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FROM A TERRITORIAL TO A STATE JUDICIARY FLORIDA'S ANTEBELLUM COURTS AND JUDGES

by JAMES M. DENHAM

When the United States received Florida from Spain in 1821, one of the most obvious tools of instituting federal authority was the establishment of the American system of jurisprudence on the Florida frontier. Soon plans were under way to establish courts. During its territorial period (1821-1845) the national government in Washington provided Florida with its judicial officers. Presidents Monroe, Adams, Jackson, Van Buren, Harrison, Tyler, and Polk served in the White House and each appointed federal judges, district attorneys, and marshals for the judicial districts. In 1822 Congress divided the territory at the Suwannee River into two judicial districts. Superior courts, organized primarily at the county level, began functioning immediately. Thereafter, judicial districts were created as population growth required. In 1824, for example, a Middle Judicial District encompassing the area between the Apalachicola and Suwannee rivers was added to the existent Eastern and Western districts. The Southern District followed in 1828. A decade later Congress created the Apalachicola District, which provided for meetings of superior courts in Washington, Jackson, Franklin, and Calhoun counties.[1]

Not all counties had their own superior courts. During most of the territorial period, settlers in Marion, Hillsborough, Columbia, Hernando, and Levy counties attended court in Alachua County at Newnansville (today the town of Alachua). St. Augustine served as a court site, not only for St. Johns County residents, but also temporarily for those in St. Lucie and Mosquito counties, and in Monroe until 1828. During most of the 1820s and 1830s, citizens of Nassau County attended court in Duval County. Likewise, settlers in Madison and Hamilton counties, both created in 1827, did not

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1. Tallahassee *Florida Sentinel,* December 3, 1841.

have their own superior courts until the 1840s. They traveled to Monticello in Jefferson County.

Though the "judiciary of the Florida territory operated under federal authority," writes legal scholar Kermit Hall, it "more closely resembled a state court." This was so because it had jurisdiction over criminal, property, and some probate and contract cases– matters that traditionally were the province of state courts.[2] Congress vested Florida's superior courts with a variety of powers. They possessed original jurisdiction in criminal matters and in controversies involving $100 or more. Superior courts also adjudicated controversies arising under federal law. One of the court's most arduous tasks was adjudicating the conflicting land claims between private citizens and the federal government dating from the Spanish period. Superior courts sat for spring and fall terms, which meant that judges, district attorneys, marshals, and lawyers rode circuit twice within the district each year. Superior courts possessed appellate jurisdiction over the lower courts. A court of appeals, composed of the district judges sitting together, heard cases under review from superior courts.[3]

Beneath the superior courts, county courts handled cases in equity less than $100, along with other civil and probate matters. Before Florida became a state in 1845, three-man county courts also served as a kind of county commission. County courts had no criminal jurisdiction, but they were empowered– like justices of the peace– to take affidavits, commit suspects to jail, and supervise police and patrols in their respective counties. They appointed constables and were responsible for constructing and maintaining roads, bridges, and public buildings such as courthouses and jails. County courts had local tax assessing powers, and they also laid out justice of the peace (JP) districts within each county.[4] Justices of the peace and county judges were appointed by the governor. In 1844,

2. Kermit Hall and Eric Rise, *From Local Courts to National Tribunals: Federal District Courts in Florida, 1821-1991* (Brooklyn, 1991), 5.
3. For a discussion of the territorial courts see Hall and Rise, *From Local Courts to National Tribunals,* 5-20; Charles D. Farris, "The Courts of Territorial Florida," *Florida Historical Quarterly* 19 (April 1941), 346-67; Junius E. Dovell, *Florida: Historic, Dramatic, Contemporary,* 4 vols. (New York, 1952), I, 226.
4. An Act to Regulate the Counties and Establish County Courts in the Territory of Florida, in *Acts and Resolutions of the Legislative Council of the Territory of Florida* (Tallahassee, 1824), 247-51.

the year before Florida became a state, these positions became elected.[5]

Of all institutions of territorial government, county courts were probably the most criticized. Local citizens often complained that its tax assessing powers were unfair and its decisions were arbitrary. One St. Johns County citizen proclaimed that all his fellow citizens in East Florida shared his sentiments that all the officers of the county courts were incompetent, irresponsible, and indolent.[6] Another man charged that the problem was in Tallahassee. Officials there wanted influence in local communities and "were willing to purchase it by . . . corrupt patronage."[7] Others argued that county courts were an expensive, unnecessary layer of bureaucracy between the superior courts and the justices of the peace.[8] But most of the criticism was directed against the county courts' tax assessment powers. Citizens in Escambia County complained of "enormous taxes," while residents in Gadsden County insisted that the very fact that they were taxed by those they had not chosen to represent them was "unconstitutional" and not within the "Rights of Republicans."[9]

