated to impair the validity of laws not annulled.

Let us not add disingenuousness to injustice and fraud to folly. We owe these bonds and cannot pay them. Our population is small, our treasury is empty, half of our territory is in possession of a savage foe and the people of the other half are compelled to stand with arms in their hands for the protection of their homes. . . . Yet these facts, well known as they are to us at home, are not known and can never be fully understood and appreciated by the bondholders abroad. The naked unmitigated fact that a large portion of the public securities of this country have been dishonored will alone be felt and understood. . . . Under such circumstances what is to be done? This question addresses itself not only to the people of Florida but to the people of every part of the United States. It is in vain to attempt to discriminate between State stocks and Territorial stocks; they all stand on the same foundation, the faith of the people. Florida has involved herself beyond the possibility of extrication; but it is not on her alone that the evil will fall . . . <sup>64</sup>.

The Union Bank thus deprived of its capital, proceeded to the dreary task of attempting to straighten out its affairs. Its greatest difficulty was that of

<sup>64</sup> *Gazette*, September 19, 1840.

realizing on its stock from the supposedly "rich," planters unable to meet their loans. Most of the stockholders were apparently willing to meet the demands whenever possible but some of their brethren felt otherwise, for as one newspaper sagely if cynically remarked "people will pay the most important bills." Numerous methods were devised of effecting this escape. One was to run off the moveable property used as collateral; this was easy when said property was on either two feet or four <sup>65</sup>. Another dodge was to oppose the efforts of the bank to collect on its stock by filing usury charge <sup>66</sup>. The bank again petitioned the Council for a modification of its charter, this time to permit it to settle its stock purchases by accepting territorial bonds on a percentage basis <sup>67</sup>. The petition was refused and branded as so outrageous that it would at once forfeit the charter if attempted <sup>68</sup>.

It must be admitted that the Council failed to display a very enlightened attitude at this stage of affairs. Once the bonds had been declared null and void and the territorial responsibility thus eliminated, it is hard to see why Florida as well as the bank would not have profited by salvaging as much as possible from the ruins. Not only was the government of no assistance to the bank but it put the final period to its activities (1843), by suspending its banking powers until it resumed specie payments <sup>69</sup>. Nothing more was said about the bonds although several efforts were made to pass rein-

<sup>65</sup> New Orleans, February 23, 1842. An item from the *Apalachicola Journal* told of one schooner chartered to transfer slaves from St. Joseph to Texas to avoid being attached for the debt of their owner to the Union Bank. Similar attempts were made later but were not so successful.

<sup>66</sup>House Journal, 1844, Appendix. Report of the Union Bank, January 2, 1844.

<sup>67</sup>House Journal 1843, pp. 109-10.

<sup>68</sup>Acts and Resolutions, Florida, 1843, p. 74. Resolution XXII.

<sup>69</sup>Acts and Resolutions . . . Florida, 1843, pp. 59-62.

forcing resolutions, thus indicating some remaining uneasiness regarding earlier action<sup>70</sup>.

This act of 1843 virtually closed the Union Bank as such by placing a condition on its operation which everyone knew could not be met. It is not the scope of this discussion to enter into the legal details of settlement which dragged on for years. Something further should be said, however, on the fate of the bonds. Efforts on the part of the bondholders to secure redress from the Legislative Council was an annual event until Florida became a state, when attention was transferred to the new Legislature. There was some discussion in both houses but the position was maintained that no action was in order inasmuch as the bonds had already been declared null and void<sup>71</sup>. The state situation was especially discouraging since the new constitution forbade taxation except for the necessary expenditures of the state<sup>72</sup>.

The bondholders now sought the aid of Congress whom they held responsible on two counts: 1) because it had permitted the issue of the bonds, and 2) because Florida had been admitted to the Union under a constitution which closed all avenues of redress<sup>73</sup>. Memorials were presented and found their way to committees of both House and Senate where they remained until 1847. In February 1847, the Judiciary Committee of the Senate advised referring the matter to the Attorney General and the Secretary of the Treasury for further information<sup>74</sup>. Under the direction of Henry D. Gilpin, a Philadelphia lawyer, a new statement of claims was drawn up and laid before the Attorney General in August

<sup>70</sup>Journals of the House and Senate, 1843.

<sup>71</sup>Case of Bonds and Guarantees, pp. 25-6.

<sup>72</sup>p. 36.

<sup>73</sup>*Ibid.*, pp. 35-40.

<sup>74</sup>*Ibid.*, p. 10.

1847. As far as can be discovered, nothing was done.

Balked in every effort to gain compensation on this side of the Atlantic, the British holders of Florida bonds acted through their own government after the Convention of February 8, 1853 between the United States and Great Britain. The faith bonds now took the stage as one of the claims of British subjects against the United States and as such became the subject of international arbitration. In presenting her case before the Umpire, the United States denied any responsibility for the bonds. The territorial government, she claimed, was not an agency of the United States. The United States had no authority to borrow money on the credit of a territory nor was it liable for its debts. The power to disapprove the bills of a legislative council did not render the federal government liable for the acts done under them; furthermore the laws once enacted and not disproved "have precisely the same binding force and efficiency within its limits as those of a state." The decision of the Umpire was favorable to the United States on the basis that the United States was not liable for the acts of Florida because she was a territory and that none of the bondholders expected her to be when they bought the bonds. The only recourse open to them, therefore, was to petition the Governor and Legislature of Florida<sup>75</sup>. Whether the United States was wholly justified in her denial of liability, she at least maintained her point consistently and successfully, even in an international arbitration.

But the ghost of the bonds still hovered over Florida. Of the \$3,900,000 issued, \$3,504,000 remained unaccounted for and produced echoes, so to speak,

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<sup>75</sup>Moore, John Bassett, *International Arbitrations, Florida Bond Cases*, pp. 3594-3606.

as the years passed. In 1868, the carpet bag convention ordered an inquiry into the liability of the State, probably sensing some untapped field of profit. A committee was appointed consisting of one old resident and two carpet baggers but their investigation was hampered by the fact that Charles G. English, solicitor for the bank interests prior to the war, burned his papers and left Tallahassee. The chairman generously declared that neither the Territory nor the United States was liable for the bonds but suggested that one acre of Florida land be given for each dollar of bonds<sup>76</sup>. No attention was paid to the report beyond awarding \$500 to the chairman for his services.

Territorial bonds to the amount of \$143,000 fell into the hands of George Peabody and were left by him for the benefit of education in the South. For a time Florida received no benefit from this fund but eventually she was able to convince the trustees that the state had never repudiated the bonds<sup>78</sup>. Even in recent times, the State Treasurer is sometimes questioned by some person who has come into possession of one of the old bonds and has hopes of their value.

<sup>76</sup>Thomas, *History of Banking in Florida*, p. 53.

<sup>78</sup>*Ibid.*, p. 61.

## EARLY ORANGE CULTURE IN FLORIDA AND THE EPOCAL COLD OF 1835

BY T. FREDERICK DAVIS

One of Ponce de Leon's ambitions was to grow fruit in Florida that His Majesty, the Emperor Charles V of Spain, might be served therewith<sup>1</sup>, and when he embarked upon his voyage to colonize Florida he carried seeds of all kinds for planting<sup>2</sup>. Probably the orange was included and possibly on the shore of Charlotte Harbor the first orange tree in Florida grew in 1521; or perhaps Narvaez or DeSoto included oranges in his commissariat and left seed here to germinate into trees? These are interesting thoughts; but we turn from speculation to historical record for the following account.

The earliest mention of the orange in Florida in available records is in a letter from Pedro Menendez Marquis (nephew of Pedro Menendez de Aviles who founded St. Augustine in 1565) to the Audiencia of Santo Domingo, dated St. Augustine, April 2, 1579, stating: "There are beginning to be many of the fruits of Spain [in St. Augustine], such as figs, pomegranates, oranges, grapes in great quantity; there are many mulberries from mulberry trees produced in this same soil"<sup>3</sup>. It may be safely inferred from this that orange trees were growing in St. Augustine as early as 1575.

In their long first occupation of Florida-nearly two hundred years-the Spaniards seem never to have developed orange groves for revenue, and it remained for the English during their settlement of

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<sup>1</sup>Ponce de Leon to Charles V, J. G. Shea translation in Winsor's *Narrative and Critical History of North America*, Vol 2, p. 234.

<sup>2</sup>Oviedo, Oviedo, *Historia General y Natural de las Indias ...* Vol. 2, p. 622.

<sup>3</sup>Jeannette Jeannette Thurber Connor, *Colonial Records of Spanish Florida*, Florida State Historical Society, 1930, Vol. 2, p. 227.

Florida (1764-1784) to discover the possibilities of the orange as a commercial asset. About 1776 they began shipping oranges and orange juice from St. Augustine to England. In 1776, two casks of juice and 65,000 oranges were exported and in 1778 sixteen hogsheads of juice and about 5,000 oranges<sup>4</sup>. This decided increase in the exportation of orange juice while fruit decreased to practically nothing indicates that an English appetite for shrub launched the first orange boom in Florida.

Expanding beyond the original source of the old Spanish groves confined almost entirely to St. Augustine, the English set out additional groves in the region around and south of the town and here and there along the St. Johns River as far up as Lake George. Thus there became established an orange-growing section that for commercial purposes remained unchanged for more than half a century. There was an orange district also along the Mosquito (Halifax) River, where wild groves of unknown origin had existed for a long time. To these were added the relics of Turnbull's New Smyrna venture, together with a few new plantings. These groves did not figure materially in the commercial expansion of the English.

The new groves began to bear during the closing years of the American Revolution and resulted in little practical benefit to their owners, for Florida was immediately thereafter returned to Spain and the English evacuated the country in 1784. In the petitions for reimbursement for losses due to the evacuation orange groves in some cases were appraised on the basis of orange juice production<sup>5</sup>.

<sup>4</sup>Wilbur Henry Siebert, *Loyalists in East Florida, 1774-1785*, Florida State Historical Society, 1929, Vol. 1, pp. 68-69.

