

# Florida Historical Quarterly

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Volume 56  
Number 3 *Florida Historical Quarterly*, Volume  
56, Number 3

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Article 6

1977

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### Recommended Citation

Fryman, Mildred L. (1977) "Career of a "Carpetbagger": Malachi Martin in Florida," *Florida Historical Quarterly*. Vol. 56: No. 3, Article 6.

Available at: <https://stars.library.ucf.edu/fhq/vol56/iss3/6>

## CAREER OF A "CARPETBAGGER": MALACHI MARTIN IN FLORIDA

by MILDRED L. FRYMAN\*

THE EPITHET "CARPETBAGGER" holds such a solid place in the vocabulary of American history that it would be difficult to describe the nation's Reconstruction experience without utilizing it. In 1868, the editors of a Pensacola newspaper expressed the attitude towards "carpetbaggers" which prevailed among white Southerners. "While crushed beneath a grinding military despotism, hiring spies and impudent adventurers have swarmed upon . . . [us] taking a despicable advantage of . . . [our] weakness, misfortunes and suffering to traduce, vilify and malign . . . [us]. . . . Upstarts, without name, character or position in their own land, have, with the aid of military power, imposed upon . . . [the South] an odious government, and foisted themselves into office and power as . . . rulers."<sup>1</sup>

Numerous historical studies feature the activities of the "upstarts" and "adventurers" who came to Florida after the Civil War. In contrast, biographical accounts exist for only a few of these individuals.<sup>2</sup> When the Democratic party returned to power in 1876, many Florida "carpetbaggers" faded into the obscurity from which they had materialized a decade earlier. Others have been remembered only because their names were linked with stories of Yankee misdeeds which survived the end of the Reconstruction era.

Association with Florida's notorious convict-lease system provided Malachi Martin with a reputation as a brutal and corrupt man. From 1868 to 1877, Martin served as chief ad-

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1. Pensacola *West Florida Commercial*, October 13, 1868. The masthead of this issue carries the date as October 12, 1868.
2. Claude R. Flory, "Marcellus L. Stearns, Florida's Last Reconstruction Governor," *Florida Historical Quarterly*, XLIV (January 1966), 181-92; Jerrell H. Shofner, "A New Jersey Carpetbagger in Reconstruction Florida," *Florida Historical Quarterly*, LII (January 1974), 286-93; Richard N. Current, *Three Carpetbag Governors* (Baton Rouge, 1967), 3-35.

ministrator of the state penal institution at Chattahoochee. A book written by a convict labor camp captain fostered the image of Martin as an evil prison warden. J. C. Powell wrote *The American Siberia* chiefly as an expose of Florida's convict-lease system which became fully operable only after Martin resigned from the penal organization. Powell characterized Martin as a fortune hunter whose regime was "one of almost unrelieved barbarity." Powell wrote that "a man named Martin was warden [of the Chattahoochee prison], and the place was horror's den. He had been placed in charge of the building during the war, at a time when it was used as an arsenal. The state got rid of its criminals by turning them over bodily to him, and paid him bonuses amounting to over \$30,000 for accepting the charge. He had vast vineyards and worked the convicts in them, manufacturing all kinds of wine, at which he made a fortune. There were no restrictions whatever placed upon him by the state."<sup>3</sup> None of Powell's statements in this passage is wholly true. Nevertheless, the reputation with which that author endowed Martin persists today.

Born in Ireland in the early 1820s, Malachi Martin emigrated to the United States in 1847.<sup>4</sup> Within the next five years, he established himself as a retail dry goods merchant in New

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3. J. C. Powell, *The American Siberia, or Fourteen Years' Experience in a Southern Convict Camp* (Chicago, 1891; facsimile editions, New York, 1969, Gainesville, 1976), 10, 8.

4. Martin probably was born in 1822; he stated in November 1864, that he was forty-two years old. Records of Volunteer Officers, Quartermasters Department, Records of the Office of the Quartermaster General, IV, 229, Record Group 92, National Archives, Washington, D. C. Hereinafter cited as RVOQD. In November 1871, he gave his age as forty-nine. U. S. Congress, Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States, "Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States, Miscellaneous and Florida," *House Reports*, 42nd Cong., 2nd sess., no. 22, pt. 13, p. 184. Martin's age was reported as forty-five in the 1870 census and as fifty-six in the 1880 census. U. S. Census Office, Ninth Census of the United States, 1870, Population Schedule, Florida, Gadsden County; Tenth Census of the United States, 1880, Population Schedule, Gadsden County, original returns on microfilm, Robert M. Strozier Library, Florida State University, Tallahassee. (All census returns cited hereinafter are microfilm copies of the original.) Burial records give Martin's age in 1884 as fifty-eight. Records of Calvary Cemetery, Blissville (now Queens Village), Long Island, Trustees of St. Patricks Cathedral, Archdiocese of New York, as cited in a letter from Edward J. Milty to the author, April 8, 1976.

York City.<sup>5</sup> He remained in the dry goods business until he entered military service in December 1861, as a second lieutenant in the Second Independent Battalion, New York Light Artillery (the "Irish Brigade").<sup>6</sup> He soon became quartermaster for the entire Second Independent Battalion and may have received a promotion to first lieutenant as well.<sup>7</sup> In any case, he received an appointment as captain and assistant quartermaster in the U. S. Volunteers and subsequently resigned from his original unit.<sup>8</sup>

Martin served with the Army of the Potomac from early in 1862 until January 1864, when he requested reassignment to the Army of the Gulf. In April 1864 he arrived in New Orleans to take up his new responsibilities. At the end of that year, he was transferred to the District of Key West and Tortugas, where he remained until after the war's end. In July 1865, he received orders to proceed to the headquarters of the District of Florida.<sup>9</sup>

Martin arrived in Tallahassee to assume his duties as chief quartermaster on the staff of Brigadier General John Newton a few months after Federal troops occupied the state capital. He remained with Newton's staff when the general obtained command of the Middle District of Florida at the beginning of August 1865. From early September until Christmas, Martin filled two posts: chief quartermaster of the Middle District of Florida and acting chief quartermaster of the Department of Florida. After being relieved of the latter duties, he continued to serve in the former capacity until the funds and property for which he was accountable were transferred to another jurisdiction late in January 1866. A few days later, Martin asked

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5. *Trow's New York City Directory*, 1852 through 1862 (New York, 1852-1862). Martin's Irish wife bore him a son, Walter, in 1852, and may have died soon thereafter. She was not living with him in Florida in 1870, and he remarried before 1880. U. S. Census Office, Ninth Census of the United States, 1870, Population Schedule, Florida, Gadsden County.

