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LIEUTENANT JOHN T. McLAUGHLIN: GUILTY OR INNOCENT?

by NELL L. WEIDENBACH

THE FLORIDA SQUADRON, based on Key Biscayne and Indian Key during the Second Seminole War, was a small but highly effective naval group whose part in bringing hostilities to a close has remained in relative obscurity for over a century.¹ Furthermore, the youthful and courageous commander of this squadron, Lieutenant John T. McLaughlin, has been relegated to the fine print of an occasional footnote. The sparse and very brief paragraphs allotted to him all too frequently concentrate on his fiscal extravagances and his drinking excesses, with dark intimations of corruption and cruelty. The paragraphs which follow are designed to bring to light the conclusions reached by the Congressional Committee on Public Expenditures and by the Naval Court of Inquiry of 1846, agencies officially charged with the responsibility of either exonerating or condemning Lieutenant McLaughlin for the manner in which he performed his duties during the years 1838-1842.

Following the conclusion of the Second Seminole War, Congress appointed a Committee on Public Expenditures to audit the vouchers and to evaluate all phases of fiscal responsibility in the conduct of the war. When the members examined the books of the Fourth Auditor, their attention focused on the disproportionately large expenditures of Lieutenant McLaughlin's Florida Squadron. Whereas Squadron Commanders John Rodgers and C. R. P. Rodgers had spent sums of \$46,616.48 and \$13,934.60 respectively, a preliminary audit indicated that McLaughlin's bills were \$343,937.76. To this large amount, however, must be added the cost of most abundant outfits and stores of all sorts. What the true total of this additional expenditure was could not be

1. For brief coverage of McLaughlin and the Florida Squadron in the Second Seminole War see Clarence E. Carter, ed., *The Territorial Papers of the United States: Territory of Florida*, 26 vols. (Washington, 1959-62), XXVI, 193-95; and John T. Sprague, *The Origin, Progress, and Conclusion of the Florida War* (New York, 1848), 333-34, 358-59, 378-80. See also facsimile edition with introduction by John K. Mahon (Gainesville, 1964).

ascertained, but the committee felt confident that it would have exceeded rather than fallen short of an estimated \$100,000.²

A subcommittee headed by Congressman John R. Reding of New Hampshire thereupon undertook a minute investigation of available records, with a preliminary report being presented to the House on June 14, 1844.³ The ten points subject to inquiry were: Total expenditures of the Florida Squadron while under the command of Lieutenant McLaughlin; settlement of his accounts in his capacity as acting purser of the squadron; amount of hospital and medical stores purchased before sailing; items and cost of other hospital and medical stores procured by him while acting in the dual capacity of commander and purser of the squadron; number of men under his command and length of their service; amount of money paid by the government for his services as purser or lieutenant commanding, or in any other capacity; whether he presented any account, and to what amount, beyond his pay as lieutenant commanding: the decision thereon, and the amount paid him, if any, besides his regular pay, and by whom allowed; disposition of any charges preferred by the department against McLaughlin and de nature of the charges; and matters relating to the trial by court-martial of Lieutenant Robert Tansill of the U.S. Marine Corps.⁴

Vicious and damaging allegations were made on each of these points. Seven detailed exhibits were presented as evidence, and it is from these that we learn of McLaughlin's propensity for liquor, elegant furnishings, and gourmet foods. His flagship the *Flirt* was elaborately furnished with Brussel's carpeting, hanging lamps, expensive curtains, cut glassware, and silver service. He was accused of having his canoes custom-designed in South Carolina at a cost of \$180 each, of fraudulently obtaining captain's pay, and of embezzling rations. A number of vouchers were introduced intimating collusion with an Indian Key merchant. Congressman Reding's report also restated a series of charges which had appeared in an attempted court-martial a year previously. Among other things, these charges had included an accusation that McLaughlin had administered up to seventy lashes in punishments to his men. It seems apparent that the present-day reputation of

2. House Report No. 582, 28th Cong., 1st Sess., p. 2.

3. *Ibid.*, 1-91.

4. *Ibid.*, 1.

McLaughlin rests largely on the basis of this preliminary House report, even though it only contains allegations, opinions, and recommendations.

