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**MEMBERSHIP OF THE FLORIDA
CONSTITUTIONAL CONVENTION
OF 1868: A CASE STUDY OF
REPUBLICAN FACTIONALISM
IN THE RECONSTRUCTION
SOUTH**

by RICHARD L. HUME*

IN ACCORD with provisions of the Reconstruction Acts, members of the Florida constitutional convention assembled in Tallahassee in mid-January of 1868. An examination of the historiography of this controversial gathering, a body charged with framing the constitution which was to take effect when the state was returned to civilian rule, quickly reveals the existence of the standard Dunningite-revisionist dispute which has so characterized most writing on the postwar South. William Watson Davis, who completed his classic work on Reconstruction in Florida under the direction of William A. Dunning himself, believed that the delegates who attended the Florida "Black and Tan" convention were men of little ability.¹ In 1913, his evaluation of the membership of that body, an evaluation which was similar in most respects to those contained in "Dunning studies" of Reconstruction in other southern states, was therefore quite uncomplimentary. In this regard, he noted that "these prospective constitution makers bade fair to be rather a motley assemblage, even to an optimist. Crass ignorance, aggressiveness, vulgarity and a mixture of colors were their most protuberant characteristics."²

Unlike Davis and other members of the "Dunning school," recent revisionist scholars have tended to view the achievements of the members of these bodies with a considerable degree of

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1. The ten state constitutional conventions which assembled following the passage of the Reconstruction Acts of March 1867 were often mockingly branded as "Black and Tan" conventions by southern white opponents of congressional Reconstruction.
2. William Watson Davis, *The Civil War and Reconstruction in Florida* (New York, 1913; facsimile edition, Gainesville, 1964), 497.

sympathy. In one of the few revisionist monographs that have focused on Reconstruction in a single ex-Confederate state, Joe M. Richardson, for example, challenged Davis's evaluation of the abilities of those who served in the Florida "Black and Tan" convention. Accepting the judgment of Solon Robinson, a *New York Tribune* reporter who observed several of that body's initial meetings, Richardson concluded that the convention's general intellectual level "compared favorably with any past legislative body of any Southern state or with any of the new states in the country."³

The body over which Davis and Richardson disagree, one of the ten "Black and Tan" conventions which met in the ex-Confederate states from late 1867 through early 1869, has not received the attention it deserves. In this gathering, as in those in other southern states, whites and blacks met in the nation's first truly biracial effort to adjust to the realities of emancipation in the postwar South. Despite the significance of this critical fact, however, we have had no systematic study, from either the Dunningite or the revisionist point of view, which deals with the backgrounds of the members of the various Reconstruction assemblies.⁴ In the case of Florida, as in the case with other southern states, historians have instead tended to offer only rather vague generalizations concerning the members of these gatherings and the policies which they supported.⁵ These studies have not been based on detailed and precise information concerning each of the delegates, and their generalizations are sometimes unduly influenced by opinions concerning either the wisdom of the policies of congressional Reconstruction or the political capabilities of the newly-enfranchised freedmen.⁶

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3. Joe M. Richardson, *The Negro in the Reconstruction of Florida, 1865-1877* (Tallahassee, 1965), 153-54.
 4. For an attempt at such a systematic study of these assemblies, see Richard L. Hume, "The 'Black and Tan' Constitutional Conventions of 1867-1869 in Ten Former Confederate States: A Study of Their Membership" (Ph.D. dissertation, University of Washington, 1969), *passim*.
 5. Richardson, *The Negro in the Reconstruction of Florida*, 152-54, does offer biographical information on more prominent members of the Florida convention. Davis, *Civil War and Reconstruction in Florida*, fn 493-94, is imprecise; in some instances he incorrectly lists several members of the constitutional convention of 1865 as delegates to the convention of 1868.
 6. For a discussion of this problem in Reconstruction historiography, see Thomas J. Pressly, "Racial Attitudes, Scholarship, and Reconstruction:

To help resolve this problem in the case of Florida, this article presents a systematic examination of each of the members of the state's 1868 constitutional convention. Materials from the convention journal, newspapers, manuscript collections, county and local histories, and data gleaned from the 1870 manuscript census have been combined in an effort to offer fresh insights into the background of each of the body's individual members.⁷ These sources reveal that the Florida "Black and Tan" convention, a body in which a total of fifty delegates eventually participated, was composed of nineteen blacks (Negroes or mulattoes), fifteen southern whites (whites who had resided in the Confederate states prior to 1860), thirteen outside whites (whites who entered the region after that date), and three unclassified whites (whites of unknown origin).⁸ In addition to so classifying delegates, the author has consulted the convention journal and works on Florida Reconstruction to determine the voting patterns of the body's fifty members.⁹ Those voting for key proposals designed to aid blacks, to restrict the actions of ex-Confederates, or to structure the convention in a "radical" manner have been classified as "Radicals." On the other hand, individuals who voted in opposition to such actions have been identified, for purposes of this study, as "Conservatives."¹⁰

When twenty-nine members of the Florida "Black and Tan" convention assembled in Tallahassee on January 20, 1868, the body's Republican delegates were badly divided.¹¹ Led by Lib-

A Review Essay," *Journal of Southern History*, XXXII (February 1966), 88-93.

