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## Stephen Russell Mallory

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## STEPHEN RUSSELL MALLORY

UNITED STATES SENATOR FROM FLORIDA AND CONFEDERATE  
SECRETARY OF THE NAVY

by OCCIE CLUBBS

Perhaps Charles Mallory, as he worked at his carpenter's bench <sup>1</sup> somewhere in New England, dreamed that some day he might have a son to work beside him or to follow him at the same bench; and later, now a building superintendent and contractor in the island of Trinidad off the coast of South America, he may have dreamed again that the little Stephen playing about his shop or office, might become a great man. But if so, the reality far surpassed his dreams-for the boy became a member of the foremost legislative body of the world, and later was one of a handful of earnest men who sought to make a nation out of a group of half-unwilling states, and strove with them to win its independence and a place for it among the world's great nations.

It is not known where Charles was born and grew to manhood, but the bench was probably in Redding, Connecticut. <sup>2</sup> Certainly he and his son seemed to be imbued with the stout heart and intrepidity of the Nantucket whalemens and the Gloucester fishermen.

Six years after Trinidad came under the British flag, the original Port of Spain, the capital city, was burned, and undoubtedly Charles Mallory was attracted there by the building activity engendered. Likely he had a part

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NOTE - Through the kindness of the surviving members of the family of Secretary Mallory, the writer was privileged to have in her keeping during the writing of this study, two diaries of the Secretary's. These are arbitrarily numbered 1 and 2. The first covers the period from the outbreak of the War for Southern Independence to November 1862. The second was begun in prison in 1865. Obviously, he made no effort to record the dates accurately; and much, written long after the events narrated, is of the everyday experiences of his life recorded for the edification and guidance of his family, especially Stephen R. Mallory, Jr.

The *Diaries* are now in the Southern Collection, University of North Carolina.

1. Mallory states in his *Diary* that his father was "trained as a carpenter in all of its branches."
2. *Appleton's Cyclopaedia of American Biography*, "Stephen Russell Mallory", Vol. V. pp. 183-184.

in building the governor's residence so beautifully set in the botanical garden, "a bit of transplanted England."<sup>3</sup>

Ellen Russell, an Irish girl, a native of Carrick-on-Suir, County Waterford, where she was born in 1792, also came to Trinidad. Two of her mother's brothers were early settlers in the island; and by 1805, three years after the cession to the British Crown, they were well established as planters. When Ellen was thirteen she came out to live with her bachelor uncles, and meeting Charles Mallory in the romantic setting of the three peaks which had suggested the island's name to Columbus, she married him before she was sixteen. Their two sons were born there, John about 1811, and Stephen about a year later.<sup>4</sup>

Because the health of Charles Mallory had become impaired, the family left the "Gem of the Caribbeans" and went to New York. The little family is found about 1820 in Mobile, Alabama.<sup>5</sup> When the Mallorys arrived

3. Kendall, Amelia R., "A Visit to Our Southeastern Neighbors", *The Journal of the Florida Education Association* (November, 1935, p. 30).

4. An appeal to the Registrar-general's Office, Port of Spain, brought this reply, "The Registration Ordinance of this Colony (Trinidad) dates from 1848 and there are no records of Births or Marriages before that date." (Letter, dated July 14, 1932.) On the gravestone in St. Michael's Cemetery in Pensacola, "1812" is given as the birth year of Secretary Mallory. This stone was placed and the epitaph written by Stephen R. Mallory, Jr. (*Statement* of John B. Jones, law partner of Stephen R. Mallory, Jr.). Ruby Mallory Kennedy, a daughter of Secretary Mallory, placed her father's birth in 1813. ("Unpublished Chapters of History, Last Days of the Confederate Government", *McClure's Magazine*, December, 1900, p. 99). 1812 is given in *Biographical Directory of the American Congress, 1774-1929*, "Stephen R. Mallory", p. 1284. 1813 is the year of birth in Scharf, John R., *History of the Confederate Navy*, (p. 29). See also: *Dictionary of American Biography*, Boston, 1879, p. 654. The *Rockbridge Citizen* (Lexington, Va.) states: "Hon. Stephen R. Mallory, Secretary of the Confederate Navy, died Wednesday at Pensacola, Florida, aged sixty-three," (*Letter*, July 29, 1933, from India W. Thomas, Assistant House Regent, Confederate Memorial Literary Society, Confederate Museum, Richmond, Va., with excerpts from *Rockbridge Citizen* and the *Daily Dispatch*. In its issue of Nov. 24, 1873, the *Dispatch* stated, "The late Mr. Mallory was born in the island of Trinidad in 1814." The records of St. Michael's Catholic Church, Pensacola, from which Mallory was buried in 1873, have since been destroyed by fire and with them perished a possible source of information.

5. Mallory, *Diary* 2, p. 163.

there, Mobile was just recovering from a yellow fever epidemic and from the Diary we learn that the desolation of the place was one of the factors which led the family on to Key West, or Thompson's Island as it was called then. The elder son, John, died soon after their arrival in Key West, and Charles Mallory decided to send Stephen to school at The Village, which was across the bay from Mobile. Luckily, a friend named Whitehouse was about to start on a journey there and little Stephen was placed in his charge. He lived with him at The Village and attended the country school there.