In answer to these charges, Lieutenant McLaughlin presented a memorial asking that he be given the opportunity of being heard before such committee, and adducing proofs to establish his entire innocence of each and all the allegations exhibited against him.⁵

The greatly modified tone of the final report, delivered before the House by Congressman James G. Clinton of New York, suggests that McLaughlin made a full and effective presentation. House Report No. 163, February 25, 1845, the result of nearly eight months of sifting facts and weighing evidence, contains the following conclusions: 1. There should not have been a restatement of the previous court-martial charges, as listed in House Report No. 582. Such statements are subject to misinterpretation by being presented in the record, whereas the charges had, in fact, been dismissed by two secretaries of the navy. One had declared that he saw no reason to question Lieutenant McLaughlin's conduct; the other stated that there were not sufficient grounds for submitting the charges to court-martial. 2. Although the medical expenses were large, signatures on the vouchers indicated that most of the purchases were made under direction of naval medical officers. It was pointed out "that a young naval officer would, while in active service in the everglades of Florida, have little time to examine into the prices or propriety of medical supplies, prescribed and purchased by the surgeons for the sick or disabled."⁶ 3. The expenditure of \$17,117.88 for canoes was unquestionably large, "but Lt. McLaughlin was obliged to have them, on account of the nature of the service of his command in the everglades. Time saved in procuring them speedily, and not delaying the operations of the campaign, and a careful regard for the health of his command, should have had more influence upon his mind in such matters, than the cost of a lot of canoes."⁷ 4. "On examining the evidence before the committee, of last session, we cannot find a single case of illegal punishment inflicted upon any one of his command, by the order, or in the presence, or with the knowledge of Lt. McLaughlin. On the contrary, his officers

5. House Report No. 163, 28th Cong., 2nd Sess., p. 1.

6. *Ibid.*, 2.

7. *Ibid.*, 3.

. . . testify to his humanity and kindness as a commander, while they vouch for the efficiency and discipline of his squadron.”⁸

The members of the house committee stated that they agreed fully with the report of a portion of the former committee, that “the expenditures of the Florida squadron, while under the command of Lieutenant McLaughlin were unusually and unnecessarily large; still they disagree with the deductions and conclusions in the said report, in attaching so much blame, and personal and official misconduct to the commander of the squadron.”⁹ Congressmen Perley Brown Johnson of Ohio and Jacob S. Yost of Pennsylvania disagreed with the majority verdict on some of the charges, insisting that evidence was lacking to clear McLaughlin on many counts.

Apparently, in a final effort to ascertain whether the ultimate verdict should rest on as broad a base of facts as possible, the Naval Court of Inquiry was ordered to investigate the squadron’s expenditures and to report its findings to the next session of Congress. Special attention, it was stipulated, was to be given to the “propriety of the expenditures made by said McLaughlin; and, particularly, to show the amount of money paid him, and the amount to which he was entitled.”¹⁰

The naval court assembled on September 24, 1845, and “after a long and assiduous attention, the examination of many witnesses, and the consideration of a great mass of documentary evidence,”¹¹ Secretary of the Navy George Bancroft filed his report on February 19, 1846. This summation, contained in House Document No. 130, is a model of brevity compared with the wordy statements and interminable exhibits that packed the previous reports. The various charges were dealt with as follows:

First, was McLaughlin wasteful of government funds and stores? “The court is of opinion that Lieutenant McLaughlin did not waste, or, through design, negligence, or inattention, permit any person or persons under his command or control to waste any ammunition, provisions, or other public stores supplied for the vessels and men under his command.”¹² In the matter of wines,

8. *Ibid.*

9. *Ibid.*, 1.

10. *Ibid.*, 3.

11. House Document No. 130, 29th Cong., 1st Sess., p. 1

12. *Ibid.*, 3.

liquors, and similar supplies, the court stated that it was difficult to determine "whether there was or was not a positive waste" because of conflicting testimonies. Evidence suggested "very great extravagance," however.¹³

Second, was McLaughlin guilty of fraud, embezzlement, or collusion? "The court is of opinion that the testimony before it does not justify the belief that a partnership or collusion existed between Lieutenant McLaughlin . . . and any person or persons."¹⁴ The examiners specifically exonerated him of all suspicion of embezzlement or fraudulent actions.

