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The Selection of Tallahassee as the Capitol

John Lee Williams

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The Selection of Tallahassee as the Capitol.

JOURNAL OF JOHN LEE WILLIAMS

*Commissioner to Locate the Seat of Government of the Territory
of Florida.*

[Concluded.]

The river then for a mile or two becomes narrow, deep and clear of grass. But at Francis' old town it increases in depth and width and is again incommoded by the same impediment. To this place, six miles from the Fort, considerable sized schooners have sailed without difficulty. I think six feet of water may be carried up to its source, but through the islands the channel is winding, narrow and difficult. The land on its banks has, in several places, been cultivated with great advantage and at this time, three miles above the Fort, on the eastern shore, a field of sugar cane grows superior in size to any I have ever seen. The water, however, is highly impregnated with carbonate of lime. The country swarms with mosquitoes, and it is to be feared will prove unhealthy. From the head of the Wakully to the ferry on the Ocholockney, a distance of twenty miles, the country is a high, sandy, pine barren, intermixed with sink holes and ponds, reservoirs,, undoubtedly of the waters which sink through the sands and, forming these subteranean streams, emerge from the great spring of the Wakully. We left the perogue in the care of Dr. Williams, while Dr. Foster and myself set out on foot for the Ocholockney. After leaving McCullough's hammock and passing a cool stream, we entered the pine barren and arrived at the ferry at about midnight, where we remained till the morning.

October 26th.— At daylight we crossed the ferry and proceeded to a Mr. Ellis' where we found Dr. Simmons. He had become very impatient and was thinking about setting out again for St. Augustine. He kindly offered us a couple of his horses to ride to Judge Robinson's and Dr. White's, about eight miles, in pursuit of horses to explore the country. Dr. White was unfortunately ab-

sent, and the Judge could spare none of his horses. Captain McClintock, however, kindly loaned me one he had in use for the present, and we hired another for Dr. Foster the next day of the ferryman, Murray. Captain McClintock and Major Robinson informed me that they had lately received strict orders to protect the Indians against any encroachments, and suggested that they might be indisposed to our proceedings. Dr. Simmons and myself determined to visit the Tallahassee town and endeavor to propitiate the chiefs.

October 27th.— Agreeable to our determination of last evening, we set forward, about 2 o'clock this day, the doctor having hired Ellis for a guide, while Dr. Foster and a black servant of Dr. Simmons had started to Fort St. Marks for provisions. We proceeded about six miles from the Ochlockney this evening and encamped near a marshy pond where we spent the night. During our ride this evening the grass meadows have been frequent and, extensive, affording a fine range for stock. The pines also are frequently interspersed with oak and dogwoods on a gray soil, which I think would produce good rice and cotton.

October 28th.— At half past seven we proceeded eastward. The land continually improving, in about an hour it rose into a delightful high rolling country, clothed with excellent oak, hickory and dogwood timber on a soil of chocolate colored loam. We here often observed traces of the old Spanish highway, which we had also seen on the west side of the Ochlockney river. At one o'clock p. m. my colleague and the guide, having left the trail to observe the face of the country to the northward, I arrived at the new Tallahassee village. Seeing a fine, stout Indian in a nut patch, I left my horse and accosted him, asking for information where the chief of the village might be found. He very sternly demanded what I wanted and said he was Neomathla. I told him we were sent to him by Governor Duval to inform him that he wished to build a house in which he might meet his council; that the distance to St. Augustine was so great that he wished to select a spot near the center of the territory; that in order to make such a selection, he had sent Dr. Simmons and myself, and he was requested to assist us with his advice and counsel. After some hesitancy, he asked me if the Governor had given me any paper. I produced to him my commission. He im-

mediately recognized the seal painted to the signature under it and asked whose name it was. I told him it was Col. Walton's. He seemed pleased; his strong muscles for the first time began to relax. He said Col. Walton was a good man, his friend. After satisfying his curiosity and suspicions, by several pertinent questions, he said he would consider the matter. He then took me to his shed and offered me cigars and roasted nuts. Here the rest of our company arriving, my colleague was introduced to him, and our guide, Ellis, with whom he was acquainted, annoyed him exceedingly by incessant talking, which I found difficult to prevent. Neomathla directed our horses to be turned loose in his field and our baggage deposited in one of his council houses, which we afterwards occupied.