<sup>5</sup>The foregoing details have been gathered principally from the Memorials in Siebert, *op. cit.*, Vol. II.

The most famous grove in Florida during English times was that of Jesse Fish situated on the Matanzas River side of Anastasia Island two miles from St. Augustine. This grove is said to have gained international renown. It was probably set out in the early years of the English occupation <sup>6</sup>.

The Spanish resumed their occupancy of East Florida in 1784 with a spirit of more enterprise than they had shown in their former occupation, for in 1787 many resources were recommended for development, the orange being specifically included. Sentiment with respect to the orange apparently soon changed as in a similar report by Luis Fatio in 1790 the orange was not mentioned in the list of fruits advised for profitable cultivation <sup>7</sup>. At no time does it appear that the Spaniards made any serious attempt to place the orange on a commercial basis. Free from disease and finding the required elements in the soil, the groves in St. Augustine continued to thrive upon their own account, furnishing fruit and juice for local consumption, and the residents were content to let it go at that. This was the orange situation when the United States acquired Florida in 1821.

St. Augustine then had the appearance of one continuous orange grove, from the gates at the north end of the town to the barracks at the south end, and from the harbor back nearly to the San Sebastian River. Every yard had its trees and every lot its "orchard." These trees, many of them more

<sup>6</sup>In this period Anastasia Island was popularly called Fish's Island (see map in Siebert, *op. cit.*, I, 120); but eventually the designation was narrowed to the location of the grove, itself insulated by creeks and a marsh. The site is still known as Fish's Island, where traces of the old plantation are visible today.

<sup>7</sup>Arthur Preston Whitaker, *Documents Relating to the Commercial Policy of Spain in the Floridas*, Florida State Historical Society, 1931, pp. 51, 125.

than one hundred years old, were said to be the largest in the world and produced the finest fruit<sup>8</sup>. The groves set out along the St. Johns River during the English occupation were largely abandoned during the Spanish regime, although some of the English estates were afterwards occupied by Americans who moved into the Spanish province of Florida. They paid slight attention, however, to orange growing beyond the preservation of a few trees around their dwelling houses.

About 1826 some of the more enterprising residents of St. Augustine determined to again place the orange on a commercial basis. The crop of 1827 was an abundant one and more than a million oranges were shipped from the St. Augustine area in that season<sup>9</sup>. This activity interested strangers who recognized the possibilities of orange culture and lands suitable for groves began to rise in value. Large investments were made in nurseries, which could not supply the demand for young trees<sup>10</sup>. Many new groves, some of them extensive, were started in northeast Florida, chiefly in the established orange district around St. Augustine and along the St. Johns River, these localities being most accessible for water transportation. The new groves began to come into bearing in the early 1830's.

The orange had now become the staple of commerce in East Florida. Several million were shipped from the St. Augustine section during each of the two seasons prior to 1835. Some of the groves were valued between \$5,000 and \$10,000, these in

<sup>8</sup>*Autobiography* *Autobiography of Thomas Douglas*, 1856. p.106. Thomas Douglas settled in St. Augustine in 1826, where he became a prominent lawyer. He was afterwards Chief Justice of the Supreme Court of Florida.

<sup>9</sup>*Niles' Niles' Weekly Register*, Nov. 24, 1827, quoting *St. Augustine Herald*.

<sup>10</sup>Douglas, *op. cit.*, p. 108, R. K. Sewall, *Sketches Augustine*, 1848, p. 44.

1834 having brought their owners a profit between \$1,000 and \$3,000<sup>11</sup>. That season the harbor of St. Augustine was enlivened with a fleet of fruit vessels and trade was brisk for the purchase of oranges for the northern markets. This crop produced about \$72,000 for St. Augustine alone<sup>12</sup>; the figures are not available for the St. Johns River district.

Then, in February 1835, "there came a frost—a killing frost—which destroyed every orange, lime and lemon tree in Florida"<sup>13</sup> north of the 28th parallel, in some situations roots and all. The wild groves in the interior suffered equally with those cultivated<sup>14</sup>.

#### THE E P O C A L F R E E Z E O F

A large iceberg drifted down from the North, was stranded on the Florida coast, and gave the Territory of Florida its coldest weather in the memory of the oldest inhabitant. Such was a theory advanced at the time as the cause of the severe cold wave that overspread Florida February 7-10, 1835. People a century ago knew nothing of the science of Meteorology; weather abnormalities were considered freaks of nature. Weather changes were forecast only by local signs, such as rings around the moon, actions of birds and animals, rheumatic pains, and similar folklore. But the severity of this cold wave set them to theorizing; and their theory was no more fantastic than some of our own generation, for instance that of 1888, when cannon were discharged in the streets of Jacksonville with the idea that the concussion would destroy yellow fever microbes suspended in the air.

From the few but fairly well-distributed records

<sup>11</sup>John Lee Williams, *Territory* 1837, p. 18.

<sup>12</sup>Sewall, Sewall, *op. cit.*, 44.

<sup>13</sup>Douglas, *op. cit.*, p. 109.

<sup>14</sup>Williams, *op. cit.*, p. 18.

and accounts still preserved it is evident that the weather in Florida during the first week of February, 1835, was decidedly abnormal with respect to cold and wind conditions, the winds veering and backing between northeast and northwest with strong velocities especially over northern Florida. Then without a shift of wind through east and south, which almost invariably precedes cold weather here, the cold wave par excellence entered West Florida the morning of February 7 and by midnight the line of freezing temperature had advanced far down the peninsula. The next morning, Sunday the 8th, the sun rose upon a freezing Florida held in the grip of the most severe cold wave in its history.

There was no decided improvement in the northern half of the peninsula until Tuesday morning (10th). At St. Augustine the maximum temperature on the 8th was 21 and on the 9th 32 degrees, indicating a period of 56 hours or more in which the temperature did not rise above the freezing-point. In the lower peninsula midday temperatures Sunday (8th) hovered around the freezing-point giving that section practically continuous freezing weather for 30 hours. In the words of a commentator, who was a resident of Florida at the time, this cold wave "spread its icy pall over the land, in its length and breadth, from the Perdido in the west to the St. Mary's in the east, and to the Miami in the south." To this may be added a record that the cold weather was felt on board an American warship at the time in the Carribbean south of Cuba.

The cold wave gave way slowly. Though there was a general tendency toward rising temperature after the 10th, northwest winds persisted over Florida, while night temperatures continued to fall to freezing or below until the 12th over the northern half of the peninsula. The coldest day of the period

was Sunday, the 8th, referred to long afterwards by those who experienced it as "The Cold Sunday." On that day the following low temperatures were observed:<sup>15</sup>

February 8, 1835	Deg. F.
Pensacola	8
Tallahassee	4
Jacksonville	8
Picolata <sup>16</sup>	7
St. Augustine	10
Fort King (Ocala)	11
Fort Brooke (Tampa)	20

There were other features of this freeze by which its severity can be judged, namely, salt water froze along the margin of Pensacola Bay and in the St. Johns River ice formed many feet offshore-effects that signify an intensity of cold in Florida unprecedented at the time and never observed since.

Except in limited sections Florida at this time had not advanced beyond the pioneer stage. The regions of settlement were confined largely to extreme West Florida around Pensacola, middle Florida with Tallahassee as a center, and the northeast coastal section. Settlement of Alachua County was also progressing. Elsewhere the country was sparsely inhabited. The interior south of Alachua was Indian country. In February there were no growing field crops of importance to be affected by the cold; consequently the pecuniary loss resulting from the cold wave was confined almost entirely to

<sup>15</sup>Good mercurial thermometers were obtainable then; they were not self-recording instruments like the modern Weather Bureau thermometers that automatically record the absolute lowest temperature during a given period. These temperatures were observed about 7 A. M. Of them we may say it was at least that cold, and probably colder because it cannot be supposed that the instruments were read in every case precisely at the time of lowest temperature.

<sup>16</sup>On the St. Johns thirty miles south of Jacksonville.

the destruction of the citrus industry of northeast Florida<sup>17</sup>.

#### RECOVERY DELAYED BY AN

The destruction of the orange groves was appalling to the inhabitants. In St. Augustine the inheritance of generations was swept away in a single day. The calamity fell heavily upon the poorer classes, to whom the orange was an item of barter for ordinary necessities.

The roots of many of the old trees put out shoots, which grew vigorously. Some owners attempted resuscitation at once; but it was two or three years before general interest in orange-growing was revived. In the period 1838-40 there was decided activity in replacements both in the locality of St. Augustine and along the St. Johns River; however, simultaneously there appeared an enemy that proved to be as deadly and more lasting than the freeze. This was an insect never known in Florida before.

In 1838, Mr. Robinson, of Mandarin on the St. Johns River, received a shipment of Mandarin orange trees that had come from China by way of New York. Some of these trees were sent to St. Augustine and planted in a grove there. Not long afterwards the insects were noted on trees of this shipment in both locations and it was assumed that they were brought in with that shipment. Little attention was paid to the matter at first, but the insect soon began to spread and by 1840 many orange

<sup>17</sup>This account of the cold wave is based on: *Pensacola Gazette*, Feb. 7, 14, 21, 1835; *Tallahassee Floridian*, Feb. 14, 1835, and Jan. 7, 1839 *St. Augustine Herald*, April 1, 8, 1835; official reports to Surgeon-General's office from Ft. King and Ft. Brooke for Feb. 1835; *Niles Weekly Register*, Apr. 11, 1835; John Lee Williams, *Territory of Florida*, 1837, p. 18—Williams resided at Picolata; *A Winter in the West Indies and Florida*, by an Invalid, 1839, p. 145; *St. Augustine Ancient* Jan. 3, 1852; G. R. Fairbanks in *Monthly Weather Review* (National), Sept. 1895.

groves in the St. Augustine area and near Mandarin had become infested. No means to combat its spread were known. Some thought the texture of the soil had something to do with it; others that manuring helped to sustain it. Mr. Robinson topped all of his trees in the hope thereby to arrest it<sup>18</sup>. Groping around for a preventive is a pathetic chapter of those times.