Third, did McLaughlin fail to notify proper authorities of the squadron's needs, with the result that emergency purchases had to be made at considerable financial disadvantage? "The court is of opinion that Lt. McLaughlin did not make known sufficiently often . . . his necessities for supplies," although they acquitted him of this charge "under the circumstances."¹⁵ These exonerating circumstances are not enumerated, although they relate obviously to the primitive aspects of the South Florida area, its communication and transportation difficulties, and related problems.

Fourth, were the hospital buildings on Indian Key necessary and too expensive? In a brief fifty words, the court cleared McLaughlin of this charge.

Fifth, were the canoes that McLaughlin ordered necessary and too high-priced? The court conceded that they were purchased at an extravagant cost, but found that they "were not unnecessarily purchased."¹⁶

Sixth, was McLaughlin guilty of improper use of the Indian Key buildings, using them for private citizens or himself? The court made no effort to affirm or to deny the allegations that a store was operated in one building, and that one or more buildings may have been occupied by either McLaughlin's family or by personal employees. The report did state emphatically that the uses to which he put the buildings were not improper.

Seventh, did McLaughlin maintain rations for the sick on the squadron account when duplicate rations were being main-

13. *Ibid.*, 4.

14. *Ibid.*

15. *Ibid.*

16. *Ibid.*

tained on the hospital account? The court affirmed his negligence in this regard, but charges could not be preferred because "the Court has no certain data before it from which to calculate the amount of such rations."¹⁷

Eighth, was McLaughlin guilty of illegal methods of finance on his own behalf? "The Court is of opinion that the only instance in which it might seem that Lt. McLaughlin may have derived any advantage by exchanging the public money, is in the purchase, at New York, of about three hundred Spanish doubloons, for the payment of purser's bills in Florida."¹⁸ The court's emphatic use of the terminology "may have derived advantage" cannot be interpreted as either proof or an accusation.

Ninth, should McLaughlin have held the rank of captain? "The court is of opinion that the number and size of the vessels commanded by Lieutenant McLaughlin were not, at any time during his command of the expedition in Florida, such as, according to usage or precedent in the navy, entitled him to be considered as a 'captain in command.'"¹⁹

Tenth, should McLaughlin's "captain in command" pay have been retroactive to October 1, 1838? In addition to the court's belief that he was not entitled to a captaincy, it stated that he should not have been designated as "in command" because "it appears to the court that fourteen months of the time for which Lt. McLaughlin received pay as 'captain in command,' he was under the orders of officers senior to himself," namely Commodore Dallas and Commander Mayo.²⁰

The verdict reached by the Naval Court of Inquiry leads to the following inescapable conclusions regarding McLaughlin's

17. *Ibid.*, 5.

18. *Ibid.*

19. *Ibid.* Notwithstanding the court's opinion in this regard, in a letter of September 22, 1843, there is an endorsement to McLaughlin's petition for captain's pay signed by Secretary of the Navy David Henshaw. There is no doubt that McLaughlin received the pay of a captain, and that such pay was granted because of the highest possible authorization. See House Report No. 582, 28th Cong., 1st Sess., p. 50.

20. House Document No. 130, 29th Cong., 1st Sess., p. 5. In a letter dated October 9, 1843, Secretary of the Navy David Henshaw issued the following positive authorization: "The principle has been settled that Lieut. McLaughlin is entitled to the pay of captain commanding. Of course, he is entitled to it during the whole time that he commanded the Florida squadron of small vessels, viz: from the 1st October, 1838, to the 3rd August, 1842." See House Document No. 582, 28th Cong., 1st Sess., p. 52.

guilt or innocence: First, guilty but exonerated in the matter of duplicate rations for the sick; second, guilty of a retroactive captaincy authorized by the secretary of the navy; third, innocent of all other charges, modified only by the admission that evidences of extravagance were found.

Apparently, this report from the navy department was the final word in the case of the Florida Squadron's controversial young commander. Unfortunately, the vindication offered by the facts has remained concealed behind a facade of colorful, readable half-truths, a comedy of errors compounded by history's silence regarding the navy's participation in the Seminole War. Nevertheless, the verdict stands. In the words of Secretary of the Navy Bancroft 120 years ago, "There is no reason to suppose that a more satisfactory result can be arrived at."²¹

21. House Document No. 130, 29th Cong., 1st Sess., p. 1.