6. RVOQD, IV, 229.

7. Military Service Record [of] M. Martin, Records of the Office of the Adjutant General 1780-1917, Record Group 94, National Archives, Washington, D. C.

8. Final Certificate no. 2265, Documents Relative to U. S. General Land Office, Record Group 49, National Archives, Washington, D. C. Hereinafter cited as DGLO.

9. RVOQD, IV, 229-31.

to be mustered out of military service, and on March 13, he received his discharge.<sup>10</sup>

Before Martin left the U. S. Volunteers, he established residency in Leon County, Florida, and engaged in agricultural activities there. His decision to settle in Tallahassee remains unexplained. Undoubtedly Martin's activities as quartermaster acquainted him with the post-war economic conditions which forced many plantation owners to mortgage or sell their lands. Shortly after the war, Live Oak Plantation, located north of Tallahassee, became a burden to its owner, William H. Branch. Before or during January 1866, he appears to have leased that property to Martin.<sup>11</sup> Evidently the latter failed to meet his responsibilities, for at the beginning of 1867, Branch instructed his lawyer to bring suit against Martin.<sup>12</sup>

As his next agricultural venture, Martin joined another Tallahasseean as "M. Martin and Co." in the purchase from George A. Croom of land located southeast of Tallahassee. Croom held a mortgage on the property valued at over \$16,000. Although Martin agreed to "devote his entire time and energies" to the farming operation as its general manager, he again was unsuccessful. In January 1868, one year after purchasing this land, the partners remitted it to Croom.<sup>13</sup>

Having failed as a farmer, Martin made a tentative entry into Florida politics. On January 20, 1868, a constitutional convention assembled in Tallahassee which immediately became a battleground for the radical and moderate factions of Florida's Republican party as they began to struggle for control of the reconstruction process. By the end of January, the radicals clearly dominated the convention. In the first days of February, a moderate minority opened its own "rump" assembly in nearby Monticello. The radicals adopted a constitution reflecting their views, but in the late night hours of February 10, the "rump" delegates occupied the Capitol convention hall. They drafted

10. *Ibid.*, IV, 231-32.

11. Leon County Deed Record Book N, 399, Office of the Circuit Court Clerk, Courthouse, Tallahassee. All Leon County records cited herein-after are located in the courthouse unless otherwise stated.

12. William B. Brickell to W. H. Branch, January 30, 1867, A. J. Peeler to William H. Branch, January 31, 1867, and John Bradford to William Branch, October 17, 1876, Branch Family Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.

13. Leon County Deed Record Book N, 546, 551; Book P, 62.

another, more moderate constitution which soon was implemented. Martin, nascent public servant, played a minor role in these important events, serving the moderate "rump" assembly as its sergeant-at-arms.<sup>14</sup>

After the convention adjourned, Martin remained in Tallahassee. On May 13, 1868, he received an appointment as an agent of the Bureau of Refugees, Freedmen, and Abandoned Lands.<sup>15</sup> Former military men like Martin provided a good source of manpower for the bureau as it engaged in aiding blacks to solve problems accompanying their new freedom. Martin served as bureau agent in Leon and Wakulla counties until December 31, 1868, when the Freedmen's Bureau in Florida ceased operation except for its educational services.<sup>16</sup>

Late in 1868, according to a contemporary observer, Martin was destitute; he failed to make rent payments and accumulated other debts.<sup>17</sup> Fortunately he was selected in November 1868, as the first commanding officer of the newly created Chattahoochee Penitentiary. No state penal system had existed in Florida prior to the Civil War, but post-war circumstances made the creation of one seem necessary. In the absence of state prisons, law breakers were fined, penalized through corporal punishment, or incarcerated in county jails. After the war, authorities badly overestimated the volume of offenses which would be committed by

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14. Tallahassee *Weekly Floridian*, February 18, 1868, containing letter dated February 13, 1868, signed M. Martin "Sergeant-at-Arms"; D. Richards to David S. Walker, February 15, 1868, cited in John Wallace, *Carpetbag Rule in Florida. The Inside Workings of the Reconstruction of Civil Government in Florida after the Close of the Civil War*. (Jacksonville, 1888; facsimile edition, Gainesville, 1964), 371-72.
  15. Howard to Gile, December 17, 1868, Letters Involving Appointments, Assistant Commissioner for Florida, U. S. Bureau of Refugees, Freedmen, and Abandoned Lands, Record Group 105, National Archives, Washington, D. C.
  16. For Martin's monthly reports to his superiors on his duties and activities as a bureau agent, see Unentered Letters and Reports from Subordinate Officers, Assistant Commissioner for Florida, Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, Record Group 105, National Archives, Washington, D. C.; Ralph L. Peek, "Aftermath of Military Reconstruction, 1868-1869," *Florida Historical Quarterly*, XLIII (October 1964), 138.
  17. Wallace, *Carpetbag Rule in Florida*, 223; Martin to Simon Conover, July 6, 1869, Papers of Malachi Martin, catalogued as Records of the U. S. Army Quartermaster Department, District of Middle Florida, Papers, 1865-1869, Special Collections, Robert M. Strozier Library, Florida State University, Tallahassee. Hereinafter cited as Martin Papers.

freedmen and thus anticipated having to administer punishment to a large number of criminals.<sup>18</sup> In December 1865, the Florida House of Representatives suggested the creation of a committee to investigate the establishment of a state prison system.<sup>19</sup>

