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NEGRO SLAVERY IN FLORIDA

by EDWIN L. WILLIAMS JR.

Part II

As the plantation regime expanded in territorial Florida and the Negro population became more numerous it became necessary that the slave system should be supported by statutory law. The purpose of the law was primarily to control the slave through a strict regulation of the system, and only incidentally to give him protection from ill usage. In 1828 the Legislative Council laid the legal basis for future legislation concerning Negro slaves by the passage of an act which stated that "slaves shall be deemed, held, and taken as personal property for every purpose whatever."¹ This act placed the Negro slave in a separate legal category from the white population, and by subsequent legislation the free Negro was also set apart legally from the white population. In the same year the Legislative Council passed "An Act Relating to Crimes, and Misdemeanors Committed by Slaves, Free Negroes and Mulattoes" which was in itself a definitive slave code.² As a result of this and subsequent legislation enacted by the Legislative Council, Florida, by the time she became a state, had a slave code and a patrol system closely resembling those of the older Southern states.³ This resemblance was a logical development, as the Florida code dealt with similar problems and had the same objectives as those of the older slave states, and it was framed by legislators the great majority of whom were natives of Georgia, South Carolina, North Carolina, Alabama, Virginia and other slave states.

The St. Joseph constitution under which Florida entered the Union reflected the legal position to which

1. John P. Duval, *Compilation of the Public Acts of the Legislative Council of the Territory of Florida Passed Prior to 1840*, Tallahassee, 1839, 204.

2. *Ibid.*, 216-217.

3. For further details, see Thelma Bates, "The Legal Status of the Negro in Florida." *Florida Historical Quarterly*, VI (January, 1928), 161-168.

the slave and the free Negro had already been assigned by Florida law. The provisions of this constitution in regard to slavery were very stringent and aroused such opposition on the part of the anti-slavery elements in Congress as to almost prevent Florida's admission into the Union in 1845. ⁴ Article XVI not only encouraged the growth of slavery by forbidding legislative interference with the importation of slaves into Florida from the other states and territories (except slaves who had been convicted of crime), it also specifically forbade the General Assembly to pass laws providing for the emancipation of slaves and gave it the power to prevent the entrance of free Negroes into Florida. ⁵

The slave and the free Negro were not only the subject of special legislation insofar as criminal law was concerned, they were also in a special tax category. By the state revenue act of 1845 a tax of fifty cents a head was levied on each slave to be paid by his owner as on any other property, and every free man of color between the ages of 21 and 60 was to pay an annual tax of three dollars a head (as compared to a tax of fifty cents a head on each white man.) ⁶

As the controversy between the slave states and the free states grew increasingly bitter and the violence of the abolitionist attacks on slavery increased, there was a tightening up of the laws concerning slavery in all the Southern states. From the late forties until secession the slave code in Florida became stricter and more severe and the laws and regulations dealing with free Negroes became more and more stringent. ⁷ So rigorous did the regulation of free Negroes become that many a free

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4. *Congressional Globe*, XIV, 28th Congress, 2nd Session, Journal of the House, 273-283.
 5. *Journal of the Constitutional Convention, St. Joseph, 1838*, Appendix 18.
 6. Leslie A. Thompson, *A Manual or Digest of the Statute Law of the State of Florida, of a General and Public Character, In Force at the End of the Second Session of the General Assembly of the State, On the Sixth Day of January, 1847*, Boston, 1847, 87.
 7. Thelma Bates, *op. cit.*, 168-174. See this article for an excellent discussion of the details of Florida legislation regarding slaves and free Negroes in the ante-bellum period.

Negro must have felt that he would be better off as a slave under a kind master. The records of the Escambia County Circuit Court show two voluntary petitions of free Negroes asking to go into slavery, these Negroes having acted under the permissive act of 1858 which gave free Negroes in Florida the doubtful privilege of selecting their own masters and becoming slaves by filing a petition with the County Circuit Court for the decision of the probate judge.⁸ How many free Negroes in other counties took advantage of this act is hard to say, but it is likely that others decided that slavery with security was more desirable than freedom with harassment and an uncertain status. The *Pensacola Gazette* for April 4, 1857 records an exodus of 35 free colored persons from Pensacola for Tampico, Mexico.⁹ It is no wonder that the number of free Negroes in Florida declined from 932 in 1850 to 804 in 1855 and had only risen again to 932 in 1860. Evidently the free Negro was not wanted in Florida by the planter oligarchy which controlled the state. In Florida, as elsewhere in the South, we find borne out the truth of Francis Butler Simpkins's remark that the free Negroes were the pariahs of Southern society.¹⁰

The Florida slave code not only regulated the Negro himself but it also regulated the relationship between the Negro and the white with the purpose of keeping the Negro under control and of maintaining the superior status of the whites. Under Florida law whites were forbidden to sell liquor to Negroes, to game with them or to intermarry with them.¹¹ Any interference with slaves or slavery by persons from without the state was, of course, a matter of great concern, and Florida laws discouraged abolitionist activities by such penalties as a

8. Ruth B. Barr and Modeste Hargis, "The Voluntary Exile of Free Negroes of Pensacola," *Florida Historical Quarterly*, XVII (July, 1938), 7; *Florida Acts*, 1858-1859, 13.

