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THE CHIMERICAL SCHEME OF CEDING WEST FLORIDA

by

Jerrell H. Shofner

Comprising a geographically homogenous region, Alabama and West Florida were bound by cultural and economic ties long before the eastern and western sections of the southernmost state began to feel a common identity.¹ For centuries before diplomatic expediency and historical accident established the 31st parallel as the political boundary separating Alabama and Florida, the two areas had a common human history. Indians moved along the waterways between interior Alabama and the coast before and during the long period when the region was claimed successively by Spain, Britain, and the United States. British traders operated freely across the 31st parallel when Florida belonged to Spain and Alabama was already part of the United States. After the foreign powers withdrew and the Indians were relentlessly driven out, settlers continued to trade, visit, and intermarry across the line. During the 1861 secession crisis, when state loyalties were at their zenith, Alabamians and West Floridians crossed the state boundary to join units composed of men they considered their neighbors even though it meant serving in the military forces of another state.² Economic ties between Pensacola and central Alabama became increasingly important as the two states developed.

Everyone recognized that the 31st parallel became the Alabama-Florida boundary through diplomatic necessities. For a long time afterward many interested observers believed that the line would be corrected to reflect a more reasonable political division. One of the most persistent issues in the affairs of the two states has been the recurring desire to annex West Florida to Alabama. Nine times during the 150 years since Florida was acquired by the United States there have been attempts with varying degrees of popular support to make the

¹John Lee Williams, *A View of West Florida* (Philadelphia, 1827).

²Record of the Simpson Mounted Rangers (Company E, 15th Confederate Cavalry), Conecuh County Letters, 1961-66, Alabama Department of Archives and History.

change. East Floridians have often been as anxious to see the west go as Alabamians have been to receive the additional territory. West Floridians, although at times divided, have generally favored the change. Yet all nine annexation movements failed. Only one reached the stage of serious negotiations and there is compelling evidence that even then the Florida governor was using the issue as a threat to obtain passage of other legislation.

Disputes over boundaries between the American states have been quite common. Since eleven of the thirteen original states were in contention over boundaries when the constitutional convention met in 1787, the framers empowered the national courts to settle "controversies between two or more states."³ In deciding numerous disagreements over boundaries the Supreme Court established a body of law which clearly supported the principle that one state might cede part of its territory to another. The only limitation is the constitutional requirement that interstate compacts must be approved by Congress. However, except for the transfer of part of Virginia to West Virginia under extraordinary circumstances, no state has agreed to cede part of its territory to another. Alabama is the only state ever to offer another money for part of its domain.

Although they exerted considerable energy to transfer West Florida to Alabama, most proponents of the several annexation schemes admitted that the boundary change would have been far more likely before Florida became a state and its people developed a common history and tradition. But diplomatic exigencies and chance often had more to do with United States acquisition of the Gulf Coastal region than considerations of geographical and social homogeneity of the states established there.⁴ When territorial governments were established they naturally conformed to national boundaries of the moment. After 1795 the United States possessed all the territory north of the 31st parallel and east of the Mississippi River. The area became the Mississippi Territory by a Congressional enactment

³*United States Constitution*, Article III, Section 2.

⁴*Acts of Alabama*, 1963, Regular Session, 1026-27.

of 1798. Georgia ceded her claims to it in 1802.⁵

Because all the rivers of the territory flowed through West Florida to the Gulf, President Thomas Jefferson believed that acquisition of the land south of the 31st parallel was essential to the national interest. Efforts to purchase West Florida or the land which controlled the Mississippi River's outlet to the Gulf resulted in the Louisiana Purchase in 1803. Extensive negotiations over the next several years failed to obtain agreement from France and Spain that West Florida had been included in the purchase. President James Madison finally seized all the land between the Mississippi River and the Perdido River, claiming that it had been included in the Louisiana Purchase Treaty of 1803. In 1812 it was added to the Mississippi Territory.⁶ During the next several years, residents of the eastern part of the Territory, which later became Alabama, had their hands full in averting a move to include them in a single state of Mississippi. When Mississippi was finally admitted in 1817, the area comprising present-day Alabama was detached and made a separate territory. With about seventy miles of seacoast on the western side, its only major egress to the sea was through Mobile Bay. The territory was landlocked from the Perdido River to its eastern boundary on the Chattahoochee.

Between the Perdido on the west and the Chattahoochee and Apalachicola on the east the land south of the 31st parallel comprises the area which has since been known as West Florida, a much smaller territory than that known earlier by the same name. The 10,000 square mile area, still in Spanish possession in 1817, was desired by Alabamians to give them a longer seacoast and the excellent Pensacola harbor. While the United States government was still negotiating with Spain for the

⁵Malcolm Cook McMillan, *Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism* (Chapel Hill, 1955), 3; Francis G. Caffey, "The Annexation of West Florida to Alabama," *Proceedings of the Alabama State Bar Association*, (1901), 108.