The former United States arsenal at Chattahoochee seemed a logical site for such an institution. Built in the 1830s, it consisted of an enclosed quadrangle containing barracks, officers' quarters, and work shops all surrounded by walls twelve feet high and thirty inches thick.<sup>20</sup> After the Civil War, federal authorities turned the property over to the Freedmen's Bureau.<sup>21</sup>

It was not until 1868 that the desire for a prison became a reality. In his opening message to the first session of the reconstituted Florida Assembly, Governor Harrison Reed proposed a penitentiary system utilizing the Chattahoochee arsenal. He based his recommendations on the leasing of inmates as laborers. The widespread practice of convict leasing came into use in the South before the Civil War, but it was not entirely unknown in antebellum Florida. Reed described his system as one which would provide the state with a source of income as well as a way to punish and reform criminals. He asked the new legislature to petition Congress to place the Chattahoochee arsenal at the state's disposal for use as a penitentiary.<sup>22</sup> On July 10,

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18. Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction, 1863-1877* (Gainesville, 1974), 53-56.

19. *Florida House Journal*, 1865, 54.

20. Mark F. Boyd, "Historic Sites in and around the Jim Woodruff Reservoir Area, Florida-Georgia," Smithsonian Institution Bureau of American Ethnology *Bulletin* 169, River Basin Surveys Papers, No. 13, p. 276. In 1866, the State of Florida was offered the arsenal for use as a prison. The arsenal was in possession of the Freedmen's Bureau by mid-November 1866. Secretary of War Edwin M. Stanton to President Andrew Johnson, November 14, 1866, in U. S. War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 70 vols. (Washington, 1880-1901), Series III, Volume V, p. 1042.

21. Tallahassee *Semi-Weekly Floridian*, October 4, 25, 1867. Martin as quartermaster of the District of Middle Florida ordered the removal of ordnance and stores in preparation for the transfer of the Chattahoochee arsenal to the Freedmen's Bureau. Martin to W. H. Hutchinson, October 7, 1865, Martin Papers. J. C. Powell's contention, cited above, that Martin was in charge of the Chattahoochee arsenal during the Civil War has no basis in fact, for Martin's military record clearly indicates that he arrived in Florida after the war's end.

22. "Governor's Message," *Florida Senate Journal*, 1868, 53-54. See N. Gordon Carper, "The Convict-Lease System in Florida, 1866-1923"

1868, a joint resolution to that effect was passed by the Senate and Assembly of Florida.<sup>23</sup>

A few weeks later, a legislative act established a state penitentiary to house convicted criminals who would be "employed at hard labor." It was to be "governed by a military organization, and conducted as a military establishment," with the adjutant general of Florida as superior officer. Rules and regulations were to be made by the governor and cabinet sitting as the Commissioners of Public Institutions. They also were to make contracts with individuals for the labor services of the inmates. The commandant's pay was fixed at five dollars a day; living quarters were provided for him at the prison.<sup>24</sup>

The new penitentiary system became operative at the end of 1868. That September, Reed went to Washington to ask the Secretary of War and the commissioners of the Freedmen's Bureau to allow the Chattahoochee arsenal to be used as a prison.<sup>25</sup> The request was granted. On November 16, Martin received his appointment as commanding officer of the new institution.<sup>26</sup> Although his appointment was not confirmed until January 20, 1869,<sup>27</sup> he took up his duties before the year (or his term as Freedmen's Bureau agent) ended.<sup>28</sup>

In his first annual report, Martin described problems which confronted him and mentioned programs he had implemented at the penitentiary: "New sills have been put under the porches of all the buildings. The barracks have been repaired; the windows of all the buildings, except the work-shops, have been glazed; the grounds around the prison cleaned up; trees trimmed so as to give a better circulation of air; and the appearance of the place much improved. We have cultivated a

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(Ph.D. dissertation, Florida State University, 1964) for a full study of the development of the convict-lease system in Florida.

23. *Laws of Florida*, 1868, 184.

24. *Ibid.*, 35-43. The officers' quarters at the arsenal, a building which today houses the administrative offices of the Florida State Hospital, were sufficiently commodious to provide housing for Martin and other officers.

25. "Governor's Message," *Florida Assembly Journal*, 1869, 15-16.

26. "Report of M. Martin . . .," in "Report of Adjutant-General," in *Florida Senate Journal*, 1870, Appendix, 91.

27. Harrison Reed to the Senate, January 20, 1869, Al-Box 23, Secretary of State's Papers, Florida State Archives, Division of Archives, History and Records Management, Department of State, R. A. Gray Building, Tallahassee. Hereinafter cited as SSP.

28. Jacksonville *Florida Union*, December 16, 1868.



good supply of vegetables, and some 150 bushels of corn. We have fenced in about 400 acres of pasture. We have also constructed a dam on the Mosquito Creek about half a mile from the prison. . . . A brick-yard and mud-machine have been constructed; and the prisoners have been constantly employed for the benefit of the State."<sup>29</sup>

Much remained to be done to secure the prison. Cells were a necessity, for prisoners were "herded together in a common dormitory" at night. It required "the best efforts of the officers and men of the guard to hold the prisoners" during 1869, and "all the efforts of the officers of the prison" to reform the convicts were "as chaff thrown against the wind" under the prevailing circumstances. A system of "humane but firm" discipline had been used, in addition to which chains, muskets, and bayonets proved useful deterrents to escape attempts. Convicts received reprimands for a first offense against prison rules and regulations. A second transgression led to solitary confinement, on occasion with only bread and water as rations. Martin thought that "the established discipline of the prison . . . [had] been remarkably successful, and . . . [would] compare favorably with most of the well-conducted prisons of the country."<sup>30</sup>

Not everyone shared Martin's opinion of his disciplinary system. Early in July 1869, reports circulated concerning acts of cruelty committed against a convict who had tried to escape. The governor, accompanied by the sheriff of Gadsden County, visited the prison. He concluded that Martin was indeed a "strict disciplinarian," but that his sternness was tempered by his "Irish heart." A court of inquiry acquitted Martin of charges of cruelty to the prisoner in question.<sup>31</sup> This episode rendered the commandant rather sensitive on the subject of violent episodes with which he or other prison officials might be associated. In September, Martin wrote a letter to the Jacksonville *Florida Union* explaining two such situations in an effort to prevent criticism.<sup>32</sup>

Martin experienced other problems in 1869. In September, he

29. "Report of M. Martin . . .," in *Florida Senate Journal*, 1870, Appendix, 93.