In the afternoon his young men and women played ball against each other with great spirit. Their ball ground is a large circle in which is placed a large pole; against this each party threw the ball; if caught on the rebound by the party who threw it, they tallied two. They were all naked to the waist and males and females exerted themselves with nearly equal energy. The women threw the ball with their hands, the men threw and caught it with their bat sticks. Many scuffles occurred between the parties to catch or prevent the ball from being caught, but all ended in perfect good humor. The men evidently gave the advantage to the females, who, in the end, won the game. The men were sentenced to bring lightwood for the council fire, which being procured, they brought in to the great square, singing all the while. The dancing square has a council house on each side, one of which we occupied; another was occupied by women. The other two held a multitude of all classes. They commenced with a dance much like a reel; it was performed by the men alone. The figure, though somewhat intricate, was performed in perfect order. The rattlesnake dance succeeded. At each corner of the square a cane was stuck in the ground; around these they danced from corner to corner in single file and back again, also singing in concert a melancholy but not unpleasant air. I was informed by an Indian that should anyone touch the cane or wand, while coiling round it, they would be sure to be bitten by a rattlesnake on their first hunting excursion. The wampum and mad dances succeeded. In these, the women wore rattles on their

legs, which, varying in perfect time, sounded much like tambourines. In these dances their gestures were often martial and graceful; they presently seemed to make obeisance, and an address to the fire. Being fatigued, I feel asleep before their dance had terminated. When I awoke the square was deserted.

October 29th.— On the morning Neomathla called very early with an interpreter, and desired us to state to him before his chiefs distinctly what our object was in visiting his country. We informed, as before, that we were sent by the Governor to select a spot for him to build a house for his council to meet in; that the distance to St. Augustine was so great that he wished them to meet him in the center of the territory. Neomathla said that he was much annoyed by people from Georgia, who endeavored to get his land from him. But at length he told us to go and do as we pleased, but not to tell anybody that he sent us, and not to tell the Indians that he had given us permission to select a site for the seat of government. We paid him two dollars for our horses ranging in his fields during the night, and the charges of his people were enormous for corn and potatoes. We, however, left them in friendship and in passing through the numerous villages which abounded in the woods for more than twenty miles we were not molested. Neomathla is a shrewd, penetrating man; he evidently feels no affection for the white man. His interest restrained him at this time, so that he wished not to obstruct our progress, but he feared that his lenity would render him unpopular with his people.

October 29th.— Continuation. At 9 a. m. we left the council house and passed the old Tallahassee village, at the distance of three miles southeast, which extends over a high and uneven bank, from the trail near a mile and a half northeast, descending westwardly to a very large marsh or pond. The huts are few in number, though the fields are extensive and covered with large peach trees. Chifixico is the chief of this town; he is represented to be very rich. Proceeding eastward, after winding around the south end of an extensive marsh, we, in about three hours, entered a long savanna, through which ran the waters discharged by the old Tallahassee pond. This savanna was succeeded by pine woods, which extended to the middle branch of the St. Marks river. At 3 p. m. we encamped; left the doctor's serv-

ant with the baggage and proceeded east. In about two miles we reached the eastern branch, where it enters the earth under a natural bridge. It is here a considerably wide stream running with a brisk current. Our party was divided; Dr. Simmons and the guide proceeded northward to trace up the stream. Dr. Foster and myself proceeded westward along the skirts of a swamp which marked the course of a river. After traveling several miles we were unable to find where the waters emerged from out of the earth, on account of cane brakes and undergrowth, which rendered it absolutely impenetrable. On our return we were soon joined by my colleagues. They had traced the branch to the highlands, which were similar to those about Tallahassee.

October 30th.— This morning we returned about a mile to the forks of the Tallahassee and Mickasookie trails and took the latter and followed it to where it is intersected by the Ausilly trail. Here we left the baggage and servants, and pursued the latter trail about four miles to an Indian village, where we again discovered the river. The several branches had probably united, as the stream flowed in a channel six or seven feet deep, which was, however, much obstructed with cypress knees and fallen trees. On returning to our baggage, we took a western course to mark the extent of the highlands south of the Tallahassee. In the course of this day, we passed many scattering villages of Indians. This margin of the woods was marked with a line of springs, ponds and swamps. We encamped late in the evening on the deserted fields west of the Tallahassee.

October 31st.— Leaving the servants at the encampment to cook breakfast, we rode very early to explore the country to the southwest. The land continued first rate for several miles. Meeting an Indian hunter, we inquired of him the situation of an old Spanish fort which had been mentioned to us as being in the neighborhood. The Indian, for a quarter of a dollar, undertook to guide us to it and we reached it about 8 o'clock. It is situated on a commanding eminence at the north point of a high narrow neck of highlands nearly surrounded by a deep ravine and swamp. The moat, parapet and bastions are strongly marked. The south front is seventy paces in length; the north fifty-five paces. Near a spring in the east ravine two old six pounders were discovered; the breech of one and the muzzle of the other were broken

off. They were very long and rough cast; we could not discover on them either letters or figures. On our return we examined a deep gulf which had been scooped out by a stream entering the earth. This, with a hole about fourteen feet deep, and the old fort enabled us to make the following observations:

The soil of the upland consists of a fine dark vegetable loam, to the depth of fourteen inches, then succeeds a red marly clay intermixed with small pieces of argillaceous sandstone; the outside whitened with carbonate of lime. This stratum continues about eighteen feet, which is succeeded by white clay intermixed with the same fragments of sandstone. This continues about sixty feet and rests on a soft rock of carbonate of lime amorphous and intermixed with various shells and marine excoria.

