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## A Memorial to James Alexander Robertson

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A MEMORIAL TO JAMES ALEXANDER  
ROBERTSON

***Hispanic American Essays***

James Alexander Robertson published little Florida history; but a large part of what has been published during the past quarter-century, and much that is still to be published and still to be written, is and will be the better because of his years of work with and for the writers. And some of that history would not have been written except for him.

So we are interested in all that is connected with Dr. Robertson, and especially in a memorial volume which has now come from the press.

***Hispanic American Essays, A Memorial to James Alexander Robertson*** (Ed. A. Curtis Wilgus, The University of North Carolina Press. 1942. 391 p. \$5) consists of eighteen historical papers, each written by a friend and colleague, together with "The Life of James Alexander Robertson" and "The Published Writings of James Alexander Robertson" written and compiled by A. Curtis Wilgus, editor of the volume. Dr. Wilgus, professor of history in George Washington University and president of the Inter-American Bibliographical and Library Association, was Dr. Robertson's close friend and long-time coworker in the Spanish American field ; so, for him, the creation of this memorial volume was truly a labor of love.

In our issue of July 1939 Professor Wilgus contributed a brief biography of Dr. Robertson together with a condensed list of his publications, and in the present articles he extends both to include a fuller appreciation of his work and the listing of numerous additional minor compositions.

Seven countries of Spanish America are represented in the memorial volume, in keeping with the

wide range of Dr. Robertson's work and his friendships; but Florida, with three of the articles, holds first place, which is as it should be.

Isaac Joslin Cox of Northwestern University writes on "Florida, Frontier Outpost of New Spain." Those of our members who attended the annual meeting of the Society in 1937 will recall Professor Cox's interesting address on "The Development of the Florida Frontier," a theme which is extended in the present paper:-

"[Florida] . . . a frontier area set off by geographical position, by natural resources, and by force of circumstances, to serve for three centuries as a barrier to Spain's enemies, as a shield to the mineral treasures of Mexico. . . . A frontier area is the territorial stage upon which various natural and human forces play their part in establishing national claims. . . . Claims to an area are furthered . . . not by haphazard discovery or casual grants . . . [but] by a combination of forces-physiographic or demographic, racial or religious, political or diplomatic-that have contributed to the general development of that specific area and have given to it historical significance."

. . . Spaniard, Frenchman, Englishman, and American played their several parts within its [Florida's] extended limits. . . . Their acts have given to the region a series of stirring annals. But treaties alone could not make it a bulwark to Spain's declining power in the Western World. On the eve of being forced from the American continent in 1821, The Power of the Past was reluctantly constrained to hand its strategic but now useless northern outpost over to the Power of the Future."

The two other Florida papers are closely related, in that they tell of the archives of Florida of the second Spanish period 1783-1821. Alfred J. Hanna of Rollins College writes on "Diplomatic Missions of the United States to Cuba to Secure the Spanish Archives of Florida ;" and Irene A. Wright, of the Department of State, Washington, on "The Odyssey of the Spanish Archives of Florida."

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***Diplomatic Missions of the United States to Cuba  
to Secure the Spanish Archives of Florida***

What would seem to be a simple matter of turning over the Spanish archives of Florida to the United States, as agreed upon, and the placing of them in a proper place, gives rise instead to a narrative of decades, the multitudinous angles and aspects of which are seldom equalled in fiction.

Five months after the transfer of Florida to the United States President Monroe reported to Congress that the Spanish officials "not only omitted, in contravention to the order of their Sovereign, the performance of the express stipulation to deliver over the [Florida] archives and documents" but had defeated every effort to obtain them.

"Two years before," says Professor Hanna, "730 bundles of records relating to Louisiana, West Florida and East Florida had been removed to Havana." In April 1821 James G. Forbes, as United States commissioner, received from the governor of Cuba authorizations to the governors of East and West Florida for the cession of those provinces. Thereafter he remained in Havana for six weeks in a futile effort to secure the archives of those provinces.