The youngster was left to his own devices much of the time, but declares that two years passed quite happily and though he learned to read he spent much more time riding, shooting and swimming. There were apparently many contests between the larger boys of the school and the master who was "a man of fair attainments, good practice with the hickory, and fondness for whiskey."<sup>6</sup> Following the skirmishes between schoolmaster and older boys, there was a holiday but Stephen seemed not to have had to await these for he relates that he spent most of his time in the piney woods and on the sand beach of the sea. Thrown on his own resources so much, the boy developed strength of character and the ability to think for himself. Saturdays were given over to crabbing and hunting, the older boys permitting Stephen, the smallest boy in the school, to share in all their sports. One memorable Saturday five of the boys went out with an old-fashioned single-barreled shot gun, with which they took turns. When about three miles from The Village, while Stephen had the gun, he saw an animal about four feet long scrambling up a tall pine tree with a dog after it. Taking three buckshot which he had been hoarding for a long time for some such occasion, Mallory "took a neat deliberate aim"<sup>7</sup> and fired. A wild-cat fell to the ground and there was a fierce fight with the dog. Stephen went to help the dog but his companions took to their heels. With the aid of a club and the dog, the cat was killed. The incident left

6. *Ibid.*, p. 163. 7. *Ibid.*, pp. 164-165.

its mark. Not only was Stephen thereafter regarded as a hero by the other boys, but it gave him self-reliance and self-esteem. The weapon was so big and Stephen was so little that he had to hold the stock under his arm, and receive the jar and kick on cheek and nose, which always brought tears to his eyes.

On one occasion Stephen and the other boys spent several days at Mobile Point. The journey was made on a brick-laden schooner and Mallory relates that he got so interested in a school of porpoises that he fell overboard, which created a great stir. The seamen were greatly alarmed and excited. A small boat was put out and he was rescued. When he had recovered the mate took him to the beach and taught him to swim.<sup>8</sup>

What tricks destiny plays! Forty years later the youth was at the head of the Confederate Navy and on Mobile Point stood Fort Morgan and in the stream was the *Tennessee* to contest the progress of the *Hartford* and the lashed double file of Farragut's might.

Charles Mallory died from consumption while Stephen was at The Village and Ellen Mallory having an opportunity through some revenue officers to get him safely home, sent for him. However, as there were no adequate schools in Key West, Mrs. Mallory shortly enrolled him at the Boarding School for Young Gentlemen at Nazareth, Pennsylvania.

#### THE MORAVIAN SCHOOL AT NAZARETH

The Moravians had bought a 5,000 acre tract in Nazareth township in 1741 and established their school. The writer visited the community in 1933 in a search for the records of Mallory's attendance there.

The charm of a century ago still greets the visitor as he follows the course of the willow-draped Bushkill across "the plains of upper Northampton, dwarfed-oaked and slaty, and rich in pheasants and stemless cyripedia"<sup>9</sup> and around knobs dotted with ricks of new-

8. *Ibid.*, p. 165.

9. Jones, Maurice C., *A Red Rose from the Olden Times*; Philadelphia, 1872, pp. 5-6.

mown hay. Above a rabbitry are many bird houses. The homes, often of dated brick but usually of rubble stone, and invariably with shutters displaying ponderous pendent turnbuckles, are topped with gleaming lightning rods between the hood-shaped chimneys which are flush with gables. Cupolas and many-sected roofs are silhouetted against the sky. Exigencies of topography place most houses diagonally on their plots, sometimes directly on the streets, thus facilitating business from the home as well as establishing the property line, but some measure of privacy is assured by the side entrances. Much wrought-iron is seen about the stoops and the omnipresent dormer windows. Vegetable gardens are always in the rear of the homes, so close to the sidewalks in some cases as to leave little room for the pedestrian to pass. Sometimes flowers are planted with the vegetables. Cold-frames and market-gardens seem as plentiful as vineyards, windmills and outside entrances to cellars. Sunflowers are marshaled in regular phalanxes beside dahlias and asters. The palisades for stock are gone. Now there is every variety of improved farm machinery, hydro-electric plants and some "Dehydrated Alfalfa Farms, the World's Pioneer."

Early of a Sunday morning, church bells herald one's approach to Nazareth. From everywhere family groups troop to church. Many seek the Lutheran; others, holding fast to the faith of their fathers, ascend to the old Moravian Church on the hill. There, many influences that bore fruit in the later life of Stephen Mallory are revealed, as they are also in Whitefield House, the Museum, nearby.

Though only a moderate-sized church, there is an organist, an assistant-organist, a chorister, a trombone choir, and an orchestra. Long after the congregation has departed, the voices of the choir can be heard. No stanza of the hymn is omitted, the last line of each being sung a *cappella*. A feeling of intense interest, even awe, grips the hearer. The sincerity of the singers bans criticism. Incidentally, in the foreword of the songbook, it is stated that the Moravians compiled the first hymnal

in 1501 in Prague, Bohemia. The old pipe organ which accompanied the songs of Stephen and his fellows in 1826 is still preserved. Schooled in such an atmosphere, music became a part of his life and found its expression in the piano and his flute. In the old records of Nazareth Hall is much poetry, some lengthy, some fragmentary. The love of poetry thus ingrained was lifelong as is evidenced in the *Diary*. The frequency and depth of Mallory's Biblical references in his speeches in the United States Senate doubtless show the influence of the Moravians. According to an old letter, the youngsters of Nazareth in their play had "the wounds and the blood" for their favorite theme.

It was in 1826 that Mallory enrolled at the Boarding School for Young Gentlemen. Considerable speculation has arisen regarding Stephen Mallory, a Roman Catholic, attending a Moravian school. Whatever may have been the reason, there is no doubt about the preeminence of the schools maintained by the denomination. Comenius was the motive force. To this Moravian bishop is ascribed much eighteenth and nineteenth century educational theory. Especially did he make an earnest effort to introduce the new science studies into the schools. He tried to fit the youth for the needs of the contemporary world. His textbooks were free from the intense gloom of the age as well as its sectarian bigotry and his instruction was based on knowledge of the child and constant appeal through sense-perception.