30. *Ibid.*, 90-94.

31. *Tallahassee Sentinel*, July 10, 24, 1869.

32. "M. Martin" to "Editor of Union," August 16, 1869, in *Jacksonville Florida Union*, September 2, 1869.

noted to a friend that he was "annoyed almost to death" by Adjutant General George B. Carse, who required all purchases for the penitentiary to be made through his office and who stationed the prison quartermaster in Tallahassee.<sup>33</sup> Before the year ended, however, the Commissioners of Public Institutions commended Martin for his management of the state penitentiary, especially in consideration of the "many embarrassments under which its officers labor."<sup>34</sup> In November, three cabinet members made an official visit to the prison promoted by a growing awareness of the problems created by the penitentiary's insecure physical plant. The commissioners concluded the disciplinary rules instigated by Martin were "excellent" and adopted them without alteration as the official penitentiary regulations.<sup>35</sup>

Other events which occurred during the next three months tempered the board's approbation of Martin's management of the prison. In his 1870 message to the legislature, the governor stated that the organization of the penitentiary "as a military institution is inconvenient and inconsistent with the spirit of our government." He recommended that a civil administration be established at Chattahoochee.<sup>36</sup> Martin vehemently opposed this suggestion. "I think I see the nigger in the fence here," he wrote to George Wentworth. "I anticipated this," he added, "and can give reasons for [this action] which I am sure would not be remarkably satisfactory to [Reed's] friend our self-sufficient Adj. Genl." To future governor Marcellus Stearns, he wrote, "this is only what I expected. It is the only way to work a plan tried with me without success. I ask my friends to oppose it."<sup>37</sup>

What next occurred remains a mystery. It is clear that the commandant had displeased the governor. In February 1870, Reed wrote a letter to the Florida Senate announcing new ap-

33. Martin to Wentworth, September [20 or 30], 1869, [marked "Void"], Martin Papers.

34. Minutes of the Board of Commissioners of State Institutions, December 6, 1869, Florida State Archives, Division of Archives, History and Records Management, Department of State, R. A. Gray Building, Tallahassee. Hereinafter cited as MBCSI.

35. Ibid. The visit to the prison was made on November 26 and 27, 1869; the commendation was contained in a report made by the inspection committee to the board at large.

36. "Governor's Message," *Florida Assembly Journal*, 1870, 17.

37. Martin to Wentworth, January 13, 1870; Martin to Stearns, January 13, 1870, Martin Papers.

pointments which he wished confirmed. In the surviving document, one sentence appears with a pencilled slash cancelling its authority. "Charles D. Lincoln to be Commandant of the Penitentiary in place of M. Martin, removed for violation of law in introducing whiskey within the grounds, violations of orders, and abandonment of the post and protracted absences."<sup>38</sup> Another letter dated the same day partially clarifies the situation. Reed evidently forgot that, three days earlier, he had nominated Lincoln for another position for which he had already received confirmation.<sup>39</sup> A technicality thus blocked Martin's removal, but the intent to replace him was real. What remains unexplained is the reason for this attempted ouster of a man who such a short time before had received the commendation of his superiors.

Perhaps a clue lies in the last two phrases of the abortive dismissal statement: abandonment of his post and protracted absences. On January 29, 1870, Malachi Martin applied to the Florida Land Office for homestead rights to 126 acres of land located several miles east of Chattahoochee.<sup>40</sup> In his claim, Martin certified that he built and occupied a house on his homestead tract before May 1, 1870. Quite probably Martin utilized convict labor in the construction of his new home. There is a later recorded instance in which he employed at least two convicts to erect another structure on his property.

The completion of his home undoubtedly occupied much of Martin's attention in 1870, but there were other important occurrences in his life. Both he and the penitentiary became focal points in a puzzling sequence of events which began that spring. In May, the governor asked an extraordinary session of the Florida Assembly to change the government of the penitentiary system from military to civil form. The only response to this request was the creation of a legislative study committee.<sup>41</sup> Several months later, in January 1871, the governor renewed his recommendation for a change in the prison

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38. Reed to the Senate, February 18, 1870, SSP.

39. Charles Mundee [Secretary of the Senate] to Reed, February 18, 1870, SSP.

40. Final Certificate no. 1067, June 5, 1876, DGLO.

41. "Governor's Message," *Florida Assembly Journal*, 1870, Extraordinary Session, 10, 14.

system's structure.<sup>42</sup> On this occasion, he obtained almost immediate results. On January 26, a bill designed to establish and maintain a state prison was signed into law.<sup>43</sup>

This new act implemented Reed's request for a shift to a civil administrative structure at Chattahoochee. It also provided for closer supervision of the prison (the term "penitentiary" is not used in this legislation) by the Board of Commissioners of Public Institutions and closer recording of prison expenditures. The law called for the appointment by the governor of a warden; the present commandant was to remain on duty until his successor had been confirmed.<sup>44</sup> By the end of February, a decision had been made to retain Martin in the transformed supervisory post of warden.<sup>45</sup>

The 1871 prison act clearly stated that the warden would reside at the prison and could not spend a single night elsewhere without written permission from the adjutant general. It also explicitly forbade the warden to accept gifts or rewards from prisoners.<sup>46</sup> It is unlikely that state authorities would have prohibited profiting from prisoners only to award the warden bonuses for receiving them, as Powell alleged in *The American Siberia*. During the 1870s, the state of Florida approached bankruptcy and could not have afforded to pay even \$3,000 to Martin. Furthermore, the warden's personal financial status in those years does not reflect the acquisition of such a large sum of money from any source.

