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BOOK REVIEWS

The Territorial Papers of the United States, Volume XXIII *The Territory of Florida, 1824-1828* and Volume XXIV *The Territory of Florida, 1828-1834*. Compiled and edited by Clarence Edwin Carter. (Washington, U. S. Government Printing Office, 1958, 1959. Vol. XXIII, 1191 pp. Maps and index. \$6.50; Vol. XXIV, 1143 pp. Maps and index. \$8.00.)

THE PLAN AND SCOPE of the Florida volumes of *The Territorial Papers* were indicated in the review of the first Florida volume (Volume XXII of the series), published in the October, 1957, issue (pp. 166-169) of this *Quarterly*. That volume concluded with a document dated June 25, 1824, during the first administration of Governor DuVal. The volumes noticed here cover the period from July 1, 1824, to the close of DuVal's fourth and last administration in April, 1834.

Papers relating to public lands and to Indian affairs comprise a substantial portion of the documents. Treatment of the latter topic is particularly full in Volume XXIII; document pertaining to the former—especially to the adjudication of private land topic is particularly full in Volume XXIII; documents pertaining is devoted throughout to mails, roads, and other internal improvements, as well as to matters of local interest at Pensacola, Apalachicola, Key West, St. Augustine, and Tallahassee. The record of appointments and elections of territorial and county officers is as complete as possible.

The survey of public lands began immediately after the arrival of the surveyor general in Tallahassee in November, 1824. The basic parallel had been run by the end of the following February and the land office for West Florida established at Tallahassee. The first sale of public lands was held in May, 1825, when twenty-four townships near Tallahassee were offered for sale. Since the policy of the Government was "to bring into market, the lands in Florida, which are entirely exempt from private claim, & which may be most in demand for the accommodation of actual settlers" (XXIII, 299), land sales during the period

under consideration were confined almost entirely to Middle and West Florida.

The land office for East Florida was established at St. Augustine in July, 1826, but no sale was held there until May, 1828. Then only one-eighth of a section was sold, although nineteen townships were offered. A second sale was held in 1831, but only twelve parcels of land aggregating 1,255 acres had been sold in East Florida by October, 1833. Total receipts were \$1568.55, as contrasted with receipts of \$3330.68 for a single quarter of 1833 at the Tallahassee land office.

The duties of the commissioners for the settlement of private land claims in West and East Florida were transferred to the land offices at Tallahassee and St. Augustine, respectively, in 1825 and 1827. Surveys of the relatively few West Florida grants, most of which were in the city of Pensacola, were completed in March, 1828. The survey of East Florida grants did not begin until 1830. Even then, adjudication of almost a hundred large claims aggregating nearly two million acres was pending in the superior court at St. Augustine.

The survey and sale of public lands were also retarded by the uncertainty of the northern boundary of the Territory and by the decision to extend the Indian reservation northward. Nothing was done to locate definitely the Alabama-Florida boundary during the period under consideration. Daniel F. McNeil ran the Georgia-Florida boundary in 1825, but his survey was not acceptable to the state of Georgia. In 1827, a surveying party headed by Thomas M. Randolph and Thomas Spalding, commissioners on the part of the United States and of Georgia, broke up before running the line.

Even before they removed to their reservation early in 1825, the Indians had expressed dissatisfaction with the lands assigned to them. In February, 1825, the President authorized extension of the northern boundary to include the better lands in the Big Hammock, but the survey was delayed in the hope that the Indians could be persuaded to go west. It was not until April, 1827, that the northern Indian line was re-run by Joshua A. Coffee.

As early as October, 1825, Acting Governor George Walton reported that the Indians, dissatisfied with the lands assigned to

them and the rations issued under the Treaty of Camp Moultrie, were drifting back to their old settlements. Walton recommended holding a treaty to, effect their removal to the country west of the Mississippi. Although Governor DuVal reported in April, 1826, that the Indians could not be induced to remove, Joseph M. White, then Florida's delegate in Congress, was commissioned in February, 1827, to sound out the Indians on removal. White, in his turn, reported failure, but repeated a suggestion he had previously made, that a deputation of chiefs be sent west to examine the country. This suggestion was later implemented by the treaty negotiated by James Gadsden in 1832.

