

Florida Historical Quarterly

Volume 12
Number 1 *Florida Historical Quarterly*, Vol 12,
Issue 1

Article 4

1933

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Recommended Citation

Dodd, Dorothy (1933) "The Secession Movement in Florida, 1850-1861, Part I," *Florida Historical Quarterly*. Vol. 12: No. 1, Article 4.

Available at: <https://stars.library.ucf.edu/fhq/vol12/iss1/4>

THE SECESSION MOVEMENT IN
FLORIDA, 1850-1861

By DOROTHY DODD

PART I

FLORIDA had hardly taken her place in the Union when the controversy of 1850 forced her to consider the advisability and probable necessity of breaking the ties so recently formed. The popular verdict in that year was for the Union. But in the succeeding decade there were constant assertions of the right of, and probable necessity for secession, which were climaxed in 1861 by secession itself. Just what fears and hopes, what prejudices and passions, operated during that fateful decade to change the verdict from Union to Disunion cannot be gauged with precision ; but surface manifestations of the process can be traced in the politics of the state, whether related to local or to national affairs.

Florida's congressional delegation in 1850 consisted of David Levy Yulee and Jackson Morton in the Senate and Edward Carrington Cabell in the House of Representatives. None was a native Floridian. Yulee, of Portugese and Jewish extraction, had borne the surname Levy from his birth, June 12, 1810, in St. Thomas, West Indies, until 1845, when it was changed to Yulee by act of the Florida legislature. In politics Yulee was a Democrat, an affiliation that followed naturally from his residence on his father's plantation near St. Augustine, whither he had gone in 1824 after six years of schooling in Norfolk, Virginia, for East Florida was preponderantly Democratic. He studied law with

Robert Raymond Reid, later president of the Florida constitutional convention of 1838 and governor of the territory, and after admission to the bar in 1836, plunged into territorial politics. He soon evinced an adeptness at practical politics that secured his election to Congress in 1841 in the face of virulent personal opposition and in spite of the Whig presidential victory of that year. When Florida became a state in 1845 he was elected to the Senate, where he became an associate and an ardent admirer of Calhoun, who occasionally honored him by utilizing him as an instrument for the expression of his own views.¹

Of far less political experience than Yulee, though older, was Morton, who was born August 10, 1794, near Fredericksburg, Virginia. Morton had moved to Pensacola in 1820 where he had been very successful in the lumber business. His sole legislative experience prior to taking his seat in the Senate in 1850 had consisted of two terms in the territorial Legislative Council in 1836 and 1837, and as a member of the constitutional convention in 1838. Although a Taylor elector, Morton owed his election to the Senate to the purely sectional revolt of a few West Florida Whigs who combined with the Democratic minority to defeat George T. Ward, the regular Whig candidate. Morton was an educated man, being a graduate both of Washington and of William and Mary College, but his lack of experience combined with what a political opponent later termed "that sort of chuckleheadedness which distinguishes all he says,"² to make him particularly inept in national affairs. His position as a local magnate,

¹ J. C. Calhoun to A. P. Calhoun, Feb. 23, 1848. "Correspondence of John C. Calhoun," J. F. Jameson, ed., in *Annual Report of the American Historical Association*, 1899, II, 744.

² Letter of S. R. Mallory, March 2, 1861. *American Historical Review*, XII, 108.

however, gave him weight in state politics throughout the decade of the fifties and the Civil War period.

Cabell was the son of William H. Cabell, long chief justice of Virginia. Born in Richmond, February 5, 1816, the year after his graduation from the University of Virginia in 1836 he had removed to Leon county, Florida, where his uncle, John G. Gamble, was a prominent Whig planter and banker. After serving as a delegate to the Florida constitutional convention in 1838 he returned to Virginia to study law. Upon admission of Florida as a state he sat in Congress for about a year, till unseated by the Democratic contestant, William H. Brockenbrough. He was elected to the next Congress, however, and in 1848 he was reelected over the veteran Democrat, William P. DuVal.

Though divided in their political affiliations, the Florida delegation were agreed upon the principle they considered as basic to organization of the territories recently acquired from Mexico. They all insisted upon the constitutional right of slaveholders to carry their property into the territory won by the common efforts of North and South. But they differed in the extent to which application of this principle should be insisted upon in practice.