At the time of the transfer of East Florida, the United States officials demanded delivery of the archives still in St. Augustine, in accordance with

the treaty of cession. Instead of complying, Governor Coppinger began sending the archives to Cuba ; on which, on October 2, the remaining records (65,000) were seized; and most of these have come down to us through many vicissitudes.

The West Florida records make quite another story.

Upon the failure of Forbes in Havana, the United States minister at Madrid asked for a renewal of the order to the governor of Cuba for their delivery. This request was not granted, and early the next year, one year after Forbes's failure, a second emissary, Captain James Biddle of the frigate *Macedonian* went to Havana-and likewise returned empty-handed.

Two years later a third agent, Thomas Randall, followed the others to Havana where he was told by the governor that there were no Florida archives there. "Randall," writes Professor Hanna, "tactfully but firmly offered as evidence . . . that documents had been brought from Havana by Florida land claimants apparently authenticated by Spanish officials." The governor was finally moved to order a search for the papers, but five months later Randall was informed that the search was fruitless.

In 1827 Secretary of State Henry Clay sent Daniel P. Cook to Havana in a fourth attempt. The only response was plausible excuses.

When Andrew Jackson became president in 1829 land claimants were still producing authenticated copies of documents presumably in the Florida archives in Havana, indicating "that collusion existed between Spanish officials in Cuba and holders of questionable land titles in Florida." So Richard K. Call was now sent with the firm message "We have an undoubted right to demand and receive . . . all original archives and documents . . . important towards a fair and legal adjustment of private land claims. . . ."

Governor Vives asserted that all papers had been delivered at the time of the cession, but Call proved the contrary, and after the "procrastination and delay common to these people" some papers relating to four of the largest claims were surrendered, most of which Call declared were fraudulent.

Call soon learned that by clandestinely employing some of those in charge of the archives in Havana he could obtain copies of documents. This he did.

President Jackson, at Call's suggestion on his return, sent another appeal to the Spanish king for the delivery of the Florida papers, and the result was a royal order of February 1832.

Jeremy Robinson was the special agent sent in accordance with the royal order, and his two and one-half years of effort in Havana mark the high point of what to us today seems more like farce than history. Governor Ricafort "professed to be disposed to carry the Royal Order into effect in good faith"; yet in reply to a note respecting the delivery of the archives he was vague and evasive. "Despite the command of the crown, it appeared that the governor used every means in his power . . . of indefinite postponement." After interminable delay Ricafort appointed two commissioners . . . [for] selecting the documents wanted . . ." But Robinson believed that one of the commissioners was secretly acting in the interests of Colin Mitchell, claimant for the Forbes Purchase, the largest of the alleged grants, that Mitchell was working against the surrender of the archives and had bribed some officials to forge and alter records to assist him in his suit for confirmation of this huge claim before the Supreme Court of the United States.

Together with the United States consul, William Shaler, Robinson, with great circumspection, paid bribes to several Spanish officials for the loan of

indexes and reports on Florida archives and made copies of them.

Robinson's reports are voluminous. He was certain he uncovered deception, intrigue and fraud, in Washington as well as in Havana. But his wearisome years in the heat of Havana and the various diseases of the tropics which attacked him and ended in his death there, as well as the disappointments of his ill-success certainly gave him a bias, and may well have seriously impaired his judgment in this particular matter; so his numerous charges, reaching into high places at Washington, should not be taken too seriously, though Professor Hanna seems to think otherwise. The Supreme Court confirmed Mitchell's claim.

Robinson believed that several influences were working against the surrender of the archives: one was an effort to conceal abuses of power by governors of Florida, another a desire of Spanish functionaries in Cuba to continue receiving emoluments from claimants of illegal titles to land in Florida, and prejudice or feeling against the United States. He reported that some of the documents were "obviously antedated-altered-distinguished by erasures of dates and [the insertion] of others to make them conform to the Treaty of Washington . . . and were written on paper made posterior to the dates of the transactions . . . yet all duly signed and authenticated . . . by the Spanish authorities."