7. For an account focused on the use of the manuscript census in historical research, see Barnes F. Lathrop, "History from the Census Returns," *Southwestern Historical Quarterly*, LI (April 1948), 293-312.
8. It is difficult to learn the date when some outside white delegates arrived in Florida. Often, it is possible only to establish that they arrived with Union forces during or after the war. The place of residence in 1866 is therefore the key factor used to distinguish northern and southern whites in this study.
9. Forty-six delegates were originally elected to seats in the convention. George W. Walker, however, was never seated. In addition to these elected delegates, five additional delegates were later appointed to the assembly.
10. This system of labeling avoids use of the epithets "carpetbagger" and "scalawag." Instead, white "reconstructionists" are identified by the more neutral terms of outside white "Radical" and southern white "Radical."
11. Different sources contain varied figures as to the number of delegates present at the convention's initial meeting. The figure here used is

erty Billings, an outside white, and William Saunders, a black, the party's more "Radical" delegates, individuals who were popularly known as the "mule team," secured the presidential nomination for Daniel Richards, an outside white, and pushed for the immediate organization of the assembly.¹² This effort was opposed by a group of less "Radical" delegates who were led by William J. Purman, an outside white. The members of this latter group hoped to delay decisions on matters of organization until more of their supporters had arrived in Tallahassee. Despite Purman's delaying tactics, however, the "mule teamers" easily elevated Richards to the convention's presidency in a vote of twenty-five to two. This initial test of strength between the gathering's two opposing factions saw Richards's candidacy endorsed by thirteen blacks, seven southern whites, three outside whites, and two unclassified whites. Opposed by only two outside whites, the "Radicals" thus quickly organized the convention.¹³

The control of the assembly by the "mule teamers" was confirmed on January 22, when the new president announced appointments to a number of the convention's standing committees.¹⁴ In general, "mule teamers" secured the key committee positions, and the important committee on privileges and elections, a body which was to judge the validity of contesting claims for convention seats, was composed entirely of Richards's supporters.¹⁵ The significance of this fact became

based upon the first roll call of that morning which is contained in the *Journal of the Proceedings of the Constitutional Convention of the State of Florida, Begun and Held at the Capitol, at Tallahassee, on Monday, January 20th, 1868* (Tallahassee, 1868), 3-4.

12. The supporters of Richards, Billings, and Saunders were commonly referred to as the "mule team" because their leaders had used those animals to tour Florida to gain black support for the Union League. See Daniel Richards to Elihu B. Washburne, November 19, 1867, quoted in George C. Osborn, ed., "Letters of a Carpetbagger in Florida, 1866-1869," *Florida Historical Quarterly*, XXXVI (January 1958), 263.
13. *Convention Journal*, 5. Sources are not in agreement as to the number of votes cast in this division, but an examination of the convention journal indicated that it was one of twenty-five to two. For the votes of individual delegates in this key division involving selection of the assembly's president, consult column A of the chart in the appendix. A "Radical" (R) vote is one endorsing Richards's presidential candidacy, and a "Conservative" (C) vote is one in opposition to his elevation to that office.
14. *Ibid.*, 12-13.
15. As then appointed, that committee was composed of Liberty Billings (outside white) and William Saunders and Charles H. Pearce (both Negroes).

quickly apparent as Purman, heartened by the arrival of more of his followers, attempted to unseat several “mule teamers” and reconstitute the assembly. His actions disrupted the convention for a number of days, and the task of framing a new constitution was forgotten in a conflict involving the eligibility of several delegates. Nevertheless, on February 1, the “mule teamers” were successful in thwarting Purman’s challenge to their control of the convention. At that time, in an extremely close vote of twenty-one to twenty, Liberty Billings maneuvered a postponement of additional discussion of the disruptive issue of eligibility. Despite support from eight outside whites, seven southern whites, four blacks, and one unclassified white, Purman’s effort to take control of the convention was defeated. The “mule teamers,” aided by thirteen blacks, four southern whites, two outside whites, and two unclassified whites, continued to direct the body’s proceedings.¹⁶

On February 4, upon returning to the scene of their recent triumph, Billings and his followers were surprised to discover that some fourteen of their frustrated opponents had withdrawn to nearby Monticello in order to frame a rival constitution.¹⁷ Undaunted by this unexpected development, the twenty-two “mule teamers” remaining in Tallahassee, who now maintained that they represented a quorum of the forty-one delegates actually seated as of February 1, framed their version of a new state constitution and sent it to Atlanta for approval by General George Meade, commander of the Third Military District.¹⁸ While awaiting Meade’s endorsement, they were surprised, however, when the “separatists” returned unexpectedly to Tallahassee on the night of February 10. Numbering now some twenty-four individuals after gaining additional supporters at

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16. *Ibid.*, 30; Osborn, “Letters of a Carpetbagger,” 267. For the votes of individual delegates in this key division involving Billings’s successful effort to terminate discussion of the eligibility question, consult column B of the chart in the appendix. A “Radical” (R) vote is one endorsing Billings’s effort to table debate on that issue, and a “Conservative” (C) vote is one in opposition to such action. For a discussion of the debate involved in this struggle, see Jerrell H. Shofner, “The Constitution of 1868,” *Florida Historical Quarterly*, XLI (April 1963), 361-62.
17. Jacksonville *Florida Union*, February 15, 1868, lists the fourteen delegates who failed to appear in Tallahassee on February 4. These original “separatists” were later joined by additional delegates.
18. *House Miscellaneous Documents*, 40th Cong., 2nd sess., No. 109, 6-21.