When it came to federal judges, the need for absolute impartiality meant that presidents always appointed from outside the territory. The appointment of district attorneys also followed this pattern, though not absolutely. Florida's first territorial judiciary represented some of the best legal talent in the nation. Henry Marie Brackenridge (Western District, 1823-1832), a native of Pennsylvania, had experience as a district judge and attorney general in the Orleans Territory before joining Andrew Jackson as a Spanish translator in Pensacola in 1822. By 1820 he had achieved a reputation as one of the great men of American letters.[10] Augustus

5. Farris, "Courts of Territorial Florida," 350.
6. St. Augustine *Florida Herald*, November 18, 1830.
7. Ibid., May 5, 1830.
8. Ibid., April 21, 1830; Memorial of the Inhabitants of the County of St. Johns to the Governor and the Legislative Council of Florida, November 4, 1824, Territorial Legislative Council, Unicameral, RG 910, ser. 876, box 1, fol. 7, Florida State Archives, Tallahassee (hereinafter, FSA)
9. Petition of Citizens of Escambia County to Legislative Council, 1824, and Petition to the Governor from the Inhabitants of Gadsden County, November 20, 1824, Territorial Legislative Council, Unicameral, RG 910, ser. 876, box 1, fol. 7, FSA.
10. William F. Keller, *The Nation's Advocate: Henry Marie Brackenridge and Young America* (Pittsburgh, 1956); Hall and Rise, *From Local Courts to National Tribunals*, 155-56.

Woodward, the first judge of the Middle District of Florida, was a graduate of Columbia University. At the time of his appointment in 1824, he had already served nineteen years as superior court judge of the Michigan Territory where he wrote *The Laws of Michigan, 1806* (otherwise known as the "Woodward Code"). Joseph Smith of Connecticut studied at Yale and replaced William Pope DuVal of the Eastern Judicial District, who became governor of territorial Florida in 1822. Smith had experience as a trial lawyer in Litchfield, Connecticut, and served in Florida until 1832.[11]

Though judicial appointments became more and more politicized in the proceeding years, Florida continued to receive excellent judges. Among these were Robert Raymond Reid, a graduate of South Carolina College who spent most of his legal career in Georgia. Before his appointment to the Eastern District of Florida in 1832, Reid had served as circuit judge, United States congressman, and mayor of Augusta, Georgia. In 1839 President Martin Van Buren appointed him governor of Florida. Another talented judge was Virginia-born James Webb, who was the first to preside over the Southern District, created in 1828. Webb came to Florida from Georgia, and he later became attorney general and secretary of state for the Republic of Texas. William Marvin of New York replaced Webb in the Southern District. Marvin became a national authority on maritime law, writing *A Treatise on Wreck and Salvage* (Boston, 1858).[12] Marvin served as governor of Florida in the tumultuous days immediately following the Civil War.

Though presidents could select judges from all over the nation, Florida's territorial judiciary was composed mainly of natives of southern states: Reid and Richard C. Allen (Apalachicola District, 1832-1838) were born in South Carolina; Webb, DuVal, Samuel Douglas (Middle District, 1842-1845), and John A. Cameron (Western District, 1832-1838) were born in Virginia; Alfred Balch (Middle District, 1840-1841) and David Carmack (Apalachicola District, 1841-1845) came to Florida from Tennessee; and Dillon Jordan (Western District, 1838-1845) was a native of North Carolina. If Thomas Randall (Middle District, 1827-1840) of Maryland is counted as a Southerner, ten out of fifteen territorial judges came

11. Hall and Rise, *From Local Courts to National Tribunals,* 155-56, 171, 174.
12. Ibid., 165, 173.

from states south of the Mason-Dixon line. Of the northern states, New York was represented by Judges Woodward, Marvin, and Isaac Bronson (Eastern District, 1840-1845), and Brackenridge of Pennsylvania and Smith of Connecticut put the number of northern judges at five.