Robinson reported also a hint from a Spanish functionary that the royal order to the governor of Cuba to surrender the archives contained a secret clause preventing its execution.

After Robinson's death, the United States consul, Nicholas Trist, continued the unending quest with no success; until, in 1835, a special messenger, Edward Wyer, was sent to Havana to secure certain documents needed in the Mitchell-Forbes Pur-

chase suit before the Supreme Court. He actually brought back a handful, though Chief Justice Marshall found these contained no worthwhile evidence.

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***The Odyssey of the Spanish Archives of Florida***

It might be that few of our readers know of Irene A. Wright's part in making possible much of the writing of Florida's early history. The scholarship and skill used in her years of research in the colonial archives in Spain was an indispensable part of Dr. Robertson's editorial work on our history and in the securing of the vast amount of transcripts and other copies gathered in those archives under his direction for John B. Stetson, Jr., and the Florida State Historical Society.

Miss Wright has chosen her title well, for her account of the travels and adventures and misfortunes of the Florida archives rivals Homer's narrative, in variety at least. And it was Andrew Jackson, a star in our national drama, who stole the first scene of the first act when, in characteristic wrath, he jailed the late Spanish governor in Pensacola in his own late jail, on suspicion of concealing and withholding a certain land paper in his late archives.

The treaty of cession required certain archives to be delivered along with the transfer of sovereignty, and at that time some archives were delivered at Pensacola, consisting of "unbound books from the year 1781 until the present [1821] . . . nothing more than the transfers of property, protests, wills, mortgages . . . which belong to the office of notary . . . nothing which belongs to the Department of State, not even the original grants - all which are said to be in Havana-and criminal records in huge piles." These were "the archives of West Florida.."

Meanwhile in East Florida that part of the archives relating to "the sovereignty of the province" were taken over, but "those relating to the property of individuals" which were "numerous" remained a matter of discussion; and James G. Forbes, United States marshal, wrote Secretary of State Adams that the archives in both Floridas had been left "inconceivably exposed" to all the effects of intrigue . . . and to remain in the hands of the infidels to wait the decision of the two governments."

Jackson's ire was aroused again when he learned that, regardless of Governor Coppinger's official assurance to the contrary, documents by the boxful were being shipped out of Florida by every Spanish vessel clearing for Cuba. This was attributed to the desire of Coppinger and perhaps other officers to protect themselves for having granted land titles without authority, or a wish to profit in furnishing copies for a consideration. So Jackson ordered their immediate seizure. Later, Governor Coppinger admitted in his *Manifiesto* that he had intended to carry archives with him to Cuba.

The notary who held the records having refused to deliver them over, Secretary Worthington, as acting governor, named a commission to execute what he called the "delicate and important" undertaking; and, says Miss Wright, "Quieter measures having failed, these commissioners took forcible possession of the records found in the notary's office [5 boxes] and in the residence of former Governor Coppinger [6 boxes]. Doors were broken, boxes (brought along for the purpose) were filled with papers and carted off to the government warehouse where they were stored under guard . . . [and] the Americans had possession of 'the Spanish archives of East Florida'."

All papers which "relate to the property of in-

dividual citizens . . . or of the late government" were separated from the remainder and inventories made of the two lots. These inventories are now available in the Library of Congress.

The next year Governor DuVal, learning that the records were "very negligently kept . . . by some private individuals" directed the clerk of the court in St. Augustine to take possession and make an inventory of them, to forestall possible attempts at fraud. This prompted the legislative council of the territory to create the office of keeper of the public archives-for the wording of the act suggests that wholesale abstractions from the archives was suspected.

In 1823 Secretary of State Adams instructed the keeper, William Reynolds, and Antonio Alvarez, late secretary to Governor Coppinger, to "select for preservation in the archives of the territory all . . . which relate to the property and sovereignty of the provinces of East and West Florida." The remainder were to be returned to the governor of Cuba.