During this period another and apparently more remunerative source of income developed suddenly - in 1838 a mulberry craze broke out in St. Augustine<sup>19</sup>. Sericulture was booming in the North and buyers were sent to Florida; they rode through that part of the country not affected by the Seminole war, then in progress, paying exorbitant prices for cuttings. At one time "eyes" brought three cents each. One lot of trees is said to have been sold at St. Augustine for \$50,000. The mulberry boom was short-lived, for the market failed completely in the winter of 1839-40<sup>20</sup>, as a result of a general business and financial panic which swept the United States and caused the collapse of speculative enterprise everywhere.

The insect (later known as the purple scale) continued to spread with devastating effect. In 1847 there was not a healthy tree of the citrus variety in the vicinity of St. Augustine<sup>21</sup>. By the early 1850's

<sup>18</sup>Letter of J. Forman to Senator David Levy Yulee, dated St. Augustine, Jan. 4, 1846, published in *Semi-Tropical Magazine*, Jacksonville, November, 1875. Dr. Jacob Forman resided many years in Florida and was a close scientific observer on various subjects. In this letter he described the insect minutely. Judge Douglas says, *Autobiography*, p. 110, that Robinson introduced the insect in 1834-35; but I think this must be an error of memory.

<sup>19</sup>In 1838 extensive mulberry as well as orange nurseries were being cultivated in St. Augustine—A *Winter in the West Indies and Florida*, By an Invalid, 1839.

<sup>20</sup>See the Belknap letters in Davis, *History of Jacksonville, Florida, and Vicinity*, Florida Historical Society, 1925, pp. 80-81.

<sup>21</sup>Sewall, *Sewall op.cit.* p.45.

all the groves in the region around St. Augustine and most of those on the St. Johns as far up as Drayton's Island had been rendered worthless<sup>22</sup>. Orange-growing for profit in the old orange district was abandoned and gradually shifted to new territory contiguous to the upper reaches of the St. Johns and to the Indian River section, where nearly every home had its orange orchard and some small groves were set out. During the War Between the States these played no small part in providing sustenance for the families of their impoverished owners.

After the war wealthy Northerners became interested in orange-growing on a large scale and developed fine groves on their estates up the St. Johns River and around Lake Monroe. These groves came into full bearing in the 1870's along with greatly improved transportation facilities and methods of handling, when the orange again "found its place in the sun" for profit. The modern orange industry in Florida dates from that period.

The purple scale was eventually checked by natural agencies such as parasitical fungi and predaceous insects<sup>23</sup>. By 1875 it had gradually disappeared from the trees in Florida<sup>24</sup>.

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<sup>22</sup>Thomas Douglas, *op. cit.*, p. 111.

<sup>23</sup>H. Harold Hume, noted authority, in a letter to the author, May 26, 1926.

<sup>24</sup>Editorial note in *Semi-Tropical Magazine*, November, 1875.

THE DEFENCES OF THE FLORIDAS  
A Report\* of Captain James Gadsden, Aide-de-Camp  
to General Andrew Jackson

Nashville  
August 1, 1818

To Major General  
Andrew Jackson

Sir:

Pursuant to your instructions I have now the honor of reporting to you on the conditions of the Fortifications in the Floridas west of the Suwaney river, on the eligibility of their positions for defense and on the improvements, repairs or additions which may be deemed necessary to their permanency. The existing works are Fort Carlos de Barrancas for the defence of the entrance into Pensacola Bay; Fort Gadsden on the Appalachicola river 20 or 25 miles from its mouth, and Fort St. Marks at the junction of the Wacally and St. Marks rivers, and 8 or 9 miles from the Bay of Apalachee.

*Fort Carlos de Barrancas-*

The position of the Fort Carlos de Barrancas is well selected, has an imposing command on the entrance into Pensacola Bay, and is susceptible of being strongly fortified. Plan No. 1 represents the work in its present condition; the water battery is of masonry and with but few improvements may be rendered permanent; the upper work is too contracted in its dimensions, its figure greatly diminish-

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\*Note-This report was secured by Dr. Mark F. Boyd, whom readers of the *Quarterly* know well, from the original in the files of the Intelligence Division, Engineers Corps, War Dept. Washington. In an early issue of the *Quarterly* Dr. Boyd will give us a paper on the so-called Negro Fort which will be an introduction to a series of letters written near the site of the fort by Edmund Doyle, trader and representative of John Forbes and Company (successors to Pantan, Leslie and Company) to Forbes, and James and John In-nerarity, members of that firm (1808-1817) *Ed.*

ing the internal space, and the materials of which it is constructed are perishable, the whole indicates its having been hastily created, and as a temporary defence. The imposing attitude of the position it occupies, overlooking the water battery renders it necessary to be maintained by a strong and suitable work. I would therefore recommend the erection of an entire new work on the hill with revetments of masonry agreeably to plan No. 2. In cooperation with Fort Carlos de Barrancas a battery on the opposite side of Rose's island would be indispensable. The entrance between the island and main exceeds one mile and a quarter, and the largest vessels may approach near either shore. Plan No. 3 is a sketch of the entrance into Pensacola Bay, exhibiting the position of Fort Carlos de Barrancas, as well as those of the American batteries at the late investment of that work.

#### *Fort Gadsden-*

The position of Fort Gadsden was well selected for the objects it was intended to effect. Being the lowest bluff on the Appalachicola river to which a land communication could be obtained, and near enough its mouth to ensure a safe and certain navigation to and from the ocean, it becomes invaluable as a depot for an army operating in the Floridas, and dependent for supplies from the granaries of the gulf. Its vicinity to Fort Scott and St. Marks and the facility with which the land communication between these points could be maintained, enhances its importance as within a chain, a cordon of posts, which it became necessary to fortify in giving security to our southern frontier, and which were at such distances as to enable the garrison to concentrate at will for any operations against marauding parties of Indians that might assemble. How far, however, the position of Fort Gadsden may be

embraced within the system of defences against an external enemy adopted by our government, by the establishment of a chain of seacoast fortifications, can only be ascertained by a minute examination of the mouth of the Appalachicola river, and the bay of the same name. The nearer the position can be obtained to the seacoast, so much more is it to be preferred provided the defence is as perfect, as giving security to a greater extent (338) of country and protection to trade. Fort Gadsden is a temporary work, hastily erected, and of perishable materials, without constant repairs it could not last more than four or five years. If the position should therefore be selected for a permanent defence, an entire new work will have to be constructed. Plan. No. 4\* exhibits the position and figure of Fort Gadsden with the outlines of the old negro fort, and a large entrenchment as traced and commenced by the British near the close of the American war with them. From the capacity of this work, some idea may be formed of the extent of the negro and Indian establishment contemplated in that country.

#### *Fort St. Marks-*

The position of Fort St. Marks for the protection of the river from which it takes its name and the country interior is well selected. The work is incomplete and the design apparently larger than was necessary to render it permanent and to perfect its defences. Extensive additions will be necessary. Plan No. 5 exhibits the work in its present condition, and No. 6 exhibits the work as proposed to be improved. Connected with this partial report it may be pertinent to make some general remarks on the importance of the Floridas in a military point of view to the United States. From a reconnaissance

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\*This plan will be reproduced in an early issue of the *Quarterly* in connection with Dr. Boyd's paper on the Negro Fort.

taken of that portion of our southern boundary embraced within the Alabama and the head waters of St. Mary's river, it is deemed impossible to give security to that section of our country by any cordon of fortifications without the immediate presence of a large and active military establishment. The nature of the soil along the 31 degree of latitude precludes the possibility of a condensed population, and confined to a narrow slip of land bordered on one side by the Floridas and in the rear by the Creek nation, supplies would necessarily have to be transported from a remote point and reinforcements of men when necessary could not be assembled in time to act with effect. A Foreign power in possession of the Floridas, could commence hostilities, capture in detail our posts on the 31 degree of latitude, penetrate into the center of the Creek nation and seize upon the strong points between the Flint and Alabama rivers before any force could be brought in operation against them. This vulnerable point of our country did not escape the attention of the British during the late war. The capture of Fort Bowyer at Mobile point, and the establishment simultaneously made at the negro fort on the Appalachicola; the reconnaissance taken, and the work commenced at the red bluff one mile below the junction of the Chatahouchy and Flint rivers, evidently points out the base of the operations for the ensuing campaign had not the treaty of Ghent terminated hostilities. Thus strongly posted, with complete command of the ocean, and consequently of a water communication to such points from whence reinforcements and supplies could be derived, in possession of the capacious harbors of Mobile, Pensacola and Appalachicola Bays, it is impossible to divine what inroads may have been made into our country and what strong points might have been seized and forti-

fied (339) before an adequate force could have been brought in opposition. The Creeks though subdued still had restless warriors among them, who if again unsuccessful in arousing their nation to hostilities, would have been valuable as guides to the enemy. Thus assisted it would not have been a difficult operation to have obtained possession of the agency or some commanding points on the Flint, Chatahouchy and Alabama rivers; from thence this line might have been extended by the falls of the black warrior, the cottongin port on the Tombigby and other intermediate points to the Chickasaw Bluffs on the Mississippi. These positions maintained it would have been an easy task to unite the four southern tribes of Indians in hostilities against us. The western states would have been cut off from all communication with the gulf of Mexico, and Louisiana would necessarily have fallen an easy conquest. That the strength and patriotism of the west might ultimately have triumphed over such success is not to be doubted, but oceans of the best blood of our country would have flown [sic] before a powerful enemy thus favorably posted could have been expelled. The possession of the Floridas removes all these fearful anticipations, unites to the southern boundary of the United States a territory susceptible of strong defence, and enables our government to perfect her system of fortifications by connecting in one chain the seacoast batteries of the Atlantic with those contemplated on the shores of the Mexican Gulf, thus compelling every enemy of the United States to commence her offensive operations on the ocean, and enabling armed citizens to assemble, and be organized before a landing is effected. The possession of Florida is considered as strengthening our southern boundary, as affording on her seacoast capacious bays easily fortified and valuable