To Stephen, then in his early teens, this environment was wholly new. Instead of the sandy beach of a wafer-like, subtropical key, with frame buildings encircled by wide verandas, he found himself in the crisp air of the rolling lands of eastern Pennsylvania ; the tranquillity of his southern home replaced by the bustle and stir of housewives engaged in cooking, spinning and weaving while the laborers in the fields of wheat, the orchard, or the brewery pursued their tasks with equal zeal. With the advancing winter, the Bushkill was soon webbed with ice and the fields covered with snow, so different from Key West where fireplaces and heating stoves were un-

known. The massive Whitefield House must have impressed the young boy as colossal in size as well as foreign in material, design, and ornamentation. Near it, the log house of "old Nazareth" built about 1746, still standing and still occupied, must have seemed equally strange to him.

A school for boys was founded at Nazareth as early as 1743 and drew patronage from Montreal to Savannah. First on its honor roll is the name of Stephen R. Mallory but there are others who rose to fame. Nazareth Hall ended its educational work in 1929 "after a long and honorable history of 186 years."<sup>11</sup> Its termination was due to several factors, probably the strongest being the development of the public school throughout the country.

Mallory declared Nazareth "an admirably managed school." The one hundred twelve youths of his time ranged in age from eight to twenty, with the oldest preparing for college. He states that teachers and administrators were both conscientious and kind, and that he was happy there. Eager to take advantage of the opportunities offered, Stephen studied a little Latin, mathematics, German, and the customary English branches. In music, he chose the piano for his instrument.

After spending about three years at Nazareth, Stephen returned to Key West. This ended his formal school days but he was a zealous student all of his life. Indicative of this is the fact that through self-instruction, he learned to speak French and Spanish, correctly and fluently. He found pleasure and satisfaction in several specialized fields, and he gave detailed study to the tragic march of events of his era.

In after life Mallory recalled his school days at Nazareth with evident satisfaction and pleasure: "We were the happiest set of boys I ever met."<sup>12</sup> As further adjuncts of happiness, he thought the setting was beautiful and healthy, the residents of the community kind and considerate, and all those connected with the school "sensible and clever."<sup>13</sup> When Ellen Mallory withdrew

11. The Rev. A. D. Thaeler, Arlington, N. J., *Letter*, August 17, 1931.

12. *Diary* No. 2, pp. 165-166. 13. *Ibid.*, pp. 165-166.



her son from the school he had attained, states the *Diary*, proficiency in writing, but there were many faults in his spelling and he depreciated his achievements in comparison with those of his schoolmates. Still he had learned much arithmetic, book keeping, geography, grammar, astronomy, and ancient and modern history; he "could recite distinctly, feelingly & well; could talk modestly & intelligently to others, could perform pleasingly on the piano, [and] write a ready & good letter".<sup>14</sup>

In the knowledge of his own character which retrospection brought, Mallory was not boasting when he declared himself honest and possessed of a chilvaric sense toward women. He practiced his religion devotedly at Nazareth although he was the only Catholic youth enrolled and no instruction in his faith was given there. A small gold cross secured about his neck with a slender gold chain and placed there by his mother seemed to have covenanted him with his church and with his mother. His religion was very near and omnipotent with him, for he records:

"To pray & bless myself was a habit; and I can never forget how boldly I could confront real or imaginary danger, that others frequently shrunk from, after blessing myself, & invoking Heaven's protection."<sup>15</sup>

The *Diary* is replete with references to his mother. He writes that she would have deprived herself of anything to help him, when explaining that it was poverty and not choice that caused him to return to Key West before completing his course "at a period & age when I had but just commenced to make fair progress."

Apparently, Mallory's withdrawal was precipitate for instead of remaining at Nazareth until he had an opportunity to go direct to Key West, he was a guest at the home of his cousins, the Wilsons, in New Jersey. Lydia Wilson, who was later such a help in his romance, was still at home then as were her two sisters. Stephen was welcomed into the family circle and stayed there about two months.

14. *Ibid.*, pp. 165-166.

15. *Ibid.*, pp. 165-166.

It must have been at this period of his life that the youngster built up a philosophy in a set of resolutions. Experience seems to have taught him the laws of habit formation, for he narrates that he wrote the rules out and kept them where he could always be confronted by them, but at the same time they would be meaningless to others who might come into his room. The cryptic "*rennam*"<sup>17</sup> was "*manner*" spelled backwards. The youth had come to the conclusion that he needed this reminder because he felt he was opinionated and apt to express his own views too aggressively, thus preventing others from voicing theirs. Analyzing this trait, this unusual boy concluded that he was depriving himself of much information which he might have obtained from others, was incurring dislike, and probably gaining the reputation of being egotistical. Remember that this was recorded in later years from his recollections and for the guidance of his son.<sup>18</sup>

With "*rennam*" before him, he learned to be a good listener. At the same time he avoided lessening the good esteem which a man normally has for himself. Mallory testifies that with this watchword as his guide his store of knowledge was constantly increased, for he found that he could learn something from every man with whom he came into contact. He came to the conclusion that self-control, governing good sense and good nature, produced good manners. Surviving anecdotes bear witness of the truth of Mallory's statement that he would be as deferential to his washerwoman as to the first lady in the land. He writes that he would hold his umbrella over the head of his laundress or would pick up her shawl in the street. When speaking to a lady in the street, he kept his hat off until she bade him replace it. To make this courtesy more emphatic, the father writing for his son, states that women more than men determine a man's place in society, and he also alludes to the refining influence on the individual of knightly conduct. This indiscriminate tribute led Mallory into a situation which he compares to that of Don Quixote in

17. *ibid.*, p. 176. 18. *Diary* 2, p. 176.

his devotion to Dulcinea except, in Stephen's case, the heroine was Arabella Stout, a Dutch girl of Nazareth. He philosophizes that perhaps it is better to fall in love with an ideal than to experience reality like Henry VIII. At any rate, Stephen found it necessary to give "a bloody nose & some very fair punishment in the breast and ribs" to one who had dubbed Arabella a "fat overgrown Dutchman".<sup>19</sup> So salutary was this punishment that the aggressor handsomely concluded that Arabella was not a Dutchman, that he meant no harm, and that he really thought the girl very good looking. Six years' seniority, triple weight, and a "sweet German accent" could not dissipate romance!