Monticello, this group secured assistance from a detachment of troops and immediately seized control of the convention hall. Horatio Jenkins Jr., outside white, was then elected to the presidency of the reconstituted assembly, and he hurriedly authorized the formation of a new committee on eligibility. That body, composed of Purman followers, completed the "coup" by then recommending that four "mule team" leaders be expelled from their seats in the convention.¹⁹

In response to such actions, General Meade, who hoped to restore some degree of harmony among Florida's divided Republicans, rushed to Tallahassee. Upon his arrival on February 17, he was dismayed to discover that rival conventions, each claiming exclusive authority to frame a new constitution, were meeting in the city. Nonetheless, this problem was resolved as Meade implemented a plan whereby Richards and Jenkins were first pressured to relinquish all claims to the presidency of their respective assemblies. Delegates from both bodies were then reassembled as a single group on February 18. At this critical meeting, Purman's forces were again successful in elevating their choice to the convention's presidency, this time by a vote of thirty-one to thirteen. In this test, Jenkins's candidacy for that office was endorsed by twelve southern whites, nine outside whites, eight blacks, and two unclassified whites, while it was opposed by a group of ten blacks, one southern white, an outside white, and an unclassified white. Even though opposed by a majority of blacks, Purman's followers had thus finally wrested control of the convention from the "mule teamers."²⁰

Well aware of what had occurred, Jenkins moved quickly to strengthen his majority in the recently unified assembly. On February 19, the new committee on eligibility, a body now controlled by Purman delegates, issued several reports calling for the unseating of key "mule team" leaders on grounds that they

19. For the names of delegates who retook the convention hall, see *ibid.*, No. 114, 3-4.

20. *Convention Journal*, 34-35. For the votes of individual delegates on this key division involving the selection of a president for the reassembled convention, consult column C of the chart in the appendix. A "Conservative" (C) vote is one to replace Richards with Jenkins, and a "Radical" (R) vote is one opposed to such action.

did not reside in the districts which they represented.²¹ In the wake of these demands, Liberty Billings, Charles H. Pearce, and William Saunders were first expelled from the convention by a vote of twenty-five to sixteen. Then, in a second vote of twenty-five to sixteen, ex-president Daniel Richards was also removed from the assembly. Finally, Solon Robinson, the reporter who had supported the “mule team” in his dispatches to the New York Tribune, suffered a similar fate.²² By a vote of twenty-one to sixteen on February 20, he was forced to relinquish his right to enter the hall in order to observe the convention’s proceedings. In each of the three significant divisions involving these expulsions, a majority of the body’s outside and native whites supported a “purge” of the “mule teamers.” In turn, expulsion was opposed in each instance by a majority of the gathering’s black delegates. Although they had tightened their control on the assembly, it appears that Purman and Jenkins had also solidified existing divisions between black and white Republicans.²³

Having survived the expulsion crisis, the committee on eligibility then became involved in yet another controversy. This dispute centered around the committee’s efforts to place additional Purman-Jenkins delegates in seats recently vacated by “mule team” leaders. A two-part report was submitted, the first section of which named J. E. Davidson, Ossian B. Hart, Marcellus L. Stearns, and Richard Wells as official replacements for the ousted “mule teamers.” After these individuals were seated by a vote of twenty-two to fourteen, the members of the convention then acted on a second section of the report.²⁴ Its

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21. The majority on the committee on eligibility, as reconstituted, consisted of Emanuel Fortune (Negro), William J. Purman (outside white), and Lyman W. Rowley (southern white). In addition, two “mule team” delegates, Jesse H. Goss (southern white) and Jonathan C. Gibbs (Negro), continued to serve as committee members.
 22. For Robinson’s reports used in this study, see *New York Tribune*, February 5, 8, 10, and 12, 1868.
 23. *Convention Journal*, 42-50. For the votes of individual delegates in these key divisions concerning expulsion of “mule team” supporters, consult columns D (the removal of Billings, Pearce, and Saunders), E (the removal of Richards), and F (the removal of Robinson) in the chart in the appendix. In each of these divisions, a “Conservative” (C) vote is one favoring removal of a “mule team” supporter, and a “Radical” (R) vote is one in opposition to such action.
 24. Davidson (southern white) replaced Daniel Richards, Hart (southern white) replaced Liberty Billings, Stearns (outside white) replaced William Saunders, and Wells (Negro) replaced Charles H. Pearce.

adoption, this time in a division of twenty-three to nine, authorized John W. Butler to take a seat which had never been claimed by its originally certified occupant, a certain George W. Walker. In both votes, significant numbers of black delegates continued to demonstrate their opposition to the policies of the leadership of the Purman-Jenkins coalition. Nevertheless, even with such resistance, the "purge" of the assembly was eventually successful.²⁵

Having completed this task, Jenkins's supporters then moved to secure the passage of their own version of the new constitution, which in effect was the document they had drafted originally while at Monticello. It was a rather progressive instrument that provided for enfranchisement of the freedmen and a tax-supported system of public education. Even so, the "Monticello Constitution" contained several key provisions which were designed to prevent black rule in Florida, and it was considerably less "radical" than the instrument framed earlier by the "mule teamers."²⁶ Aware of this fact at the time of the critical ratification vote of twenty-eight to sixteen on February 25, 1868, a group of eleven blacks, four southern whites, and one unclassified white opposed its endorsement. But the Purman-Jenkins coalition prevailed, with eleven outside whites, nine southern whites, six blacks, and two unclassified whites supporting the constitution's acceptance.²⁷ By early April, when Congress authorized the submission of that document to Florida's electorate for approval in the required May ratification election, the triumph of the Purman-Jenkins forces was com-

25. *Ibid.*, 79-81. For the votes of individual delegates in these key divisions concerning the seating of new delegates, consult columns G (the seating of Davidson, Hart, Steams, and Wells) and H (the seating of Butler) in the chart in the appendix. In each case, a "Conservative" (C) vote is one favoring the acceptance of a new delegate, and a "Radical" (R) vote is one in opposition to such action. In the November 1867 elections for seats in the convention, the five newly-seated delegates had been defeated by the individuals whom they replaced.