Cabell, foreseeing the inevitable controversy, had been opposed to acquisition of Mexican territory. When confronted with the accomplished fact, however, he refused to vote with the Whigs in organizing the House after a Whig caucus had rejected resolutions opposing congressional prohibition of slavery in the territories and abolition of the slave trade in the District of Columbia. Congress, he said, with its limited powers, had not the constitutional right to exclude slavery from the territories. But even granting such a power to reside in Congress

its exercise was "against right and justice" and should be resisted even "to the extent of revolution." This appeal to a higher law was based on the thesis that not only was slavery essential in a warm climate, but that from it proceeded a "moral power" productive of "a spirit of freedom and true republicanism." Cabell's position was not so extreme as the foregoing would seem to imply, for while insisting on an abstract right, he was willing to make practical concessions for the sake of the Union.³

Yulee, on the other hand, holding that the North had violated the Missouri Compromise by proposing the Wilmot Proviso, was squarely opposed to any compromise.⁴ He desired a constitutional amendment protecting the South from aggression; if this were not forthcoming he favored immediate separation from the North. He saw the issue as lying between preservation of the social structure of the South or the political structure of the Union. Either slavery or the Union must be abandoned immediately unless the terms of the federal compact could be altered. And pressed to the choice, he would abandon the Union.⁵ If the Union were to be preserved, Yulee considered maintenance of a balance between slave and free states absolutely necessary.

The plan for a southern convention at Nashville naturally met with Yulee's approbation, for he had talked in the summer of such a meeting of southern states for the purpose of unifying and consolidating southern sentiment in the interests of a state-rights program. Cabell, despairing of any willingness to compromise on the part of the North, also looked

³ *Congressional Globe*, 31 Cong., 1 Sess., App. 239-40.

⁴ *Ibid.*, 1419.

⁵ Yulee to J. C. Calhoun, July 10, 1849. "Correspondence Addressed to John C. Calhoun, 1837-1849," C. S. Boucher and R. P. Brooks, eds., in *Ann. Rep. Am. Hist. Ass.*, 1929, 516.

with favor upon the move, and Morton followed the lead of his more able colleagues. The Florida legislature had, the previous year, endorsed in general terms the projects of a southern convention at some future time, and February 6, 1850, the three men addressed a letter to Governor Thomas Brown, calling upon him to throw the weight of his influence to the convention by appointing delegates in compliance with the spirit of the resolutions. The letter stated that there was a growing tendency for northern forces hostile to the southern social structure to wield the federal government as an instrument for crippling the growth and progress of the slaveholding states. The only possible way of checking this tendency, and thus of preserving the Union was, in the opinions of the writers, through organized resistance on the part of the southern states.⁶

The object of the letter undoubtedly was to force Brown into a more radical position than he was prepared to assume, by creation of public sentiment in favor of the convention. The Governor's attitude as a staunch Union Whig was well known. In his inaugural address of the year before he had declared his readiness to defend the sovereignty of the states and the rights of the South at the same time that he roundly denounced southern demagogues who sought to make southern rights a question of one party or of one section.⁷ "Old Matter of Fact," as Brown was called, replied to the letter in no uncertain terms. He flatly denied any authority as governor to appoint delegates, either by reason of the resolutions of the legislature or by virtue of the state constitution. Furthermore, such a convention was revolutionary in spirit and directly opposed to

⁶ *National Intelligencer*, tri-weekly edition, March 9, 1850.

⁷ *Niles' Register*, LXXII, 108.

the spirit if not the letter of the constitutional clause forbidding a state to enter into any treaty, alliance or confederation. And the time had not arrived for revolution; no overt act of aggression on southern rights and institutions had been committed. The present crisis came, he said, not from any new aspect of the slavery question, which had been agitated for fifty years, but from the "wordy conflict" between northern and southern politicians.⁸

Morton, replying to Brown in a long, heated, and rather incoherent letter, denied that the Governor expressed the opinion of either of the great parties of Florida.⁹ The *Pensacola Gazette*, the Whig paper of Morton's own home town, however, said that Brown's letter was looked upon there as a standard of opinion.¹⁰ Indeed, the Whig press generally seems to have opposed the meeting while the Democratic papers whole-heartedly endorsed it. In spite of this partisan alignment of the press, members of both parties participated in "court-house meetings" which sent representatives to the district conventions that named Florida's delegates to the Nashville meeting. Here again, there was an effort toward bipartisan action and each district appears to have appointed a Whig and a Democrat.¹¹ The actual popular support accorded the movement can not be estimated. One observer, writing after the convention had adjourned, believed that if the vote could have been fairly polled, not a single county in

⁸ *National Intelligencer*, March 9, 1850.