⁶Isaac J. Cox, *The West Florida Controversy, 1789-1813* (Baltimore, 1918), 535; Hubert Bruce Fuller, *The Purchase of Florida: Its History and Diplomacy* (Gainesville, 1964), 184.

Florida territory and General Andrew Jackson's invasions were demonstrating its vulnerability, Alabama became a state in 1819.⁷ Unable to press a claim to West Florida at the time because it still belonged to a foreign power, the Alabama constitutional convention served notice of its desire for the territory and provided for future acquisition. On July 30, 1819, the convention transmitted a memorial to Congress asking "that if the treaty with Spain, . . . shall be ratified by the Spanish government—so much of the Territory . . . as lies West of the Appalachicola river, may be annexed to the State of Alabama."⁸

The convention also included in Alabama's fundamental law a delineation of the state's boundaries "subject to such enlargement as may be made by law in consequence of any cession of territory by the United States, or either of them."⁹ All subsequent constitutions of the state retained the provision.¹⁰ When the Adams-Onis Treaty was finally ratified in 1821, Florida became a single territory with boundaries which have since remained unchanged west of the Apalachicola River.

Until Alabama was admitted to statehood and Florida became a United States territory, advocates of annexation had no opportunity to concentrate on that goal. From that time on the annexation procedure became increasingly complex as the matter became embroiled in other problems confronting the nation, the state of Alabama, and the Territory of Florida. But citizens on both sides of the 31st parallel continued to strive for the change.

United States Senator John W. Walker was the leading

⁷Cox, *West Florida Controversy*, 655.

⁸Charles Tait to John W. Walker, November 16, 1821, John W. Walker Papers, Alabama Department of Archives and History; Clarence E. Carter, *The Territorial Papers of the United States* (Washington, 1954), XVIII, 664-66; *Journal of the Convention of the Alabama Territory begun July 5, 1819*, reprinted in *Alabama Historical Quarterly*, XXXI (1969), 57, 87.

⁹*Constitution of the State of Alabama of 1819*, Preamble.

¹⁰Caffey, "Annexation of West Florida, 109-110; Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography*, II (Chicago, 1921), 1392; Hugh C. Bailey, "Alabama Political Leaders and the Acquisition of Florida," *Florida Historical Quarterly*, XXXV (1956), 26-27.

advocate of annexation in Alabama. He argued that Pensacola "must become" the main seaport for at least southeastern Alabama. Unless the transfer was made, two-thirds of the state would be landlocked by a strip of pine barrens fifty miles wide between the 31st parallel and the coast.¹¹ In 1821 the Alabama legislature petitioned its Congressional delegation to work for annexation of West Florida.¹² When Congress took up legislation to establish a territorial government in Florida, Senator Walker offered an amendment from the floor which would have provided for attaching West Florida to Alabama. But with the Missouri Compromise so recently settled, Walker's amendment was defeated 25 to 19, with only three Southerners joining the Alabamian in voting for it. Peninsular Florida was known as a comparatively useless strip of sand which would not support a large population. Southern Senators, wishing to see Florida populated and admitted as a slave state, were reluctant to split the territory into two parts and have one of them joined to an established state while the other remained in territorial status because its population was too small for statehood. Senator Walker's 1822 efforts toward annexation failed for lack of support from his Southern colleagues, but he believed they would agree with him as soon as they realized that the peninsula would attract enough settlers to become a state.¹³ The *Mobile Register* argued that East and West Florida had nothing in common and "separation must come sooner or later and the sooner the better."¹⁴ A Pensacola citizen reported that people in his city were in favor of annexation and he stood ready to launch a petition campaign from West Florida when Walker asked for it.¹⁵

Early sectional divisions in the Florida territory encouraged annexation sentiment. Having been divided under both Spanish

¹¹Bailey, "Alabama Political Leaders," 27.

¹²Carter, *Territorial Papers*, XXII, 307-308.

¹³John W. Walker to Charles Tait, 19 March, 1822, Charles Tait Papers, Alabama Department of Archives and History; United States, *Senate Journal*, 17th Cong., 1st Sess., 275-76; Bailey, "Alabama Political Leaders," 28-29.

¹⁴*Pensacola Floridian*, March 8, 1823.

¹⁵J. H. Chaplin to John Walker, July 13, 1822, Walker Papers; Hugh C. Bailey, *John Williams Walker* (Tuscaloosa, 1964), 134-35.

and English rule, people in the territory were accustomed to the idea of two Floridas. Some even argued that the Adams-Onis Treaty obligated the United States to form two states from the territory. There was serious rivalry between East and West Florida over the location of the capital. St. Augustine on the east coast and Pensacola in the extreme western portion of the territory had been the population and governing centers of East and West Florida respectively. Separated by 400 miles of rarely travelled terrain, each town was anxious to become the territorial capital. St. Augustine citizens were angered when Andrew Jackson set up territorial government at Pensacola and established only a branch in their city. There was further resentment when the first legislative council met in Pensacola. It was this reaction more than the devastating yellow fever epidemic which swept Pensacola and drove the legislators out of town that caused the second session to be held in St. Augustine.