The new administrative system gave authority for the prison's governance to the Board of Commissioners of Public Institutions.<sup>47</sup> A few weeks after the law passed, the commissioners issued their regulations. Rule twenty-five prohibited the "employment of a Prisoner by any of the officers of the Prison for private or personal purposes."<sup>48</sup> The strengthening of the commission's control over prison activities probably resulted from Martin's earlier infractions of the rules.

42. "Governor's Message," *Florida Assembly Journal*, 1871, 27.

43. *Laws of Florida*, 1871, 17-23.

44. *Ibid.*

45. MBSCI, February 27, 1871. No record was found of Martin's actual appointment as warden.

46. *Laws of Florida*, 1871, 19-20.

47. *Ibid.*, 17-23.

48. MBSCI, February 21, 1871.

Rule twenty-five to the contrary, Martin retained the favor of his superiors. A committee of Cabinet members was appointed to travel to Chattahoochee on a routine inspection visit at the beginning of March 1871. According to an accompanying newspaper reporter, the visitors found the warden to be an "affable and pleasant gentleman" and a "rigid disciplinarian." The reporter also described Martin as a man "of intense energy . . . [who] personally superintends everything, and has as fine a discipline, as neat a place, and as good order as the absurdity of the means at his disposal will allow of." The facilities, however, were described as "totally inadequate . . . a mere *burlesque* upon a prison."<sup>49</sup> At the beginning of 1872, Martin still conducted prison affairs in such a way as to avoid unfavorable comment. A legislative committee which visited the prison in January reported no illegal use of prison labor or harsh disciplinary practices.<sup>50</sup>

Martin enjoyed success in other endeavors during the early 1870s. A contemporary identified the warden as something of a power behind the scenes in Republican party politics during those years, but little evidence supports that view.<sup>51</sup> Two years later, however, Martin's political career began to accelerate. In 1872, he was elected to the Florida Assembly as one of Gadsden County's representatives.<sup>52</sup>

During Harrison Reed's administration, Martin did gain identity as a member of the moderate Republican "ring" or faction collected around the governor.<sup>53</sup> At the Republican convention held late in the summer of 1872, Martin nominated Marcellus Stearns as governor.<sup>54</sup> As a result of the fall election, moderate Republicans continued their dominance under the leadership of the new governor, Ossian Hart. Before many months passed, Hart died, and Lieutenant Governor Stearns became Florida's chief executive. The stage was set for a stormy political drama.

49. Ibid., February 27, 1871; Tallahassee *Weekly Floridian*, March 7, 1871.

50. Florida *Assembly Journal*, 1872, 273-75.

51. Wallace, *Carpetbag Rule in Florida*, 134.

52. Tallahassee *Weekly Floridian*, December 17, 1872; Jacksonville *Daily Florida Union*, March 22, 1876, referred to Martin's serving on the Republican Central Committee in 1872.

53. Wallace, *Carpetbag Rule in Florida*, 221.

54. Tallahassee *Weekly Floridian*, August 13, 1872.

No event of special significance to his political career marked Martin's first year in the legislature. He did participate in some political maneuvering prior to the 1873 session. Moderate Republican leaders put forward both Martin and a black member as candidates for the seat of speaker of the Assembly. According to their plan, Democratic representatives would vote for Martin in order to prevent the election of a black. These tactics failed; Simon Conover, a radical Republican, won the position.<sup>55</sup>

When the 1873 legislative session ended, Martin concentrated on broadening his farming enterprises and land holdings. His main agricultural pursuit was viticulture, the growing of grape vines. A few farmers in his area began making wine shortly before the Civil War, favoring the scuppernong grape.<sup>56</sup> By the fall of 1874, Martin considered himself sufficiently expert on the subject of grape culture to address the Palatka Fruit Growers Convention. He claimed that his vineyards produced at least 1,000 and sometimes as much as 2,000 gallons of wine per acre. He estimated that a profit of thirty-five cents per gallon could be made on scuppernong wine.<sup>57</sup>

In his book Powell asserted that Martin had made a fortune from his vineyards, *The Hermitage*, but judging from available information, it is unlikely that this was true. In 1880, Martin planted forty acres in vines, including the bunch grapes which he sold as fruit. He made 3,000 gallons of wine that year, an amount far below his 1874 calculation of yield per acre. At the rate of thirty-five cents per gallon, his 1874 projection of profit to be made, he received only a little over \$1,000 in 1880.<sup>58</sup>

If Martin profited greatly from his vineyards, he had little to show for it. In November 1880, his political activities brought

55. Wallace, *Carpetbag Rule in Florida*, 223.

56. Tallahassee *Weekly Floridian*, August 25, 1868; Ledyard Bill, *A Winter in Florida* (New York, 1869), 216-17.

57. Tallahassee *Weekly Floridian*, November 24, 1874. See also the text of Martin's speech, "On the Cultivation of the Scuppernong and Manufacture of Wine," pp. 253-57, in *Florida Assembly Journal*, 1875, Appendix, "Sixth Annual Report of the Commissioner of Lands and Immigration . . . December 31, 1874."

58. U. S. Census Office, Tenth Census of the United States, 1880, Agricultural Schedule, Florida, Gadsden County; Gadsden County Tax Records, 1873-1878.

him to the brink of personal disaster. Faced with seemingly unsurmountable problems, he attempted to dispose of his property and leave Gadsden County. He commented to an associate that "all the means I have in the world is [*sic*] invested in my property here." Martin feared that if his search for a buyer or tenant failed, he would have to abandon his farm and thus be "on the world without a home or a dollar."<sup>59</sup> These are not the words of a man with great wealth at his disposal.