⁹ *Ibid.*, March 30, 1850.

¹⁰ *Ibid.*, March 23, 1850.

¹¹ The delegates were: West Florida, E. C. Cabell and James F. McClellan; Middle Florida, Charles H. DuPont and A. J. Forman; East and South Florida, B. M. Pearson and Joseph M. Hernandez. Tallahassee *Floridian* May 18, 1850. Cabell and Hernandez were Whigs but neither attended the convention. Hernandez was prevented by illness and Cabell, presumably, by his congressional duties.

the state would have sanctioned the meeting.¹² Yet radical sentiment was strong enough to send four delegates to the adjourned session which met in November.¹³

Yulee professed to consider the platform of the Nashville convention as indicative of southern sentiment and receded from his original uncompromising position to the extent of supporting extension of the Missouri Compromise line to the Mexican territory. This he looked upon as a distinct concession by the South, to be met by concession equally great on the part of the North, or else the measure adopted would be one of imposition rather than compromise. The concession which he demanded as essential was unequivocal recognition of the right of southern emigrants to carry their slave property into the territories.¹⁴ Since the North did not recognize such a constitutional right of the South, extension of the Missouri Compromise line was, from the northern viewpoint, in itself a concession by the North, and one that it was not prepared to make to slavery. In the debate on the California bill Yulee took an active part in the southern fight for these two points. When they failed of adoption, he and Morton not only voted against the bill but joined with eight other southern radicals in a solemn protest against the measure as indicative of a policy so subversive of the rights and safety of the South that, if persisted in, it must lead to the destruction of the Union.¹⁵ Cabell, in the House, supported an amendment designed to make 36° 30' the southern boundary of

¹² *National Intelligencer*, June 25, 1850.

¹³ They were C. H. DuPont, J. H. Verdier, P. W. White and John C. McGehee. Dallas T. Herndon, "The Nashville Convention of 1850" in *Transactions of the Alabama Historical Society*, 1904, V (Reprint 35), 229.

¹⁴ *Cong. Globe*, 31 Cong., 1 Sess., 1138; and *ibid.*, App., 1419.

¹⁵ *Ibid.*, 36 Cong., 2 Sess., 485.

California; when it was defeated, he, too, voted against the bill.

On the other Compromise measures the positions of the three men were much the same. Yulee and Morton supported the Fugitive Slave bill, but Cabell did not vote when it passed the House. On the Texas bill, Yulee and Morton voted in the negative, Cabell in the affirmative. All three voted against abolition of the slave trade in the District of Columbia and none was opposed to the Utah bill. Judging by their votes alone, the Florida delegation were substantially united in their attitude toward the great Compromise. But the record belies the fact. Yulee and Morton consistently and whole-heartedly opposed it. Cabell, however, though he had opposed Clay's omnibus bill, supported the Compromise in its final form. "We have not obtained all which I think should have been granted to us," he wrote, "but ***no right has, been taken away by the action of Congress.***"¹⁶

While Congress was hammering out the Compromise through the long summer days, the campaign for the October election was going full tilt in Florida. The state's representative to Congress was to be chosen and a legislature to be elected that would have the naming of a United States senator when Yulee's term should expire in March. The Whig press had supported the Compromise from the first¹⁷ and Cabell's renomination came as a matter of course. The articulate Democracy as generally opposed the Compromise, standing firm for extension of the Missouri Compromise line. Their candi-

¹⁶ Cabell to, Sept. 8, 1850. Tallahassee *Sentinel*, Oct. 1, 1850.