There is little evidence that northern judges had difficulty adjusting to slavery in Florida, especially in the early years of the territory. Woodward died in 1827, long before sectional tensions reached their peak. In 1831 Judge Brackenridge left little doubt that he was determined to enforce the legal mandates of the slave system. In remarks he made to a Jackson County grand jury, the judge denounced the "circulation of inflammatory publications [lately] thrown into the Southern Country, by incendiaries, actuated by fanatic zeal." He announced his determination to enforce existing laws regarding these issues and suggested that additional legislation on these matters might be necessary.[13]

William Marvin remembered facing some hostility on account of his northern birth when he served in Florida's legislative council in 1837.[14] A unionist at the time Florida left the union in 1861, Marvin sat out the war in New York but returned in 1865 when President Andrew Johnson appointed him governor. Both Marvin and fellow New Yorker Isaac Bronson seem to have adjusted well to the South. By all accounts Joseph Smith was a man of intense energy, passion, short temper, and even volatility. He was often involved in confrontations with other federal officials, members of the bar, and private citizens. One official complaint lodged against him, addressed to the president, charged that he was a "Bully among the people." Other opponents of the judge referred to him as a "tyrant."[15] Whether disagreements over politics, personalities, the law,

13. Charge of Judge Henry M. Brackenridge to the Jackson County Grand Jury, December Term, in Clarence E. Carter, ed., *The Territorial Papers of the United States,* 28 vols. (Washington, 1934-1969), *Florida Territory,* XXIV, 619 (hereinafter, *Territorial Papers).*

14. Kevin K. Kearney, ed., "Autobiography of William Marvin," *Florida Historical Quarterly* 36 (January 1958), 203-05.

15. Memorial to the President by the Inhabitants of East Florida, January 11, 1830, and Judge Smith to the President, November 18, 1829, in *Territorial Papers,* XXIV, 292, 327. For additional instances of confrontations between Judge Smith and others see Ibid., XXIII, 169-70, 194-95, 344, 373-74, 392-93, 411-12, 437-38, 504, 506-17, 523-24, 599; St. Augustine *East Florida Herald,* January 17, February 7, 1824, March 1, 8, 26, April 30, May 7, 1825, April 21, 1830; Pensacola *Gazette,* March 5, April 9, 30, May 7, 14, 1825; Tallahassee *Floridian and Advocate,* May 4, 1830.

or North/South conflicts motivated the judge's outbursts is difficult to determine. Still, Smith had little patience with the tendency of Southerners to criticize Northerners in his presence. Judge Robert Reid remembered Smith's agitation at a dinner party that both attended in St. Augustine. Reid told Smith that he had enjoyed Achille Murat's latest book and asked his opinion. Smith responded, "You don't expect me to agree to that, do you?" "I had forgotten," noted Reid in his diary, "the Ex-Prince had abused the Yankees." But Reid was relieved when Smith proposed to put the existence of sea serpents up to a vote and "every native" at the table "voted with him."[16] The irony, of course, is that Smith was the father of Confederate General Edmund Kirby Smith.

Riding circuit during Florida's territorial era was a very rigorous experience. Nevertheless, Judge Henry Brackenridge seemed to enjoy the experience and kept his wife in Pennsylvania constantly abreast of his activities. In the spring of 1830 he informed her that he would hold court in Pensacola, Alaqua, and Marianna (Chipola). "I shall start . . . my little wagon, and will have a resting place at my own little house at Alaqua, half way to Chipola, where I shall have plenty of good milk and no mosquitos."[17] In 1832 John Cameron replaced Brackenridge as judge of the Western District. After four years on the circuit, Cameron complained to authorities in Washington that his responsibilities were unreasonably arduous and his pay was inadequate. "Pray, cast your eyes upon the Map of Florida & look at my district! I have to hold Courts in five Counties, twice a year, besides one yearly term of the Court of Appeals: my traveling is more than 2,000 Miles in the year. I am from home, on my official duties, more than 6 Months in the year: from the nature of the Country & the distance of my Courts, my traveling is not only great & fatiguing, but my health and even life are often hazarded. And yet, for this I receive the salary of $1,800 only, without any perquisites [sic] or allowances."[18]

Even before the 1840s, some Floridians complained at what they called the "political whims of Washington." Many called for the right to select their own judiciary. In one instance, a select com-

16. Robert Raymond Reid Diary, October 6, 1833, Florida State Library, Tallahassee.
17. Henry Brackenridge to Caroline Brackenridge, May 2, 1830, Brackenridge Papers, Pace Library, University of West Florida, Pensacola.
18. John Cameron to secretary of state, January 28, 1836, in *Territorial Papers*, XXV, 229-330.

mittee of the legislative council authored a resolution for the election of a governor and judiciary by the people of the territory, claiming that selecting its own rulers was the "foundation of every Republican Government." The present circumstances, they insisted, rendered Florida citizens more the "subjects of Colonial vassalage, than the citizens of a free republic."[19] This kind of rhetoric increased especially after the St. Joseph Convention in 1838 when political considerations seemed to defer Florida coming into the Union.