If Martin did not amass a monetary fortune in the 1870s, he advanced his political career during those years. In 1874, 1875, and 1877, he served as a member of the legislature. In the 1874 session, he again became a candidate for speaker. As in 1873, his role was to attract Democratic votes while blacks voted for the other "ring" candidate, Alfred B. Osgood. This time the plan worked, and Martin won the prestigious post.<sup>60</sup>

Another legislator, John Wallace, accused Martin of using his political influence to line his own pockets by padding appropriations for prison expenses.<sup>61</sup> Surviving records provide little material with which to assess this charge. If Martin did add to his personal income in this manner, he certainly failed to take full advantage of his opportunities. Prison expenses for 1874 were \$20,700.35. Annual salaries at the prison totalled about \$10,000.<sup>62</sup> In 1874, a balance of \$8,134.92 covered the cost of provisions, fuel, and incidental expenses such as repairs,

59. Martin to Chandler, November 8, 1880, Chandler Papers.

60. Wallace, *Carpetbag Rule in Florida*, 228-29; *Florida Assembly Journal*, 1874, 5-7.

61. Wallace, *Carpetbag Rule in Florida*, 248.

62. Tallahassee *Weekly Floridian*, May 25, 1875; *Florida Assembly Journal*, 1875, Appendix, 93, 99. Average annual expenses for the 1869-1874 period (in U.S. currency) were \$22,940.37. Salaries for penitentiary, and later prison officials, were fixed by legislation: *Laws of Florida*, 1868, 35-43; *Laws of Florida*, 1871, 17-23. Martin's reports to the Adjutant-General, which are available for most of the years of his service, indicate in all but one instance (1869 report) the amount expended for institutional salaries. In 1872, salaries totalled \$12,696.50. *Florida Assembly Journal*, 1873, Appendix, 138. In 1873, they totalled \$11,680.19. *Florida Assembly Journal*, 1874, Appendix, 210. The total for 1874 was \$12,565.43. *Florida Assembly Journal*, 1875, Appendix, 99. 1875 salaries came to \$10,336.49 but in 1876 reached only \$8,976.41. *Florida Assembly Journal*, 1877, Appendix, 145, 147, 154. Salaries for 1869, 1870, and 1871 (no reports from Martin are available for the latter two years) were expended at a lower scale than that used after 1871. See *Laws of Florida*, 1868, 35-43 and *Laws of Florida*, 1871, 17-23. Therefore, although the average salaries for 1872-1876 equalled about \$11,000, the overall average from 1869-1876 probably was about \$10,000.

farm implements, lumber, and sundries. The amount of \$7,595.81 was expended for similar items in 1876; Martin held no influential legislative position in that year.<sup>63</sup> This patchwork of statistics admittedly falls short of providing sufficient evidence to clear Martin of the charges made by Wallace.

Conditions at the prison prompted the Florida Assembly to order an inspection of the premises early in 1874. In taking this action, the legislators no doubt embarrassed their speaker. According to one account, Martin tried to prevent the two black members of the legislative committee from reaching Chattahoochee. He correctly suspected that they intended to inspect the prison closely for signs of mismanagement. Martin gave them a false departure time for the special train he had arranged, but they found another way to reach the prison. According to their report, Martin ordered them marched off the grounds at bayonet point after they discovered some prisoners chained on their backs.<sup>64</sup> Although this description of the episode may be exaggerated, it is certain that the two inspectors were "forcibly ejected" from the prison. However, the Assembly failed to pass a resolution censuring Martin and merely ordered another investigation of the prison. The session ended before it could be implemented.<sup>65</sup>

In March 1874, a special investigator visited the prison to assess the treatment of federal prisoners confined there. He found eighty-one inmates at the institution; most working under guard at the prison farm. The inspector described housing conditions as "filthy" and vermin-ridden. Martin's reaction to this report is not known, but questions about conditions at the prison subsided after the spring of 1874.<sup>66</sup>

Martin's 1874 term as speaker of the Assembly assured him a position of leadership within the state's moderate Republican structure. A contemporary Democratic newspaper reported that Martin, William Purman, Robert Meacham, and Jonathan Gibbs

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63. "Report of the Warden of the State Prison," December 31, 1874, in "Adjutant-General's Report," December 31, 1874, *Florida Assembly Journal*, 1875, Appendix, 93; "Report of the Warden of the State Prison," December 31, 1876, in "Adjutant-General's Report," December 31, 1876, *Florida Assembly Journal*, 1877, Appendix, 147, 154.

64. Wallace, *Carpetbag Rule in Florida*, 248-50.

65. *Florida Assembly Journal*, 1874, 342, 308, 363.

66. *Tallahassee Weekly Floridian*, March 3, 1874.



(all Republicans) were each "satisfied that he is the pet of the administration and that all the moving and removing capacities of the accidental Executive [Marcellus Stearns] will be exerted in his own special favor."<sup>67</sup> In spite of the fact that Florida Democrats were preparing to challenge "carpetbag" control, the Republicans continued to struggle among themselves for supremacy within the party. During the summer of 1874, Republican nominating conventions in the various electoral districts of Florida turned into battlegrounds on which moderates and radicals warred to have their respective candidates accepted by party members.<sup>68</sup>

Martin chaired the first district Republican nominating convention in Tallahassee in August 1874, where he quite literally fought for his candidates. The convention soon split into two separate factions. Enraged by the success of a coup carried out by radicals who appropriated the meeting hall during a recess of the group he chaired, Martin found words inadequate to express his feelings. At one point he literally pushed away the incumbent first district congressman, Purman. In the wake of the fight, each of the two factions selected its own congressional candidate, one of whom was Purman.<sup>69</sup>

Martin returned to the Florida Assembly in 1875 as a Gadsden County representative but did not regain the speaker's seat.<sup>70</sup> Republicans of all persuasions were in the minority. The following year, Florida experienced one of its most intense political struggles as resurgent Democrats challenged the beleaguered Republican party. The complex but loosely woven fabric of the Reconstruction era in Florida failed to obscure the old society which lay just beneath it. Marcellus Stearns and the divided Republican factions he represented provided a good focal point for a timely Democratic attack on the gubernatorial seat.

The political events of 1876 enveloped Martin. Serving as a member of the Republican State Executive Committee, he

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67. Jacksonville *New South*, August 5, 1874.