¹⁷ *Ibid.*, March 5, 1850: "Now is the accepted day-now is the golden moment of compromise. . . . The South cannot and ought not to submit to constant agitation and insult upon a subject which has no business whatever in Congress."

date was Major John Beard, a North Carolinian who in 1838 had removed to St. Augustine, where he held several political offices. At the time of his nomination for congressman he resided in Leon county and had been for nearly four years state register of public lands. Beard declared in an address to "the Freemen of Florida" that he loved the Union "with a **reasonable effecton**" [sic] but though he were called "**traitor**, disunionist, or what they please," he would resist the Compromise "to the last extremity."¹⁸ On the stump he declared unequivocally that he preferred dissolution of the Union to passage of the Compromise.¹⁹ Cabell, who could not campaign in person because of the late sitting of Congress, seized upon Beard's statement to make disunion the issue, declaring, "The issues are Union or Disunion. *I am for the Union* - peace or war - *I am for peace*."²⁰ It soon became so evident that Beard had overreached himself that the Tallahassee **Floridian** the leading Democratic organ, denied that the Democratic party, its candidates or press, advocated disunion.²¹ But it could not reconcile Beard's published statements with this denial and the Whigs, on the stump and in their papers, continued to press the issue. Party feeling ran so high that many Democrats voted for Beard while disavowing his disunion sentiment. Yet Cabell's majority was 445 out of a total vote of 8,473, as compared with 598 out of a total of 8,208 in the Whig landslide of 1848. Local animosities and dissensions among the Whigs combined with bad management in the strong Whig counties to obscure the issue in the campaign for the state legislature, with the re-

¹⁸ Address of John Beard to the Freemen of Florida, Aug. 21, 1850. Tallahassee *Floridian*, Aug. 31, 1850.

¹⁹ Tallahassee *Sentinel*, Aug. 20, 1850.

²⁰ E. C. Cabell to, Sept. 8, 1850. *Ibid.*, Oct. 1, 1850.

²¹ Tallahassee *Floridian*, Sept. 21, 1850.

sult that the Democrats won control with 31 members as against 28 Whigs.

Though all who voted for Beard were not disunionists, the election returns undoubtedly indicated existence in the state of a strong disunion minority. These radicals sensed the value of organization and immediately after the election formed Southern Rights Associations in at least four counties - Gadsden, Leon, Jefferson and Madison - and probably in others. Members of the associations, whose purpose was resistance to the encroachments of the North on the constitutional rights of the South, were pledged to vote only for open and zealous advocates of southern rights, to give preference to goods of southern manufacture and to boycott northern firms professing abolition sentiments.²²

The extreme nature of their political opinions is not matter for conjecture, for at a Fourth of July picnic of the Madison Association, which flaunted the motto, "Equality in the Union or Independence out of it," the following were among the toasts:

"The South-long patient under insult and oppression-duty demands and safety requires that she speedily divorce herself from her oppressors."

"A Southern Confederacy should be the motto of every Southern man."

"If the Southern States can't obtain their rights without, I will do my part of the fighting."²³

The political force of these organizations must have been great, for one of the two Leon county associations numbered in its membership 10 per cent. of the total electorate of the county, while the Madison group comprised 33 per cent. of the voters in that county.

²² Constitution of the Southern Rights Association of the Centreville District, Leon County, in *ibid.*, Nov. 9, 1850.

²³ *Ibid.*, July 19, 1851.

While the radical Democrats were thus taking steps to insure success for their program in the next national crisis, whenever it should come, the Whigs were uneasy lest the Compromise should prove impermanent. Opposition to the Fugitive Slave act at the North and rumors that it would be repealed by the next Congress caused the Leon county grand jury, of which Richard Hayward, a prominent Whig, was foreman, to declare in its presentment that repeal of the act would constitute "a legal notification" of northern unwillingness to abide by the Constitution and would leave the South "no other recourse short of separation."²⁴ B. F. Allen, editor of the Whig *Sentinel*, speaking as a friendly onlooker to the Southern Rights Association, conceded that it would be time for disunion if the North should repeal or forcibly resist lawful execution of the act.²⁵ Governor Brown, too, became alarmed and, advising the legislature that repeal would be a practical repudiation by the North of the Constitution and "would leave us no alternative compatible with national unity," requested authority to call a convention to devise a remedy should the Fugitive Slave act be repealed.²⁶ Walker Anderson, chairman of the House Committee on Federal Relations, responded to the request with a reasoned statement of the constitutional right of secession and a bill conferring the desired authority.²⁷ The bill, together

²⁴ *Ibid.*, Nov. 9, 1850.