as harbors for our navy, and soil in many parts of a quality to admit of and invite a condensed population. From the head waters of the Escambia to the Suwaney river a belt of land varying from 10 to 20 miles in width extends in a southeasterly direction, every acre of which is susceptible of cultivation, crossing the Suwaney river these good lands unite with those of the Allatchaway plains which are reported to extend to and terminate near the bay of Tampa or Santo Spiritu. This belt of land adapted to cultivation of the rich staple of cotton, and parts of it probably to sugar, would soon attract the attention of our enterprising agriculturists, and a condensed population thus extending in an oblique direction to, at no point more than sixty, and in some places approaching within twenty miles of the gulf, would always present a barrier to an enemy attempting to penetrate the country if they could not assemble in time to cooperate in defence of the seacoast works. In connecting the seacoast defences of Florida with those contemplated at Mobile Bay, Pensacola, St. Rose, St. Andrews, St. Josephs, Appalachicola and Tampa or Santo Spiritu Bay will naturally attract the attention. On a minute survey of these points and the connecting coast can it be ascertained whether all, or which should be fortified. Pensacola and Appalachicola, Appalacha, or St. Marks are already occupied, and should be embraced within the chain of permanent defences which may be constructed-Pensacola as possessing one of the most capacious harbors in the gulf and which will be valuable as a maritime depot for our southern coast, and Appalachicola and Apalacha as giving security to an extensive and rich back country the valuable qualities of the soil of which will at no distant period invite a populous settlement. To the east and south of St. Marks the coast of Florida is

well protected by extensive (340) shoals, projecting from three to five miles into the gulf and preventing vessels of any magnitude from approaching the shore-into the mouth of Suwaney not more than three or four feet water can be carried and from thence southwardly there are no harbors or bays worthy of note, until you get to the bay of Santo Spiritu or Tampa-from Tampa to the Florida Keys the same features characterize the coast of Florida with the exceptions of Boca Grande or Charlottes harbor and Boca Caution [sic] or Carlos Bay the one admitting of 15 and the other 9 feet water, and good anchorage within. The bay of Tampa is in Latitude  $27^{\circ} 36'$ , is esteemed one of the finest harbors in the gulf, its entrance is bold, admitting of four fathoms, agreeably to the survey of Mr. Gould, at low water and from its peculiar situation must at no distant period become valuable as a maritime depot for Florida. As such it must be embraced within any chain of seacoast defences which may be constructed for the security of the Floridas and its occupancy is all important at this period. It is the last rallying spot of the disaffected negroes and Indians and the only favorable point from whence a communication can be had with Spanish and European emissaries. Nicholas [sic] it is reported has an establishment in that neighborhood and the negroes and Indians driven from Micosukey and Suwaney towns have directed their march to that quarter.

With respect  
James Gadsden Capt. Engrs.  
AD Camp

THE PANTON, LESLIE PAPERS

Manuel Gayoso de Lemos, Governor of Louisiana,  
to William Panton

New Orleans 21st Dec. 1797

Dear Friend:

I received your favour of the 5th inst., and I give you my sincere thanks of your attention to my Commission about the Coach. By this opportunity the Intendant sends the permission for the despatch of your ships; by that means every inconveniency will be removed, besides at present there are no privateers in this port nor do I find any talk about the fitting out of any as for this long time it has been the general expectation that of an universal peace, and you know that there are no great adventurers in this town. I am very anxious to know the movements in France since the last Comossion of September which I saypose you have seen in the public papers; if matters are settled there, I dare say the negociations will be renewed, tho it is probable that the English will wait until the return of their fleets abroad as their situation had several advantages over ours and of the other powers.

Do acquaint me with every particular that may come within your knowledge, as by duty and curiosity I am anxious to be informed how the world is going on. By my writing you will find that my fingers are very cold therefore I take leave until another time and remain with esteem

Your most obedient and  
Wm. Panton, Esq.      Very humble Servant  
Manuel Gayoso de Lemos

McKee is gone to the Natchez  
and from there intends through  
the wilderness to the U. S.

New Orleans, 16 Oct., 1798

My Dear Friend:

By a vessel lately from Baltimore we received intelligence to the 8th Sep. in public papers, he sailed a few days after, and the Capt does not give any extraordinary news. Coll Howard examined two papers that he brought and gives you an exact account of the most interesting, which in my opinion is the removal of Mr. Pitt, if it be confirmed.

I am extremely busy therefore I rely on what my old friend tells you.

I have a distant hope that the affairs between the U. S. and France will take a favorable turn as I know that the energetic measures of the American Executive has made an impression in the mind of the French Minister, indeed this Baltimore Capt. mentions that it is thought there that hostilities will go no further. Adieu, tell me if absolutely the papers for your vessells will be wanted before they come from the Havana, for in that case I will send you mine immediately. I am with affection

Your Most humble Servt.

Manuel Gayoso de Lemos

Wm. Panton Esqr.

\* \* \*

New Orleans, May 22, 1799

My Dear Friend:

In the hurry of business I was not informed of the immediate departure of Capt. Cook until I was to sign his pass, therefore it is not of my power to write long by this opportunity but will do it by the very first.

I received the Gazettes of the last Courier, they are much about the same that we had by the Valize.

I am very glad to hear the better success of your expeditions, if your ship comes here soon I shall

have a good pretext to do away any difficulty of despatching it to the Havana, as to Campeche, we will try but, this Intendant is so unreasonable that I hardly believe he will consent to it.

Mrs. Gayoso enjoys the thoughts of having soon her Coach. I have no more time than to request the assurances of the affectionate esteem of

Your Most Humble  
Servant

Manuel Gayoso de Lemos

Wm. Panton Esqr.  
Penzacola

## THE IRVING BACHELLER ESSAY CONTEST IN FLORIDA HISTORY

*[The annual Irving Bacheller Essay Contest in Florida History, in which the Society has been interested since its inception, was held last month. This is open to all students of Florida high schools. The subject chosen was "Historic Landmarks in my County." The Contest is under the wing of Rollins College and is carried out by a state-wide committee with Professor A. J. Hanna, chairman. President Chase of the Society presided, and Dr. Kathryn T. Abbey, vice-president, addressed the gathering on "Advancing Florida's Past." Because of their historical value and excellence, and as evidence of the interest the Society feels in the Contest, the QUARTERLY is glad to publish both winning essays. - Ed.]*

BRADEN CASTLE  
BY THELMA GRAY  
Bradenton High School

Almost a century has passed since a wagon train of brave pioneers broke the stillness of the Florida wilds. Included in this caravan was a well-known Virginian, Dr. Joseph Braden, who, with his family, was seeking a location suitable for permanent settlement.

In 1840 he built a homestead near the point of Wares' Creek. Greatly attracted by a spot made lovely by its stately oaks, palms, and sloping knoll, he abandoned his homestead to make a home near the concourse of the Manatee and Braden Rivers.

Overcoming many difficulties, the builders completed Braden Castle in 1850. There are many varying stories concerning the materials used in the construction of the building. Dr. Braden chose a material which was cheap, easily secured, and durable. Large shells from the near-by river were crushed and mixed with sand to form a kind of cement.

The original construction was square. Promising protection against raiding Indians, the walls of the Castle were twenty inches or more in thickness. At the time of construction, numerous holes were made

in the walls. These holes have given rise to many mythical stories, but in reality, they were used in defence against Indians, guns being fired through them.

There were two stories, and a large porch ran the complete length of the structure. Each story consisted of four rooms, all square and of the same dimensions, twenty feet by twenty feet. Spacious halls connected the rooms, and there were four chimneys, suggesting the lavish hospitality for which the Castle soon became famous.

From the time of its construction to the present day, Braden Castle has played an important part in the history of Manatee County.

In the year 1855, the comparatively friendly relations which had existed between the white settlers and the Indians were severed. In January, 1856, the Manatee section learned that Billy Bowlegs was on the rampage. In February, the Seminoles made their memorable attack on Braden Castle.

Dr. Braden was entertaining two prominent citizens of Tallahassee when a frightened negro servant excitedly told him that Indians were outside the castle. At first, Dr. Braden believed the Indians to be local ones merely wishing to frighten him; but when the Indians opened fire, he realized the seriousness of the attack. Finally defeated at the plantation, the Indians retreated to the negro quarters where they took six negroes and three mules.

After this attack on Braden Castle, the community was in an uproar of fear and excitement. When Fort Branch became over-crowded with frightened refugees fleeing from the Indians, Dr. Braden's home was made a retreat.

Far removed from the battle scenes of the Civil

War, the Manatee community experienced none of the war's real terrors. In August, 1864, the Federal schooner *Stonewall* sailed up the river, and its crew destroyed a grist mill near Braden Castle. The Castle itself went unharmed during the war.

When Dr. Braden moved to Texas, he transferred his holdings to Daniel Ladd. Mrs. Mary Pelot purchased the Braden tract for the sum of \$2,000. She sold Braden Castle and 320 acres of surrounding land to her parents, General and Mrs. Cooper.

General Cooper made the old castle his residence until his death. As the years passed, he made a number of improvements. He attached a frame look-out, with dimensions about ten feet by five feet. This look-out increased the attraction of the already popular home. Under the shade of the majestic oaks, many community affairs took place.

General Cooper's death marked the closing scenes of life around this historic place. As development moved onward and away, the peaceful calm of the old Castle was not broken except for visitors who were charmed by the beauty of the locality.

In 1903, fire accomplished what the Indians had vainly attempted. The fire completely destroyed the wooden part of the castle, leaving only the walls.

There are many legends and traditions built around this picturesque ruin. Some narrators claim that there was once a fortress on this site, occupied by pirates who buried their treasure near there. Numerous excavating parties have had enough trust in these stories to dig for the treasure in the vicinity of the ruins of the Castle.