26. For a comparison of the two constitutions that stresses the "radicalism" of the "mule team" document, see Shofner, "Constitution of 1868," 367-68. Texts of the two constitutions are in *House Miscellaneous Documents*, 40th Cong., 2nd sess., No. 109, 6-21, 25-44.

27. *Convention Journal*, 130. For the votes of individual delegates in the division involving final passage of the constitution, consult column I of the chart in the appendix. A "Conservative" (C) vote is one endorsing that document, and a "Radical" (R) vote is one opposing its acceptance.

plete.²⁸ The “mule teamers” continued to protest, but to no avail; their opponent’s version of the new Florida constitution secured the blessing of Republican leaders in Washington.

In debates involved in the drafting of this document, members of Florida’s “Black and Tan” convention engaged in a total of approximately forty-nine recorded roll call votes.²⁹ Nine of these divisions – those involving the seating of rival delegates, selection of the convention’s presiding officials, and the final adoption of the constitution – have been examined in this study. These nine divisions form the basis of the political classification of each of the assembly’s fifty delegates, and they reveal that the constitution was framed by a body composed of twenty-nine “Conservatives” and twenty-one “Radicals.” The “Conservative” bloc consisted of eleven southern whites, eleven outside whites, two unclassified whites, and five blacks. The “Radical” coalition was composed of fourteen blacks, four southern whites, two outside whites, and one unclassified white.

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|--------------------|----------------------------|-----------------------|
| <i>Total</i> | <i>Southern whites</i> | <i>Outside whites</i> |
| 50 Delegates | 15 - 30 per cent | 13 - 26 per cent |
| 29 “Conservatives” | 11 “Conservatives” | 11 “Conservatives” |
| 21 “Radicals” | 4 “Radicals” | 2 “Radicals” |
| | <i>Unclassified whites</i> | <i>Blacks</i> |
| | 3 - 6 per cent | 19 –38 per cent |
| | 2 “Conservatives” | 5 “Conservatives” |
| | 1 “Radical” | 14 “Radicals” |

The assembly’s nineteen blacks represented north Florida constituencies with a two-thirds majority (67.1% average – 66.7% median) of freedmen among their electorates.³⁰ As expected, members of this faction were most frequently natives of the

28. For background concerning the process by which the Purman-Jenkins constitution gained official approval, see “Report of the Secretary of War, Part 1,” *House Executive Documents, No. 1, 40th Cong., 3rd sess., 93-95; New York Times*, April 5, 1868, 5; *House Miscellaneous Documents, 40th Cong., 2nd sess., No. 114, passim*.

29. Since the activities of February 4-17 were not recorded in the convention journal, roll call votes taken during that period are not reflected in this total.

30. Percentages compiled from figures in *American Annual Cyclopaedia and Register of Important Events of the Year 1867* (New York, 1868), 314. Eighteen blacks were originally elected to the convention and another was later appointed to a seat. Districts represented by several blacks have been weighted accordingly in compiling these percentages.

South Atlantic states. It contained two Florida natives, three former Georgians, a South Carolinian, two Virginians, two North Carolina natives, a Tennessean, a former resident of Maryland, two immigrants from Pennsylvania, and five individuals of unknown origin. While the 1870 manuscript census failed to establish the prewar status of these men, it appears that, with but five exceptions, the body's blacks were former slaves and averaged 37.6 years of age in 1868 (median age – 36 years).³¹ In addition, they were generally literate (thirteen of fourteen located in the census were literate in 1870) and this, coupled with the fact that a number of them (six of fifteen) were mulattoes, suggests that they may have avoided some of the harsher realities of the institution of slavery.³² By 1870, the average member of this group, a faction composed of four ministers, two teachers, three farmers, two barbers, a shoemaker, three politicians, and a carpenter, held property valued at \$471.77 (\$371.42 average value in real property – \$100.35 average value in personal property).³³ Since seven (fifty per cent) of the fourteen members of this faction who were located in the census owned no real or personal property, however, their median total property holdings of \$200 (\$200 real property – no personal property) probably offer the most revealing picture of the economic standing of the body's "typical black."

Five blacks, including Homer Bryan, the contingent's most

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31. The age and place of birth of fourteen black delegates (twelve positive identifications and two probable identifications) have been established through use of the manuscript returns of the Ninth Census of the United States, 1870, microfilm copies (six rolls for Florida), Washington State University Library, Pullman. The age of William Saunders, a fifteenth black, was secured in the *New York Tribune*, February 5, 1868. Material from the manuscript census, supplemented by references in Richardson, *The Negro in the Reconstruction of Florida*, suggests that five blacks had not experienced slavery. O. B. Armstrong and Jonathan C. Gibbs were Pennsylvania natives, Josiah T. Walls was evidently a freeborn native of Virginia, and Charles H. Pearce and William Saunders were probably free citizens of border states before migrating to Florida.
 32. Five of the fourteen blacks located in the census were mulattoes. Although not located in the census, it appears that William Saunders was also a mulatto. See Albert Stanley Parks, "The Negro in the Reconstruction of Florida," *Quarterly Journal of the Florida Agricultural and Mechanical College*, V (October 1936), 42-43.
 33. Occupations and property holdings of fourteen blacks were located in the manuscript census. Occupations of two other blacks, Green Davidson and William Saunders, were mentioned in Davis, *Civil War and Reconstruction in Florida*, 495, 496. Occupations of three blacks and property holdings of five blacks have not been ascertained.