The stream, which falls into this gulf over a bank twenty or thirty feet in height, is sufficiently large to turn an overshot mill. The seat of government is fixed about half a mile north, northwest of this spot.

About 12 o'clock we returned to our camp. There I discharged our guide, finding him worse than useless. I gave him \$10.00, but was sorry to observe that my colleagues parted from him with regret. After dinner, Dr. Simmons proceeded to old Tallahassee to visit a very old Indian, who was said to recollect the capture and destruction of the old fort we had visited. He informed the doctor that this country was formerly settled thick with Spanish villages; that the Yamasses, or bone tribe, were their allies, but the Muscogees were their enemies and finally conquered them; that he well remembered when they took the old fort, or rather when the Spaniards evacuated it in the night, after laying trains of powder to burst their cannon; that about the same time an old monastery was destroyed, at some distance from this place in an easterly direction, where a large bell is still to be seen. The Yamasses were nearly destroyed in that war.

I, with a servant, took an old trail directly south, which in about five miles led me to an Indian village situated on a high hill, at the base of which were fine springs. About five miles from this we entered the great Tallahassee trail and encamped thereupon under some live oak trees, where I was joined at 9 o'clock by my colleagues.

November 1st.— Arrived at Fort St. Marks at 1 p. m.

November 2d.— I had flattered myself that our tour would have terminated here, but my colleagues entertained an idea that the Suwannee river would afford to a new settlement all the advantages of commerce which could be derived from St. Marks, and could not consent to locate the seat of government until this river should be examined. We therefore made arrangements for a voyage eastward. Lieutenant Hutton, with his usual politeness, provided us with a canoe and a soldier to assist me on my return, while Dr. Simmons, was making preparations for his return. Dr. Foster and myself proceeded to survey the St. Marks river.

November 3d.— We proceeded about four miles to the bullock pen, where a house is erected; two miles above this is a short rapids over a loose rock where the water is not more than four feet deep. At ten miles distance another rapid commences, which continues nearly half a mile, about the same depth of the water here. Near the fall of the rapids, on the right side, is a large mineral spring. At the distance of eighteen miles there is another rapids and a mineral spring on the west side in a little cove. Here we entered a pond about a mile and a half in length and half a mile wide, shoal and full of rocks. The south end was altogether covered with grass, through which we could with difficulty force our canoe. The river below is free from grass. On reaching the north end of the pond we found that all the water arose at once from the earth. This fountain, although equally large, is not by any means so clear and beautiful as the head of the Wakully. We encamped at night on an island at the head of the river.

November 4th.— At early dawn we recrossed the pond, examined the mineral spring and just below discovered a canoe landing. We landed there and found, at some distance, an extensive camping ground with an Indian wigwam raised on piles.

From this place a trail runs northward; this we pursued about four miles, during the whole course of which it was plain to discern the general course of the water by a succession of sink holes, some of which obviously formed at the bed of the river, which must have sunk in the earth not far below the Indian village which we visited on the 27th of October. I think that boats drawing four feet of water may ascend to the head of the

pond. Perhaps the rapids may be cleared out or deepened another foot. These rapids, at all events, will furnish good mill sheets. At 3 p. m. we reached the Fort.

November 6th.— At 8 a. m. Dr. Simmons and myself, with two oarsmen, embarked in a perogue and in two hours doubled the southeast point of the Apalachicola river, and taking an eastern course across a deep bay full of oyster banks and shoals and a rocky bottom covered with long grass, we reached, at sunset, the mouth of a stream which we supposed to be the Choctawhatchie river. Here we encamped under an islet of cabbage and cedar. Fifty miles.

November 7th.— Sailed at 5 a. m. The marshes along shore extend from three to five miles into the gulf, among which deep bays and islets vary the prospect, beyond which the main shore rises, covered with thick woods beautifully marbled by a light frost into all the shades of autumn. At 10 o'clock we passed two islands of rock covered with luxuriant vegetation. These I named Simmons' islands. About a mile east, near the shore, lay a smaller one and we presently discovered two more on our right at four or five miles distant. There a very large river appeared to enter, which the doctor proposed to be the Achingshatchie; we did not then spend time to examine it. We encamped on a pleasant key near the shore of the grass marsh at sunset. Fifty miles.