In 1924, a group of men laid the foundation of the modern tourist camp near the site where the castle once stood. Today the historic ruins of Braden Castle are surrounded by an active community life.

HISTORICAL LANDMARKS OF MY COUNTY

By JOHN PIKULA

Daytona Beach High School

Of the many landmarks of the Halifax country, one of which probably the least is known is the old Bulow Plantation, the remains of which are found near the old King's Road approximately eleven miles north of the city of Ormond. Owing to the extreme difficulty in gaining access to the place, it is but seldom frequented and consequently little known. But this does not signify its lack of historical value. On the contrary, it is quite the opposite. For it was not only the most extensive plantation ever to exist in the Halifax country, but it also was occupied as military headquarters in the war with the Indians by Major Benjamin A. Putnam.

The land was originally acquired from the Spanish government in 1812 by John Russel, a wealthy plantation owner in the Bahamas, in exchange for a schooner, the Barbarita. On the death of Russel, his grant passed to his heirs who in turn sold it to Charles W. Bulow in 1821. Immediately after taking possession of the grant, Bulow planted and improved it, constructed buildings, and employed a great number of slaves in the cultivation of sugar cane, cotton, starch and indigo plants. When Bulow died at St. Augustine in 1823, he left his life estate to his son, John J. Bulow. It was while John Bulow governed it that the Seminole War was fought and the plantation destroyed.

At the beginning of the war in the latter part of the year 1835, Major Putnam, of the State Militia, was ordered to proceed with the company to Tomoka and take post at Rosetta, also to command other troops stationed there. He remained stationed at this plantation of Marquis de Fonquieres until the night of December 28, 1835, when he moved his

forces to Bulowville, it being a more advantageous position. Bulowville remained the headquarters of the forces south of St. Augustine until the 23rd of January, 1836. An interesting account of the activities of the forces while stationed at Bulowville is given by Major Putnam in a report on the Seminole War in which he says: "Several expeditions were fitted out from this station, by land and water, against the Indians, particularly the one which resulted in the action at Dunlawton on the 18th of January, 1836; that after the battle, the dwelling house was converted into a hospital for the accommodation of the wounded. A short time after that, we had to quit Bulow as I had been wounded in action with the Indians at Dunlawton; that during the time at Bulowville, I took cotton bales belonging to the estate of Bulow to form a breastwork around the quarters; a fort also was built in front of the dwelling house for the protection of the place, the materials were all furnished from the estate; that the number of Indians in the neighborhood exceeded the command greatly; at the battle of Dunlawton, the enemy exceeded the command in number fourfold; that, on giving information of the movements of the enemy to Gen. Hernandez, he ordered the abandonment of the station at Bulowville and to occupy another at St. Josephs, about eleven miles distant; that it was abandoned accordingly on the night of the 23rd of January, 1836; that soon after the abandonment, the Indians took possession of the place and destroyed everything . . ." In a supplemental statement, Major Putnam reveals that he took possession of Bulowville because it was better situated than any other for conducting their military campaigns. He also states that he took possession of the place without consulting Mr. Bulow or obtaining his consent. Bulow objected to this move and manifested his op-

position by firing upon them with a four-pounder. In the retreat from Bulow, after abandoning it on the 23rd, Putnam's forces had to proceed via Smith Creek and experienced a narrow escape in eluding the Indians. They finally succeeded in reaching St. Josephs safely.

The Indians were at peace with the whites before the policy of moving them west of the Mississippi was adopted, and would not have harmed the plantation had not the militia occupied it previously. But because they had long been annoyed by expeditions which proceeded from there, such as the Dunlawton expedition in which they lost so many of their people, they were determined to destroy it as soon as their own safety was insured. A claim presented to the U. S. Government in after years for the damages perpetrated by the Indians amounted to \$83,475!

The remains of Bulowville, as left by the Indians on that January night in 1836, may be seen today. The sugar mill, of coquina and brick, skillfully cut and filled, is partially destroyed. The two large chimneys of the mill, often called the "Bulow Towers", still stand, covered by a dense growth of vines and moss. Near the mill is a large vat, probably used for indigo, and a few wells. An inscription on the north side of the mill bears the words: "Bulowville, January 26, 1831." For over a century the ruins have stood thus, protected by the dense growth surrounding them, the sole remains of the great plantation that played such an important part in the history of the Halifax country.

## MINUTES OF THE ANNUAL MEETING OF THE FLORIDA HISTORICAL SOCIETY

The 35th annual meeting of the Florida Historical Society convened at Bethesda-by-the-Sea, Palm Beach, Florida, on Tuesday, January 26, 1937, at ten o'clock in the forenoon.

The meeting was called to order by President Joshua C. Chase. Reverend F. C. Taylor pronounced the invocation. In the absence of the secretary of the Society, Mr. A. S. Bussey of West Palm Beach was chosen secretary pro tempore.

Mayor James M. Owens, Jr., of Palm Beach was presented and extended a cordial welcome to the Society and expressed the pleasure felt by the people of the town and county in having the Society meet so far south.

President Chase responded in a most appreciative way to the welcome.

Right Reverend Nathaniel S. Thomas of Bethesda-by-the-Sea expressed his personal pleasure and that of his parishioners in having the Society meet in their parish house. He outlined the program for the day, announcing that luncheon would be served in the Cluett Gardens attached to the Church, and that a sight-seeing trip through Palm Beach would be given all who could accept the invitation that afternoon. He also called attention to the exhibits of historical material in charge of Mrs. Charles Watson TenEick, and directed attention to the rare exhibits made by Mr. Julien Yonge, The Tropical Sun of West Palm Beach, its editor, Mr. A. S. Bussey, and others.

Taking up the program, President Chase presented Dr. Carita Doggett Corse, who told of the Writer's Project, the Historical Records Survey, and the State Archives Survey.

President Chase then presented Dr. Isaac Cox,

of Northwestern University, who delivered an address on "The Development of the Florida Frontier."

The hour for lunch having arrived, adjournment was taken until two o'clock.

At two o'clock President Chase called the Society to order and the business session began.

A. H. Roberts was recognized and on behalf of the Board of Directors presented amendments to the by-laws of the Society together with a resolution adopted by the Board as follows:

**BE IT RESOLVED**, by the Board of Directors of the Florida Historical Society, that the by-laws of the Florida Historical Society should be amended, and that this Board of Directors recommend to the annual meeting of the Florida Historical Society to be held at Palm Beach, Florida, on January 26, 1937, that said by-laws be amended by action of that meeting, so that the by-laws of the Florida Historical Society, when amended, shall read as follows:

**BY-LAWS OF THE FLORIDA HISTORICAL SOCIETY**

**I.**

*Membership*

1. All applications for membership shall be endorsed by at least one member of the Society and shall be accompanied by the payment of at least one year's dues to the treasurer.

2. Honorary members may be elected at any annual meeting of the Society, upon unanimous recommendation by the Board of Directors.

3. There are hereby created the following special types of members, namely:

Contributing Members and Life Members.

## II.

### *Dues*

1. The dues of regular members shall be two dollars per annum, payable in advance.

2. The dues of Contributing Members shall be ten dollars per annum, payable in advance.

3. The dues of Life Members shall be one hundred dollars, the payment of which shall entitle such member to life membership, without the further payment of dues.

4. Any member who is one year in arrears in dues, after thirty days' notice thereof, may be dropped from the roll of membership by the Board of Directors.

## III.

### *Meetings*

1. There shall be an annual meeting of the members of the Society on the fourth Tuesday of January of each year, commencing with January, 1937. Special meetings may be held upon the call of the president on the application of ten members. Ten days' notice shall be mailed to each member at his usual place of residence of all annual and special meetings. Fifteen members shall constitute a quorum.

2. The Board of Directors shall meet on the call of the president. Three days' notice of such meeting shall be sent to each member of the Board at his usual place of residence.

## IV.

### *Duties of Officers*

1. THE PRESIDENT. - The president shall preside at all meetings of the Society, shall be ex-officio president of the Board of Directors and of the Executive Committee, and shall call all meetings of the Board, and of the Executive Committee, and shall perform all other duties usually appertaining

to such office. In case of his absence or disability, the duties of the president shall be performed by the first vice-president, and in his absence or disability, by the second vice-president.

2. RECORDING SECRETARY. - The recording secretary shall record all meetings of the Board of Directors and the general membership meetings, and shall be custodian of all records of the Society. He shall keep full and accurate minutes, and his books shall be open to the inspection of the Board of Directors or any interested member of the corporation, without passing out of his hands. At the close of his term of office, the Minute Book shall be passed on to his successor. He shall make an annual report to the Society at its annual meeting. He shall be ex-officio secretary of the Board of Directors.

3. CORRESPONDING SECRETARY AND LIBRARIAN.- The corresponding secretary shall conduct the correspondence of the Society, keeping a record of letters written and those received, and he shall conduct investigations and researches into all matters pertaining to Florida history, as desired by members and correspondents. He shall be custodian of the library and collections of The Florida Historical Society, and shall supervise their proper care, cataloguing, listing and general use by members of the Society and the public. He shall make an annual report to the Society at its annual meeting. He shall have supervision of the repairing of manuscripts, binding of books and documents, photostating of rare material and such other duties as are generally assigned to the librarian of a similar collection, He shall when authorized by the Board of Directors make such loans of materials to students and scholars as may be required.

4. TREASURER.-The treasurer shall receive and have the custody of the funds of the Society, and

shall keep its financial accounts and shall give such bond as may be required by the Board of Directors. He shall report delinquent members to the Board of Directors; and shall make an annual report to the Society. His books and accounts shall always be open to the inspection of the Board of Directors, or any member of the Society.