Every document was read and inventoried, and 423 from the total of 64,299 were selected to be held. Copies of both inventories are now in the Library of Congress and in the National Archives.

The archives had been more or less in the public eye, but now they were dragged, as it were, into the center of the market-place.

Later in the same year the commission to pass upon claims and titles to land in the territory began its work. Soon Alexander Hamilton, one of the commissioners, recommended that its proceedings be suspended until Congress could investigate, and urged that the records be transferred at once to a different charge-alleging that abstractions and substitutions were being made. "Much smoke arose," says Miss Wright, "and the keeper himself

admitted and advertised one attempt to introduce a forged document in place of another, purloined." Upon the recommendation of Hamilton, Edward R. Gibson and William Simmons were appointed to take charge of the archives.

But keeper. Reynolds refused to hand over the papers until a complete inventory (of 65,000 documents) could be made and a receipt given him. "For months there was an affectation at least of carrying this out jointly," and as each record was inventoried it was handed over to the new keepers. But this was never completed, so each held part of the archives when Reynolds quit this interminable undertaking and went to Washington. As a result of this fracas, the next year, 1825, Congress authorized the President to appoint a keeper of the public archives in St. Augustine and in Pensacola who were to be bonded, and were to furnish translations of any document for a fixed consideration.

William Reynolds was again made a keeper of the public records of East Florida, so it was his turn to demand the papers from Gibson and Simmons and their turn to stall, and all to burden the mails to Washington, while each held firmly to his part of the records.

It was not until some months later that Gibson and Simmons, on instructions from Washington, surrendered their portion to Reynolds, who held them then for about four years. Alvarez, coming in again, succeeded him as keeper and the papers remained in his custody for a quiet twenty year interval in the odyssey.

***The West Florida Archives.*** - Joseph E. Caro, a native of Pensacola, was appointed keeper of the public archives of West Florida in 1826. Two years later he forwarded "a general abstract . . . of all the Spanish records and documents having relation to land claims duly translated and recorded

in the first volume of the Record Book containing 516 pages . . . from 1781 to 1815 . . . and the conclusion of the work in a similar abstract to August 1822." These, entitled Abstract (A) of West Florida Archives, are now, Miss Wright says, in the files of the General Land Office, Department of the Interior.

"Caro kept custody of the West Florida records to the end of his days (1860?)"

The office of keeper of the public archives was abolished in 1848, and after nearly a year of misunderstanding the East Florida records were transferred to B. A. Putnam, surveyor general of Florida, together with a schedule of them which is now in the files of the General Land Office. Alvarez was kept on as clerk, and the records were left in the same place as theretofore, which was a room in the court house in St. Augustine.

In West Florida, Caro (in 1849) was ordered to deliver the archives to the clerk of the United States district court; but he declined to deliver them to anybody, and for two years the General Land Office was at a loss to know what it could do.

At length, Caro apparently sent the surveyor general's office a portfolio of abstracts to private lands, with other documents, but he retained the archives.

By ordinance of the Florida secession convention the "Spanish Archives of East Florida" were placed in the custody of the clerk of the circuit court in St. Augustine, but in 1867 they were in the office of the United States attorney.

The archives of West Florida still had many vicissitudes and misfortunes ahead of them. Caro died, and when F. E. De la Rua was made clerk of the circuit court in 1861 his commission gave him the duties of the keeper of the archives in Pensacola, but he did not assume the office.

When Pensacola was evacuated by the Confederates in 1862 the records were in the law office of Blount and Jordan of that place, and De la Rúa packed and shipped them to Greenville, Alabama. When that town was threatened he had them sent to Montgomery. After the war they were brought back to Pensacola and turned over to a special agent of the Treasury Department who had been sent there. The agent was soon ordered away, and De la Rúa again had the custody of the papers.

But these were not all of the archives, says De la Rúa in a deposition in 1885, for at the evacuation of Pensacola a part were removed to Columbus Georgia, by James Abercrombie, who, after the war, delivered them to De la Rúa.