#### BACK IF KEY WEST

In the vessel on which Mallory sailed as a passenger back to his Florida home was William A. Whitehead who became his fast friend and who later was a prominent official and editor of Key West.<sup>20</sup>

It was an interesting and a cosmopolitan town to which Stephen returned. There were Bahama wreckers, fishermen from Mystic, Connecticut; gentlemen refugees from Virginia, Georgia and the states along the Gulf; business men, mechanics and commercial adventurers from the more northerly states; and wanderers from the far corners of the globe.<sup>21</sup> "Shipwrecked sailors, deserters, and discharged men from the army, navy and marine corps; men who had knocked about all over the world and developed personalities of their own, which they retained, were indeed a rare aggregation."<sup>22</sup>

Contemporaries of Secretary Mallory still surviving tell of the charming personality engendered and augmented by his heritage and this environment. It is impossible to estimate these first influences, to gauge the depth of the impression which the heart of a man is

19. *Ibid.*, pp. 177-178.

20. Knauss, *Territorial Florida Journalism*. DeLand, Florida. 1926. p. 62.

21. Browne, Jefferson B., *Key West, The Old and The New*, St. Augustine, 1912, p. 7.

22. *Ibid.*, p. 174.

capable of receiving from them ; but the old Key West home and its sweet memories must have been the source of many of Senator Mallory's allusions to home and country which characterized his speeches during the ten years that he served in the United States Senate. These sentiments are epitomized in a speech on July 18, 1854,<sup>23</sup> wherein he paints a stirring panorama from the subjection of the wilderness through youth to old age, the recurring emphasis is the influence of home and native land and the spirit of "high-minded men".<sup>24</sup>

It was in the society composed of these heterogeneous elements that Ellen Mallory found herself a widow at the age of thirty. Bereft of one son through death, she nevertheless sent away the other and was left desolate, not only while her grief was new, but while she was confronted with the solution of the pressing economic problems of existence itself. The verdict of those who knew her best and longest reveals how this remarkable woman met the trials and the opportunities that came her way.

Stephen states that upon his return to Key West he found that his mother was conducting a prosperous boarding house, her clientele being limited to a few of the leading gentlemen. The youth at once planned how he could aid her and, adhering to his plan zealously, he assisted his mother in her purchases and did her writing for her-doubtless the bookkeeping. When not directly helping her, Stephen spent his time reading, writing and studying. Without friendly counsel and no suitable companions, he writes that much of his labor was fruitless. Cutting himself off from practically all amusement, he read anything and everything which came to hand, and though he realized that much of his time was wasted or ill-spent, he saw no help for it.

By 1830, Mallory had saved about two hundred dollars through copying and other work, and went to New Orleans hoping to better his condition. But he was

23. *Congressional Globe*, 33rd Congress, 1st Session, July 18, 1854, p. 1095.

24. Jones, Sir William, "What Constitutes a State?" quoted by Mallory in speech mentioned above.

not successful there, and returned to Key West determined to earn a living. He embraced the opportunity of spending about a year on New River, then returning to Key West on a visit, he was offered the position of Inspector of Customs. Accepting the place which paid three dollars a day, he devoted himself to his duties, saved what he could, and spent all his leisure in study.

He fitted up a little room, bought some books, borrowed others, and after the manner of the period, kept a journal of his reading and progress. He studied systematically now and reduced his hours of sleep to the limit that his health would allow. After the indecisions and frustrations which had hitherto beset him, his path was now clear before him. He was going to become a lawyer, and some day go to Congress.<sup>25</sup> He congratulated himself that he was an abstainer from intoxicants and had never touched tobacco. In a crossroads community of the world like Key West and in a period when most men drank freely, these abstinences were remarkable and Mallory implies they required some determination on his part.<sup>26</sup>

Though his life's goal was now plain to the young man, his attainment of it was still befogged with heterogeneous reading and "a vast store of trash & but a small proportion of useful knowledge, simply because I did not know how to study & had no one who I could advise with."<sup>27</sup>

Mallory's phrase, "an odd collection"<sup>28</sup> which he applied to his reading is amply borne out by such works as Hume, Smollett, Gibbon, Shakespeare, Dante, LaFontaine, Cooper, Goethe, Wordsworth, Steele, Voltaire, Mungo Park, Cervantes, Vattel, Moliere, Blackstone, Aesop, Paine, Aristotle, Plato, Montesquieu, Chesterfield, Miss Edgeworth, Miss Porter, Monk Lewis, the Bible, the Koran, Swift, De La Perouse, Newton, Galileo -and there were many more. No wonder our reader had to tie up his head with a wet towel in order to keep awake.

25. *Diary* No. 2, pp. 171-172. 26. *Ibid.*, pp. 171-172. 27. *Ibid.*, p. 171. 28. *Ibid.*, pp. 171-172.

Mallory tells us that he not only read these works but better ones and others "not so good." Besides these there were periodicals, law cases and Congressional debates. He realized that much that he read was valueless to him but he tried to preserve the best for future use by jotting down what he wanted to remember; and these references were most useful to him in the speech-making of his later life. In prison at Fort Lafayette, he turned back to some of these books, and he recorded that he read the works of Samuel Johnson, Miss Bronte, Dickens, Cooper, Scott, and others. At that time too he made a further study of the Spanish language.

Writing in his prison cell, Mallory reveals that that method of his young days gave him such a varied and wide information that his friends thought that he crammed for each occasion. The true explanation, he states, was that he had accumulated an encyclopedic store of facts and quotations. It is surprising that he could converse equally well upon such subjects as flying machines (a century ago), the chances at cards or dice, Confucius, belief in ghosts, origin of gold and of diamonds, the training of ferrets, luna rainbows, origin of the terms Whig and Tory, or the strange effects of grief and joy. Lacking even a formal high school education, what part did reading and the effort it required play in his success in life-in his reaching the goal he set for himself?