November 8th.— Sailed at 6 a. m. Found that our water was exhausted. In running eight miles we passed three long points which, in succession, shot into the bay, each one farther than the former. The first we named Reef Point; the second, Round Point, and the third, Long Point. After doubling the latter we discovered a deep bay to the northeast and a large island directly before us. To the east and south the shore extended in a circle. In passing behind the island we ran aground and, the tide ebbing fast, we left the boat in charge of Roland, while the doctor and Lem went in search of fresh water. I went ahead to see how far the shoal extended; after walking about three miles, I found deep water; here at the point of a steep bank I discovered a place where the savages had carried on an extensive manufacture of arrow and spear heads, from the fine nodules of flint bedded in the lime rock which had been washed out by the waves. Among the chips I picked out seven fine arrows, with two or three partly finished. Upon my return I found

that the doctor had been unsuccessful in searching for water. I assisted to draw the boat to water which would float her. We then ran outside of the island. We lost three hours by the delay and had much difficulty at last to get into deep water through the grass. A stranger to this coast could scarcely comprehend the difficulty attending the navigation of it, if we consider, first, that the water is not more than four feet deep at ten miles distance from the shore, that grass grows most luxuriantly on the bottom and during heavy storms much of it is torn up and is washed in masses into the bays. After waiting in the sun it sinks and other grass grows up through it. At ebb tide you can push your boat through it with great difficulty, for your pole or oar penetrates to the bottom. We were unable to procure fresh water before evening, and then were obliged to run up a bayou extending five miles through the marshes. At last we reached the woods and bayou terminated in a creek of cool, sweet water. We encamped here for the night, having run about fifteen miles.

November 9th.— We sailed at 5 a. m., regained the sea in about an hour and one-half, after which we pressed forward with great alacrity, believing that the Suwannee must enter as a very deep bay before us, as the southern shore convinced us that we had run the whole extent of great Apalachicola bay. At 10 o'clock, we entered the mouth of an extensive river, which poured a broad flood through several islets and keys; as we proceeded up its channel we were much entertained by the novelty of its banks, which were generally formed of hard gillaceous rock on which were often seen cabbage and other trees on tables of rock supported by small pillars hanging over the water in very grotesque forms; very large, short leafed pines were seen among the cedars, but the hammocks were generally rocky. We surveyed this river up about nine miles, where it suddenly broke up into numerous islands and the whole of the channel became at once impassable from falls and rocks. We were astonished by this unexpected impediment. We left the perogue with the men, and forced our way up the tangled banks for several miles and found that the waters of the river were, indeed, united and the stream had become broad and deep, but the falls were absolutely impassable. On a full consideration, we determined that this could not be the Suwannee, and having traversed the bay we

concluded that we had passed that river. We also found that our provisions were nearly exhausted and fresh water was very hard to be procured. The doctor was extremely exhausted with fatigue, and the southeast wind threatened a storm. We at length determined to return, and in about an hour, by taking a course across the hammock, reached our perogue. After taking some refreshments, we returned to the mouth of the river and at evening camped under a solitary cedar at the edge of the marsh.

November 10th.— This morning I rigged a large blanket on our gig handle by way of a sail, and procured an Indian paddle, while a breeze was springing up. At seven o'clock we set sail, and in the evening entered the mouth of a great bayou, where we slept on a pleasant key. Here we found that our water was nearly exhausted; what was left, we determined to make into coffee. Having boiled it, we sat down to a supper of oysters, all of us very thirsty. Roland, in stepping across the fire, kicked over our coffee pot and spilled every drop. We laid ourselves down to rest under this misfortune, and waked much less thirsty than we had reason to expect.

November 11th.— By observing the coast this morning, we discovered by an island before us that we had by rapid sailing yesterday retraced more than half the distance back to the fort. We sailed at 4 o'clock a. m., and reached the fort before evening.

The whole of the course which we had traversed was low and marshy for several miles distant. The line of islets, generally of cabbage and cedar, but sometimes pine and live oak, run along the marsh at from one to three miles from the woodlands, from the Ausilly to the Achnyhatchie rivers. At the entrance of the rivers these keys or islets are most frequent, and extend scatteringly some miles on both sides of them through the marsh. One continuous bed of amorphous rock extends over the whole coast. It sometimes takes the appearance of amygdaloid, the pores of which are filled with carbonate of lime in a state similar to chalk, the shell a mixed petrosilex; sometimes it presents the finest specimens of flint. The water is uniformly shoal, and the navigation dangerous. On my return to St. Marks a vessel from Pensacola was about to sail for that port. On the 12th of November we sailed, and arrived at Pensacola without any accident in three days.

GENERAL OBSERVATIONS.