²⁵ Tallahassee *Sentinel*, Nov. 12, 1850. Allen added as other just causes for disunion, congressional abolition of slavery in the District of Columbia without Maryland's consent, prohibition of the domestic slave trade and abolition of slavery in dockyards and arsenals.

²⁶ Florida *Senate Journal*, 1850, 19.

²⁷ B. Hopkins and Bolling Baker, in a minority report, denied the right of secession. The Tallahassee *Sentinel*, in an editorial of Sept. 24, 1850, had also denied this right as a constitutional one, though recognizing a "right of secession" as equivalent to

with a number of resolutions on the slavery question, was tabled without a record vote and the legislature adjourned without any declaration on the subject.

The most absorbing business before the legislature had been the election of a United States senator to succeed Yulee, who was again a candidate. Though he controlled the Democratic caucus only by a bare majority vote of 16 to 15, all save two members agreed to vote for him. These two disaffected Democrats joined with the Whigs to make his election impossible. After two ballots in which 29 votes were cast blank and 29 for Yulee, a ballot previously given to Yulee was cast blank, thus assuring the election of whomsoever the Yulee opposition should agree upon for the nomination. Two days later, Stephen R. Mallory of Key West was elected.²⁸

The election of Mallory undoubtedly was a rebuke to Yulee for his opposition to the Compromise. Yet personal hostility and the claims of South Florida on the senatorship also contributed to his defeat. Mallory himself does not appear to have been the staunchest of Unionists. Half Irish, half Connecticut Yankee, he was born in 1813 in Trinidad, West Indies. The death of his sea-captain father while in port at Key West left the boy stranded there in 1820 with his mother, who turned to hotel-keeping for a livelihood. Substituting industry for the formal education which he lacked, young Mallory made his mark locally as a politician and an able marine lawyer, but he seems not to have been in a position to attract statewide attention until 1850, when he was elected an alternate to the

the "right of revolution" as expressed in the Declaration of Independence.

²⁸ *Senate Miscellaneous Documents*, 110, 32 Cong., 1 Sess., *passim*.

Nashville convention. Though doubtful of the efficacy of the approaching convention, Mallory was sympathetic with its purpose. He refused the invitation of B. M. Pearson, whose alternate he was, to accompany him to Nashville, however, urging "important pre-engagements" in excuse.²⁹

From his entrance into politics, Mallory had been a Democrat and for years had been a firm supporter of Yulee. He was so far from averse to the latter's reelection in 1851 that, when he heard his own name was being put forward in candidacy for the senatorship, he addressed an appeal to the party to unite in support of Yulee or any other sound Democrat who could "be relied upon to battle for our great southern interests, and the rights of our State."³⁰ Mallory was known personally only to seven of the members of the legislature which elected him, and it would seem on the whole that his availability as a candidate was largely a matter of his political obscurity. After his election, however, he made a chance meeting with Henry Clay in Havana the occasion for a declaration that he was a friend of the Union upon the basis of the Compromise.³¹

As his campaign for reelection showed, Cabell had staked his political future upon acceptance of the Compromise. In the second session of the thirty-first Congress he had joined with a number of other Union men in pledging not only maintenance of the settlement but opposition to candidates for any important state or federal office who were not definitely on record as being opposed to disturbance of the Compromise and all renewal of slavery agita-

²⁹ Mallory to Pearson, June 8, 1850, in Tallahassee *Floridian*, Feb. 8, 1851.

³⁰ Mallory to J. T. Archer, Dec. 7, 1850. *Sen. Misc. Doc.*, 110, 32 Cong., 1 Sess., 135.

³¹ *National Intelligencer*, April 17, 1851.

tion.³² In the early days of the new Congress he fired one of the opening guns in the contest for the Whig nomination by a speech in favor of Fillmore, whose position on the Compromise could not be mistaken. His remarks were equally an attack upon Scott, whose attitude was uncertain, and who, Cabell said, would not carry a single state or poll as many as 50 votes in Florida, if nominated.³³ Cabell carried this opposition to Scott into the Whig convention, in which he took an active part. When asked on the convention floor if he would vote for Scott should he be nominated, he replied that he would vote for no man who repudiated principles dear to him and his country.³⁴ The remainder of the Florida delegation appeared no more anxious than he for Scott's nomination and, as instructed, cast every ballot for Fillmore.