In the meantime, there were constant difficulties between Indians and whites. Citizens of Alachua County complained in 1825 that the Indians were permitted "to be strolling and hunting through this County in large parties Contrary To the Treaty . . . and are daily Committing depredations on the Stock of Cattle and hogs, and robbing the plantations of the undersigned and . . . in very Many instances they are extremely imprudent [*sic*] to the Citizens of this County . . ." (XXIII, 406). Governor DuVal pointed out, however, that the Indians were robbed of their own slaves by whites although they were required to surrender runaway slaves to the former owners. "I have taken the most unwearyd pains to have justice done to all parties," he reported, "but I confess-the Indian under the laws of the united states at present have but little, shear in its advantages" (XXIII, 484).

An Indian alarm in 1826 caused the establishment of a military post at the mouth of the Suwannee River. In January, 1827, the defense of the frontier was entrusted to Colonel Duncan L. Clinch, who abandoned the Suwannee post in favor of one on the Aucilla River and decided to locate a post (Cantonment King) near the Seminole agency. The post on the Aucilla was abandoned in June, 1827, and apparently troops were withdrawn from Cantonment King in 1829, although it was garrisoned again in 1832.

Administration of the affairs of the new Territory was still hampered in 1824 by the lack of mail facilities. Governor DuVal writing from Tallahassee on October 26, commented on the "difficulty of communiting with any post office, for the nearest to this point is 150 miles" (XXIII, 91). A bi-weekly mail was es-

tablished between Tallahassee and Early Courthouse, Georgia, in the spring of 1825, and between Tallahassee and Pensacola and Tallahassee and St. Augustine in January, 1826.

The Government was understandably reluctant to extend mail services in Florida, since the cost far exceeded the proceeds. According to the Postmaster General, the best bid for a weekly mail between Tallahassee and St. Augustine in 1827 was \$3,375, "whereas the entire nett product arising from postages Collected in Florida, falls short of \$1600 pr an." (XXIII, 734). However, weekly service was instituted on the Pensacola-Tallahassee-St. Augustine routes in 1827, and routes were added from Jefferson, Georgia, by way of Jacksonville, to St. Augustine and from Burnt Corn, Alabama, to Pensacola.

The road started in 1824 from Pensacola to St. Augustine was completed after a fashion in August, 1826. There was widespread dissatisfaction over the way it had been built and by the following December it was said to be "in a condition so incomplete as to be impassable" (XXIII, 702). There seems to have been considerable basis for the criticism, and Congress appropriated funds for its repair in 1830. On the other hand, Joseph M. White remarked, "If the whole Treasury were given you would never satisfy that people-If every cowpath & hog trail were made a Turn pike we should still have complaints-" (XXIV, 333).

It was also intended to open roads from St. Augustine to Cape Florida and from Coleraine on the St. Marys River, by way of Tampa Bay, to Cape Sable. James Gadsden was appointed to survey and mark the former route, which he did in the fall of 1824 as far as the St. Lucie River. Illness in his party stopped him there, but he thought the St. Lucie was "unquestionably beyond the ultimate limit of population on the Atlantic border of Florida . . ." (XXIII, 126). In January, 1825, Captain Isaac Clark marked a road from Tampa Bay to Charlotte Harbor but could go no farther south.

A road was duly opened by sections north from Tampa Bay to the St. Marys. By January, 1826, it was in use to Wanton's in the Alachua country, and by the end of that year, from Wanton's to Black Creek and from Black Creek to Coleraine. Late in 1827, the Old Kings Road was opened and repaired from Cole-

raine to Tomoka. In 1830 the road was extended to New Smyrna.

On the political scene, there were the usual charges and counter charges of absenteeism, incompetency, and dishonesty. Some of the charges were well founded. William F. Steele, district attorney for West Florida, absconded, "leaving his Securities in a prison Bounds Bond, liable for the Judgments on which he was imprisoned-" (XXIII, 68). Gad Humphreys, the Indian agent, and his successor, John Phagan, were both removed for cause-the former for improper dealings with the Indians under his charge, the latter for altering vouchers.

A number of removals without cause followed the accession of Jackson to the presidency. Richard K. Call and James Gadsden, personal friends of the President, apparently were influential in patronage matters, but Joseph M. White, who succeeded Call as delegate in Congress in 1825, emerges as the dominant political figure. Although White was not a Jackson man, his ability and attention to the interests of his constituents assured his continued success in the biennial elections for delegate.