wealthy member with total property holdings of \$1,730, supported the Purman-Jenkins coalition. But a majority of the black delegates (fourteen of nineteen) endorsed the “mule team” effort to secure a constitution more fully reflecting the impact of the enfranchisement of the freedmen. This effort was not successful because, in contrast to most other “Black and Tan” conventions, the majority blacks were not able to attract significant numbers of white Republican delegates into a bi-racial majority coalition bent on framing a more democratic document. As a result, the Florida constitution of 1868, though itself progressive, was less “radical” than were those constitutions implemented in a number of other former Confederate states. Even so, the freedmen gained much from this assembly. Most importantly, several of their most articulate spokesmen were elevated to positions of leadership within the “mule team” following the expulsion of whites such as Liberty Billings and Daniel Richards. Though not immediately successful in securing their objectives, blacks thus gained valuable experience through their involvement in the convention’s proceedings. Their activities as “mule team” leaders helped form a cadre of black politicians, most notably individuals such as Josiah T. Walls and Jonathan C. Gibbs, who were destined to become future leaders in Florida’s Republican party.³⁴

The convention’s fifteen southern whites were from widely-scattered constituencies which contained about equal numbers of whites and blacks among their electorates (median black percentage 53.8 – average black percentage 43.5).³⁵ At least eight of these individuals, including Clairborne R. Mobley who helped draft Kansas’s proslavery Lecompton Constitution in 1857, had prior political experience.³⁶ Besides five natives of Georgia and four Floridians, this faction, which contained a

34. Walls later became a member of Congress and Gibbs served as Florida’s secretary of state and as state superintendent of public instruction. Two additional black “mule teamers,” Charles H. Pearce and Robert Meacham, were later elected to the state senate.

35. These percentages were compiled from figures in *Annual Cyclopaedia*, 314. Districts represented by several southern whites have been weighted accordingly in compiling these percentages.

36. For detail on this aspect of Mobley’s career, see *Tampa Florida Peninsular*, September 29, 1866; *House Report*, 35th Cong., 1st sess., No. 377, 91. Material on the prior political experience of southern white delegates was furnished by Mary O. McRory of the Department of State, Division of State Library Services, Tallahassee.

minimum of five former slaveholders (with holdings of one to eight slaves each in 1860),³⁷ was composed of a former citizen of South Carolina, a North Carolinian, a Virginian, a native of Kentucky, and one long-time resident from each of the states of Vermont and New York. Occupationally the assembly's southern white contingent included, by 1870, two customs officials, a merchant, four farmers, two judges, a planter, two lawyers, a physician, the postmaster of Key West, and a newspaper editor. While engaged in one of these capacities, the average southern white delegate, who was forty-four years of age in 1868 (average age 44.07 years – median age 41 years), had acquired property with a total value of \$2,452.14 by the end of the decade (\$1,478.57 in real property and \$973.57 in personal property). Since, however, several individuals held little or no property, the median figures of \$750 in real property and \$515 in personal property also offer perhaps a useful index to the wealth of the body's "typical southern white."³⁸

Four southern whites, one long-time resident of northern birth and three deserters from Confederate forces, supported efforts to secure the "mule team" constitution.³⁹ Led by John N. Krimminger, these men may have been willing to frame such a document because of difficulties they had recently experienced at the hands of Confederate authorities. Their goal, nevertheless, was not realized. Most southern whites (eleven of fifteen) endorsed instead the less "radical" constitution supported by Purman and Jenkins. Ossian B. Hart, the future

37. The prewar slaveholdings of four southern whites were located in Schedule No. 2 (Slave Inhabitants, Florida) of the Eighth Census of the United States, 1860, microfilm copy (one roll for Florida) Washington State University Library. Jesse H. Goss, a fifth southern white, once owned an unknown number of slaves in Virginia. See Richardson, *The Negro in the Reconstruction of Florida*, 154.

38. Age, birthplace, profession, and property holdings of eleven southern whites were ascertained in the 1870 Florida manuscript census. Despite difficulty with positive identification, that census also supplied information on three additional members of this group. The birthplace and profession (but not age or wealth) of a fifteenth southern white, who could not be located in the 1870 enumeration, were secured in the 1860 manuscript census.

39. Davis, *Civil War and Reconstruction in Florida*. 496, 509; *House Report*, 42nd Cong., 2nd sess., No. 22, pt. 13, 177. Jesse H. Goss (former Virginia slaveholder) and William H. Cone were evidently Confederate deserters. John N. Krimminger, who had joined the Union army after abandoning the Confederate regiment into which he had been conscripted, continued to have difficulties with native whites. He was later murdered by terrorists.

governor of Florida, like several other native white "moderates," had also demonstrated wartime Unionism; but these individuals took strong exception to the major political assumption of the "mule teamers."⁴⁰ In contrast to Krimminger and other colleagues of Billings, who enthusiastically accepted black enfranchisement in order to solidify "radical" control in Florida, native Republican followers of Hart were apprehensive as to the possible results of such a policy. As members of a faction which contained four former slaveholders, they perhaps feared that the freedmen might use their new political power to assault "traditional" social barriers.⁴¹ The "radicalism" of most southern white delegates was consequently limited by racial considerations. They were simply unwilling to frame a document which might impose "black rule" on a number of the state's most populous counties. As a result, the constitution they finally accepted was designed to assure white Republican dominance in Florida.