Frustration with the political nature of judicial appointments increased throughout the territorial period. The election of William Henry Harrison in 1840 brought the Whigs to power but his sudden death and the elevation of John Tyler to the presidency sent the appointment process in a different direction. This confusion brought even more uncertainty to citizens of Florida. Complaints like those voiced by the Gadsden County grand jury were common. "Our state of Territorial dependence and vassalage is degrading and galling to American freemen. We are denied participation in political rights and privileges of the great body of American citizens." The system had created a kind of "arrogance of power," which produced a "forgetfulness" of who were the "*servants*" and who were the "masters." "History will record the narrative, to the shame of the National Legislature. The officers of the local government are totally irresponsible to us– are sent hither to rule over us, without our having any voice in their selection. They have been often without any community of feeling or interests with us [and are] not identified with us in sentiment."[20] Such were the views of many Middle Florida leaders. Many residents, however, especially in East Florida, opposed ending Florida's territorial status because the change would bring an end to federal financial support. Thus former Governor William P. DuVal warned his neighbors in St. Augustine that statehood would result in taxation in order to provide what the federal treasury already granted a territory. Prominent among these new expenses would be salaries for four judges, district attorneys, along with fees and expenses of criminal prosecu-

19. Resolution, no date, Legislative Council, Unicameral, RG 910, ser. 876, box 3, fol. 7, FSA.
20. Gadsden County Grand Jury Presentment, in Tallahassee *Florida Sentinel*, May 20, 1842.

tions– totaling an estimated $22,000. As one commentator asked, "Where is this money to come from except from your pockets in the shape of TAXES, TAXES. . . . Your lands and your cattle will be taxed, nay sold, to satisfy these new burthens."[21]

Those who supported statehood criticized the quality of the federal appointments. Some referred to them as the president's "needy friends," while others called them "second rate and broken down politicians of other states, troublesome and cringing office seekers, who fly to Florida as a place of refuge, the same as Convicts fly to Texas."[22] The Whigs, of course, charged that these allegations were motivated by disgruntled Democrats who were disappointed at having their own party replaced. Partisanship was most intense in the Middle District where the new administration brought in a full slate of Whig appointees.[23] Bank failures, violent bankruptcy hearings, and political rioting preceded Judge Samuel Douglas's first sessions of court. Not surprisingly, Douglas's first session was a stormy one. Though he refused to be deterred from holding court, he received criticism primarily from Democrats. "President Tyler's sending him hither to dispense law and justice to the people of this District," charged the Tallahassee *Floridian*, "makes him one of the *Territorial* Government. But he will discover ere long that his is a government every true-hearted Floridian despises and contempts from the bottom of his soul– a Government degrading alike to those who continue it, and to those who are constrained to obey it."[24] Judge Douglas, however, soon won the respect of his district. At the conclusion of the December 1841 term the Leon County grand jury congratulated him for his "impartial, dignified manner in which . . . he [had] discharged his duties."[25] Economic improvements lessened the political partisanship. By 1845 passions had cooled.

When Florida became a state in March 1845, the role of the federal government in Florida's judicial affairs diminished consid-

21. "Expenses of State Government" (broadside), box 2, fol. 22, Joseph S. Sanchez Papers, St. Augustine Historical Society.
22. Pensacola *Gazette,* April 25, 1840.
23. Joining Judge Samuel Douglas in the Middle District were United States Marshal John G. Camp and United States Attorney Charles S. Sibley. Selected as governor was Richard K. Call, who by 1840 increasingly was associated with the Whigs.
24. Tallahassee *Floridian,* December 11, 1841.
25. Minutes of the Leon County Superior Court, book 3,199, Leon Country Courthouse. Tallahassee.