5. THE BOARD OF DIRECTORS. - The Board of Directors shall consist of the president, the first vice-president, second vice-president, the recording secretary, the corresponding secretary and librarian, the treasurer, three directors chosen from the State at large, and one from each Congressional District of the State of Florida, as now or hereafter constituted. The officers named herein shall be elected annually. Of the remaining directors, one shall be chosen from the State at large and one from each of the odd numbered Congressional Districts at the annual election in 1937 for a period of one year and two directors shall be chosen from the State at large and one from each even numbered Congressional District for a period of two years; and thereafter all directors, other than ex-officio members, shall be chosen for a period of two years. No director (other than an ex-officio member of the Board) shall be eligible to re-election until one year shall have elapsed after the expiration of the term for which he or she was elected. Vacancies in any office may be filled by appointment by the president until the next meeting of the Board of Directors, or of the Society, whichever shall first be held. In the event a meeting of the Board of Directors is first held, they shall make appointments to fill such vacancy or vacancies, until the next meeting of the Society. Such Board of Directors shall have the direction and supervision of the work and business of the Society and take such action and adopt such means as will best pro-

mote the objects of the Society. Five members of the Board shall constitute a quorum for each meeting. There shall be an Executive Committee of five members of the Board of Directors, three of whom shall constitute a quorum for the transaction of business. The president and recording secretary shall be ex-officio members of the Executive Committee and the other three members of the committee shall be appointed by the president from the other members of the Board of Directors.

V.

*Seal*

The seal of the Society shall be the coat of arms of the State of Florida, with "The Florida Historical Society" surrounding the same.

VI.

*Committees*

The following standing committees are hereby created:

Finance Committee, Program Committee, Nominations Committee, Publications Committee, Library Committee, Legislation Committee, Committee on Affiliation With Other Societies, and Membership Committee.

1. FINANCE COMMITTEE.-It shall be the duty of the Finance Committee to audit the accounts of the treasurer and to devise ways and means for increasing the revenue of the Society.

2. PROGRAM COMMITTEE. - There shall be a Program Committee who shall provide topics of historical and current interest for the sectional meetings throughout the State and for the annual meetings. Members of this committee shall represent the five Congressional Districts who shall assist in securing speakers for these meetings, each in his own district and for the annual meeting.

3. NOMINATIONS COMMITTEE.-There shall be a Nominations Committee of five members, two from the Board of Directors and three from the general membership elected at the annual meeting to serve for the ensuing year. This committee shall select from the membership of the Society one name (or not more than two names) for each of the offices of the Society, and one name (or not more than two names) for each of the directors of the Society. These selections shall be reported by the Nominations Committee to the annual meeting, at which they are to be voted on. Each member may vote in person at the annual meeting. No member whose dues are unpaid for any year preceding the year in which the election is held shall be eligible to participate in such election. On proceeding with the election of officers in annual meeting, the signed report of the Nominations Committee shall constitute a nomination and a second for each one of their nominees; upon the presentation of the report of the Nominations Committee the presiding officer shall ask for further nominations from any member. If other nominations than those of the Nominations Committee are made, such nominees, with those named by the Nominations Committee, shall be voted upon by the members present at such meeting. A plurality shall elect to each office. The three receiving the greatest number of votes for directors at large shall be declared elected.

4. PUBLICATIONS COMMITTEE,-A periodical shall be published by the Society four times a year to be entitled The Florida Historical Quarterly. It shall be sent regularly to all members without cost to them. At the first meeting of the directors after the adoption of this by-law an editor shall be elected by a majority vote for a term of three years, and thereafter whenever a vacancy occurs in that office.

Three-fourths of the members of the entire Board of Directors shall have the power of declaring the office of editor vacant at any time.

The editor may appoint an assistant-editor and such other staff as he or she considers desirable at any time. The editor shall have full control of the periodical and its policy and management. The subscription shall be determined by the directors. The editor shall prepare an annual budget of expenditures for the periodical and submit this budget to the directors for approval. Upon such approval the editor shall conform to the budget unless changes are authorized by the directors. If the editor be not a member of the Publications Committee, he shall cooperate with them in an advisory capacity.

5. **LIBRARY COMMITTEE.** - It shall be the duty of the Library Committee to assist the librarian in the securing and conserving of important publications, documents, manuscripts, papers, letters, diaries, and similar material to be housed in the Florida Historical Society Library, and in general to aid in the building of the collections of the Florida Historical Society.

6. **LEGISLATION COMMITTEE.** - It shall be the duty of the Legislation Committee to endeavor to secure an annual appropriation from the State Legislature for the operation of The Florida Historical Society, including the purchase of valuable publications, and suggesting and assisting such legislation as will further the historical welfare and recognition of the State of Florida.

7. **COMMITTEE ON AFFILIATION WITH OTHER SOCIETIES.** - It shall be the duty of this committee to devise a plan for closer cooperation by The Florida Historical Society with other historical and patriotic societies.

8. MEMBERSHIP COMMITTEE. - It shall be the duty of the Membership Committee to endeavor to stimulate interest in the Society and to enlarge the membership. The members of this committee shall consist of one director from each of the several Congressional Districts of the State of Florida.

COMMITTEE PERSONNEL. - The President shall designate the number who shall serve on each of the foregoing committees, and shall also designate the members of the said respective committees, having regard for the specific provisions as to membership where such provisions are stated.

#### VII.

##### *Order of Business*

1. Call to order.
2. Roll call.
3. Report of officers.
4. Report of committees.
5. Unfinished business.
6. New business
7. General discussion in interest of the Society.
8. Election of officers.
9. Approval of the minutes.
10. Adjournment.

#### VIII.

##### *Amendments*

Section 1. The by-laws may be amended only upon recommendation of the Board of Directors to a regular or special meeting of the members by a majority vote of such meeting.

Section 2. The charter of the corporation may be amended by resolution duly adopted by a majority vote at any annual meeting of the corporation, or at any special meeting expressly called for the purpose of considering amending the charter, and upon compliance with the provisions of law relating to the amendment of charters of corporations not for profit.

A. H. Roberts moved that the by-laws be amended as recommended by the Board of Directors, which motion was seconded by A. J. Hanna, was put by the chair and unanimously adopted.

Reports of officers and committee chairmen being taken up:

Treasurer Roberts presented a report showing a net balance in his hands of \$308.63, which was supplemented by a statement that he would file a full report later.

He stated that Mr. and Mrs. Francis Crowning-shield had donated fifty dollars as the nucleus of a fund for the purchase of manuscript original material for the library of the Society.

Dr. Kathryn T. Abbey, chairman of the Committee on the Collection, Use and Preservation of Manuscripts, spoke on the general subject of the committee's work and the necessity of obtaining legislative action for the erection of a suitable fire-proof building for the preservation of the State archives. She called attention to the many serious losses of Florida records by fire and otherwise.

Dr. Abbey presented the following recommendations of her committee, which had been approved by the directors:

(1) That the Committee be authorized to proceed with the cataloguing of the entire collection of the Society, such Catalogue to be financed by the Society, and when completed shall be printed.

(2) For that purpose the directors shall be authorized to assemble the collection temporarily in some place designated by them.

(3) That whenever a State archives organization is achieved, the Committee under the guidance of the directors shall confer with that organization regarding the permanent housing of the collection in its quarters. Thus placed the

collection shall be called the Florida Historical Society Collection, and the ownership of the same shall remain with the Society.

Dr. Abbey moved the approval and authorization of the foregoing recommendations. The motion being seconded by Dr. Wm. John Menges, it was unanimously adopted.

Dr. Abbey presented the following resolutions and moved their adoption:

Whereas, It is well known to many members of the Florida Historical Society that W. T. Cash, State Librarian, has succeeded in collecting many valuable maps, manuscripts, letters and documents of interest to those who are studying the history of Florida, in addition to building up a collection of rare books relating to such history, and

*Whereas*, It is believed a much larger collection of material, now likely to be destroyed or disposed of outside of the State, could be secured if Florida had a State Library building of sufficient size, equipment and accommodations; and,

*Whereas*, It is of particular interest to the members of our Society that all historical materials pertaining to Florida possible to obtain be secured, properly classified and catalogued; therefore

Be it Resolved first - That this Society go on record as approving an appropriation for a substantial State Library building, large enough to house-in addition to its regular line of books and other printed or written material-all classes of publications, documents, letters, maps, manuscripts, etc., relating to the history of our State, with sufficient fireproof vault space to make the preservation of irreplaceable materials absolutely sure.

*Be it Resolved second* - That the secretary of this Society be instructed to furnish copies of this resolution to a sufficient number of newspapers to get it well circulated, and also to mail copies to each member of the next session of the Legislature.

*Be it Resolved, further* - That we agree personally to write our congressmen and United States senators in order to secure their cooperation in getting a PWA grant, if possible to secure one, to add to such an appropriation as can be secured from our State Legislature.

Dr. Abbey's motion was seconded by Dr. Corse and unanimously adopted.

The report of the Membership Committee being called for, Mr. Watt Marchman, chairman, reported orally that there has been in recent months a very large increase in the membership of the Society; and that the total at this time of 625 to 650 is quite twice that of a year ago. He highly complimented the work of Bishop Thomas in the Palm Beach area which has resulted in trebling the membership in that district in less than six months.

Mr. Marchman moved that the blanks for membership be revised to indicate "active" or "contributing" membership; and that all blanks used by officers of the Society be revised to accord with the amendments to the by-laws adopted at this meeting, and that a new supply be printed. This motion was seconded by Mr. Roberts and was adopted unanimously.

President Chase read telegrams from Dr. James M. Leake, Mrs. Roy V. Ott, and Hon. John P. Stokes, all regretting their inability to attend the meeting and expressing their wishes for a successful session.

President Chase read a telegram from Secretary Herbert Lamson regretting his inability, on account of professional engagements conflicting with the

meeting, to be present, and extending his good wishes for its success.

President Chase read a letter from Senator Spessard L. Holland to the like effect.

Bishop Thomas presented a report with resolutions on the subject of district societies which he had submitted to the morning meeting of the Board of Directors and which they had approved. He stated that as the full board had not been present he himself would sponsor these suggestions and move their adoption by this meeting.