The Territory attained some degree of political maturity when members of the Legislative Council, theretofore appointed by the President, became elective officials in 1826. There was also a growing resentment at the appointment of non-residents to territorial offices. By 1834, the Legislative Council was urging that the governor and secretary of the Territory be elected and that a Senate be established.

The policy of including all memorials to Congress in full, with the names of all signers, makes the excellent indexes almost rosters of the important and not-so-important residents of the Territory. Their value to the local historian and to the genealogical researcher, interested in ascertaining who was where and when, is incalculable.

DOROTHY DODD

Florida State Library

Historic Sites in and Around the Jim Woodruff Reservoir Area, Florida-Georgia. By Mark F. Boyd. River Basin Surveys Papers, No. 13. Bureau of American Ethnology, *Bulletin*

169. (Washington: Government Printing Office, 1958. pp. 195-314. Plates, Bibliography.)

READERS OF the *Florida Historical Quarterly* will need no introduction to the carefully researched and scholarly written works of Dr. Mark F. Boyd which have appeared in this publication for many years; he has turned his avocation into the production of historical writings that have been the joy and envy of students of the history of Florida. The item of this review is no exception to the foregoing, but amply serves to underscore the introductory remarks.

The Jim Woodruff Dam was constructed several years ago on the Apalachicola River some 1,000 feet below the confluence of the Chattahoochee and Flint Rivers. The waters of the two rivers held back by the Woodruff dam have created a lake or reservoir that will cover 37,500 acres and form a lake of some 240 miles in circumference. While most of this lake will cover the lands of Georgia along the two rivers mentioned, part of the lake will cover the lands of Florida that lie on the west bank of the Chattahoochee River from the Alabama-Florida line southward to the Dam.

Regardless of the comparatively small amount of Florida lands within the reservoir, the area covered by Dr. Boyd's study has been of great historical significance in the development of Florida since earliest exploration. In prehistoric times the area was occupied by numerous groups of the Lower Creek Indians and evidence of these occupations remains at sites marked by ancient shell middens and other materials. During the Spanish and British periods of Florida history the rivers and footpaths along their banks afforded the main arteries of communication in this section of the Southeast. Following American acquisition of Florida and the removal of the Creeks from Georgia the three rivers bore an ever-increasing steamboat trade until displaced by railroads and motor transport.

In his study, Dr. Boyd has discussed fourteen of the historic sites of the area, four of which will be submerged by the waters behind the Woodruff Dam. Each site is sketched according to its location, identification, condition, authentication, and most important for the student of history, its interpretation. Rather

than footnote his sketches, the author has included the references to his sources within the text, a most pleasing practice to this reviewer.

Sections on recommendations, acknowledgements, and an extensive bibliography and a cartography conclude the publication. Ten plates, two text figures, and a map provide valuable and interesting illustrations for the text.

This contribution to published Floridiana brings together a mass of information on a small but important section of the Southeast. We can only hope that Dr. Boyd will continue his research and writing and that his works will be an inspiration to other students to undertake similar projects for other sections and areas of Florida.

Members of the Florida Historical Society may justly take pride in the Society's part in the publication of this survey. While Mr. John Blocker was its president, the Society was invited by the National Parks Service to sponsor the survey and the Society, in turn, requested Dr. Boyd to take the assignment.

J. E. DOVELL

University of Florida

Pioneer Florida. Edited by D. B. McKay. With a foreword by Charles F. Benson. (Tampa, The Southern Publishing Company, 1959. 3 vols. Illustrations, general index, biographical index. \$65.00.)

THE INTRODUCTORY NOTE to these handsomely mounted and bound volumes records that "PIONEER FLORIDA is a compilation of newspaper columns appearing over a period of more than twelve years. In that time, many contributors and persons named have died. In general, it has been thought the greater respect to preserve their contributions in the present tense as they originally appeared in The [Tampa] Tribune."

"In like manner this book contains writings, and quotations from older writings, by many authors and dating over many years. It cannot claim the purity of style possible to one author and one period of authorship; in fact, in materials dating back more than fifty years an effort has been made to preserve variations in spelling as integral to the story."

From the publisher's point of view, Volumes I and II serve as the lead-in, and justification, for Volume III, a glazed-paper "Biographical Section," with photographs, which "gives others who have played a part in the history and development of Florida a chance to tell their own personal stories, which in many cases are fully as interesting or inspirational." No one of the selected biographees has neglected to take full opportunity to stress family and personal achievements, with all appropriate emphasis on civic-mindedness and selfless idealism. Miss Lillian White, who wrote the biographical sketches, has most skillfully achieved a distinctive uniformity in the organization of the materials supplied her by the biographees. Her astringent style meets the needs of such a volume admirably, and, if the sketches want somewhat of human warmth and any record of human peccadillos in the personalities of those whose achievements are recorded, they nevertheless serve as an intriguing record for the curious of the kinds of achievement which men consider important.