The Flint, a principal tributary of the Apalachicola river, extends far to the northwest, while the Big Little, a principal tributary of the Suwannee, turns so far to the northwest that their branches interlock. These two great rivers, with the Gulf shore, enclose a triangle of land, the size of which may average perhaps 200 miles. The base of this tract is an amorphous limestone gently inclining to the south-southwest. The center of this tract is occupied by a mass of clay from 150 to 250 feet above the sea. From this mass the waters descend on all sides. The surface is rolling and traversed with small streams of pure water, which often sink into the earth before they leave the high ground. The soil is chocolate-colored loam on a red marly clay. The timber, principally oaks, hickories, dogwood, poplar and blackgum. The margin of the tract is marked with a line of springs and swamps, which divide it from the pine barren. These extend from 10 to 25 miles to the sea on the south and to the large rivers on the east and west.

The pine barrens are generally covered with sand principally silicious, but in some places mixed with calcareous matter. Through this sand the limestone rock is often seen to protrude. It is interspersed with some very good hammock, especially near water courses. In some places blackjack ridges are seen, but ponds, swamps, sink holes and extensive grass meadows are frequent.

Below the pine barren east of St. Marks the marshes extend from three to five miles to the sea. On these are scattered little hammocks timbered with live oak, cedar, juniper and cabbage trees. On the highlands I found

White oak— *Quercus alba*.
 Spanish oak— *Quercus falcata*.
 Willow oak— *Quercus phellos*.
 Red oak— *Quercus ruba*.
 Black oak— *Quercus tinctoria*.
 Shell Bark hickory— *Juglans laciniosa*.
 Pig nut hickory— *Juglans porcina*.
 Sassafras— *Laureneas sassafras*.
 Red Bay— *Persea carolinensis*.
 Poplar— *Lyrödendron tulipifera*.
 Magnolia— *Magnolia grandiflora*.
 Mulberry— *Morus rubra*.

Black Gum— *Nyssa silvatica*.
Beech— *Fagus ferruginea*.
Dogwood— *Cornus Florida*.
Wild Cherry— *Prunus serotina*.
Large cane— *Arundinaria gigantea*.
The pine barrens furnish little timber except the
Long leaved yellow pine— *Pinus regida (palustris)*.
Black jack— *Quercus feresgenia (nigra)*.
The hammocks in addition to the upland timber furnish
Red flaming maple— *Acer rubrum*.
Chinkapin— *Custanea pumila*.
Cedar— *Juniperus virginiana*.
Juniper— *Juniperus*.
Cabbage— *Chamaerops (sabal palmetto)*.
White oak— *Frainus alba (Americana)*.
Live oak— *Quercus virens (castenea virens)*.
Whortleberry— *Vaccinium arboreum*.
Near water courses or sea
Lob lolly pine— *Pinus taeda*.
White bay— *Magnolia glauca*.
Sweet gum— *Liquidambah styracflua*.

(COPY.)

Tallahassee, February 16th, 1825.

Hon. George Graham, Com. of the G. L. Office:

Sir:— Referring to the law entitled “An Act providing for a grant of land for the seat of government in the Territory of Florida, and for other purposes,” approved 24th May, 1824, it appeared to be my duty to point out and designate the three quarter sections contemplated in the third section of said Act.

This duty I now proceed to discharge, and desire you, respectfully, to govern yourself accordingly.

Tallahassee is situated on the southeast quarter of section No. 36, township 1, range 1 north and west; which is bounded on the north by the northeast quarter of said section, on the east by the southwest quarter of section 31, in township 1, range 1 north and east, and on the south by the northeast quarter of section No. 1, in township 1, range 1 south and west of the base parallel and meridian.

In the exercise of my functions as Acting Governor of this Territory, I have selected the quarter sections above described (that is, the quarter sections on the north, east and south) as the reservations' authorized by said Act.

I have the honor to be

Very respectfully yours, etc.,

GEORGE WALTON.

(COPY.)

Department of the Interior,

General Land Office,

Washington, D. C., Sept. 26, 1879.

Hugh A. Corley, Esq., Com. of Lands and Immigration,
Tallahassee, Florida:

Sir:— Referring to your communication of the 30th April, last, relative to a patent for the southeast quarter of section 36, township 1 north, range 1 west, now covered by the city of Tallahassee, and upon which the Capitol of the State is erected, I have to state that under the Act of May 24th, 1824, "One entire section of land or fractional section not exceeding in quantity one-quarter section" was granted to the Territory of Florida for the Seat of Government in that Territory, to be located previously "to the sale of the adjacent lands, under the authority of the Governor thereof, at the point selected for the permanent seat of government for said Territory."

The second section of said Act authorized the Governor and Legislative Council of the Territory or a majority thereof, to adopt such measures as they might deem expedient for the disposal of said quarter section or any part thereof, "for the purpose of raising a fund for the erection of public buildings at said seat of government."