9. Barr and Hargis, *op. cit.*, 3.

10. Francis Butler Simpkins, *The South, Old and New*, 1947, 61.

11. Katherine Chatham, "Plantation Slavery in Middle Florida," Unpublished Master's Thesis, University of North Carolina, Chapel Hill, North Carolina, 1938, 78.

fine of up to \$1,000 for enticing a slave or aiding him to run away, confinement in the pillory, branding in the hand with the letters S.S., and imprisonment up to six months. The law also stated that a person guilty of stealing a slave was liable to the death penalty.¹²

The most famous case to be tried in Florida under this law was that of Jonathan Walker, New Englander of abolitionist sympathies, who was caught in 1844 while trying to ferry 7 runaway slaves from Pensacola to the Bahamas in an open boat. He and his runaways were apprehended off Cape Florida by a Key West wrecker. Walker was lodged in a Key West jail for three days, then moved to the military barracks because of fear of mob violence. Thence he was sent to Pensacola for trial. Walker was tried, convicted, and sentenced to stand in the pillory, to be branded on the hand with the letters S.S. (slave stealer), to pay \$300 fine and to serve a term of imprisonment for each slave he assisted to flee; also he was to pay the cost of imprisonment and to remain committed to jail until his fines were paid. Walker's abolitionist friends in the North paid his fines and got him out of jail. When he returned to the North he was lionized by the abolitionists and was the recipient of many demonstrations of approval. John Greenleaf Whittier wrote a poem in his honor, "The Branded Hand," and Owen Lovejoy, brother of the murdered abolitionist Elijah Lovejoy, attended a large reception given for Walker in Providence, Rhode Island.¹³

The St. Augustine News carried a notice about Jonathan Walker's imprisonment as a slave stealer and intimated that his activities were aided and abetted by the British and Foreign Anti-Slavery Society in co-

12. Thompson, *A Manual of the Statute Law*, 492.

13. Wilbur H. Siebert, *The Underground Railroad From Slavery to Freedom*, New York and London, 1899, 170-171; see also Jonathan Walker, *The Branded Hand, Trial and Imprisonment of Jonathan Walker, at Pensacola, Florida, for Aiding Slaves to Escape from Bondage, with an Appendix Containing a Sketch of His Life*, Boston, 1845, 9-33. *The Branded Hand* is a lurid account written by Walker himself describing his abolitionist work, his unsuccessful attempt to smuggle slaves to the Bahamas, and his capture and experiences in jail.

operation with the Massachusetts authorities. The *News* cited as evidence a letter of sympathy from the British Society which was found on Walker's person.¹⁴ The *Pensacola Gazette* remarked bitterly that this slave stealer, a native of Massachusetts, was made a martyr and hero when he returned home and that public meetings were held in the North at which collections were taken up for Walker and his family.¹⁵ This event stirred up anti-slavery feeling in the North on one hand; on the other it aroused bitter feeling in Florida against the abolitionists and their Northern supporters.

The official attitude toward slave stealers in Florida was, as might be expected, severe and unrelenting. In answer to a request for the pardon of a certain James McNabb, Governor Moseley wrote to the sheriff of St. Johns county that it would be inconsistent with his conviction of duty to pardon McNabb, who was convicted of two offenses "of the most heinous character," "assault with intent to kill" and "aiding and assisting a runaway slave." The requested pardon was refused.¹⁶

There were other incidents of abolitionist incursions into Florida. In 1851 Solon Robinson from New York, editor of an agricultural magazine, came to visit Edward Bradford's plantation near Tallahassee. He had a letter of introduction and was extended gracious hospitality as a guest at Pine Hill. Robinson also visited other plantations in the vicinity. Then one day his hosts discovered that Robinson was holding abolitionist meetings in their slaves' quarters and inciting the Negroes to insubordination and flight. The planters promptly packed him off to St. Marks and set him aboard a ship bound for a Northern port.¹⁷ In 1854 a fugitive slave escaped from Jacksonville to Boston as a stowaway on the brig *Cameo* out of Augusta, Maine. This slave was rescued

14. *St. Augustine News*, March 8, 1845.

15. *Pensacola Gazette*, September 6, 1845.

16. *Governor's Letters Sent, 1845-1857*, (Letterbook at Florida State Library, Tallahassee, Florida), Letter from Governor William D. Moseley to Sheriff of St. Johns County, dated August 6, 1845, 5.

17. Susan Bradford Eppes, *Through Some Eventful Years*, Macon, 1926, 33-41.

from the danger of being sent back to Florida through the activity of Captain Ambrose Bearse, agent of the Boston Vigilance Committee.¹⁸ There were, however, relatively few successful escapes made by slaves, hardly enough to justify the alarm with which Florida newspapers of the ante-bellum period habitually regarded the activities of the abolitionists. The United States census returns show that only 18 fugitive slaves (.0457 per cent) escaped from Florida in 1850, and only 11 (.0177 per cent or one out of 5,613) in 1860. There were more Florida Negroes freed from slavery by manumission than by escape during these years, 22 being manumitted in 1850 and 17 in 1860;¹⁹ this in spite of the fact that Florida law made the manumission of slaves very difficult.