The convention's thirteen outside whites represented constituencies in north and west Florida which contained a majority (60.7% average – 57% median) of freedmen among their electorates.⁴² With the exception of but a single Hungarian immigrant, this group was composed entirely of natives of the New England and Middle Atlantic regions. It contained, in addition to the European, four Massachusetts natives and two men each from Maine, New York, New Jersey, and Pennsylvania.⁴³ Most of these outside whites (twelve of thirteen) had come to Florida as members of the Union army or as Federal officials.⁴⁴ Once in the South, their hopes for social and eco-

40. Hume, "Constitutional Conventions," 588; *House Miscellaneous Documents*, 40th Cong., 2d sess., No. 114, 4. Hart had opposed secession. Lyman Rowley and Samuel J. Pearce had recently served in the Union army.

41. Apparently J. E. Davidson, Ossian B. Hart, E. D. Howse, and David Mizell had owned slaves in 1860.

42. Percentages compiled from figures in *Annual Cyclopaedia*, 314. Districts represented by several outside whites have been weighted accordingly in compiling these percentages.

43. Birthplaces of all outside whites have been determined. For nine individuals, this information was located in the manuscript census. With the exception of Roland T. Rombauer (see fn. 45), the birthplaces of the remaining outside whites were secured from Davis, *Civil War and Reconstruction in Florida*, 477; *New York Tribune*, February 5, 1868.

44. References concerning the military service of outside whites were most frequently taken from *House Miscellaneous Documents*, 40th Cong., 2d sess., No. 114, 4.

conomic gain, which were similar to aspirations commonly associated with the nation's more traditional westward movement, apparently encouraged them to settle in the sparsely-populated state. As a matter of fact, several outside whites were successful in achieving their goals, and they remained in Florida. Others, most notably Simon B. Conover and Roland T. Rombauer, continued their wanderings and later advanced their careers in other frontier regions.⁴⁵

The affluence of Liberty Billings (\$75,750 total property holdings) created a great disparity between the average and median total property held by the body's outside whites.⁴⁶ The wide difference between these figures perhaps opens them to question, but the relatively low total wealth held by most of these delegates (next to Billings the most prosperous outside white held only \$7,500 in total property) is of considerable interest. Traditional accounts to the contrary, it suggests that Florida's outside whites, by 1870 a group composed of two lawyers, the state treasurer, the secretary of state, a sheriff, a court clerk, two government surveyors, a Freedmen's Bank cashier, two revenue officials, a registrar of bankruptcy, and one individual of unascertained occupation, were not gaining large fortunes through corrupt political practices. At a relatively early age (in 1868 – 33 years average age – 31.5 years median age), optimistic dreams of successful future careers, not plots involving political corruption, had encouraged a number of these immigrants to settle in the South. In several instances, individuals such as George J. Alden, who later authored a pamphlet encouraging migration of additional northerners into Florida, achieved their goals and remained in the region.⁴⁷ In contrast,

45. In 1891, Conover became president of the board of regents of Washington State Agricultural College, Pullman. For details on his post-1868 activities, see *Biographical Directory of the American Congress 1774-1961* (Washington, 1961), 730-31. Roland T. Rombauer offers an illustration of the difficulties involved in completing a systematic study of a group as mobile as the convention's outside whites. By 1870, he had left Florida for the West. Scattered references to his later mining activities in Idaho and Montana were discovered in a seminar paper by Jeffrey Rombauer, a descendant enrolled in a history class at Washington State University in 1969.

46. In contrast to the wealthy Billings, four outside whites owned no property. It is therefore difficult to present meaningful totals concerning the average or median assets of these delegates.

47. The property holdings, age, and profession of nine of the thirteen outside whites were located in the manuscript census. For the age of

other members of this heterogeneous group failed to adjust so readily to their new surroundings, and they returned to the North. William J. Purman, a Union army veteran who claimed to have witnessed the assassination of Abraham Lincoln, offers possibly the best example of this phenomenon. Disheartened by his relative lack of economic success and by threats of physical violence, he left Florida for his native Pennsylvania in the 1870s.⁴⁸

A large majority of the assembly's outside white delegates (eleven of thirteen) joined the Purman-Jenkins forces. Unaccustomed as they were to their new biracial environment, they demonstrated relatively little desire to tamper with the southern "tradition" of racial separation. Instead, they united with the majority of the body's native whites to frame a constitution designed to continue white dominance. Interested in economic opportunities as well as politics, they apparently assumed that accommodation with the principle of white superiority might help to secure native white cooperation in future attempts to develop the area's resources.⁴⁹ Harrison Reed, a behind-the-scenes Purman ally who later became the state's first Republican governor, certainly hoped this would be the case. In a revealing letter, written near the conclusion of the bitter struggle which resulted in the expulsion of the body's "mule team" leaders, he noted that the new constitution was designed to secure both the protection of property and the continuation of white rule:

After the severest & most bitterly contested fight I have ever participated in, I think the distructurs [sic] have been effectually overthrown & the state saved to "law and order". [sic] The Constitution will be completed by the last of the week & our nominations made. The conspirators had a scheme to overthrow the Railroads of the state. . . . Under our Constitution the Judiciary & State officers will be appointed & the apportionment will prevent a negro legis-

another delegate and the professions of three other outside whites (including Alden), see *New York Tribune*, February 5, 1868; Davis, *Civil War and Reconstruction in Florida*, 549; *Biographical Directory*, 1410.