The third section reserved from sale three-quarter sections of land, "lying contiguous to, and adjoining the quarter section granted by the first section of this Act, to be located by the Governor of said Territory;" and the 4th section of said Act repeals a previously existing provision of law against the appointment of a Surveyor-General for the Territory of Florida.

On examining the tract books in this office I find the above described tract, upon which the city of Tallahassee, or a portion thereof, stands shown as vacant public land, and after a diligent search, I am unable to find any tract on the Tract Book set apart or reserved under the first section of the Act of May 24, 1824, for the seat of government in Florida.

The records in this office, however, show the quarter sections authorized to be reserved under the third section of said Act.

On the 10th of July, 1824, a letter was addressed to Wm. P. Duval, Governor of Florida, at Pensacola, enclosing a copy of the Act of 1824, above referred to, providing for the grant of land for the seat of government in the Territory of Florida and advising him of the appointment of Robert Butler, of Tennessee, under the 4th section of said act, to be surveyor-general of Florida, and that said Butler had been instructed to proceed with all convenient dispatch to the point selected for the seat of government of that Territory and establish and open his office at that place, and further, that the point selected for the seat of government will be the basis of all surveying operations in Florida, and the townships and ranges will be numbered from that point, etc.

On the 9th day of July, 1824, as stated in your letter, Col. Robert Butler was instructed to proceed without delay to the point selected as the seat of government for Florida, and cause the southeast corner of the quarter section selected by the Governor under the first section of Act of May 24th, 1824, for the permanent seat of government, to be fixed as the point from which the principal meridian and parallel shall run.

In letter from this office dated March 11, 1825, the Receiver of Tallahassee was informed that steps would be taken to "obtain an order for reserving an additional" section of land adjacent to the town of "Tallahassee," and on the 16th of March following, the District officers at Tallahassee were directed to reserve from sale a section of land "adjacent to the lands which have been selected by the Lieutenant-Governor of Florida for the seat of government." The reserve was to be made in quarter sections contiguous to the above mentioned lands and situate in such a manner as would comport with the extension of the town already laid out. The District officers were also directed to avoid making the above res-

ervation in any township which may be selected for General Lafayette, should such selection be made adjacent to the seat of government.

Under date of June 1, 1825, in reply to the above letter of March 16th, the Register and Receiver state as follows: "Township 1, range 1 north and east, has been reserved for the benefit of General Lafayette, having been selected by the Hon. John McKee, as his agent. The southwest quarter of section 31, in this township, had been previously designated as a reserve, but considering it as public and unappropriated domain, we selected in lieu of it, another quarter section. in an adjoining township and range, which has been reserved from sale. The quarter sections which had been located by the Lieutenant Governor of Florida, as well as the quarter sections for the benefit of Tallahassee, were likewise reserved from sale in obedience to your instructions.

In reply to a letter of inquiry from this office, the Register at Tallahassee, under date of October 21st, 1825, stated that the land reserved for and belonging to General Lafayette, adjoined the town of Tallahassee and enclosed a diagram showing that the town in question was located on the southeast quarter section 36, township 1, range 1 north and west.

The letter of the Receiver, dated December 2nd, 1825, in speaking of the land reserved for General Lafayette, says that this tract borders immediately on Tallahassee and is within two or three hundred yards of the public square.

Under date of February 13th, 1827, the district officers of Tallahassee were directed to inform this office of all the facts in relation to the selections and reservations of any quarter sections for the use of the Territory, either by the Governor of the same or by the local land officers, In compliance with this request, the district officers, in letter of March 20, 1827, reported that Colonel Walton, the Acting Governor of the Territory, made selection of the northeast quarter, section 36, township 1, range 1 north and west; the southwest quarter, section 31, township 1, range 1 north and east, and northeast quarter, section 1, township 1, range 1 south and west, and that the Acting Governor, under date of February 16, 1825, reported said selections to this office. The officers also report that adjoining to the above selections, four other quarter sections had been reserved from sale for the same

purpose by the Register and Receiver under instructions from this office bearing date March 16, 1823, hereinbefore referred to, and that one of said quarter sections was covered by the preemption claim of Governor Duval.

On the 13th of April following, this office not being satisfied by the report of the Register and Receiver already received, called for a diagram, showing the particular tracts reserved by the Lieutenant-Governor, originally the tracts reserved in lieu thereof, and the tracts reserved by the district officers for the same purpose under instructions from this office, and stating the disposition of each of the tracts respectively.