In dealing with the slave in Florida we must think of him primarily as a plantation Negro because the great majority of the Negro slaves were to be found in the plantation counties. In 1845 a concentration of 65 per cent of the state slave population was to be found in the five cotton producing plantation counties of Jackson, Gadsden, Leon, Jefferson and Madison.²⁰ By 1860 when the "black arc" or plantation area had extended into East Florida to include Alachua and Marion counties, 39,795 of the state's 61,745 slaves were living in the plantation counties, or approximately 64.4 per cent of the state's slave population,²¹ and undoubtedly a large proportion of the slaves in the counties outside the "black arc" were also employed on plantations. Most of those who were not employed on plantations were on farms. Some were employed in the various forest industries like getting out timber, saw milling and the turpentine industry. Of the 61,745 slaves in Florida in 1860 only about 6,872 lived in the towns,²² and it is likely

18. Siebert, *The Underground Railroad*, 81.

19. *U. S. Eighth Census, 1860: Mortality and Miscellaneous Statutes*, 388.

20. Dorothy Dodd, "Florida's Population in 1845," *Florida Historical Quarterly*, XXIV, (July, 1945), 29.

21. *Eighth Census, 1860: Population*, 54.

22. *Idem*.

that a great many of these had spent a good part of their lives on the farm or plantation. The slavery system and, as we have already observed, the slave code, were framed primarily with the plantation Negro in mind.

The life of the slave on a big plantation was highly regimented. He generally worked at specific tasks from morning to night under the direction of an overseer and drivers or gang bosses. His activities were all under careful control and supervision. The master enjoyed almost absolute authority over him and had the backing of the law to exercise control. The slave could be bought and sold like any other property. But to compensate in some measure for his lack of freedom he had a security which was rarely the lot of the free white worker at that time and certainly not of the free Negro. He received the necessities of life whether times were good or bad. The intent of the laws was to protect him from cruel and unusual punishments by the master or overseer,²³ and even forbade the master to make him perform any labor but the "ordinary household business of daily necessity" on Sunday.²⁴

The treatment of slaves on the plantation varied widely from good to bad even as the characters of the masters varied. It is highly unlikely that they were ever as badly treated as the enemies of slavery in the North said they were; the concern of the owner for the preservation of valuable property would act as a check on excessive brutality or neglect. When he grew too old to work his master provided for him, and when ill the master procured medical attention for him and paid the doctor. Christian teachings and the idea of *noblesse oblige* adhered to by the best planters tended to produce a plantation regime which was on one side characterized by a kind but firm regulation of his "people" by the master and on the other by a sincere and confiding affection for the master on the part of the slaves.

23. Thompson, *A Manual of Statute Law*, 499.

24. *Florida Acts* (1848), 69-70; Duval, *Compilation of the Public Acts of the Territory of Florida*, 223.

Such a planter was Dr. Edward Bradford of Pine Hill with his plantation holdings of some ten thousand acres and his approximately 300 Negro slaves. At Pine Hill the "great house" or master's mansion was located on the crest of a hill, surrounded by spacious grounds planted with flowering shrubs, cedars of Lebanon, rose hedges, flowers, and with such native trees as oak, dogwood, hickory and pine, with a circular drive leading from the house to the public road. Through a side gate in the white fence surrounding the mansion a road led to the quarters where the house servants lived. Going past these the road led by a saw mill, a shingle mill and a grist mill, the blacksmith shop, the wheel-wright's shop, a carpenter shop, a cooper's shop, a brick yard and a kiln. Beyond these on an eminence called "Gopher Hill" were a hundred neat white-washed frame houses with brick chimneys and surrounded by shade trees and gardens. These were the houses for the plantation hands.²⁵

As Pine Hill was a large self-sufficient plantation its labor force included beside the house servants and the field or plantation hands a blacksmith, two wheelwrights, three carpenters, three coopers and other craftsmen. At the mills Dr. Bradford hired four white men; an engineer, a miller, a sawyer, and a bookkeeper. He also employed a white overseer to carry out his plans for work and sanitation on the plantation.²⁶ Among the house servants were the butler, the cook and her helpers, the house maids, the laundry maids, the keeper of the day nursery for the slave children, the housekeeper, the houseboys, the seamstresses, the gardener, etc.; in all thirty house servants. There were four slave foremen to supervise the field hands; there were also the team

25. Susan Bradford Eppes, *The Negro of the Old South*, Chicago, 1925, 103-105. These reminiscences of Mrs. Eppes may have been somewhat colored by the passage of the years, but in the main give an accurate description of the slave regime on one of the better plantations.