Volumes I and II are a treasure-house of historical memories which may serve well as germinal materials for future, more particularized investigations of fascinating pockets of Florida history. The people who tell the story, often in an idiom which has about it the smell of the marsh and the tidewater, decorate their narratives of pioneering with a wealth of local color, and a detailing of the minutiae of daily life-sounds, clothing, food, habits, animals, tools-which this reviewer found delightful. The wealth of personal anecdotes of early Florida living-human trivia, it is true, yet warm with the freshness of nostalgic recollection, and vigorous with the awkwardness of simple people unskilled in historical narration-succeeds most happily in fulfilling the promise of the title, *Pioneer Florida*.

The pen and ink illustrations of Norval E. Packwood are delicate and sensitive, and contribute handsomely to the illumination of the moods of the text.

No organized continuity of narrative, or chronological tidiness of the academic historian, could have been imposed on this pack rat collection of anecdotes, human-interest stories, biographies in little, character vignettes, and pointless, but hilarious, episodes of pioneer farming, hunting, cattle raising, mining and storekeeping in the days when Grape Hammock, Apopka, Venus,

Frostproof, Arcadia, Inverness, and Hesperides were fresh place names recording in themselves the highhearted hopes of the pioneer settlers.

Rascals, pirates, rustlers, no-good Indians, and moonshiners; mighty hunters of bear and alligator, fishermen of cunning and prowess, sturdy women, lacking elegance, perhaps, but fiery with ambition and courage, noble Seminoles, and sheriffs wise to the robust ways of backwoods life—all these are recorded in vivid anecdote and lush story through the 593 pages of these first two volumes.

The stuff of history is here, ranging from the almost academic formality and precision of historical accounting in Dr. James W. Covington's notes on the establishment of Fort Brook, at the mouth of Tampa Bay, "to demonstrate the military power of the white man and serve as a means of keeping the Seminoles within the reservation," to ribald accounts of alcoholic (and some tee-total) gun fights between the more uninhibited citizens of a hundred years ago.

D. B. McKay, the editor of his own week-by-week vignettes of Florida history, reveals himself in these volumes to be indeed a pioneer historian of pioneer folk, and the unquestioned dean of Florida anecdote in this compilation of great events and human trivia, still warm with the phrases of the men and women who "were there" long before the tourists and the real estate operators.

And a bluntly commercial enterprise, by anchoring itself on the solid foundation of McKay's *Tribune* columns, has made a worthy, and a rewarding, contribution to the growing shelves of Florida history.

MARTIN I. J. GRIFFIN

University of Tampa

The Florida Supreme Court: A Study in Judicial Selection. By Emmett W. Bashful. *Studies in Government*, No. 24. (Tallahassee, Florida State University, 1958. 111 pp.)

PROFESSOR BASHFUL'S STUDY of the method of selection of justices of the Florida Supreme Court reveals that the debate which

occurs from time to time concerning the adoption by Florida of the Missouri plan of judicial selection involves primarily not a change in our governmental process but rather the recognition of actual practice by the words of the constitution. The opponents of the formal adoption of the Missouri plan are fighting to retain a system that does not exist in practice, the proponents to introduce a scheme already for the most part in effect.

The Missouri plan provides for the appointment of judges by the governor and for the continuation of such judges in office by vote of the people on a non-competitive ballot. After studying the twelve justices who sat on the state Supreme Court between 1943 and 1954, Professor Bashful reports that nine of them were appointed to the court to fill vacancies and that only three of them reached the court initially via the election route. In addition, Florida voters have tended to re-elect sitting judges usually without opposition; the twelve justices studied here were opposed in the primaries only eight times out of a possible thirty-three and in the general election only twice. The author also notes that in only one case since 1885 has a justice originally appointed by the governor been defeated for re-election; this event occurred in the unusual election of 1916 after the justice had served fourteen years.

Thus the only real improvement to be obtained from formal adoption of the Missouri plan would be the guidance to the governor in the appointment process. In Missouri the governor must select his appointee from a panel of three presented by a nonpartisan commission.