erably. Home rule meant that Florida was immediately granted both jurisdiction and monetary responsibility over its own criminal affairs. The superior courts, renamed circuit courts, functioned essentially as they had before, though with some important differences. The Legislative Assembly elected a judge and "solicitor" for each judicial circuit until 1853, when a state constitutional amendment mandated that judges and solicitors be popularly elected.[26]

After statehood county courts were abolished and most of their civil responsibilities, such as the maintenance of roads, jails, militia, and patrol matters, were given over to the board of county commissioners. As one contemporary source summarized their responsibilities, "They exercise all powers, and perform all duties of county courts (under the territorial laws) while sitting for county purposes," and they sit for two sessions per year and "other such times as the judge of probate, or any two members may require."[27] Florida's highest court was modeled after the old territorial court of appeals, since it was provided that circuit judges, sitting together, would constitute the Supreme Court of Florida, with the judge of the case under consideration being disqualified in the appeal. In 1850 the Legislative Assembly elected separate supreme court judges. Soon thereafter it was decided that supreme court judges would serve six-year terms and be elected by the people.

At the conclusion of the territorial period, the role of the federal government in the state's judicial affairs changed dramatically. Congress created the Northern (1846) and the Southern (1847) districts of Florida, and President James K. Polk appointed Judges Isaac Bronson and William Marvin to the new federal posts. The primary concerns of these courts involved issues in which the federal government was a party, such as land claims disputes and maritime commerce. The courts also adjudicated alleged violations of federal criminal law. It had original jurisdiction over such federal crimes as piracy, slave smuggling, mail robbery, counterfeiting, vio-

26. The first judges and solicitors elected by the people of Florida in 1853 for the Western Circuit were Jesse Finley (judge) and James Landrum (solicitor); for the Middle Circuit: J. Wayles Baker (judge) and Samuel R. Stephens (solicitor); for the Eastern Circuit: William A. Forward (judge) and James Baker (solicitor); and for the Southern Circuit: Thomas King (judge) and Hardy Kendrick (solicitor). Tallahassee *Floridian and Journal*, November 26, 1853.

27. St. Augustine *News*, September 6, 1845.

lation of military and Indian reservations, cutting live oak timber on public lands, and malfeasance of public officials.[28] But it is Florida's state courts that are of primary relevance.

The transfer from superior (federal) to circuit (state) went smoothly. As one commentator noted late in 1845, the "courts are now organized, will administer the same laws, under the same forms, and be governed by the same rules as the late U. S. Courts."[29] In nearly all instances the judges and solicitors either remained in their old jobs or assumed new positions based on their experience in the old system. For example, when William Marvin declined his legislative appointment to the Southern Circuit, Governor William Moseley appointed George W. Macrea. Macrea had previously served as district attorney of the Southern District. George S. Hawkins, who had been United States District Attorney of the abolished Apalachicola District, became judge of the Western Circuit. Thomas Douglas, who replaced Judge Bronson as judge of the Eastern Circuit, had been United States District Attorney for the Eastern Judicial District since 1826. Only Thomas Baltzell, selected to preside over the Middle Circuit, had no previous experience as judge or district attorney in the old system. Selected as solicitors for the new circuits were Caraway Smith (Western), Thomas Heir (Middle), Felix Livingston (Eastern), and R. W. Brandy (Southern).[30]

An added feature of the new, post-territorial judicial structure was the "alternating system." This arrangement provided that circuit judges, despite their appointment to specific circuits, attend court in all the circuits on a rotating basis. Proponents of this system contended that this would ensure impartiality and prevent any favoritism or biases in favor or against any specific group. From the very beginning, however, the difficulties of travel– especially in the Southern Circuit where all the meeting places had to be reached by water– placed excessive hardships on judges. Early on Governor William Moseley urged the Legislative Assembly to consider abolishing the system or at least to exclude the Southern Circuit from the process.[31]

28. On Florida's federal courts in the antebellum era see Hall and Rise, *From Local Courts to National Tribunals,* 21-30.
29. Tallahassee *Star of Florida,* August 1, 1845.
30. Pensacola *Gazette,* August 2, 1845.
31. Message of Governor William Moseley, in Pensacola *Gazette,* November 29, 1845.