26. *Ibid.*, 105-106.

drivers, the shepherd, the cattle drivers and other miscellaneous servants.²⁷

The Bradfords were genuinely concerned with both the spiritual and the physical welfare of their slaves. A minister of the Gospel was employed to preach to the Negroes every other Sunday and on alternate Sundays they had a preacher of their own race. Their physical welfare was well looked after also. They had good food in variety and abundance, their cabins were well ventilated and comfortable and were kept well whitewashed. All who wanted them had gardens and were furnished with free seed. A first class physician was employed by the year to look after their health.

There were rules and restrictions, most of them rigidly enforced. One was that each Negro must bathe and don clean clothes at least twice a week. Regular inspections were held to see that this rule was obeyed. The rules were made as few as possible, but they were supposed to be strictly enforced. Any infractions were to be laid before the master and his was the decision as to punishment. Even then a Negro on the Bradford plantation had a final court of appeal, the mistress. Justice was always tempered with mercy.²⁸

The life of the slave at Pine Hill was not all work. Saturday afternoon was a holiday for every slave mother with a family. These mothers had to do no sewing for their families, this was done by a corps of seamstresses under the supervision of the mistress of the plantation. Christmas was the great holiday when all the hands took the whole week off. On Christmas Day gifts were distributed to all by the master and mistress and for those who wanted it there was the traditional dram of whiskey, sugar and hot water. Only second to Christmas was the Fourth of July when a big barbecue was given for the Negroes. Cane grinding time, hog killings and corn shuckings were other occasions of festival for the slaves.²⁹

27. *Ibid.*, 2-82.

28. *Ibid.*, 3-90.

29. *Ibid.*, 5-6.

Not all planters were as careful in matters of clothing, cleanliness and diet as the master of Pine Hill. Not all planters were as concerned with the welfare of their Negroes as the Bradfords. Especially was this true in cases where plantations had absentee owners and the complete supervision was entrusted to hired overseers. A good example of this is to be seen in the records of El Destino and Chemonie plantations. These plantations, belonging to George Noble Jones of Savannah, lay partly in Leon county and partly in Jefferson county. El Destino covered 6,782 acres, Chemonie was smaller, having only 1,800 acres.³⁰ A tax list in 1865 shows 143 slaves on the El Destino plantation, and a list of slaves and their ages made out by Jones shows about 85 slaves on the Chemonie plantation in 1855.³¹ As Jones had a share in a large plantation in Jefferson county, Georgia (a larger establishment than either El Destino or Chemonie), and also owned valuable property in Savannah and a cottage at Newport, Rhode Island, he never lived in Florida except for periodic visits until after 1865. In 1856 he took his family to Switzerland for a sojourn.³² Consequently practically the whole management of his Florida plantations devolved on his overseers whose occupation was a varied and many-sided one. Jones's overseers had to be capable farm managers and also to perform some of the duties, of a doctor, preacher, judge, jury and executioner.

While the relations between master and slaves seem to have been excellent there were occasional disciplinary troubles. One overseer at Chemonie, George Evans, maintained a concubine among the female slaves and had four mulatto children by her. The slaves were dissatisfied with his management, one even threatening his life. Slave complaints against Evans caused Jones to censure him and he quit. Another overseer, D. N. Moxley, who came

30 Chatham, *op. cit.*, 12.

31. *Florida Plantation Records from the Papers of George Noble Jones*, edited by Ulrich Bonnell Phillips and James David Glunt, St. Louis, 1927, 511-512, 561-562.

32. *Ibid.*, 20-21.

to El Destino in 1853, was too severe in his punishment and flogging of the slaves and would have been brained with an axe by a rebellious slave if a foreman had not intervened. There was also trouble with slaves going to town at Tallahassee and getting put in jail.³³

There does not seem to have been as much attention paid to the religious welfare of the slaves on El Destino and Chemonie as at Pine Hill. The Jones slaves had only three days off on Christmas. They were occasionally given the whole or part of Saturday off and generally had their leisure on Sundays. Their medical care does not seem to have been as good as that at Pine Hill. Most of the ailments of the slaves were treated by the overseer himself with home remedies. There is no record of an annual contract with a physician to look after the slaves.³⁴ Doctors' visits were surprisingly few at Chemonie. In 1855, for instance, only 18 calls were made at a cost of \$43.³⁵ Yet on the whole, the Negroes at El Destino and Chemonie seemed to remain attached to their master despite the evils of absentee ownership and most of them seem to have stayed on the plantation after 1865 when the collapse of the Confederacy brought them freedom.³⁶

The slaves in a general farming region were less likely to suffer from the evils of absentee ownership and the whims of an overseer whose main interest was getting a big cotton crop than were the plantation slaves. They were not over-worked and were generally fed and clothed from the same storehouse as their master. In Walton county, a region of thrifty small farmers, the slaves went to church with their master, sitting in the special galleries provided for them, and had weekly prayer meetings in their quarters. There seem to have been few cases of runaway slaves. The slave on the small farm had a feeling of family solidarity with his white people which

33. *Ibid.*, 24-27.

34. *Ibid.*, 29-36.

35. *Ibid.*, 574.