Application made up for formal academic training, for Mallory goes on to explain the pattern which enabled him to inscribe a full page in his life span:

"I allowed nothing to interfere with reading [but] . . . some times went over to Cuba for a brief visit, hunted upon the adjoining Islands near Key West ; occasionally mingled with men, learned to fence, to box, to shoot, to dance, to play the flute, and studied French and Spanish enough to read them. - As Inspector of Customs I sometimes acted as Collector. I had important duties and these I ever attended to most faithfully. I read law a great deal, but without method, and thus lost time."<sup>29</sup>

29. *Ibid.*, pp. 184-185.

Through his attention to business he accumulated property, was promoted to Collector of Customs, and secured a large part of the law practice of the District. By taking every ease offered to him, he got abundant practice in legal procedure and made many friends among the poor and friendless.

Key West was incorporated as a city in 1828; and under the charter granted by the territorial council in 1832, P. B. Prior was selected as marshal, but he did not qualify and Mallory was chosen in his stead. As this was evidently his first public office some indication of the obligations that devolved from the position are relevant. We can envisage young Stephen with unflinching steadfastness in the role of sereno. For five minutes at nine thirty P. M., we hear the town bell intone for the cessation of nocturnal business and pleasures. Then the young enforcement officer might throw into the calabozo any negroes, bond or free, appearing upon the street without authority—the slave without the permission of his master, and the other without a permit from the mayor or aldermen. To the flogging or service on the streets, there were added sentence if there were merrymaking by fiddle, drum, “or any other kind of noise”.<sup>30</sup> Perhaps our marshal had to give more than a warning to some shopkeeper, seeking the back wash profit after the ordained hour of closing.

Sponge fishing, turtle pegging, and salt manufacturing—important industries—gave distinctive problems to the officers. A visiting journalist from Pensacola writing in 1842 speaks enthusiastically of the fish and vegetables but bemoans the lack of “roast beef and other fixins.”<sup>31</sup> He might have regaled himself with a turtle steak. Turtle harpooning or pegging was an important means of livelihood. More interesting, perhaps was “egg robbing”. At Key West, on the Tortugas (which means *turtles*), and along the coast, the turtle would crawl up on the sandy beach and lay her eggs, covering them with sand. To find the one hundred or more round, soft eggs was

30. Browne, *op cit.*, p. 51.

31. *Pensacola Gazette*, “Key West”, June 18, 1842.

not difficult, as the tracks of the great green turtle could not be mistaken. If the turtle were found, turning her over on her back, secured her. Sponges-sheep's wool, yellow, grass, velvet, and the least valuable, glove, were so plentiful that a trident or long-handled fork would secure them. But the buyer had to beware of "loading," as weight could be secured by secreting gravel, sand and even molasses. With the importance of seafood, salt was most necessary as a preservative. The warm, year-round temperature and equable nights hastened evaporation of sea-water. A red or gray tint in the salt that inevitably resulted from the base of flat soil, did not impair the flavor or efficacy of the salt. When one reviews the primitive conditions of the period, he raises another paean to the memory of Ellen Mallory as the head of a first-class boarding-house. And this on an isolated island where cisterns were the sole dependence for fresh water.

After he had served for a number of years as an inspector of customs, President Polk appointed Mallory Collector of Customs for the Key West district. While holding the former position, Mallory studied law with Judge William Marvin, at that time the presiding officer of the United States District Court at Key West. Mallory, one authority states, was admitted to the bar in 1829.<sup>32</sup> He attained a reputation as a skillful practitioner of the law, enjoyed an extensive practice, and followed the profession in Key West until 1858.

His experiences in the customs service furnished Senator Mallory with some cogent arguments later in the United States Senate. In July 1854 he took issue on the floor with Senator Adams of Mississippi who argued that a custom house should not be built in a place where the customs did not equal the expense of collection. Mallory parried that the position taken was based on the assumption that a custom-house was only for the collection of revenue. He contended that the most important duties of custom officers in many cases were to maintain the coasting trade. Collection of fees was incidental to the transaction of business. Continuing, Mal-

<sup>32</sup>. *New National Encyclopaedia of American Biography*.



lory recalled to his colleagues that some years before, when the offices of the Treasury Department were burned, had it not been for the records in the various custom-houses over the country, confusion and chaos would have prevailed, for the Treasury Circulars since 1794 constituted the law on the subject.<sup>33</sup> It was also pointed out that the nationality of vessels and records of naturalization of seamen are kept in the custom-house. To indicate the efficiency with which collections were made, Mallory stated :

"In the district where I reside, and which had been a collection district since 1821, so long as the bonded system prevailed, and up to this hour, there never has been a bond forfeited, altogether, beyond \$450; or in other words, that is the entire sum that has been lost by the Government in the collection of some millions of dollars upon merchandise in that district."<sup>34</sup> Mallory also took issue with Senator Hannibal Hamlin and others on other aspects of the subject.

Of Judge Marvin, Mallory's legal instructor, it is said of a text by him, *A Treatise on the Law of Wreck and Salvage*, that it is the source of highest authority on the subject comprehended. As wrecking was then the peculiar and principal business of Key West, the importance and necessity of Marvin's volume, are apparent. He had a large share in promoting wrecking from a species of refined piracy to a legitimate and necessary business wherein justice was done to wrecked, wreckers and underwriters.<sup>35</sup> Later, through appointment by President Andrew Johnson in 1865, Marvin became Florida's provisional governor.<sup>36</sup>

Mallory rose rapidly in his profession, having been elected judge for Monroe county, retaining the office

33. *Congressional Globe*, 33rd Congress, 1st Session, July 25, 1854, pp. 1909, 1911.