At a meeting of the Board of Directors of the Florida Historical Society, held this morning at ten o'clock, the attention of the directors was brought to the inarticulate condition of the subdivisions of the areas of the State, which have been made co-terminous with the congressional districts of the State. To remedy this condition a resolution was offered that the directors approve and suggest to the annual meeting of the Society that each of these districts be authorized to organize themselves, not only for local assistance to the purposes of the general society, but also for local historical purposes.

Further, that each district be encouraged into more effective organization by the election of a president, vice-president, secretary and treasurer, under a limitation that where any district has any director of the Florida Historical Society residing within its limits, that the senior director, by reason of his priority of election, should be the president of the district, and that the second director, by reason of the time of his election, should be vice-president, thus granting the privilege of election to the district of the secretary and treasurer. If there be no director of the general Society residing within the district, the vice-president, together with the secretary and treasurer, be elected by the

district. In order to allow the fullest freedom for the district on one hand, and to safeguard the closest intimacy possible between the local organization and its complete identification and adherence with the Florida Historical Society, on the other, it is suggested that these district societies major in their endeavors the fostering of the spirit of historical investigation amongst its members. It is further recommended that in case a local depository for Floridiana be thought advisable, the chairman of the Committee on the Collection, Preservation and Use of Manuscripts be solicited for advice and instruction as to the placement and care of items, purchased or donated to the Society, so that the final disposition of all Floridiana will be satisfactory to the chairman of this committee.

Bishop Thomas's motion for the adoption of the above was seconded by Mr. A. S. Bussey and adopted unanimously.

Dr. R. L. Goulding spoke on this plan and concurred on the advisability of organizing district societies.

Mr. C. G. Alvord stated there is a dearth of books on Florida in the libraries of the State and suggested that a committee of the Society make such a list of books on Florida history and send it to libraries throughout the State.

Mr. W. I. Fee called attention to the fact that a number of organizations such as the D.A.R. and U.D.C. have assembled considerable historical information which should be made available to the Society. He also stressed the importance of obtaining information from old citizens, such as is being done by the Old-Timers of St. Lucie county. He also expressed the hope that such historic spots as the site of the battle of Okeechobee be marked.

Mrs. Henry E. Bemis pointed out the importance of a chair for research at the University and proposed a fund for that purpose.

Dr. Abbey expressed the thought that the goal of the Florida Historical Society should be to have its own curator. That if a fund could be had and an archives building erected, it might be possible to obtain a curator of a caliber to direct such research work.

Mr. Fee suggested that until money and a curator are available that every person having knowledge of a story or incident of value to county or State history should write it out and furnish a copy to the Society's library.

Election of officers and directors for the ensuing year followed. Alfred J. Hanna, chairman of the Nominations Committee presented the selections of that committee as follows:

#### OFFICERS

For president, Joshua C. Chase

First vice-president, Kathryn T. Abbey

Second vice-president, Spessard L. Holland.

Secretary, Herbert Lamson

Treasurer, Dorothy Dodd

Corresponding Secretary and Librarian, Watt Marchman

#### DIRECTORS

1st district (1 year) Mrs. T. M. McDuffee, Manatee; 2nd district (2 years) James M. Leake, Gainesville; 3rd district (1 year) Julien C. Yonge, Pensacola; 4th district (2 years) John G. McKay, Miami; 5th district (1 year) T. A. Mellon, St. Augustine; at large (2 years) Nathaniel S. Thomas, Palm Beach; at large (1 year) D. B. McKay, Tampa; at large (2 years) George Couper Gibbs, Jacksonville.

The report of the Nominations Committee being a nomination and a second for each of their sugges-

tions, it was moved that nominations be closed, this was seconded and carried.

It was moved by Mr. Hanna and seconded by Mr. Roberts that the secretary cast a ballot for the nominees. This was carried and done and the nominees declared elected.

President Chase announced the appointment of the Nominations Committee for the ensuing year as follows: Mrs. Roy V. Ott, chairman; George Couper Gibbs, D. B. McKay, Harold Briggs, T. Frederick Davis.

Dr. Abbey moved that as the minutes of the last annual meeting had been published in the *Quarterly* where all members could read them, a reading now be dispensed with and they be approved as published there. The motion was seconded by Mr. Bussey and being put was declared adopted.

The Committee on Resolutions, R. L. Goulding, chairman, submitted its report, and Dr. Goulding moved the adoption of the following resolutions separately, which was seconded by Dr. Corse, and carried, that extending thanks to Bishop Thomas and the local committees being passed by a standing vote.

\* \* \*

Be it Resolved by the Florida Historical Society assembled in annual meeting at Palm Beach on January 26, 1937, that we extend our thanks and appreciation to the able speakers who have contributed so largely to making this meeting an outstanding success.

*Be it Further Resolved* that the secretary of the Society be requested to send a copy of this resolution to the following persons who have taken part on the program:

Hon. James M. Owens, Dr. Carita Doggett Corse,

Dr. Isaac Cox, Dr. Kathryn T. Abbey, Dr. R. B. English, The Reverend Edgar L. Pennington.  
\* \* \*

*Be it Resolved* that the secretary of the Society be authorized and is hereby requested to express condolence in the name of the Society to the families of members who have passed away since our last annual meeting.  
\* \* \*

*Whereas* the past year has been one of outstanding progress for the Florida Historical Society, and

*Whereas* this progress has been due in no small measure to the faithful and efficient service of certain active workers in the Society;

*Therefore, Be It Resolved* by the Florida Historical Society convened in its annual session at Palm Beach, on January 26th., 1937, that especial thanks be extended to the following:

*To President Joshua C. Chase* for his vigorous and effective leadership which is bringing a new vitality to the organization.

*To Mr. Julien C. Yonge* for his continued efficient service as editor of *The Florida Historical Society Quarterly*.

*To Mr. Watt Marchman* for his continuous and productive efforts as chairman of the Membership Committee of the Society.

*To Dr. Kathryn T. Abbey*, chairman, and her Committee on the Collection, Use and Preservation of Manuscripts, for mapping out and initiating a program planned to put this activity of the Society on a solid and a permanent basis.

*To The Right Reverend Nathaniel S. Thomas* for his outstanding work in connection with the advancement of the interests of the Society in Southeast Florida.

*Whereas* the annual meeting of the Florida Historical Society held at Bethesda-by-the-Sea, in Palm Beach, on January 26th., 1937, is an outstanding success in all of its aspects, and

*Whereas* this success is due in a large measure to the efforts of the many local workers in Palm Beach and vicinity;

*Therefore Be It Resolved* by the Society in annual session assembled that it extend its thanks for services rendered to:

*The Right Reverend Nathaniel S. Thomas*, Rector of Bethesda-by-the-Sea, for the notable leadership he has exercised in connection with all phases of preparations for and carrying out the many details of the annual meeting;

*Mr. John H. Brelsford* and *Mr. George W. Lee* for service on the General Committee;

*Mr. Frank E. Hoffman* for transportation arrangements;

*The Reverend H. Irving Louttit* for publicity throughout the area concerning the activities of the Society;

*Mr. Joel W. Massie* for the outstanding work done by the Hospitality Committee, of which he was the chairman;

*Mr. Roscoe T. Anthony*, for directing the activities of the Luncheon and Seating Committee;

*Mrs. Charles Watson TenEick* and *Mr. Maxwell Smith* for their valuable and efficient services in connection with the exhibit of Floridiana and fossils;

*The vestry of Bethesda-by-the-Sea*, for making available to the Society for its meeting the beautiful and spacious facilities of the parish;

*The press of the Palm Beach area* for the generous allotment of space to the activities of the Society in connection with this meeting;

*Radio station WJNO* for numerous broadcasts concerning the meeting of the Society.

\* \* \*

Returning to the public program, President Chase presented Dr. R. B. English of the University of Miami who made an address on "Dade County, Early and Late."

President Chase introduced Reverend Edgar L. Pennington of Miami who read a paper on "Flagler and the Opening of the East Florida Seacoast".

Mr. Bussey on behalf of Mrs. A. L. Saunders extended an invitation to members and visitors to view her collection of antiques.

\* \* \*

Selection of the place for the next annual meeting being in order, Mrs. McDuffee read a letter from President Robert B. Reed of St. Petersburg Junior College to President Chase extending an invitation to the Society, on behalf of the city of St. Petersburg and the College, to hold that meeting there. On motion of Mrs. McDuffee seconded by Mr. Roberts, the invitation was accepted unanimously.

There being no further business and the program having been concluded, President Chase announced the meeting adjourned.

A. S. BUSSEY,  
*Secretary, pro tempore.*

REPORT OF THE TREASURER

RECEIPTS

1936		
	November 17, balance .....	\$190.89
	November 25, deposit .....	58.00
	December 29, deposit .....	62.00
1937		
	January 23, deposit .....	225.05
		<hr/>
		\$535.94
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DISBURSEMENTS

1936		
	November 24, Pepper Printing Co. (annual meeting) .....	\$ 15.75
	December 21, Mrs. R. V. Ott (annual meeting) .....	5.48
	December 21, H. Lamson .....	7.50
1937		
	January 1, cash .....	4.00
	January 13, cash .....	12.00
	January 13, Rollins Press .....	6.00
	January 13, J. C. Yonge (copyright of <i>Quarterly</i> and postage) .....	10.00
	January 22, Rose Printing Co. (January <i>Quarterly</i> ) .....	156.13
	January 23, Telegrams .....	3.95
	January 23, Loftin & Taylor .....	2.50
		<hr/>
		\$223.31
	checks returned .....	4.00
		<hr/>
		\$227.31
		\$535.94
		227.31
		<hr/>
	balance .....	\$308.63
	Crowningshield donation .....	50.00
		<hr/>
		\$358.63

## NOTES

THE ANNUAL MEETING OF THE FLORIDA HISTORICAL SOCIETY, held in Palm Beach on January 26, was unusually successful in every respect, due to the careful planning and zeal of The Right Reverend Nathaniel S. Thomas and the committees in charge of arrangements. Twenty-seven members were in attendance together with more than one hundred others—showing the widespread interest in Florida's past, hitherto more or less latent in that part of the State but now brought to light by Bishop Thomas\*, one of our directors, and a group of Miami members of the Society.