Many saw the hardships in the alternating system. Just as the system was about to be implemented, a correspondent to the Tallahassee *Floridian* reminded the public that as far as the Southern Circuit was concerned, a "judge in time must become a practical sailor, and egad, a *bold* one; for many is the man who would face a cannon or meet his particular friend at ten paces, without the slightest tremor of nerves, but would still falter and hesitate at making a trip to Key West, in a sail boat with an inexperienced crew." Finally the critic recommended that the Legislative Assembly appropriate money for life preservers, instead of a law library, and clothe judges in Indian rubber rather than ermine.[32]

By 1846 nearly everyone was calling for the system's repeal. Citizens in the Southern Circuit were particularly vocal. In November 1845 citizens in Key West petitioned the Legislative Assembly to repeal the system, claiming that judges attending courts in Hillsborough, Benton, Monroe, and Dade counties had to "travel more than fifteen hundred miles by sea, besides considerable distance by land."[33]Times for holding court could not be guaranteed "unless judges were provided with a vessel of suitable size to make their voyage." The petitioners estimated that it would cost $1,200 to hire such a vessel to operate four months during the spring and fall terms. The petitioners also complained that the plan would keep judges "almost constantly from home so as to prevent applications for orders at chambers."[34]

Despite these problems, the alternating system operated for two years. When the first circuit court met at Tampa on April 17, 1846, Judge Thomas Baltzell of the Middle Circuit presided. Thomas Douglas of the Eastern Circuit presided in the fall term, followed finally by Southern Circuit Judge George Macrea, who arrived in April 1847. The rotation was complete in October of that year when Western Circuit Judge George S. Hawkins presided over the fall term.[35] By that time a large number of citizens had complained that the difficulties of water travel and communication de-

32. Tallahassee *Floridian*, November 1, 1845.
33. Petition of the Citizens of Key West to Legislative Assembly of Florida, November 17, 1845, Nineteenth Century Florida Legislature, RG 915, ser. 887, box 1, fol. 5, FSA.
34. Resolutions of the Meeting in Hillsborough County Touching on the Alternating System, October 12, 1846, RG 915, ser. 887, box 3, fol. 4, FSA.
35. Minutes of the Hillsborough County Circuit Court, 1848-1854, 1-44, Hillsborough County Records Annex, Brandon.

stroyed "all certainty of the sessions." Interested parties "must await the arrival of judges" and must be "necessarily subjected to great loss of time, and pecuniary sacrifices." By 1847 the complaints against "circular judges" had become so great, even from northern constituents, that the Legislative Assembly abolished the alternating system.[36]

The brief experience with the alternating system probably was positive in the long run because it highlighted the difficulties of travel throughout the state. That judges were forced to travel in wagons or boats far and wide across the Florida frontier publicized the necessity of providing easier access to isolated areas. No doubt, the demand for better stage and water travel stimulated the building of more roads and improving the ones that already existed.

After 1848 judges held court in their own districts. The circuits had changed little from the territorial period, except that places for holding court were added as new counties were created. In Florida's remaining antebellum years, Holmes County (1848) was added to the Western Circuit; Liberty (1855), Taylor (1856), and Lafayette (1856) joined the Middle Circuit; Putnam (1849), Sumter (1853), Volusia (1854), and Clay (1858) joined the Eastern Circuit; and Brevard and Manatee counties became stops on the Southern Circuit in 1855. The creation of New River and Suwannee counties in 1858 stimulated proposals to create a circuit in the Suwannee River region. One year later the Legislative Assembly removed Nassau, Alachua, Levy, Lafayette, and Columbia counties from the Eastern Circuit and added New River and Suwannee counties to create the Suwannee Circuit. The new circuit completed its first term just one year before Florida seceded from the Union.[37]

Throughout the antebellum era, Florida remained among America's most diverse states. This variety was reflected in Florida's geographical regions, its population, and its outlook. Florida's population was so scattered and travel so difficult that at times any kind of solidarity seemed impossible. If there was a unifying feature in

36. Hillsborough County Grand Jury Presentment of November 3, 1845, in Tallahassee *Floridian*, December 13, 1845: Tallahassee *Florida Sentinel*, December 16, 1845; Columbia County Grand Jury Presentment of May 1846, in St. Augustine *Florida Herald and Southern Democrat*, June 2, 1846. See also public meeting in Chocochattie in Benton County, October 21, 1847, in Tallahassee *Floridian*, November 13, 1847.

37. Fernandina *East Floridian*, January 15, 1860.

the territory and state, it was the courts. Florida's judicial system brought law, order, and civil authority to outlying settlements, and judges and other court officials represented the state's most positive forces for unity.