36. *Ibid.*, 36-37.

made for good relations and little disciplinary trouble.³⁷ Also the slave owned by a small farmer was less likely to live the highly regimented life of the plantation hand. The former worked alongside his master or under direct supervision at a variety of tasks, the latter worked in gangs under the direction of a slave foreman or an overseer.

Prince Achille Murat, exiled nephew of the great Napoleon and Florida planter, said: "On the larger plantations, where some hundreds of Negroes are collected together, a discipline and police regulations more or less severe are necessary, without which all would soon be destroyed or stolen."³⁸ Murat owned a plantation near Tallahassee which he named "Lipona." It consisted of 1,060 acres of land and was operated with a labor force of 108 slaves.³⁹ A planter himself and the friend and neighbor of many of the great planters of Leon county, Murat had ample opportunity to study the plantation system, and one of the best contemporary descriptions of life on a Florida plantation and the day-to-day routine of the plantation slave is to be found in *America and the Americans*, his best known literary work. In this account Murat says: "A well regulated plantation is truly a most interesting spectacle; all . . . is governed in the most perfect order. Each Negro has a house, and the houses are generally built in regular lines; he has his own poultry and pigs ; cultivates his vegetables, and sells them at the market. At sun-rise the sound of the horn calls him to labor, while each has his allotted task in proportion to his physical strength. In general the task is finished between three and four o'clock in the afternoon, allowing him ample time for

37. John L. McKinnon, *History of Walton County*, Atlanta, 1911, 164-171.

38. Achille Murat, *America and the Americans*, translated from the French by Henry J. Bradfield, Buffalo, 1851, 79.

39. Alfred Jackson Hanna, *A Prince in their Midst*, Norman, Oklahoma, 1946, 216. Murat had unfortunately mortgaged this property for the payment of two notes to the Union Bank and lost it in 1839 when he could no longer meet his obligations. He and his wife moved to a smaller plantation, "Econchatti," where he was residing at the time of his death in 1847. *Ibid.*, 216, 231.

dinner about noon. The task over, no further service is required of him ; he either cultivates his garden, hires himself to his master for extra labor, or takes a stroll to visit his wife or mistress on some adjoining plantation. On Sundays he attires himself in his holiday suit and goes to receive his weekly allowances (food ration), and employs the remainder of the day as it may please him. The duty of the manager is to give each his morning task, and in the evening to see that it is properly done; while the proprietor mounts his horse, makes a tour in the plantation and gives the necessary orders. All these are performed with the regularity of regimental duty; and I myself have seen six months pass without one word of censure being called for. Sometimes, however, it happens there occur disputes and thefts requiring punishment. At Christmas the Negroes have three days to themselves. Twice a year they have the necessaries served out to them, for clothing, etc., which they make up agreeably to their own taste.”⁴⁰ From this account it is evident that the regimentation of the plantation hands’ life had its compensations and alleviations. Of the house servants Murat said: “Those residing in the *Great House* . . . are treated in the same manner as the domestic servants in Europe. Generally they are born and bred up in the family, of which they consider themselves a part and to which they become much attached, and are very faithful.”⁴¹

In addition to the field hands and house servants Murat mentioned a third class of slaves who were hired out by their masters to others or were permitted to hire themselves out on condition of paying an annual stipend to the master. Among this group were many workmen such as carpenters, blacksmiths, tailors, etc.⁴² Slaves were hired out by their masters to other planters, to people in the towns, to the railroads or to sawmills, turpentine stills and other industries needing common

40. Murat, *op cit.*, 80-81.

41. *Ibid.*, 81.

42. *Idem.*

labor. Among the records of Dr. Bradford's estate is an item of \$1,125 for the hire of ten slaves in 1858 at wages ranging from \$10 for a boy to \$190 for a man. The employers of these slaves had to take care of them as they were legally responsible to the owners for damages in case of injury or death resulted from the hirer's negligence.⁴³ The least regimented of all the slaves and those who enjoyed the most freedom of action were those fortunate Negroes whose masters permitted them to hire their own time. They could hire out to work for anyone they pleased and work when they pleased just as long as they paid the annual stipend to their masters. In fact this freedom from control of the slaves who hired their own time was so contrary to the spirit and intent of the slave code that a law was passed in 1856 forbidding that slaves should be permitted to follow this practice.⁴⁴ It is likely, though, that little attention was paid to the observation or enforcement of this law.⁴⁵

Oliver D. Kinsman, division engineer for the Florida Railroad from 1858 to 1861, stated that the Negro labor used in the construction of that railroad consisted mostly of slaves hired from Virginia and North Carolina masters. These Negroes had their rights, too, according to Kinsman. They could not be taken from their homes until January 2 or after, and must be returned on or before December 24. The railroad Negroes were permitted to work for themselves and get paid for it after they had done their regular allotment of work for the day. Kinsman said he saw some, though not much, punishment inflicted on these Negroes, generally for neglect to complete allotted work. The punishment was whipping with a long cowhide whip with the culprit's shirt on or off according to the severity desired. Sometimes a more terrible weapon was used - a big hardwood paddle

43. Chatham, *op. cit.*, 80-81.

44. *Florida Acts*, 1856, 24-25.

