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## Spanish Land Grants in Florida

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SPANISH LAND GRANTS IN FLORIDA  
*Publications of Historical Records Survey, WPA*  
Vol. I, UNCONFIRMED CLAIMS  
Vol. II-IV, CONFIRMED CLAIMS  
A review by Frank P. Hamilton

Readers of the *Florida Historical Quarterly* are assumed to know the source of the present-day titles to the lands that make up our State. Some know more of the details of the devolutions involved than others and a few doubtless are learned in the subject. To the latter, progress toward such high estate of erudition has been tedious and oft-times discouraging. There have been few signboards along the way, but now more guide-posts have been placed for the learned and the novice.

During the first Spanish occupation little was done in the way of settlement of the country outside the fortified towns. What was accomplished in that respect was largely the work of the missionary priests, whose interest in the acquisition of land titles was hardly that of home-seekers. Ordinary land tenures were on the basis of military services or capacity.

The British occupation brought some homesteaders, settlers, and developers and hence individual ownership; but the twenty years of this occupation was not long enough for the establishment of many titles that have come down to the present. A contributing factor to this was the necessity of taking the oath of fidelity (embracing Catholicism) in order to retain, under the Spanish re-occupation, a title acquired under a British concession. The British system of absolute titles nevertheless impressed the Spanish when they entered upon their second occupation, and they tried it out. It did not work as well for them under their administrative routine, but it made progress. There was noticeable ac-

celeration as it became evident that Florida would eventually become a part of United States territory and the apex was reached when it developed that Spanish titles would be protected after the transfer, regardless of citizenship.

The treaty under which the United States took possession provided for recognition of valid Spanish titles; so, as would be expected, the last few years and months before the transfer of dominion saw a great rush to acquire grants, and hundreds were made without any substantial basis under the Spanish system and regulations. It became necessary to set up a commission to separate the valid grants from the misappropriations, so such a body was created under authority provided by the Congress and it proceeded to inquire into the facts. Its records were voluminous and its hearings and investigations continued for several years. These records, with their supporting documents, are what now constitute the muniments of the origin of the titles to vast areas of our State.

After the commission had completed its work its records began their vicissitudes and journeyings hither and yon, handled and mishandled, by the usual crop of political appointees whose interests were often greater in the collection of their fees than in the preservation of the records. What remains of these records, a surprising amount considering their political custody, unsafe transportation, climatic conditions and plain neglect, have, for the most part, come to rest at Tallahassee in the Capitol. Even there, for years, they were dumped in heaps in the basement; but were finally, through the efforts of some conscientious officials, placed in filing cases.

The supporting documents to the claims were, of course, in Spanish, (sometimes originals, frequently copies). For presentation before the United

States commissions translations were necessary, and these also are a part of the records. The reports and determinations of the commission could not embody all the material and evidence upon which its conclusions were founded, so these materials and records of evidence, oral and written, mostly untranslated, have remained all these years practically inaccessible until, under a project of Historical Records Survey, Works Progress Administration, translations and abstracts of the individual claim files were undertaken.

Professor E. V. Gage, former head of the Department of Modern Languages at Florida State College for Women, was placed in charge of the work and had, as assistants, workers of Spanish ancestry. Through their hands and under their scrutiny passed all that remains of these records, many now worm-eaten, ravaged by mold and dampness, and blurred and faded by time, as well as being obscured by old Spanish chirography and phraseology, and some perhaps, by more direct means applied by interested persons. Their translations have been checked and compared, one with another, as well as with the official contemporaneous publications in which the proceedings and findings of the commissions were collected in the series "American State Papers, Public Lands." There were two official editions of these—one printed by Duff Green and the other published by Gales and Seaton, each printers in Washington, D. C. The matter included in these compilations was selected by individuals connected with or appointed by the Congress but having no particular Florida interests.

The results of these labors by the Survey have now been published in great part under the sponsorship of the State Library Board of Florida. They may be consulted in public and institutional

libraries of the State, and are for sale. Four volumes have appeared, under the title "Spanish Land Grants in Florida." The project has been suspended, but it is to be hoped that the fifth (and last) volume may be published.

The first volume covers, under the sub-title "Unconfirmed Claims" , such claims as were presented to the commissioners but remained unapproved by them. A substantial number of these unconfirmed claims were later upheld by the Federal courts. The three remaining volumes contain, alphabetically arranged by names of claimants, the claims that were approved and confirmed by the commissioners.

Each volume carries an introduction, prepared By Dr. Louise B. Hill, manuscript editor of the Survey, which contains information as to land measures used, some details as to the method of making and the limitations upon land grants under the Spanish system, definitions of various official capacities, both Spanish and Federal, methods and manner of procedure of Spanish officials and of the United States commissioners, as well as many other details requisite to an understanding of what the archives cover and disclose, with lists of Spanish officials and the periods of their tenures and indices of proper names of persons and places appearing in the various claims.

From these compilations may be extracted and deduced substantial amounts of economic and historical, not to mention genealogical and geographical, information.

While the matter published is in the form of abridgments and abstracts of documents, it serves to indicate the more extended originals and other source material. What their ultimate value in research will be, only time and use can demonstrate, but they seem to possess much promise.

The work of translation, compilation, editing and indexing appears to have been carefully done. Already certain confirmed grants have been located from the volumes now published that could not be found in American State Papers. The material for the final volume has all been translated and collected, and it is unfortunate that it cannot be published now by those who are familiar with the work.\* For there now exists a new compilation four-fifths published, pointing out and serving as an index and an indicator of a source in Florida from which matter of substantial historical value may be extracted by research workers, and from which many items of interest in the history of Florida should eventually be brought to light and be more widely circulated and known.

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\*Work has been resumed on the project, the body of the text of the last volume has been mimeographed, and the volume will soon appear.