In accordance with this request, the Register and Receiver, on the 16th of the following month, transmitted a diagram of the four townships cornering on the point previously designated as the initial point from which all the surveys in Florida were made, viz: township 1 north, range 1 east; township 1 north, range 1 west; township 1 south, range 1 east, and township 1 south, range 1 west, together with a full description of the tracts above referred to. On this diagram the southeast quarter of section 36, township 1, range 1, north and west, is shown as the site of the town of Tallahassee; the southwest quarter of said section was sold to the county, the northeast quarter and northwest quarter of the same and southwest quarter of section 31, township 1, range 1 north and east were selected originally by the Lieutenant-Governor, under the Act of 1824, but as the whole of the last mentioned township was selected for General Lafayette, in accordance with a grant by Congress, it was deemed expedient by the Lieutenant-Governor to select another quarter section in lieu of the southwest quarter of section 31, taken in that town, and therefore the district officers state that the Lieutenant-Governor, in conjunction with the Register and Receiver, selected the five quarter sections south of the base line, described as follows, and shown on the diagram mentioned, viz.: northwest quarter and southwest quarter, section 6, township 1, range 1 south and east, and northeast quarter, southeast and southwest quarter, section 1, township 1, range 1, south and west.

The northwest quarter of section 6, above, was subsequently added to the selection entered by Governor Duval under the preemption law.

An appeal on behalf of the Territory was taken in this

case, but the Legislative Council failed to prosecute the appeal and it was dismissed and the Governor allowed to retain the land.

You will perceive that the report of the district officers, dated March 20, 1827, does not agree with that of May 16, 1827, inasmuch as the former leaves out the northwest quarter of section 36, township 1, range 1 north and west, and substitutes northeast quarter of section 1, township 1, range 1 south and west, which tract was subsequently selected by the Lieutenant-Governor in conjunction with Register and Receiver, and hence it is very improbable that the description given March 20th is correct, while that shown by the diagram transmitted May 16th is in accordance with the reservations made on the records of this office, and no doubt correct.

Under date of July 6, 1827, the R. and R's letter of May 16, 1827, was acknowledged and the diagram and explanation thereof stated to be satisfactory.

The 14th section of the act of February 8, 1827, authorized the Governor and Legislative Council to sell one of the reserved quarter sections of land near Tallahassee, and further "to reserve such portion of the quarter section to the town of Tallahassee, contiguous to the Creek and Waterfall," as may contribute to the health and convenience of the inhabitants, etc.

The second section of the Act of March 2, 1829, specifies and describes the quarter sections which had been reserved under previous Acts and instructions for the seat of government, and the third section of the same Act describes the quarter section contiguous to the water fall as northeast quarter, section 1, township 1, range 1 south and west.

It has therefore been satisfactorily established that the tracts selected by the Lieutenant-Governor under the third section of the Act of May 24, 1824, are the northeast quarter and northwest quarter of section 36, township 1, range 1 north and west, and the southwest quarter of section 31, township 1, range 1 north and east, as indicated by the tracts enclosed by red lines in the following diagram, but as the whole of township 1, range 1 north and east, was granted to General Lafayette, the northeast quarter of section 1, township 1, range 1 south and west, indicated thus on diagram, was selected by the Lieutenant-Governor in lieu of the southwest quarter

originally selected in section 31, township 1, range 1 north and east.

The southwest quarter, section 36, indicated thus, V., was purchased by the county of Gadsden, now Leon, and has been patented to the same. The west half of section 6 and south half of section 1, indicated by the dotted lines, are the four quarter sections which were selected and reserved from sale by the Register and Receiver for the benefit of the seat of government in Florida, under the instructions from this office hereinbefore mentioned, the northwest quarter of section 6, however, as before stated; was entered and patented to Governor Duval, leaving only three of said quarter sections intact.

From the foregoing it does not seem to admit of a doubt that the Governor of Florida did select a point for the seat of government, as authorized by the Act of May 24, 1824, and although no evidence can be found that such selection was formally reported by him to the general government, yet the district officers in their report of May 16, 1827, enclosing diagram, state that the southeast quarter of section 36, township 1, range 1, north and west, was selected for that purpose. The establishing of the base line and meridian which govern the surveys in that state, and which intersect each other at the southeast corner of said quarter section, as well as the fact that all of the quarter sections reserved for the same purpose, were required to adjoin said granted quarter section, and could not in any manner be contiguous to any other tract, necessarily locates the southeast quarter, section 3, township 1, range 1, reported by the district officers, as the tract selected for the seat of government.

The subsequent legislation of Congress with reference to the use and disposal of the reserved quarter sections would be inconsistent with any other location, and as the reports and correspondence on file in this office all point to the same conclusion, I have decided to place the quarter section in question on the records of this office as granted under the Act of May 24, 1824, for the seat of government in Florida.