Cabell continued his fight against Scott in the state Whig convention which met July 14 and 15 in Tallahassee. He wrote that under no circumstances could he support Scott and advised the convention to make no effort to carry the state except on the state and congressional tickets. George T. Ward, who was nominated for governor in the first session of the convention, did not learn of this letter until the following day. He promptly refused to run on the ticket with Cabell. An effort to drop Cabell failed because of the number of county delegations instructed for him. Ward finally was persuaded to permit his name to be used, and was renominated.³⁵ Whereupon, having seriously damaged the prospects of his party, Cabell declared that he would

³² *Cong. Globe*, 32 Cong., 1 Sess., 453.

³³ *Ibid.*, 452ff.

³⁴ *National Intelligencer*, June 22, 1852.

³⁵ Tallahassee *Floridian*, July 17, 1852.

“acquiesce” in the decision to support Scott, as he certainly could not support Pierce.³⁶

The Democratic convention, meeting at Madison Court-house, April 19, had avoided a rift in its ranks by a discreet silence on the Compromise and by apportionment of nominations between the two wings of the party. Resolutions recognizing the finality of the Compromise were rejected in favor of a guarded declaration deprecating further agitation of questions arising from the institution of slavery as “mischievous and unwise.”³⁷ The nomination for congressman went to Augustus E. Maxwell of the moderate wing, while the nomination for governor was given to James E. Broome, leader of the larger “South Carolina” wing of the party. Broome, who was born in Hamburg, Aiken county, South Carolina, December 15, 1808, was undoubtedly one of the strongest men in his party. He had removed to Tallahassee in 1837 and engaged in the mercantile business until 1841, when he entered politics. It was he who rallied public sentiment in Middle Florida against the Compromise, and in the campaign of 1850 he declared that he preferred disunion to the Compromise.³⁸

The canvass was carried on with great spirit. The Whigs centered their attacks on the slavery plank of the Democratic platform and denounced the Democratic failure to declare the finality of the Compromise. Broome defended the convention’s course with vigor, declaring that, since they “had no will to endorse and no power to improve” the Com-

³⁶ Cabell to Editor of the *Sentinel*, July 23, 1852, in *ibid.*, Aug. 7, 1852.

³⁷ *National Intelligencer*, May 4, 1852. Democrats of Walton and Monroe counties had endorsed the finality of the Compromise, but the Whig *Sentinel* declared that unequivocal endorsement of it by the state convention would have disrupted the Florida Democracy. *Ibid.*

³⁸ Tallahassee *Sentinel*, Sept. 10, 1850.

promise measures, they had wisely refused to distract the party with them and had "left those (if any) who were satisfied with them to enjoy the consolation they derived from them, and those who were dissatisfied, to endure what they had no ability to remedy."³⁹ The Democrats found their best target in the Hero of Cherusbusco. Scott's unpopularity in Florida was largely due to his conduct in the Indian war in 1836, when he commanded the United States regulars. Exasperated by the frequent alarms of the inhabitants, who according to the irate general, fancied they saw an Indian in every bush, Scott issued his famous Order No. 48 in which he accused the Floridians of panic and cowardice and commiserated with himself for having "the misfortune to command a handful of brave troops in the midst of such a population."⁴⁰ The Democrats made effective use of this order as a campaign document.

The result of the state election was in doubt for several weeks. Maxwell defeated Cabell by a mere 22 votes, while Ward trailed Broome by 211 votes. Cabell had been correct in his assertion that Florida would not support Scott. Interest waned after the state election and the vote in November was 20 per cent. lighter than in October, the decrease being due almost entirely to Whig abstention from voting. Pierce electors were overwhelmingly elected, but the Pierce vote was 250 less than Cabell had polled a month earlier. Local Whig vitality, however, was helpless against disruptive national forces, and the election marked the beginning of the end for the Whig party in Florida. More than that, it was the beginning of the dominance of the radical Democrats in state politics. Governor Broome's wing of the

³⁹Broome to Thos. Baltzell, etc., May 20, 1852, in Tallahassee Floridian, May 22, 1852.

⁴⁰*Ibid.*, Aug. 14, 1852.

party was to retain control of the state government until the radicals should take Florida out of the Union. And in 1854 David L. Yulee was returned to the United States Senate to succeed Jackson Morton.