68. Shofner, *Nor Is It Over Yet*, 293-94; Wallace, *Carpetbag Rule in Florida*, 290-300.

69. Jacksonville *New South*, August 15, August 19, 1874; Tallahassee *Weekly Floridian*, August 18, 1874.

70. Jacksonville *New South*, January 9, 1875.

participated in planning the upcoming election.<sup>71</sup> His involvement was heightened by his services as chairman of that group's five-man campaign subcommittee.<sup>72</sup> The results of the election were not accepted as final until investigations had been concluded. Martin represented the Republicans before the board of canvassers who scrutinized the controversial Florida situation.<sup>73</sup>

In spite of the Democratic victory, Martin remained an active public figure in 1876 and 1877. In the fall of 1876, Gadsden County voters reelected him to the legislature.<sup>74</sup> After the session began, his defeated opponent claimed that Martin was ineligible to run because, under the Constitution of 1868, "no person properly belonging to one of the departments shall exercise any functions appertaining to either of the others, except in cases expressly provided for by this Constitution." The investigating committee held the opinion that "the acceptance of the office of Assemblyman by the contestee had the effect . . . of vacating the office of Warden . . ., and he having previously resigned," the committee concluded that Martin could retain his seat.<sup>75</sup>

Governor George Drew recommended to the 1877 legislature that the penitentiary be made self-sustaining through the leasing of prisoners. Increased investments in railroad construction and the growth of the lumbering industry, both supported by northern capital, created demands for cheap unskilled labor which the contract system was well designed to meet. Drew's opinion of the prison's value doubtless also was colored by the fact that it was a product of a Republican administration. The governor suggested that the position of warden either be abolished entirely or allotted a lower salary.<sup>76</sup>

The next day a legislative committee began to consider Drew's suggestions. Investigators who visited the prison early in 1877 came away recommending that "convicts be hired out

71. Jacksonville *Daily Florida Union*, March 22, 1876.

72. *Ibid.*, July 4, 1876.

73. Tallahassee *Weekly Floridian*, December 5, 1876.

74. Jacksonville *Daily Florida Union*, September 26, 1876, quoting Tallahassee *Sentinel* of preceding Thursday; Florida *Assembly Journal*, 1877, 3-4.

75. Florida *Assembly Journal*, 1877, 117-19.

76. *Ibid.*, "Message of the Governor," 49-50.

upon the most advantageous terms that can be obtained. And, also, that the lands belonging to the institution, other than the immediate grounds upon which the Prison is situated and is enclosed around it, be rented out." <sup>77</sup> Subsequent legislation resulted in the abolition of the state prison. <sup>78</sup>

There is little doubt that Martin's administration of the prison and especially of its financial affairs displeased the Democratic legislature. In the summer of 1875, a Florida newspaper had remarked upon the warden's salary (six dollars a day), his rent-free residence at the prison, and the privilege accorded him of purchasing goods at cost from the prison stores. <sup>79</sup> The 1877 legislative investigating committee reported that convicts had "been employed by the Warden of the Prison on his own farm and vineyard at various times, for which the Warden should be charged at the same rate as is paid by other persons who employ them." <sup>80</sup> The committee failed to ascertain the extent to which Martin utilized convict labor in his vineyards.

After the 1877 legislative session ended, Martin's public career flagged. That spring he was considered for but not appointed to a position as an internal revenue collector. <sup>81</sup> In 1880, he again campaigned in Gadsden County for election to the legislature only to run a poor fifth behind another Republican and three Democrats. <sup>82</sup> Martin involved himself in other party activities during the 1880 elections. He served on a subcommittee which managed Republican campaign efforts in the western half of Florida and was selected as one of the presidential electors on the Republican ticket in the national elections. He also worked as an election inspector in Gadsden County. <sup>83</sup>

In November and December 1880, Martin wrote a series of

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77. *Florida Assembly Journal*, 1877, 564.

78. *Laws of Florida*, 1877, 86-91, 92-95, 96, 98.

79. *Tallahassee Weekly Floridian*, May 25, 1875.

80. *Florida Assembly Journal*, 1877, 564.

81. *Pensacola Herald*, March 28, 1877, quoted in *Tallahassee Weekly Floridian*, April 3, 1877.

82. *Tallahassee Weekly Floridian*, November 16, 1880.

83. Martin to Chandler, November 8, December 16, 1880, William E. Chandler Papers, Library of Congress, Washington, D. C., microfilm excerpts from volumes 50 and 52, courtesy of Peter Klingman, Daytona Beach Junior College, Daytona Beach, Florida. Hereinafter cited as Chandler Papers.

letters to national Republican party leader William Chandler in which he described "how the Democrats managed this farce called an election in Fla. In appointing Inspectors they chose on the part of the Dem's either honest men whom they knew would not serve or 'God fearing' [men] who were ready to do any dishonest job they were directed to do." He added that the Republicans chose "the most illiterate and incompetent col'd men" and had placed "every possible impediment . . . in the way of the registration of Republicans." There was more. "I have gone through a great deal of danger during political campaigns in Fla., but never in all my life have I been so near being assassinated [*sic*] as on the night of the last election!" Inebriated Democrats, he claimed, threatened his life as he served as inspector at a polling place. On his part, he had cautioned blacks to remain sober and patient. After the polls closed, but before the votes were counted, Martin received warning that he might be harmed if he reported the election as dishonest, but some blacks armed themselves and escorted him to the home of a friend.<sup>84</sup>

These events prompted Martin to consider his future safety. The Democrats "say that if it was not for me they would have no difficulty in controlling the Niggers. . . . I am not particularly anxious to become a martyr or . . . to make my wife a widow. Come what will I must *leave here*." He confided to his correspondent that "within two minutes three men have been here to tell me that I had better not remain here, at least for the present." In the same letter, Martin reminded Chandler, who had actively supported President Garfield in the recent elections, of a vacant appointive federal position in Florida—the surveyor generalship—and asked for assistance in obtaining it.<sup>85</sup>

A few weeks later, Martin again unburdened himself to his influential friend. "I have been unable to sell my property and have *rented* all my farming lands to col'd men, except my home place and my vineyards. I am taking all the precautions I can, keep good dogs and a night watch man around my buildings. If they get me there will be another funeral besides mine unless they are quicker than I am." Martin reflected that