The Act of March 2, 1829, granted the quarter sections reserved from sale to the Territory of Florida, and therefore as the original quarter section selected for the seat of government was also granted by the Act of 1824. The

grant being absolute in its character, there is no necessity for the issuance of patent.

As you state in your letter that the tract in question, viz: southeast quarter, section 36, township 1, range 1 north and west, does not appear as selected on the books of the local office at Gainesville, I have to state that the necessary steps will be taken to have the records corrected to agree with those in this office, so far as relates to the tract under consideration. Very respectfully,

H. F. S.

J. M. ARMSTRONG,
Acting Commissioner.

Tallahassee, 30th Jan., 1840.

To the Honorable the House of Representatives of the
Legislative Council of Florida:

I respectfully represent to you that I disapprove of the precise spot, within the Capitol Square, where it has been determined to erect the public buildings. It seems to me that the square and the buildings will be out of proportion to each other— should the latter occupy the situation assigned to them; and that the whole appearance of the public grounds would be very much improved by placing the Capitol on one side, rather than in the center of the square.

There is another, but a minor consideration: By removing the site as proposed, an expense will be saved to the Government for Executive offices and a chamber for the Senate, which could only be procured at very high rent.

This being a matter in which the Legislature has a deep interest, I consider it my duty, notwithstanding the power conferred upon me by law, to lay the subject before you and to suggest the desire entertained by me, to obtain such an expression of the Legislative pleasure as will aid me in coming to the proper conclusion upon the subject.

ROBERT RAYMOND REID.

F. L. R.

Agricultural Department, State of Florida,
Commissioner's Office.

Tallahassee, September. 27, 1901.

Hon. B. E. McLin, Tallahassee, Florida:

Dear Sir:— Replying to yours of — — — date, I would

say that the records in the Land Office here only reveal the fact as given on this list sent you, viz: reserved. I find from United States Land Laws, "Local and Temporary, Col. 1, pg. 662, No. 1632, that on May 14, 1824, Congress passed a law granting to the Territory of Florida quarter section of land to be located by the Governor as a permanent seat of government. In Section 3 of same Act, they granted three-quarters more, making an entire section, and, judging from the location, that Tallahassee on the map the Governor selected all of section 36, township 1 north, range 1 west. This is the best information I can give you, but the records of Leon county would probably throw an additional light.

Very truly,

J. M. DELL,
Executive Office.

F. L. R.

(G.)

E. P. H.

149264- 1901.

J. R. C.

Department of the Interior,
General Land Office,
Washington, D. C., Oct. 4, 1901.

Address only the Commissioner of the General Land Office.

Fred L. Robertson, Esq., Executive Department, Tallahassee, Florida:

Sir:- I am in receipt of your letter of September 14, 1901, requesting, in the name of the Governor of the State, copy of the original deed, patent or copy thereof or authority under which the State of Florida acquired title to southeast quarter, section 36, township 1 north, range 1 west.

The tract books of this office show that it passed to the State by selection under the Act of May 24, 1824, (14 Stats., p. 30).

The status of this tract you can ascertain from letter of this office dated September 26, 1879, to Hugh A. Corley, Commissioner of Lands and Immigration, Tallahassee. Said letter goes fully into the detail and explains the reasons for assuming, in the absence of record evidence, that said tract was originally selected under said

Act, which Act, providing for an absolute grant, made issuance of patent unnecessary.

If said letter is not found in the records of the State office a certified copy can be procured at the rate of fifteen cents per hundred words and one dollar for seal. It is estimated that the cost will be \$5.50.

Very respectfully,

W. A. RICHARDS

Asst. Commissioner.

157711- 1901.
0 14484- 1879.

W. H. L.

(G.)
M. V. B.

Department of the Interior,
General Land Office,
Washington, D. C., Oct. 15, 1901.

Address only the Commissioner of the General Land Office.

Fred L. Robertson, Esq., Executive Department, Tallahassee, Florida:

Sir:- I am in receipt, by reference of the Hon. S. R. Mallory, United States Senator, of your letter of September 26, 1901, asking for information as to the title of the State of Florida to the southeast quarter, section 36, township 1 north, range 1 west, selected by the Government under the grant of the Act of May 24, 1824 (4 Stat., 30), and in reply, I have to advise you that on September 26, 1879, in reply to this letter of April 30, 1879, asking that patent be issued to the State for said tract, Hugh A. Corley, Esq., the then Commissioner of Lands and Immigration for the State, at Tallahassee, Florida, was given the full history of said tract, and was advised that as the original quarter section selected for the seat of government was granted by Act of 1824, the grant being absolute in its character, there was no necessity for a patent.

Without doubt said letter is of record with the Board of State Lands, and gives all the facts as shown by the records of this office. Very respectfully,

BINGER HERMANN,

Commissioner.