When the slavery question was reopened in Congress by the introduction of the Kansas-Nebraska bill, the Florida delegation were united in support of the measure. The doctrine of congressional non-intervention they accepted without reservation ; the saving clause, "subject only to the Constitution of the United States," in the section enunciating the doctrine of popular sovereignty, enabled them to vote for the bill while rejecting the doctrine that the people of the territories could exclude slavery. They were certain that such exclusion would be unconstitutional. As Maxwell said, the people in the territories had a right to *regulate*, but not to abrogate, property rights sanctioned and protected by the Constitution. They saw not bad faith, but belated justice to the South in the repeal of the Missouri Compromise.⁴¹

It is probable, though no direct proof is available, that Maxwell's zeal for the Kansas-Nebraska act was fired as much by a desire to obtain a land grant for the proposed Florida railroad from the Atlantic to the Gulf of Mexico as by desire to sustain the constitutional rights of the South. Certainly such a grant was made soon after the passage of the act, and many of the county Democratic meetings placed the Kansas-Nebraska act and grants of public lands for construction of railroad in significant juxtaposition when they thanked Maxwell "for his able support of these cardinal measures" and endorsed him for reelection.⁴² The Democratic nomination for con-

⁴¹*Cong. Globe*, 33 Cong., 1 Sess., App., 675.

⁴²Resolutions of Putnam county Democrats in Tallahassee *Floridian*, June 10, 1854.

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 gressman went to Maxwell as a matter of course,
 while the Whigs nominated former Governor
 Thomas Brown.

The Whigs were divided in their attitude toward the Kansas-Nebraska act⁴³ and, probably to avoid committing themselves on it, did not hold a state convention in 1854. Brown, who had been nominated by county meetings, left no doubt as to his position on the subject. Though favoring the principle of the act, he opposed repeal of the Missouri Compromise because it was a compromise. He maintained that the vote of Northern Whigs against the bill was due to their belief in the binding nature of a compromise rather than to enmity toward southern institutions, and he charged that the administration had whipped Democrats into support of the measure against their will.⁴⁴ But many Whigs refused to accept his interpretation of the sectional vote of northern members of the party. They favored fusion with constitutional Democrats, South and North, for the protection of southern rights, declaring that they could never again cooperate with northern Whigs. To this group slavery was the only question of importance before the country. With the majority, however, dislike and distrust of the Democrats weighed heavier than did disappointment over the action of their northern brethren, and they rejected all proposals of fusion.⁴⁵ Consequently, many Southern Rights Whigs transferred their party al-

⁴³Leon county Whigs endorsed the act, July 8, 1854. *Ibid.*, July 15, 1854. Marion county Whigs, on the other hand, deplored it as "merely a reaffirmation of an impractical right," which reopened the slavery question in the Congress, the only place where it possessed any threatening power, and which laid the foundation for permanent sectional parties, the certain forerunner of the downfall of the Union. *National Intelligencer*, Aug. 22, 1854.

⁴⁴Tallahassee *Floridian*, Aug. 26, 1854.

⁴⁵G. W. Parkhill, a Whig, proposed a fusion ticket in Leon county but "the old fogies turned up their noses at it." Parkhill to Editor of the *Floridian*, July 11, 1854, in *ibid.*, July 15, 1854. In Hernando county fusion was effected. *Ibid.*, June 17, 1854.

legiance while others acted with the Democrats, though claiming still to be Whigs. As a result, Brown was severely defeated, Maxwell running up a majority of 1,072 votes.

The rise of the American party in 1855 for a short time held out to Florida Whigs promise of the thing that was necessary if the Whiggery of the state was not to disintegrate completely—a national organization with which they could affiliate. Four old-line Whigs attended the national Know-Nothing convention which met June 5 to 15 in Philadelphia,⁴⁶ and Know-Nothing tickets were placed in the field in a number of municipal and county elections. The Americans were generally unsuccessful, though they did elect their entire ticket in Jacksonville and part of their ticket in Marion county.⁴⁷ But the hope that the party could be truly national was short-lived, for northern delegates to the Philadelphia convention, February 22, 1856, to which General R. K. Call was the sole Florida delegate, found the platform, previously adopted by the National Council of the party, unsatisfactory because non-committal on the subject of slavery and withdrew to issue a call for a new convention. The state convention of the American party, held in Tallahassee, June 2, 1856, endorsed the Philadelphia platform, ratified the nominations of Fillmore and Donelson, and nominated David S. Walker, of Leon county, for governor and James M. Baker, of Columbia county, for congressman.⁴⁸

The Democratic convention, which met in Madison, April 16, had been the largest convention held in Florida since 1845. After passage of a resolution declaring that congressional prohibition of slavery

⁴⁶ T. G. H. Quincy, Thomas Randall, John Darling and W. W. McCall, *National Intelligencer*, June 19, 1855.