In 1867 the General Land Office sent H. C. De Ahua to investigate and collect "the Spanish archives in Florida."

What De la Rúa had were reported as still "in tolerable condition." Among these were five volumes containing "records of the original documents which on being presented to the board of commissioners were recorded and the original papers retained by the parties interested, thereby leaving no original documents in the custody of the keeper." There were six boxes of papers "most of which referred to transfers of property, wills, powers of attorney, etc., but very few original grants."

It appears to Miss Wright that De la Rúa, restored to his post, held these archives in custody for twenty years at least.

De Ahua went on to the register's office in Tallahassee, where he found a "mass of documents" sent there from the discontinued land offices in St. Augustine, Newnansville, and Tampa. At St. Augustine he found the East Florida papers in the care of the United States district attorney—"an indiscriminate mass of Spanish papers, [some]

eaten by worms . . . in very many hundred bundles."

By 1869 the archives there had got into the custody of the collector of customs, and in that year were moved to the office of the surveyor general in Tallahassee.

In 1895 an inspector reported to the General Land Office that "John de la Rue [!] of Pensacola and others of the same place have in their possession Spanish records which belong to this office," and it was reported that some had been burned a number of years before. This was prior to 1885 when F. E. de la Rua reported that he then had in custody only those which survived the "great fire," when "the greater part of the manuscripts were burned."

The five volumes together with "thirteen packages of what are commonly called protocols" were now delivered to the surveyor general in Tallahassee.

In 1905 these archives were secured by the Library of Congress for its Manuscript Division. At length they were classified and carded, and in 1930 Mabel M. Manning of the Library staff wrote an account of them for Dr. Robertson as a contribution to his *Hispanic American Historical Review* (X. 392-396).

The 65,000 documents are classified into 96 subdivisions; and in her article Mrs. Manning lists the most important as : correspondence of the governors with the captain general at Havana, 1784-1821; letters of Governor Montiano to the captain general 1737-1741; correspondence of the governors with the departments of the Indies, State, War, Grace and Justice, and Exchequer; correspondence with ministers and consuls in the United States; a division, Louisiana, Pensacola, Appalache and Indians; Panton, Leslie & Company; and a division of "selected papers."

She gives information also on the several inven-

tories now available; and writes: "Going through these documents which treat of the administration of the government in all of its branches, one gets an excellent picture of conditions in Florida," of the difficulties of a journey from St. Augustine to Havana, of relations with the Indians, the *mestizo* Alexander McGillivray and the important part he played in keeping the Indians in check and combatting the influence of the United States, etc., etc. She found much on "revolutions in East Florida", the intrigues of Napoleon in Spanish America, and "quite a complete story" of the fugitive slave question.

When the office of surveyor general of Florida was discontinued in 1908, what there was of the Spanish archives there was transferred to the custody of the State commissioner of agriculture, and they are now in that office.

Until recently this mass of documents, which contain more or less historical material along with the land and title records, have remained virtually unavailable for research. But the most important have now been abstracted, translated, and published in five volumes by the Florida Historical Records Survey. This series is described comprehensively in this *Quarterly* (XXI, July and October, 1941, pp. 77-81, 215).

In conclusion, Miss Wright says : "From the foregoing facts as here recited it would appear that 'the Spanish archives of East Florida' are in the Manuscript Division of the Library of Congress, their original quantity little diminished by what might well be called attrition.

"At the time of their delivery to the American government 'the Spanish archives of West Florida' were neither as bulky nor as valuable as those of East Florida. Nevertheless they were not inconsiderable. . . . Neglect and fire would seem almost

entirely to have destroyed that portion . . . possessing historical interest only. . . . What may have outlasted the vicissitudes which befell them may now be found possibly-part of a mere handful-in a miscellaneous residue of documents filed in the General Land office. . . . Or they are to be found in the office of the commissioner of agriculture at Tallahassee."