The analysis of the few election contests during this period falls short of an enlightening discussion. Although the author mentions such factors as sectionalism, gubernatorial support, backing of newspapers, labor and bar associations, he fails to examine the election returns on a county-by-county basis in an attempt to weigh the relative importance of these influences. Perhaps a closer analysis of the elections would reveal the factors leading to the overwhelming success of the incumbents.

Professor Bashful notes the failure of the Florida Bar and of most of the local bar associations to take formal roles in the selection of the justices. The state Bar has not been involved as such except at the request of the governor in 1952 on which

occasion the response was dishearteningly small. Perhaps the recent action of the Dade County Bar Association in evaluating the local judges is a sign of increased activity and responsibility on the part of the lawyers.

THOMAS J. WOOD

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Carpetbag Rule in Florida: The Inside Workings of the Reconstruction of Civil Government in Florida after the close of the Civil War. By John Wallace. (Jacksonville, Da Costa Printing and Publishing House, 1888; republished by Continental Book Company, Kennesaw, Georgia, 1959. 444 pp. Appendixes. \$10.00.)

THE REPUBLICATION OF THIS WORK long out of print will be welcomed by students of Reconstruction. It is the only full account of the Reconstruction years in Florida. The authorship makes it doubly interesting and valuable. Wallace was a slave in North Carolina until 1862, and without formal education of any sort. He served two and one-half years in the United States army, much of it in Florida. He was discharged at Key West on January 1, 1866, and went to Tallahassee where he represented Leon County in the House of Representatives four years and in the Senate eight years.

The book is full of surprises. Wallace was a loyal Republican and he defends the Negro as one might expect, but this work is an unqualified indictment of carpetbag rule and everyone associated with it. Native southern whites come out very well-too well at times. For example, Wallace maintained that the constitutional convention in 1865 might have granted the vote to a limited number of Negroes if Provisional Governor William Marvin had not been so strongly opposed to it. He also defends, with more justification perhaps, the laws respecting freedmen passed by the Florida legislature in 1865. He maintains that anyone else in the same position would have acted in that manner. Further, that the laws were never meant to be enforced literally, but were designed merely to restrain the few Negroes who might seek revenge or abuse their freedom. But he agrees that these

"Black Codes" became a powerful weapon in the hands of Radical Republicans.

In truth, the most ardent southern white could hardly find fault with this version of Reconstruction. White Federal troops who replaced Negroes in the army of occupation in the interior counties when residents complained so bitterly, treated freedmen so badly that old masters had to intervene to protect them. The Freedman's Bureau was "the worst curse of the race, as under it he was misled, debased and betrayed. . . ." Not until the Negro was given the suffrage did he get better treatment. Unscrupulous land agents sold land certificates to the naive Negroes. Even the intelligent Negroes sometimes misled the ignorant. Finally, the victory of the Democrats in 1876 is called a blessing in disguise.

By far the greater portion of the book is given over to a blow by blow account of the struggle between rival Republican factions led by Carpetbaggers to control the state government for purposes of public plunder. Only Harrison Reed, the first Republican governor, is defended. Wallace felt that since Reed appointed two prominent native white Democrats to his cabinet, he should have been given fair trial by the citizens. Actually Reed was disowned by his own party and impeached after four tries without ever winning any Democratic support. The moral of this story is that southerners would have been just as hostile to an honest, efficient and progressive administration, for it represented an alien power in their midst.

There are numerous documents scattered throughout the book and in the appendixes taken from Federal, legislative, and judicial sources. There is a large amount of political gossip and reference to personalities that could have been written only by one intimately familiar with the political goings-on of the day, an insider, if you like. All of which raises the question: Who wrote the book? This shrewd and able Negro, had the information, but that he could have produced such a complete and sophisticated account seems unlikely. William D. Bloxham was a patron of Wallace and the author expresses great admiration for him, giving him credit for the organizing of the Democrats in 1870 that brought them back into control in the election of 1876. Bloxham told W. W. Davis, author of *The Civil War and Reconstruction in Florida* (New York, 1913, p. 746), that he had as-

sisted Wallace in the compilation of the volume. Davis uses the source repeatedly, but is aware of the bias in the viewpoint. The implication seems to be that Bloxham had more to do with the writing of the book than did the man whose name appears on the title page, and nowhere is any credit given to Bloxham. But it is still an indispensable volume.

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