34. *Ibid.*, 33rd Congress, 2nd Session, Feb. 21, 1855, p. 858. "Judge" Mallory's zeal in enforcing the law against "bringing negroes into ports of States, the laws of which excluded them," brought a protest from the British minister in 1847, 30th Congress, 1st Session, Senate, Rep. Com., No. 242, Note by J. D. W[escott], 1848, p. 96.

35. *Fla. Hist. Quarterly*, "Key West and Salvage", July, 1929, p. 53.

36. Rerick, Rowland H., *Memoirs of Florida* Atlanta, 1902, vol. 1, p. 288.

when the title was changed to Probate Court, and serving on the bench from 1837 to 1845. A grand jury of the period complains of the desecration of the Sabbath-coffee shops, billiard rooms and grog shops being kept opened. Along with the wasted hours and profligacy, the jurymen were convinced that abolitionists were corrupting the slave population. One who loved the city and its citizens, however, wrote of this time:

"Who that knew our island in the charming days of the past will ever forget the retired spot, now and then busy with salvages or wrecks, watering and provisioning vessels, and then relapsing into the serene ordinary quiet and order, with but one mail or at most two mails per month, to break the long monotony. The society was most cordial and agreeable. It was in the days of Judges Webb and Marvin, Ministers Adams and Howe, and Marshals Stone, Eastin and Moreno. There was then plenty of old-fashioned hospitality, with all its true charm; and when everybody knew everybody . . . the times of broad acres and wide hospitality." <sup>37</sup>

A number of activities of the young Stephen Mallory are indicative of the personal tastes which unfolded in attributes of manhood. Instead of becoming individualistic, his life broadened into community affairs and a career of civic usefulness, which at length became national in scope.

To mark the centenary of George Washington's birth in 1832 which occurred before Stephen had reached his majority, a banquet was given in celebration by the patriotic citizens of Key West. It is recorded that,

"The programs and toasts were of a high order and deserve to be perpetuated in history; not only as a lesson in patriotism but as an illustration of the thoroughness of the journalism of that day." <sup>38</sup>

Besides the thirteen toasts which had been planned, there were twenty-two impromptu proposals. The gallant group greeted the President of the United States with six cheers but "The American Fair" with twelve. Extemporaneously, Stephen Mallory proposed "Daniel

37. Browne, *op. cit.*, Appendix V, p. 225. 38. *Ibid.*, p. 16.

Webster, Changeless as the Northern Star of whose fixed and resting quality there is no fellow in the firmament." <sup>39</sup> At the moment in the city of Washington, the great American orator was probably delivering his oration which began:

"I rise, Gentlemen, to propose to you the name of that great man, in commemoration of whose birth, and in honor of whose character and services, we are here assembled. . . .". In his grand peroration, Webster predicted the Bi-centenary of Washington,

"And then, as now, may the sun in his course visit no land more free, more happy, more lovely, than this our country! Gentlemen, I propose- *The Memory of George Washington.*" <sup>40</sup>

That his spiritual faith transcended the bounds of denomination is apparent upon the establishment of a Protestant Episcopal church in Key West in 1832. As there was no Roman Catholic church there, Mallory's name appears as one of the thirty who enrolled in the first Episcopal congregation at the close of the service on Christmas day. This was the first time that a regularly ordained priest had held a religious service on the island. Others who were to be his life-long friends were among the organizers : Fielding A. Browne, John W. Simonton, Asa Tift, and Oliver O'Hara. It was not until twenty years later that the first Catholic church was dedicated there. <sup>41</sup> Mallory, Fielding A. Browne and Asa Tift were delegates to the third annual convention of the Protestant Episcopal diocese of Florida, in Trinity Church, Apalachicola, in 1840. <sup>42</sup> A library was established in connection with the church and to support it, it was agreed that the members of the city council who were absent from council meetings, would pay a fine and the money would go to the library.

In October 1834 the first fire department was organized in Key West, and bore the name of Lafayette, prob-

39. *Ibid.*, Appendix F., p. 202.

40. Webster, Daniel, *The Character of George Washington*, p. 13.

41. Browne, *op. cit.*, pp. 27, 34.

42. *Journal of The Third Annual Convention of the Protestant Episcopal Church in the Diocese of Florida.* p. 5.

ably because of the French hero's death in the previous May. It is of interest that Asa F. Tift was vice president and he and Mallory were members of the election committee. Early experiences were disastrous, for no response came to an alarm in January 1835 to quench the flames consuming an outbuilding in Judge Webb's yard. Because of that failure, Mallory reorganized the company and about twenty-five volunteers enrolled. Disgust with the inefficiency of a hand engine, purchased by popular subscription, was climaxed in 1843, when the machine through carelessness and neglect, proved impotent to stay the fire destroying the large wooden warehouse of Fielding A. Browne. Probably nothing more than a spectacular parade property was lost, when the citizens rolled it to the end of the wharf and dumped it into the sea.

In the journalistic field, Mallory's name appears both as an editorial writer and as a correspondent. With William A. Whitehead and Lieutenant Francis B. Newcomb, he wrote editorials for the *Enquirer*, the third newspaper to appear in Key West. This later became *The Inquirer* and was published until the latter part of 1836, the first issue having appeared October 15, 1834. "These papers were well edited and would do credit to the Key West of today."<sup>43</sup> As a correspondent, Mallory contributed to *The New York Herald*,<sup>44</sup> at that time the most popular out-of-state newspaper in Florida. One may form some idea of the future senator's journalistic talent from his account of the hurricane of 1835:

"One of the schooners was driven by a gale upon a bank, which, when the wind had somewhat abated, was left high and dry, but her persevering master with eleven men actually cut a canal two hundred yards long, and in twenty-four hours after it was commenced the ship was again at sea and obtained cargo. Another one lost both her masts, all her anchors, cables, boats and rigging, but the conviction that he had nothing else to lose seems to have aroused the stout-hearted master to greater exertion, and with the aid of two small jury-masts, and an old gun for an anchor, he succeeded in reaching the wreck and relieving her of a large and valuable cargo. Such exertions are worthy of commendation and verily will meet with their reward."<sup>45</sup>

43. Browne, *op cit.*, p. 141.

44. *Dictionary of American Biography*, p. 894. Milton, U. S. Senator W. H., statement, Marianna, Florida, August 2, 1933.