45. Frederic Bancroft, *Slave-Trading in the Old South*, Baltimore, 1931, 162. According to Bancroft most Southern states had laws forbidding the practice of permitting slaves to hire their own time, but he states that these laws were generally ignored and prosecutions for violation were rare.

pierced with augur holes and administered on the bare skin of the culprit as he bent over a log. A half dozen strokes of this paddle was cruel punishment. Permanent injury to these Negroes was generally prevented, however, by a clause in the hiring contract which required that a slave be returned to his master as sound as when taken away, barring the unavoidable.⁴⁶

Northerners and foreign observers seem to have had rather widely varied reactions to the institution of slavery as it functioned in ante-bellum Florida. Bishop Henry Benjamin Whipple from Minnesota, a visitor in Florida in 1843 and later, felt that the exaggerated abolitionist stories of slavery existed only in imagination and that the efforts of the abolitionists had served only to injure the slave, and to destroy good feeling between the sections. He recognized the evil of slavery but said that if it were ever abolished it must be done gradually and with the consent of the slaveholders. The good bishop found the treatment of slaves on the Florida plantations he visited to be firm and kind and in general thought the Negroes were happy in their state of servitude. At the same time he felt that the energies of the Floridians were stifled and their progress impeded by the incubus of slavery.⁴⁷ Another Northern visitor who writes of slavery in ante-bellum Florida in the forties and early fifties had a great deal to say about the happiness of the Negro slaves he encountered on his visits to the plantations on the St. Johns and about the excellence of the institution of slavery as a great missionary influence to Christianize the Negro, and as a way of life which brought him true contentment.⁴⁸ One feels that the author of this lavish eulogy of slavery must have felt doubtful of the reception his work would receive in his own section of the country as he simply signed it "By a

46. Oliver Dorrance Kinsman, *A Loyal Man in Florida, 1858-1861*. A paper read to a meeting of the Military Order of the Loyal Legion of the United States, Washington, D. C., May 4, 1910, 5-6.

47. *Bishop Whipple's Southern Diary, 1843-1844*, edited by Lester B. Shippee, Minneapolis, 1937, 30-71.

48. By a Northern Man, *The Planter: or, Thirteen Years in the South*, Philadelphia, 1853, 70-89.

Northern Man." Certainly he must have looked at the "peculiar institution" through rose-tinted spectacles.

Oliver Kinsman, the aforementioned engineer for the Florida Railroad, was a native of Maine (he served with Sherman's army), but he seems to have been a fair and unprejudiced observer of slavery as may be seen by his observations on the treatment of the slaves hired by the railroad. His comment on the general condition of the slaves in Florida was that ". . . they seemed to be contented. They were well worked, but also well cared for."⁴⁹ John Francis Tenney, a Northerner who brought his family to Florida in 1859 and went into the logging business near Picolata, said of slavery as he saw it in Florida: "As far as our observation and experience went the institution of slavery was far from being the 'horror of horrors' that the people of the free states imagined it to be."⁵⁰ He stated that he never saw nor heard of the practice of any of the great cruelties which were reported in the North and said that the very nature of the institution made unusual severity impossible as a Negro slave represented property worth anywhere from one hundred to two thousand dollars, and was treated accordingly as a valuable asset. Although corporal punishment for adults was occasionally necessary it was rare that any severe punishment was administered. According to Tenney there was a genuine affection existing between master and slave in thousands of cases.⁵¹ Tenney's main criticism of slavery was that every industry was made subservient to slavery with the result that the advance of the people (the common man) was retarded. According to him it created two distinct social classes, the wealthy and the very poor. The poor were in the majority, and being too proud to labor (as labor carried the stigma of slavery) they were unable to amass the means to educate their children or to raise their standard of living. The wealthy (the slave-owning class) on the other hand had

49. Kinsman, *op. cit.*, 5.

50. John Francis Tenney, *Slavery, Secession and Success, The Memoirs of a Florida Pioneer*, San Antonio, 1934, 6.

51. *Ibid.*, 5-8.

every luxury and comfort and led an ideal life of ease.⁵² Here Tenney fell into the error of many other observers of the Southern scene who assumed that there were just two classes of white people in the slave states, the wealthy slave-owners and the poor whites. He overlooked the existence of a large class of yeoman farmers who were hard-working, thrifty and self-respecting. Neither did all the slave-owners have every comfort and luxury; many of the slave-owners were farmers, or backwoods planters who lived in a very simple (if not crude) style and enjoyed few luxuries. While the average plantation family may have been well-to-do, the many responsibilities connected with the proper running of a plantation and the management of Negroes meant that most planters and their wives led busy lives.

