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Book Review: The Territorial Papers of the United States Volume XXII: The Territory of Florida, 1821-1824.

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BOOK REVIEWS

The Territorial Papers of the United States Volume XXII: The Territory of Florida, 1821-1824. Edited by Clarence Edwin Carter. Washington, U.S. Government Printing Office, 1956. xiii, 1129 pp. Map, Index. \$8.25.)

This is the first of the Florida volumes in Dr. Clarence E. Carter's notable documentary series on the territories of the United States. The papers reproduced are found principally in the National Archives, although some documents from the Library of Congress are used. Occasionally, lacunae in the official records are filled by resorting to newspaper or other contemporary printed sources.

The compilation is selective, with priority given to papers relating directly or indirectly to the administration of the territory. Papers previously edited and published in good form are generally excluded, as are papers which, though relevant, possess no special significance or which contain duplicate information. Routine documents are also largely excluded.

Application of these criteria has resulted in publication of all items relevant to Florida in the files of the Department of State, which was in general charge of the administration of the territories, and in the incomplete records of the Postmaster General. All petitions and memorials to Congress except those dealing with land and other claims are also included. Selection of papers relating to public lands, Indian affairs, lighthouses, customs and revenue, and military and naval affairs was determined by their relevance to administration.

Readers whose interests lie outside the central theme of administration will perhaps be disappointed by the omission of certain kinds of material. The thorough documentation does much to compensate for such omissions by giving the location, and in some instances a brief summary, of relevant unpublished documents as well as references to the pertinent literature. Although the editor has refrained from interpretation, he has supplied explanations of the historical background of some of the basic documents and, to some extent, identification of persons

and places. The convenience of the reader is further served by cross references to related documents and an exhaustive index.

The present volume includes some 970 documents which cover approximately the first three and a half years of the territorial period. They are grouped into four parts relating to the Transition from Spanish to American Rule, to the Administration of Governor Jackson, 1821, to the Administrations of Acting Governors Worthington (East Florida) and Walton (West Florida) and to the First Administration of Governor DuVal, 1822-1825. The last part, which breaks with a document dated June 25, 1824, is to be concluded in the next volume of the series.

The main events of the transition period and of Jackson's administration are well known, as many of the basic documents have been previously printed. Even here, however, the new material far outweighs the familiar and adds greatly to our knowledge of what has been termed the "Jacksonian Commonwealth of Florida." This is especially true of the papers dealing with Jackson's administration as governor, which terminated with the acceptance of his resignation by President Monroe on December 31, 1821.

Of particular interest are the many papers and notes relating to patronage and appointments which recur throughout this volume and doubtless will continue to recur in subsequent volumes of the series. They indicate both hitherto obscure political connections and a condition, chronic at least during the period under consideration, which caused Joseph M. Hernandez to write (p. 941), "There is always some fatality attending our public concerns here." The allusion is to the disrupting effect on government of vacancies, illness, and absenteeism. With reference to politics, it is interesting to note that appointments to the Legislative Council after 1822 seem to have been made largely upon the nomination of the territorial delegate to Congress.

The difficulty of organizing a moderately efficient government was further complicated by the awkward necessity of administering it from Pensacola and St. Augustine. Pensacola, wrote Joseph L. Smith in explaining his inability to take the oath of office as judge of the Superior Court for East Florida from Governor DuVal, as required by the act of Congress, was

“distant from Augustine by water, in the usual track, about two thousand miles & by land, in the only practised route, through Georgia, seven hundred & fifty” (p. 554). Congress established a post road from St. Augustine to Pensacola by way of St. Marks in May 1822, but “no mail has been sent, or Contract made for the route,” Postmaster General R. J. Meigs, Jr., explained in December (p. 579), “in consequence of information received that there is no road.”

“I am well satisfyd,” Governor DuVal wrote from Pensacola with reference to the meeting of the Legislative Council in St. Augustine (p. 537), “that nether myself nor the Secretary can move about in this way - on double the salerys now allowed to us.” The members of the Council, who were allowed three dollars a day and fifteen cents a mile apparently felt the same way. Only eight of the thirteen members attended the first meeting in Pensacola; nine were present the next year in St. Augustine.

By the middle of 1824, when this volume concludes, a road was under construction from Pensacola to St. Augustine, Tallahassee had been selected as the site of the capital, and the Council had been summoned to meet there. Measures had also been taken for settlement of the important and interrelated Indian and land problems.

The proper policy in regard to the Indians, who occupied some of the best land in the territory, was a matter of grave concern. Proposals to remove them to the Creek Nation met with strong opposition in Georgia and it was reported (p. 294) that the Indians, themselves, would “take to the bushes” if they were ordered to join the Creeks. Their removal west of the Mississippi was not considered feasible, even should they consent, because there was then no land available for them there. The only alternative was their concentration in Florida. But what would be the least objectionable location?

The War Department finally decided upon the country south of Charlotte Harbor or, if there was not enough good land there, south of Tampa Bay. The Indians objected so strenuously to this location that the commissioners who negotiated the Treaty of Moultrie Creek, September 13, 1823, agreed to a reservation starting at Charlotte Harbor and extending north to include the principal Indian villages near the Withlacoochee

River. The western and northern lines of the Indian country were marked early in 1824 and a military post was established at Tampa Bay to control the Indians when they should be removed to the reservation the following fall.

The location of the Indian country having been determined, a surveyor of the public lands was appointed in May 1824. In the meantime, the settlement of claims to lands under Spanish grants had been entrusted to commissioners who began their work at Pensacola in July 1822. When claims in West Florida had been settled, the commissioners were to sit at St. Augustine to examine East Florida claims. The work of the commission was greatly impeded by an outbreak of yellow fever, the failure of one of the members to take his seat, and difficulty in securing the Spanish records and laws on which claims were predicated. Consequently, a separate commission was appointed in April 1823 to settle claims in East Florida, but proceedings there were hampered by a controversy with the keeper of the public archives and disagreement between the commissioners as to procedure.

Also included in the present volume are documents concerning illegal cutting of live oak and cedar on the public lands, establishment of lighthouses, the customs and revenue service, and payment of accounts, as well as considerable information of a local nature about affairs in St. Augustine and Pensacola. Although the papers here published are official in character, they sometimes contain interesting descriptive matter. Examples of this class of documents are a letter from John Du Bose, inspector of customs for the St. Augustine District, recommending measures for the regulation of wrecking on the Florida Keys and three letters from Colonel George M. Brooke on the establishment of Cantonment Brooke at Tampa Bay.

The volume should be eminently satisfying to students of Florida history, who have looked forward to publication of the Florida papers since the *Territorial Papers* series was authorized in 1925. Since practically all papers relating to the territorial period have disappeared from the state's archives, it would be difficult to exaggerate the importance of the Florida volumes.

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Florida State Library.