45. Mallory, Stephen R., quoted by Browne, *op. cit.*, p. 157.

Mallory returned to journalism as one of his activities after the War for Southern Independence as editor of the West Florida Commercial in Pensacola. In the one editorial that has survived he saw a glowing future for the city upon completion of the Alabama and Florida Railroad to a junction with the Mobile and Montgomery. Besides five-story buildings and a wharf to thirty feet of water, he pictured "palatial residences erected in New Town, and the city extending out in summer retreats as far as Oakfield."<sup>46</sup>

In Key West's population of less than a thousand souls, there was, among a few, a scrupulous elegance and correctness of dress. Perfectly laundered white linen duck suits were worn by the gentlemen in summer, while on Sundays frock coats and silk hats were general. Far from the uncouthness of a pioneer community, "This particularity in dress was accompanied by a dignity of deportment, and elegance of demeanor, rarely found elsewhere in so small a community, and neglected in the new Key West."<sup>47</sup>

Judge William Marvin in writing of Key West when he first landed in October 1836 says he found Stephen R. Mallory an Inspector of Customs:

"Among the young men about town are to be named Amos and Asa Tift, Stephen R. Mallory, Joseph B. Browne, John P. Baldwin, and Saint Benjamin Alvord, United States Army, afterwards paymaster general of the army. . . . Nothing pleased Mallory better than to take his flute and get one or two friends, and Roberts, a colored man with his fiddle, to join him and go out into the beautiful moonlight nights and serenade some lady or ladies."<sup>48</sup>

One of the most thrilling periods of Mallory's life was that of the Seminole War, for which he volunteered and during which he served in active operations against the Indians, 1835-1837. He learned something of the Seminole language that he might be more useful to his command, and marksmanship became an avocation with

46. *The Sentinel*, Tallahassee, Apr. 9, 1868, "Pensacola."

47. Browne, *op. cit.*, p. 174. 48. *Ibid.*, p. 12.

him. About twenty years later in the United States Senate, upon Senator Isaac Toucey's proposing that rifles be bought at thirty dollars each, the Floridian suggested that the amount, \$90,000 be unchanged without specifying the number, for he stated, "I am using one of these very rifles myself, and I know their value."<sup>49</sup> Upon this suggestion from Mallory, the Senate passed the amendment without delay.

But young Stephen's experiences with the Indians had already begun, for he went with Colonel Fitzpatrick to New River on the Florida coast to aid him in establishing a plantation. He states that he spent a year in that part of the country and not only hunted and fished but learned woodcraft from Indian companions. The outdoor life and sunshine improved his health which had become weakened through violent attacks of fever. While hunting deer, days and even weeks were spent in the open. There was also an abundance of turkeys, bears, ducks, partridges and salt and fresh water fish. He writes that their number was so great that neither labor nor skill was needed to get them. Besides Colonel Fitzpatrick and a Mr. Cooly and family, there were few other frontier people in the region, but Stephen declares that he was so enchanted with the wild life of a hunter and the genial climate that he seriously debated with himself the question of remaining there forever. He writes :

"In 1836, I obtained leave of absence and joined the Naval Forces under Commander L. M. Powell operating against the Indians in South Fla. I had a very pleasant and somewhat independent position assigned to me, with the command of a fine body of seamen, and my superb long, centre board schooner-rigged whaleboat, and our party was most successfully employed from Jupiter inlet to Tampa, through the Everglades and around the coast, beating up the quarters of the Indians ashore and afloat. . . . From the pleasant association of the officers the campaign was to me a most agreeable one. In the fall

49. *Congressional Globe*, 33rd Congress, 1st Session, August 3, 1854, p. 2190.

following I again joined Capt. Powell in a similar service, over the same ground, with a larger force, which rendered timely aid to the Indian service; though I never killed or wounded an Indian, I enjoyed capital health, good spirits, and reaped much useful experience, self reliance, and benefit generally from my service."<sup>50</sup>

So menacing were the Indians at this period, that each family of pioneers dwelt in a fortified homestead and a land patrol of the most eminent citizens was organized at Key West. It operated until the spring rains set in. Then the members surveyed the situation from their verandas. Finally, even this precaution seemed unnecessary, though every night the island was circled by a water patrol.<sup>51</sup>

It was from Key West that Major Francis Dade and his command took their departure for Tampa, in mid-December, 1835, and in less than two weeks all but three were massacred on the march between Fort Brooke and Fort King. The war dragged on and five years later Dr. Henry Perrine and others lost their lives in the famed Indian Key massacre. Soon after the arrival of the Perrine family at Indian Key, Stephen Mallory and Judge William Marvin went over in a small sail boat to welcome the Doctor and family to the island. But great was the chagrin and disappointment of the young gentlemen -and of the daughters, Hester and Sarah, too - for Dr. Perrine explained that "My daughters are only school girls, sir";<sup>52</sup> and the girls from behind the blinds mourned their failure to become "Belles of the Reef."<sup>53</sup>

The knowledge he acquired at first hand of the character and life of the Florida Indians was useful to Senator Mallory on several occasions. An instance in 1853 illustrates this, as well as showing Mallory's resourcefulness in the rough and tumble of debate. An appropri-

50. Mallory, *Diary* No. 2, p. 185.

51. Browne, *op. cit.*, p. 85.

52. *Florida Historical Quarterly* (July, 1926) V, p. 22: Hester Perrine, Walker, "Massacre at Indian Key, August 7, 1840 and the Death of Doctor Henry Perrine".