James Stirling, the English traveler, who visited Florida in 1857 on his tour of the slave states, was highly critical of slavery. He condemned Florida as a hopelessly backward state whose lack of progress was due partly to its unfortunate geographical location and poor soils and partly to the institution of slavery. He, too, said that in Florida "as in all the slave states more or less" there were but two classes, the rich planters and the poor whites. Stirling was evidently a superficial observer and his opinions were based on insufficient evidence as he confined his investigation of Florida to St. Augustine and the valley of the St. Johns, not visiting the plantation counties of the interior which constituted the most wealthy and populous section of the state.⁵³ Neither did Stirling give Florida credit for the very real progress it had made in population growth and in economic development since it had become a state.

Another English traveler who visited Florida in the fifties was the Honorable Amelia M. Murray. Miss Murray visited Jacksonville, Palatka, St. Augustine, Ocala, and Silver Springs. The English lady was much

^{52.} *Ibid.*, 9.

^{53.} James Stirling, *Letters from the Slave States*, London, 1857, 213-227. Stirling even attributed the backwardness of railroad development in Florida to the use of Negro slaves in building the railroads, 225.

more charitable than her compatriot in her remarks on the institution of slavery as she observed it in Florida. She said of the attacks on slavery: "No one can live long in this country without being convinced of the want of real information and the injudicious tendency of *Uncle Tom*." Miss Murray felt that those who sincerely desired to advance the cause of the Negro should remain for some months in the South and try to get a real understanding of the slave system and how it works.⁵⁴ In fact she was of the general opinion that the institution of slavery served as a great school of Christianity and civilization for the Negro and felt that he was much better off under slavery than he was in a state of freedom.⁵⁵

Floridians of this period were ardent defenders of the institution of slavery. Ante-bellum Florida produced no advocates of emancipation like the Grimke sisters of South Carolina or James G. Birney of Kentucky. If any citizens of Northern birth disapproved of slavery they were discreet and said little about it. As we have seen, Zephaniah Kingsley was one of the first Floridians to make a literary defense of slavery. Another Floridian who early took up his pen in defense of the "peculiar institution" was Achille Murat, planter and lawyer of territorial Florida whose description of slavery on a Florida plantation has already been quoted. Murat scored the attacks of the abolitionists on slavery as gross and absurd calumnies largely inspired by Great Britain because of that country's jealousy of the United States. He denied that slavery was always an evil, saying that in certain periods of a nation's existence it was a positive good. Working from this premise Murat argued that in the South with a climate which made it fatal for unacclimated white men to labor in the open field, and with a small proportion of good soil, the use of Negro labor to open up and develop the country was an absolute

54. Honorable Amelia M. Murray, *Letters from the United States, Cuba, and Canada*, New York, 1856, 229-234.

55. *Ibid.*, *passim*.

necessity until the whites became acclimated; hence slavery was a good institution in the South. He denied the charges of cruelty in the treatment of slaves and said the slave was better dressed, better fed and had more security than the European laborer or peasant. Murat felt that slavery was better for the present and that the abolitionists only did harm by their meddling. In his view the opponents of slavery were unwisely seeking to precipitate events; that the total abolition of slavery in the United States would come about in the natural course of events when free labor became cheaper than slave labor.⁵⁶

As the abolitionist attacks on slavery became more violent and the bitterness of the feeling between the slave and free states increased the people of Florida became even more closely united in their defense of slavery. The Whig party in the state, like the national Whig party, was finally shattered by the slavery issue and the old Whig leaders vied with the Democrats in their defense of slavery, even though they continued to fight for the preservation of the Union. Richard Keith Call, former territorial governor and a veteran Whig politician, although bitterly fighting Florida's withdrawal from the Union, chose the greatest crisis of secession to pen an eloquent defense of slavery. In a letter written to John S. Littell, Germantown, Pennsylvania, February 12, 1861, Call said that the institution of slavery demanded the earnest attention and unprejudiced consideration of every American citizen; that it should be considered as an institution which could not be abolished at that time without fatal consequences to some parties holding relations to it. He contended that the labor of the Negro had been absolutely necessary to clear the forests and develop the resources of the New World and that the institution of slavery in the process

56. Murat, *op. cit.*, 68-88 While the myth of the inability of white men to perform field labor in the Southern climate has been disproved again and again, Murat was quite right in his contention that the Negro slave was much better fed, clothed and sheltered and had more security than much of the free white labor of Europe.

of furnishing this necessary labor had also proved to be a great school of civilization which had served to Christianize and civilize the savage and pagan Negroes brought from the wilds of Africa. According to Call the labor of the Negro slave turned to the production of cotton had clothed nations, had given profitable employment to capital and labor in this country and Great Britain, had created a great medium of exchange between Europe and America to the annual value of nearly \$20,000,000, and was the basis for a tremendous seaborne commerce. Call contended that the Negro seemed designed by the Creator to be a slave and that he was happiest when living and working under the direction of a kind master. To free him would not elevate his condition but would merely give him liberty to sink into sloth and indolence.⁵⁷ Call's defense of slavery was of no more avail than his opposition to secession: the fate of the institution of slavery (like the question of the right of secession) was to be decided by the sword rather than by the pen. Just a month before Call wrote his letter to Littell Florida seceded from the Union and the great conflict which was to destroy slavery commenced shortly afterwards.