*The program* held both State and local interest. Dr. Isaac Cox, Head of the Department of History of Northwestern University, was the guest speaker, and on a subject upon which he has put much research—“The Development of the Florida Frontier.” The Reverend Edgar L. Pennington of Miami gave the results in detail of his study of Henry M. Flagler's activities in Florida. Dr. R. B. English of the University of Miami traced the beginnings and growth of Dade county, bringing out much that is little known; and Dr. Carita Doggett Corse told of the Works Progress Administration in Florida.

A *loan exhibit* of Floridiana was brought together for the day by Mrs. Charles Watson TenEick and included a great number of unusual and interesting items: books, maps, early newspapers, United States and Florida governmental publications, por-

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\*Bishop Thomas died on April first after a short illness. Since the annual meeting he has worked continuously inaugurating a district society in the Miami-Palm Beach area, according to the plan which he devised and which was approved and adopted by the Society at that meeting. This work was going forward steadily and successfully, for he continued his efforts after the beginning of his last illness. The Society is grateful for all he did for its advancement.

traits, prints and other pictures, relics of the Seminoles the Seminole War and earlier Florida Indians, early letters, numerous photographs and drawings of early Miami, Palm Beach, and Sanford. Some of these were from the Florida library of Bishop Thomas, others were brought or sent by Mr. A. S. Bussey, The Tropical Sun collection, Dr. J. C. Gifford, Mrs. Charles W. TenEick, Dr. R. L. Goulding, President Chase, Mrs. Adah L. Saunders, Rev. W. B. Hays, Mr. Louis Clarke, Mrs. Frederick W. Kirtland, Mrs. Louise Perry, Miss M. T. McKenna, Mrs. Simeon Sistrunk, Mr. Louis Capron, the Library of Rollins College, Mr. Julien C. Yonge, Mr. and Mrs. Henry Tuttle, Mr. Maxwell Smith, and Mr. Thomas McGinty.

Luncheon in the Cluett Gardens brought together more than one hundred fifty, with President Chase as toastmaster.

*New officers* elected were: treasurer, Dr. Dorothy Dodd, whom readers of the *Quarterly* have long known, and who is now assistant State director, Federal Archives Survey; and corresponding secretary and librarian, Mr. Watt Marchman, archivist of Rollins College.

*New directors* elected were: Hon. D. B. McKay, Mr. T. A. Mellon, Mr. John G. McKay, and Judge George Couper Gibbs.

*Hon. D. B. McKay* of Tampa was born there in 1868, his grandfather and father having settled there in 1848. He is owner and publisher of the Tampa Times and late mayor of that city. Rollins College has conferred on him the degree of Doctor of Literature.

*Mr. T. A. Mellon* of Pittsburgh and St. Augustine was born in Pittsburgh in 1873. He is president of Mellon, Stuart Company, construction engineers, and is president also of a number of utility and

other corporations. Through his continuous visits to Florida for fifty-seven years he has become much interested in the State's history.

*Mr. John G. McKay*, a lawyer of Miami, moved there from Indiana in 1926. He soon became interested in the State's history and this interest has grown steadily. He has taken an active part in broadening the Society's influence in southern Florida and hence furthering its work.

*Judge Gibbs* of Jacksonville was born there in 1879. His great grandfather, George Gibbs, moved to Florida in the decade 1820-1830, and both his grandfather and father were Floridians, the former becoming a member of the original Florida Historical Society on its organization in 1856. So Judge Gibbs's deep interest in Florida's history is not surprising. An evidence of this interest is his presidency of the Jacksonville Historical Society. He served as judge of the Fourth Florida Circuit from 1913 to 1935.

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*A Miami meeting* - On the initiative of Mr. John G. McKay, director of the Society for that district, a luncheon-meeting of the members of the Fourth Congressional District was held in Miami Beach on February 18 for the purpose of organization. Bishop Thomas spoke on the work and purposes of the Society. You will be told more of this meeting in the next issue of the *Quarterly*.

\* \* \*

#### *Captain Charles Mellon*

On February 8, last, the death of Captain Charles Mellon, U.S.A. was commemorated in the city of Sanford for one hundred years before, to the day, he was killed in an Indian attack on that site. Fort Mellon, named for him, later came to be the town of Mellonville which became Sanford. Mr. T. A.

Mellon, a director of the Society, and thought to be of the same family, gives us the story of Captain Mellon :-

In April, 1814, Charles Mellon wrote from Bellefonte, Pennsylvania, to the Honorable John Armstrong, secretary of war, accepting his appointment in the United States army: "The moment I received the appointment of third Lieutenant in the first regiment of Artillery, dated the 17th ultimo. which you did me the honor to send-I cheerfully accept of the appointment and shall by the first mail report myself to Captain Reed according to orders, and shall hold myself ready at a moments warning to receive and obey further orders-Please to accept my cordial thanks for the distinguished favor you have conferred on me to deserve which shall be the study of my life which I hourly devote to the service of my country."<sup>1</sup>

He was indeed to devote the rest of his life to the service of his country.

Having served continuously and now a captain, with the outbreak of the second Seminole Indian War in 1835, he was sent to Florida, where during November of that year, he was in command at Fort King of Company F, Second Artillery. On December 31 he saw action at the battle of Withlacoochee; but little is known of his activities against the Seminoles from that time until his death, a little over a year later. Returning home in June, 1836, he was again ordered to Florida in January of the following year.<sup>2</sup>

In February, 1837, Captain Mellon was stationed at Camp Monroe at the head of Lake Monroe, where several companies of the Second Dragoons under

<sup>1</sup>Letter, War Department. Photostat copies are archives of Rollins College and municipal library of Sanford, Florida.

<sup>2</sup>Senate Document 391, 26th Cong. 1st. sess. (April 15, 1840)

the command of Lieutenant-Colonel William S. Harney, had just arrived. Early on the morning of the eighth, a band of Indians, under the chieftains Wildcat, King Philip, and Louis Pacheco made an assault, planned to be a surprise attack against the post. The United States forces, with the aid of a cannon on a boat near the fort, routed the Indians at the expense of what would be considered a slight loss-fifteen wounded and one killed. That one was Captain Mellon.<sup>3</sup>

Lieutenant-Colonel A. C. W. Fanning, in command of Mellon's detachment, in his report to General Thomas S. Jesup, dated February 9, 1837, stated that "the brave Captain Mellon, of the 2nd regiment of artillery, a few minutes after the combat commenced, received a ball in his breast, and fell dead at his post. We last night gave to his remains all we could give, our tears and a 'soldier's grave.'"<sup>4</sup>

The *Army and Navy Chronicle*, records this of the soldier's grave:

On the south shore of Lake Monroe . . . on the very ground where the battle of the 8th of February was fought against the Seminoles a little rectangular colonnade of palmetto pickets [incloses it] . . . Over his grave is placed a broad tablet, of that rare and peculiar stone which is to be found only in certain localities in Florida, and on it is chiselled the name and rank of the departed, with a notice of the manner and occasion of his death.

Though remote from the haunts of civilized man, that grave still bears the tokens of human skill and affection. Though the ground be not legitimately consecrated by religious ordinance, as the prescribed Sanctuary of the dead, yet

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<sup>3</sup>Coe, Coe, *Reb* (Cincinnati, 1898) p. 73.

<sup>4</sup>Sprague, *Origin, Progress, and Conclusion of the Florida War*. (New York, 1848) p. 168.

it is consecrated in heroic story as the field of martial triumph. Although attacked by six hundred ferocious savages, bent on an indiscriminate massacre, and persevering for three full hours in the hope of accomplishing their purpose, the United States troops, but little more than half their number, and all recruits, nobly breasted the showers of rifle balls poured in upon them, and so dealt with their assailants in turn, as would have done honor to veterans, In all the war, the Seminoles have never been more severely punished than at Lake Monroe. The only martyr on our post was Mellon; and the handsome stockade fort,<sup>5</sup> now established there, is called by his name.

The account in the Chronicle ends here, but it is interesting to note that the town established years afterwards near the site of Fort Mellon was called Mellonville, and this town has been absorbed by the city of Sanford.<sup>6</sup>

\* \* \*

*Lake County Semi-Centennial Celebration* was held on March 5, in commemoration of the fiftieth anniversary of the creation of the county. Though all were held on the same day, the several features of the celebration took place at different hours at Tavares, Yalaha-Bloomfield, and Leesburg.

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#### FLORIDA INDIANS OF THE SEVENTEENTH CENTURY

The Smithsonian Institution has recently published (Miss. Col. Vol. 95, No. 16) *A 17th Century Letter of Gabriel Diaz Vara Calderon, Bishop of Cuba, Describing the Indians and Indian Missions of Florida*. Transcribed and translated by Lucy L. Wenholt. Salem College, Winston-Salem, N. C. [With

<sup>5</sup> *Chronical* (Photostat in Archives of Rollins College.)

<sup>6</sup>Coe, Coe, *op.cit.* p. 73n.

an] Introduction by John R. Swanton. (14p. 12 pl.).

The original of this important letter (A.D. 1675) is in the *Archivo General de Indias* at Seville, Spain. Included in the publication are translations of three other letters of the Bishop to the Queen and to the secretary of the Council of the Indies, relating in part to this subject.

Dr. Swanton, whose knowledge of the early Florida tribes is equalled by no one, brings out in his introduction the numerous ethnological facts which the letter contains. Among them are the origin of Wakulla; confirmation of the three principal provinces and tribes: Gaule, Timuqua, and Apalache; the names and locations of the missions of that period; the earliest known lists of the Upper and Lower Creek towns; and the earliest mention of the Choctaw as a nation. But of greatest interest is the statement of the number of Christianized Indians, 13,152, which Dr. Swanton thinks must represent an actual enumeration. The plates reproduce the twelve pages of the letter in facsimile.

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