⁴⁷ *Ibid*, April 10, 1855 ; Tallahassee *Floridian*, Oct. 13, 1855.

⁴⁸ *National Intelligencer*, June 12, 1856.

in the territories or the District of Columbia or of the interstate slave trade would so violate southern rights as to "amount to intolerable oppression, and justify a resort to measures of resistance,"⁴⁹ the convention nominated for governor Madison K. Perry, an Alachua county planter who had come to Florida from South Carolina in 1847. The congressional nominee was Judge George S. Hawkins, of Franklin county, a New York lawyer who had been active in West Florida politics since the early thirties.⁵⁰ Both men belonged to the radical wing which was fast absorbing the entire party.

In the campaign which followed, the national political situation reacted in favor of the Democrats while the principal local issue strengthened the Americans. The fear that Fremont would be elected if southern men did not act together attracted many voters from Fillmore to Buchanan. E. C. Cabell attempted to nullify this Democratic advantage by effecting an agreement whereby the electors of the victorious party, whichever it might be, would cast their votes for the candidate with the greatest number of electoral votes, whether Fillmore or Buchanan. The Know-Nothing electoral candidates professed willingness to enter into any arrangement that might insure Fremont's defeat, but the Democrats, confident of victory, rejected the proposal.⁵¹ The Know-Nothing strength in the campaign lay in Walker's advocacy of cheap lands, always a popular issue in a frontier or semi-frontier community. Walker, as register of public lands, had voted in

⁴⁹ Tallahassee *Floridian*, April 26, 1856. Maxwell previously had announced his intention not to stand for reelection. *Ibid.*, Feb. 9, 1856.

⁵⁰ It is told of Hawkins that while serving as an officer in the Indian war in 1837, he was grazed by a bullet. "Are you wounded?" one of his subordinates called. "Enough to send me to Congress," Hawkins replied.

⁵¹ *Ibid.*, Aug. 30, 1856.

1855 against raising the price of state lands 100 per cent. near the line of the proposed Florida railroad and 50 per cent. elsewhere, though Governor Broome and other Democratic department heads had out-voted him and the higher prices had become effective. Democrats charged that Walker personally speculated in lands and desired low prices for that reason. Walker retorted that the Democrats increased prices to aid speculators, since the latter could not sell at a profit so long as state lands were available at low prices.⁵² Whatever his motives were, Walker's position undoubtedly gained for him many votes, but not enough to elect him. Perry defeated him, 6,214 to 5,844, but Buchanan's majority over Fillmore was much greater, the vote being 6,358 to 4,833.

Although the Know-Nothings had polled a larger vote in Florida in 1856 than had the Whigs in 1854, old-line Whigs realized the futility of trying to keep their local organization intact without a national party and platform on which to base their opposition to the Democracy. Consequently they made no nomination for congressman in 1858. George S. Hawkins, who again received the regular Democratic nomination, was not to be unopposed, however. Local issues, on which the alignment was sectional, divided the state and in the absence of two parties factional dispute within the Democratic party was inevitable. Dr. John S. Westcott, of St. Johns county, announced his candidacy in July as an independent Democrat on a platform opposing the convention system as undemocratic, favoring cheap land for actual settlers and promising to secure pay for Florida volunteers in the Indian wars.⁵³ Although his first plank was in justification of his own

⁵² *Ibid.*, Sept. 20, 1856.

⁵³ *Ibid.*, July 13, 1858.

insurgency, Westcott's entire platform was popular in East and South Florida, the frontier sections of the state, in which he ran well, but conservative Middle and West Florida would have none of him and he was defeated by a vote of 6,471 to 4,064.

(The Secession Movement in Florida, 1850-1861 will be concluded in the next issue of the Quarterly.)