48. Hume, "Constitutional Conventions," 575-76; *Washington Post*, March 13, 1927. While in Florida, Purman was seriously wounded by a terrorist attack in February 1869.
49. For examples of a number of Republicans, such as Osborn, Stearns, Purman, Conover, and Jenkins, who were involved in railroad activities in Florida, see John A Meador, "Florida Political Parties, 1865-1877" (Ph.D. dissertation, University of Florida, 1964), 172-74.

lature. I believe there is a "God in Israel" & that he [sic] will not abandon us to the tender mercies of vagabond adventurers.⁵⁰

The Florida constitutional convention of 1868 was the most turbulent of all the "Black and Tan" conventions. Its bitter factionalism, which eventually became so severe that delegates divided into separate groups and framed two constitutions, reflected long-standing and deep divisions within the state's Republican party. As noted in standard accounts of postwar Florida, these differences reached a climax in the election of delegates to a convention which was bitterly splintered among its three key elements: outside white followers of William Purman, Liberty Billings's "mule teamers," and native whites who supported Ossian B. Hart. But these accounts have failed to stress properly yet another critical factor which greatly intensified the severity of the body's internal struggles. That is, the fact that intraparty strife, a phenomenon which had frustrated all attempts to centralize early Republican campaign efforts, had also helped to create an assembly which was almost evenly divided among blacks, southern whites, and outside whites. This key reality, a condition unique to Florida because no other "Black and Tan" convention was so composed, further hampered attempts to secure Republican harmony. It combined with existing personal rivalries to disrupt efforts to gain an effective majority which could secure a new constitution.

As a result of such circumstances, the members of the Florida "Black and Tan" convention divided in a manner that was quite distinct. In this body, one in which the "Radical" coalition traditionally associated with southern Reconstruction failed to appear, the basic division was one of race. Most blacks, aided by only a few whites, endorsed Liberty Billings's attempt to secure the "mule team" constitution. Their effort, nonetheless, was thwarted by the emergence of a majority coalition composed of eleven outside white "commercialists," eleven southern whites wishing to maintain a number of "traditional" social distinctions, and a small group of blacks. After gaining control of the convention, the members of this unique majority coal-

50. Harrison Reed to David L. Yulee, February 16, 1868, mss. box 8, David Levy Yulee Papers, P. K. Yonge Library of Florida History, University of Florida, Gainesville.

tion successfully secured the passage of the constitution which they had originally framed at Monticello. Although progressive, this document was worded in a manner which limited the political impact of the enfranchisement of the freedmen. It was therefore considerably less "radical" than those framed by similar bodies meeting at the same time in other former Confederate states. Legend notwithstanding, the Florida "Black and Tan" constitution, a document drafted by a coalition of white Republicans who were rather "conservative," was not designed to plunge the state into an era of black rule. Actually, its sponsors viewed it as an instrument which might allow them to secure hegemony in Florida through a Republican party under white control.

*Key to the Chart on Nine Selected Roll Call
Votes in the Convention*

(There were approximately forty-nine such divisions.)

R= A "Radical" vote. A vote for a measure which would: (1) aid blacks, (2) restrict the actions of opponents of the "mule team," or (3) strengthen the supporters of the "mule team" in the convention.

C= A "Conservative" vote. A vote for a measure which would: (1) aid southern whites, (2) restrict blacks, or (3) strengthen the opponents of the "mule team" in the convention. Although Daniel Richards and William Saunders exhibited mixed voting behavior prior to their expulsion from the assembly, they were certainly in sympathy with the objectives of the "mule team." They may thus be validly classified as "Radicals."

Column A= A vote endorsing Daniel Richards for the convention's presidency. On January 20, 1868, he was elevated to that office in a division of twenty-five to two. R= a vote for Richards. C= a vote against Richards.,

Column B= A vote involving Liberty Billings's effort to postpone any further discussion of the eligibility issue. On February 1, 1868, such discussion was postponed by a division of twenty-one to twenty. R= a vote for postponement of the discussion. C= a vote against such a postponement.

Column C= A vote involving Horatio Jenkins's elevation to the presidency of the reassembled convention. On February 18,

1868, he gained that position in a division of thirty-one to thirteen. R= a vote against Jenkins. C= a vote endorsing Jenkins.

Column D= A vote involving the expulsion of Liberty Billings, Charles H. Pearce, and William Saunders. On February 19, 1868, they were expelled from the convention in a division of twenty-five to sixteen. R= a vote against their expulsion. C= a vote favoring their expulsion.

Column E= A vote involving Daniel Richards's expulsion from the assembly. On February 19, 1868, he was removed in a division of twenty-five to sixteen. R= a vote against his expulsion. C= a vote favoring his expulsion.

Column F= A vote involving the expulsion of Solon Robinson of the *New York Tribune*. On February 20, 1868, Robinson lost his right to observe the proceedings of the convention in a division of twenty-one to sixteen. R= a vote against his expulsion. C= a vote favoring his expulsion.

Column G= A vote involving the seating of J. E. Davidson, Ossian B. Hart, Marcellus L. Stearns, and Richard Wells. On February 20, 1868, they were seated as members of the convention in a division of twenty-two to fourteen. R= a vote in opposition to their seating. C= a vote to accept these new delegates.

Column H= A vote involving the seating of John W. Butler. On February 20, 1868, he was seated in a division of twenty-three to nine. R= a vote against this action. C= a vote favoring the seating of Butler.

Column I= A vote involving the final adoption of the Florida "Black and Tan" constitution. On February 25, 1868, it was accepted in a division of twenty-eight to sixteen. R= a vote against its ratification. C= a vote favoring its endorsement.