53. Dr. Perrine was U. S. Consul at Yucatan, 1827-1837, Jelks, Edward, "Dr. Henry Perrine", *Jacksonville Historical Society Annual 1933-1934*, pp. 69-72.

ation for the removal of the red men from Florida was under discussion. Senator Hale declared that "A constable in his country . . . would take care of them."<sup>54</sup> Senator Lewis Cass of Michigan interposed that if the bands were of roving Indians, he was not now prepared to remove them as there were probably such Indians in each state of the Union. In part, Secretary Mallory's retort was :

"I desire to say to the honorable Senator from Michigan, in reply to the remarks which he has made, that the Indians in Florida are not now in a state of hostility, but that they stand defying the authority of the United States, and preparing for hostilities. The special agent has returned and reported his proceedings to the President. A message of the President upon the subject now lies upon our table. He says that if Congress determines that the Indians may remain; he will let them remain; but if Congress determines that the Indians shall remove in conformity to the treaty, then he wished the action of Congress."<sup>55</sup>

Senator Sam Houston although so strongly predisposed towards Indians, complained that there had hardly been a session but what the claims of Florida had come up for suppression of Indian hostilities. He doubted if even Billy Bowlegs would invade Florida unless he were to be benefited. The Texan's irony got the rejoinder from Mallory:

"Sir, who are these Indians for whom all this sympathy is expressed, and who are spoken of here as heroes who have been driven off their soil by a sovereign State? Who are they: The remnant of an Indian tribe which by treaty engaged to go west, which was paid for so doing, which received the pay, and then sped to the woods and refused to go."<sup>56</sup>

To show how ominous was the situation, Mallory continued:

"It is not the fault of the State of Florida that

54. *Congressional Globe*, 32nd Cong., 2nd Sess., Feb. 24, 1853, pp. 801-803.

55. *Ibid.*

56. *Ibid.*



money has been expended to remove these Indians. The attempt has been made by almost every general of the United States army, from the General-in-Chief down, and every one has failed-failed, in the judgment of every man who understands anything of Indian character, by adopting the modes of civilized warfare among a parcel of savages. . . . Men familiar with the character and warfare of the Indian would be much more dangerous to them than those who did not understand them."<sup>57</sup>

He subtly alluded to the predilections of his antagonist but was hardly sincere in seeking him as a mentor:

"I concede that the Senator from Texas is *au fait* in all matters relating to the Indians; but I should like to appeal to him for information on the subject, and consult him about Billy Bowlegs, and the chiefs and the Indians in Florida. There is scarcely a farm in that state which has not lost a relative among those Indians. They must know something of the character of these Indians."<sup>58</sup>

He was incisive in his denial when his state was placed in the wrong light:

"The Senator alluded to certain Florida claims. Now, I have not presented a claim since I have been on this floor for services in Florida; and though he says that that state has received as much or more for defensive purposes than any other, I absolutely deny it, and I call upon him to prove it . . . the larger portion of the expenditures of the Florida War went into the pockets of your quartermasters and commissaries from the dif-

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57. Houston's persistence in protecting the Indians from fraud made him unpopular in Washington. He was "delicately" reprimanded by the Speaker of the House after mauling Congressman William Stanberry of Ohio. Francis Scott Key defended him. In the U. S. Senate, 1847-1859, various Indian touches marked his dress. He fought secession. "He could love Texas, to which he had given so much only as a State in the old Union," Seitz, Don C., "Sam Houston, Savior of Texas", *Liberty*, June 9, 1928.

58. *Congressional Globe*, 32nd Cong., 2nd Sess., Feb. 24, 1953, pp. 801-803.

ferent States of the Union, and not a single man in the State of Florida was ever enriched by it."<sup>59</sup>

Mallory showed in the course of his speech that removal of the Indians would curtail continual expense and would be the most humane disposition of the problem for the Indians themselves. He added his endorsement to an amendment offered by Senator Bell of Tennessee, about two years later, which provided bounty land benefits for officers and enlisted men of wars in which the United States had been engaged, even though these men had not been called actively into service. He stated that two companies were organized in Florida immediately upon the outbreak of Indian hostilities in 1849 and did good service both to the State and the nation, though neither was formally mustered into the service of the United States.<sup>60</sup>

*(Continued in the following issues)*

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59. David Yulee confronted, while a territorial delegate, with the intimation that the Florida War was prolonged for the benefit of Florida citizens, fat contracts, and civilian hangers-on, refuted by counter-charging that those who opposed removing, wished Florida as a haven of runaway slaves. Besides economic loss which he estimated up to 1840 to have amounted to eight and a half million dollars, there had been fiendish barbarity. Holding up an Indian arrow, he told Congress it has been taken from the body of a slaughtered child, the father having been killed, the three children were set up as targets and shot to death with arrows, the mother, stripped and pierced with seven arrows, witnessing all and surviving long enough to relate the story, *Rerick, op cit.*, vol. I, p. 206.
60. *Congressional Globe*, 32nd Cong., 2nd Sess., Feb. 24, 1853, pp. 801-803. Mallory's own claim for bounty land for military service was granted and he located the warrant on the SW 1/4 Sec. 5, T. 96 N., R 3 W. Allamakee county, Iowa; but "Apparently the Senator never established his ownership of this land for we find that the entire tract was sold at tax sale", Hummell, A.L.P., Allamakee Title & Abstract Company, Waukon, Iowa, *letter*, March 22, 1936; Frank Antoinette Fund, Asst. Com's'r., U. S. Dept. of Interior, Genl. Land Office, Washington, March 16, 1936; Bailey, E. L., Director, Dependents Claims Service, Veterans Administration, Washington, *letter*, May 27, 1936.