The newspapers of ante-bellum Florida were ardent in their defense of slavery. One ground on which they defended slavery was the claim that it was beneficial to the Negro. The fact that the slave population had increased greatly between 1840 and 1855, while the number of free Negroes had declined, was regarded as a blessing to both Negro and white. Said one Florida newspaper: "In a free state the Negro is merely a hopeless, degraded, wretched and forbidden outcast. He is useless and causes trouble, as contrasted with his slave brother who works and raises healthy families."⁵⁸ If any faults of the system were admitted they were minimized or

57. Richard Keith Call, *Union - Slavery - Secession; Letter from Governor R. K. Call, of Florida, to John S. Littell, Philadelphia, 1861*, 6-11. Littell was the chairman of the Pennsylvania delegation to the National Union Convention at Baltimore.

58. St. Augustine, *Ancient City*, July 12, 1851.

blamed on abolitionists. Said the *Pensacola Gazette*: "That we are entirely exempt from the evils of domestic slavery is not pretended: it is not pretended that there are not some among us who exercise over their servants a rigor of authority inconsistent with the happiness of the slave and unnecessary to the true interests of the owners, but they do this, for the most part, under the pretext furnished by the abolitionists."⁵⁹

Regardless of whether or not the institution of slavery could be justified, it was, Governor Call said, "an existing reality, for good or evil" thrown upon the people of Florida (as upon the rest of the South) by inheritance from past generations.⁶⁰ It was a basic part of the social and economic pattern of ante-bellum Florida. Although the majority of Floridians were not slaveholders, nevertheless they supported slavery because they felt that it was the only means by which society could control the Negro and protect itself from the ignorance and semi-barbarism of a race only recently removed from savagery. Slave labor was also the mainstay in the production of cotton, Florida's main source of wealth, as well as being important in the production of many other commodities. The tremendous economic importance of slavery in Florida is attested by the fact that the state census of 1855 showed that the value of the slave property in the state exceeded the combined value of every other form of property listed-including land, buildings outside of towns, household furniture. The total valuation placed on all the improved and unimproved land in Florida was only \$13,910,981 as compared to a total value of \$27,250,551 assigned to the slave property in the state.⁶¹ The social and economic importance of slavery made it a paramount political issue and lined Florida up with her sister states of the South in the great sectional controversy which finally led to the War for Southern Independence.

59. *Pensacola Gazette*, September 6, 1845.

60. Call, *op. cit.*, 6.

61. *Florida Senate Journal*, 1855 (Adjourned Session), Appendix, 26.

Although the war brought about the final destruction of slavery, it also tested the social discipline of slavery and proved that it was most effective in maintaining its control over the Negro in wartime as well as in peace. There was no instance of servile rebellion in Florida during the war. When virtually all the able-bodied white men went to the front many families were left almost entirely in the care of the slaves. The slaves kept their trust and there was no Negro uprising. The Negro slaves in general remained loyal to their masters because they were well-fed, well-housed, well-treated and lastly, well-watched and controlled.⁶² Although 1,044 Florida Negroes were enrolled as soldiers in the Union Army during the war (most of these were from East Florida where Federal troops occupied several points along the coast and were able to recruit slaves seized from their masters), the great majority of the slaves remained on the plantations carrying on their regular duties, and invading Federal forces succeeded in stirring up no servile uprisings.⁶³ This was a credit to the slave system; had it been as harsh and cruel as pictured the Negroes would have risen in bloody revolt when presented with the opportunities given by the war. It was also to the credit of the Negroes that they behaved so well in this time of crisis.

In the last analysis the slave system in ante-bellum Florida was not the cruel and heartless institution pictured by the abolitionists. Cruel treatment was rare and the slaves were seldom overworked. Their physical needs were well provided for and there was generally a kindly feeling between master and slave. If the laws and rules governing slaves and free Negroes were strict and harsh, their enforcement was in most cases lax and lenient. On the other hand all masters were not the benevolent patriarchs pictured by Zephaniah Kingsley, nor did all have the same concern for the welfare of their Negroes as Edward Bradford.

62. William Watson Davis, *The Civil War and Reconstruction in Florida*, New York, 1913, 219.

63. *Ibid.*, 222-229.

If slavery had a tendency to cause some whites to look down on labor as too menial for them there were many others who did not scorn to work in the fields with their slaves. Despite the comments of observers like Whipple and Stirling slavery was not an unmitigated blight on economic progress in ante-bellum Florida. Without the labor of the Negro the clearing of the forests and the development of agriculture in Florida would have been greatly retarded. As Dr. Rembert Patrick points out, the Negroes of ante-bellum Florida, slave and free, should be given credit for the great contribution made to the state's economic progress by their productive activity in agriculture and commerce; in the lumber and naval stores industries; in the construction of railroads and highways; and in the production of manufactured goods in town and on the plantation.⁶⁴ Although the Negro was not ready in 1865 to assume all the duties and privileges of a citizen he had earned his freedom.

64. Rembert Wallace Patrick, *Florida Under Five Flags*, Gainesville, 1945, 56.

(Concluded)