Hume: Membership of the Florida Constitutional Convention of 1868. A Ca

| <i>Delegate</i> | <i>Biographical Classification</i> | Votes on Nine Selected Roll Call Divisions | | | | | | | | | | <i>Political Classification</i> | |
|---------------------|--|---|---|---|---|---|---|---|---|---|---|-------------------------------------|--------------|
| | | A | B | C | D | E | F | G | H | I | | | |
| Alden, George J. | Outside white | | | C | C | C | C | C | C | C | | | Conservative |
| Armistead, L. C. | Southern white | R | C | C | C | C | C | C | C | C | | | Conservative |
| Armstrong, O. B. | Negro | R | R | R | R | R | | | | | | R | Radical |
| Bass, A. G. | Unclassified white | R | R | R | R | R | R | R | R | | | R | Radical |
| Billings, Liberty | Outside white | R | R | R | | | | | | | | | Radical |
| Bradwell, William | Negro | R | R | R | R | R | R | R | R | R | | | Radical |
| Bryan, Homer | Negro | R | C | C | C | C | C | C | C | C | | | Conservative |
| Butler, John W. | Outside white | | | | | | | | | | | C | Conservative |
| Campbell, John L. | Southern white | | | | C | C | C | C | C | C | | | Conservative |
| Cessna, William K. | Outside white | R | C | C | C | C | C | C | C | C | | | Conservative |
| Chandler, Alexander | Negro | | | R | C | C | C | C | R | C | C | | Conservative |
| Childs, J. W. | Outside white | | | C | C | C | C | C | C | C | | | Conservative |
| Cone, William H. | Southern white | R | R | R | R | R | R | R | R | R | | | Radical |
| Conover, Simon B. | Outside white | R | C | C | C | C | | C | C | C | | | Conservative |
| Davidson, Green | Negro | R | R | R | R | R | R | R | R | R | | | Radical |
| Davidson, J. E. | Southern white | | | | | | | | | | | C | Conservative |
| Dennett, N. C. | Outside white | C | | C | C | C | C | C | C | C | | | Conservative |

| <i>Delegate</i> | <i>Biographical Classification</i> | Votes on Nine Selected Roll Call Divisions | | | | | | | | | <i>Political Classification</i> |
|-----------------------|--|---|---|---|---|---|---|---|---|---|-------------------------------------|
| | | A | B | C | D | E | F | G | H | I | |
| Erwin, Auburn | <i>Negro</i> | | C | C | C | C | C | C | C | C | Conservative |
| Fortune, Emanuel | <i>Negro</i> | | C | C | C | C | C | | | C | Conservative |
| Gibbs, Jonathan C. | <i>Negro</i> | | R | R | R | R | R | R | | R | Radical |
| Goss, Jesse H. | Southern white | R | R | C | R | R | R | R | R | R | Radical |
| Hart, Ossian B. | Southern white | | | | | | | | | C | Conservative |
| Hill, Frederick | <i>Negro</i> | R | R | C | R | R | R | R | R | R | Radical |
| Howse, E. D. | Southern white | R | C | C | C | C | R | C | C | | Conservative |
| Jenkins, Horatio, Jr. | Outside white | | C | | C | C | C | C | C | C | Conservative |
| Johnson, Major | <i>Negro</i> | R | R | R | R | R | R | R | R | R | Radical |
| Krimminger, John N. | Southern white | R | R | C | R | R | R | | | R | Radical |
| McRae, B. M. | Southern white | | C | C | C | C | C | C | C | C | Conservative |
| Meacham, Robert | <i>Negro</i> | R | | R | R | R | R | R | R | R | Radical |
| Mills, Anthony | <i>Negro</i> | R | R | R | R | R | R | R | R | R | Radical |
| Mizell, David | Southern white | | C | C | C | C | C | C | C | | Conservative |
| Mobley, Clairborne R. | Southern white | R | C | C | C | C | C | C | C | C | Conservative |
| Oates, Joseph E. | <i>Negro</i> | R | R | R | R | R | R | R | R | R | Radical |
| Osborn, Thomas W. | Outside white | C | C | C | C | C | C | C | C | C | Conservative |

Hume: Membership of the Florida Constitutional Convention of 1868. A Ca
 Votes on Nine Selected Roll

| <i>Delegate</i> | <i>Biographical Classification</i> | Call Divisions | | | | | | | | | <i>Political Classification</i> |
|-----------------------|--|----------------|---|---|---|---|---|---|---|---|-------------------------------------|
| | | A | B | C | D | E | F | G | H | I | |
| Pearce, Charles H. | <i>Negro</i> | R | R | R | | | | | | | Radical |
| Pearce, Samuel J. | Southern white | | C | C | C | C | C | C | C | C | Conservative |
| Powell, John W. | Unclassified white | | C | C | C | C | C | C | C | C | Conservative |
| Purman, William J. | Outside white | | C | C | C | C | | C | C | C | Conservative |
| Richards, Daniel | Outside white | | R | C | R | | | | | | Radical |
| Rogers, Washington | Southern white | | | C | C | C | C | C | C | C | Conservative |
| Rombauer, Roland T. | Outside white | | C | C | C | C | | | | C | Conservative |
| Rowley, Lyman W. | Southern white | | C | C | C | C | C | C | C | C | Conservative |
| Saunders, William | <i>Negro</i> | R | R | C | | | | | | | Radical |
| Shuler, Andrew | Unclassified white | R | R | C | C | C | C | C | C | C | Conservative |
| Stearns, Marcellus L. | Outside white | | | | | | | | | C | Conservative |
| Urquhart, Thomas | <i>Negro</i> | | C | C | C | C | C | C | C | C | Conservative |
| Walker, George W. | Southern white | | | | | | | | | | Not Seated |
| Walls, Josiah T. | <i>Negro</i> | R | R | C | R | R | R | R | R | C | Radical |
| Ware, Eldridge | Southern white | R | R | C | R | R | R | R | R | R | Radical |
| Wells, Richard | <i>Negro</i> | | | | | | | | | R | Radical |
| Wyatt, John | <i>Negro</i> | R | R | R | | R | R | | | R | Radical |