84. Martin to Chandler, November 8, 1880, Chandler Papers.

85. *Ibid.*

he sometimes thought that "if I could go away for some time and the new administration would reconstruct this Southern banditti, decent men could live here. I like the country and the climate-but the people-Good Lord, deliver us! Politically they have neither honor, honesty or decency. Not a white man, except one of the Stearns, has darkened my door since I was nominated as one of the Presidential Electors."<sup>86</sup>

Martin's plight evidently moved William Chandler; in May 1881, he received an appointment as surveyor general for Florida.<sup>87</sup> His new responsibilities did not prevent his giving attention to his farm and vineyards. In the summer of 1881, he contributed comments on scuppernong cultivation to a pamphlet on fruit growing in Leon County.<sup>88</sup> That fall, a visitor to The Hermitage described in some detail the "busy little world" he found there and quoted Martin as saying that "the wine business pays its way." There were twenty-five acres planted in scuppernong and eight to ten acres in bunch grapes for shipment north. Martin also made wine, and according to the visitor, the wine cellar was "a large and commodious building, about 48 by 70 feet," three stories high, in which there were seven 500-gallon vats.<sup>89</sup>

Martin continued to nurture his political career. In 1881, he presided over the Republican Executive Board for Florida.<sup>90</sup> The unhappy experience of the 1880 campaign affected his attitude, however. He explained to an associate that "after the last election in Florida, I had fully resolved never again as long as the Lord let me live to attempt to cast a vote in this state until I had reason to believe it would be counted as I had cast it." He commented that he had nevertheless been holding conferences with both Republicans and Democrats to try to arrange an honest election for 1882. "The support of the Inde-

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86. Ibid., December 16, 1880, Chandler Papers.

87. U. S. Department of the Interior, General Land Office, Annual Report of the Commission, U. S. Surveyor General for Florida, July 1, 1880-June 30, 1881.

88. Tallahassee *Weekly Floridian*, July 5, 1881.

89. Ibid., September 20, 1881.

90. Charles A. Hentz, "My Autobiography," typescript, II, 148, Special Collections, Robert M. Strozier Library, Florida State University, Tallahassee. Dr. Hentz, who treated Martin for dislocated bones in his foot after a fall, described his patient as a large man of 250 or more pounds.

pendent movement for which the time seems ripe, is our [the Republicans] only hope of success and protection at the polls." <sup>91</sup> Martin's consistent efforts for and support of his party probably provided the basis for a rumor which circulated in the summer of 1884 suggesting that he might become permanent state party chairman. During those months, Martin unsuccessfully sought the first district's Republican nomination for congressman. <sup>92</sup>

A short time later, on August 29, 1884, Martin died at his Gadsden County home. <sup>93</sup> At his own request, his body was shipped to New York for burial on Long Island. He left behind a widow, his home, and vineyards which would soon lie fallow. Over the years, Mrs. Martin disposed of the Gadsden County land. In 1912, Martin's son sold his father's house, bringing to an end the association between the Irish "carpetbagger" and his adopted state. <sup>94</sup>

Malachi Martin's career in Florida well illustrates the evolution of a "carpetbagger." When his military service ended, Martin perceived that in Tallahassee and the surrounding area could be found opportunities for advancement. After an uncertain beginning, he became known to the leaders of the moderate wing of Florida's Republican party and received appointments and presumably political support from them. He enjoyed moderate success in politics and managed not only to survive the 1876 return of the Democratic party to political supremacy but also to become a leader in the state's regular

91. Martin to D. B. Henderson, September 23, 1882, Chandler Papers.

92. Edward C. Williamson, "Independentism: A Challenge to the Florida Democracy of 1884," *Florida Historical Quarterly*, XXVII (October 1948), 146.

93. Jacksonville *Florida Times-Union*, September 2, 1884. The 1885 Florida census schedule of persons who had died during the preceding year listed the cause of Martin's death as consumption and the place of death as Tallahassee. The Tallahassee *Weekly Floridian*, September 2, 1884, described the cause of death as "heart disease" and stated that Martin died at home. It is worth noting that in the 1885 Florida census mortality schedule, Martin's race was categorized as "B" or Negro and that his widow was enumerated in the population schedule of that census as a Negress. Florida, Census of 1885, Mortality and Population Schedules, Gadsden County, original returns on microfilm, State Library of Florida, Tallahassee.

94. Gadsden County Probate Records, Office of the County Judge, File 1197; Gadsden County Deed Record Book H, 446, 540; Book I, 297, 425, 484, 496; Book K, 19; Book L, 187, 188, 582; Book M, 636; Book 2, 203. All Gadsden County records are located in the county courthouse, Quincy, Florida.

Republican party organization. At least for a time he also prospered as a farmer and wine producer.

Legends and half truths such as those related by J. C. Powell in *The American Siberia* have played a greater role in shaping Martin's image than have his political and agricultural accomplishments. There is no denying that Martin sought opportunities for personal advancement in post-war Florida. His futile first attempts at farming occurred on land made available by others' misfortunes. But as a successful grape cultivator, he provided a measure of leadership in the search for alternative market crops which Florida agriculturalists undertook after the plantation economy failed. Wine production did not bring Martin great wealth, but he did demonstrate that viticulture was a profitable industry.

Martin made his first major contribution as a public servant in Florida in the somewhat novel area of penal administration. Disgraceful physical conditions, inadequate legislative support, and the failure of the convict-lease system to be implemented quickly all helped generate the shabby reputation acquired by the Chattahoochee penitentiary. As warden, Martin's activities, as well as his scruples, attracted criticism, some of which appears to have been merited. Martin's transgressions cannot be fully assessed due to the absence of thorough documentation, but it is clear that his regime was not, as Powell asserted, "one of almost unrelieved barbarity."

As a politician, Martin's personal ambitions seem to have been moderate, for he contented himself with positions of limited influence. Apparently, both his allegiance to his adopted state and his desire to work for the attainment of its social and political stability were genuine. By the time of his death, Malachi Martin had achieved "name, character, and position" through his career as a "carpetbagger" in Florida.