Transportation difficulties as well as sectional rivalry resulted in the capital being located mid-way between the older towns at Tallahassee. That compromise caused a new sectional force to develop and provide the major bulwark against all future efforts to annex West Florida to Alabama. At a time when cotton cultivation was becoming the major economic pursuit in the Southern United States, Tallahassee was located in an unsettled area where the climate and soil were ideally suited to that purpose. Because the value of the less tangible natural resources of East and West Florida were not recognized until much later, Middle Florida was settled more rapidly than they and became the dominant section in territorial Florida politics. It often balanced the other two sections against each other.

While Middle Floridians consistently opposed cession of the west to Alabama, East Florida adamantly insisted on separation of the territory at the Suwannee River. While its citizens were quite willing for West Florida to join Alabama they were just as anxious for the territory to be divided under two separate governments. In November, 1822, and again in January, 1823, St. Augustinians petitioned Congress to divide the territory.¹⁶ They argued that West Florida would retard the development of

¹⁶St. Augustine News, June 19, 1840.

the east and that Alabama would benefit from the acquisition of the western panhandle.¹⁷ But as long as the Suwannee River became their western boundary, East Floridians were not seriously concerned with the ultimate disposition of the west.

West Floridians were somewhat divided over the issue. The older residents of Pensacola, many of whom were of Spanish descent, preferred to remain with Florida. Most of the newer residents wanted to join Alabama.¹⁸ Advocates of annexation argued that similar climate and geography gave West Florida and Southern Alabama a common agricultural interest, Alabama rivers flowed to the sea through West Florida, and Florida coastal towns were trading centers for interior Alabama.¹⁹ In 1826 a group of West Floridians petitioned Alabama Governor John Murphy for assistance in annexing their section to his state. Expressing enthusiasm for the idea, Murphy told the legislature that annexation would favor West Florida, Alabama and the Union. If Florida were to continue as a territory, he said, there was no reason against annexation. If it were made into a state, "this portion, important to us only, must always be weak, and wanting in intimate connection with the rest [of Florida]"²⁰ The economic affinity of the two regions was emphasized by Florida Territorial Delegate Joseph M. White's 1826 proposal that the United States Navy open a waterway between Pensacola and the Mobile River. He thought a six mile canal would make Pensacola's harbor accessible to much of interior Alabama.²¹ After 1826 little more was said about annexation or division of the territory until Floridians began seriously considering statehood in the late 1830s.

As the likelihood of statehood for Florida increased, Alabama reiterated her continuing interest in annexation of the western portion of the territory. In December 1837, the Alabama legislature petitioned its Congressmen to "use all proper means" to bring about the change.²² In reporting the Alabama

¹⁷St. Augustine *East Florida Herald*, April 12, 1823.

¹⁸Sidney Walter Martin, *Florida During the Territorial Days* (Athens, 1944), 261.

¹⁹*Ibid.*, 260.

²⁰Alabama, *Senate Journal*, 1826, 10.

²¹Carter, *Territorial Papers*, XXIII, 360.

²²*Acts of Alabama*, 1837, 128.

request to the Legislative Council, Territorial Governor Richard Keith Call of Tallahassee declared it "no less unexpected than extra ordinary" and warned of its "most fatal consequences to the present and future prospects of Florida."²³ The Council, dominated by Middle Florida interests, appointed a committee to consider the matter. It reported Alabama's request as "extra ordinary ill-timed and injudicious, . . ."²¹ But St. Augustinians intensified their demands for separation of the territory at the Suwannee River. Complaining that government of Florida as a single territory had been "most peculiarly harrassing and vexatious" to East Floridians who were outnumbered by Middle and West Florida "with which [they] had no association or business connexion," St. Augustine petitioners for separation declared that "nature never intended that East Florida should be formed into a state with Middle and West Florida."²⁵ They also felt that St. Augustine would become the capital of a territory whose western boundary was the Suwannee River.²⁶

With East Floridians clamoring for separation and opposing statehood as unnecessarily expensive, the Middle Florida dominated Legislative Council called for a constitutional convention. To avoid offending the proponents of St. Augustine, Pensacola, or Tallahassee any more than necessary, the Council selected St. Joseph on the Gulf Coast as the convention site.²⁷ Although St. Augustine voters rejected the constitution by a ten to one majority, it was ratified by the narrow majority of 2070 to 1975 by all the voters of the territory.²⁸ During the next two years Congress was flooded with petitions from Florida; those from the Middle and West favoring admission as a single state and the East demanding division.

By early 1840 it seemed that the East Floridians were likely to win the struggle. To avoid the possibility of being left out of the Union for a lengthy period, West Floridians

²³Florida, *Legislative Council Journal*, 1838, 74.

²⁴*Ibid.*, 120; Carter, *Territorial Papers*, XXIII, 472n.

²⁵Carter, *Territorial Papers*, XXIII, 470-71; Martin, *Territorial Days*, 262.

²⁶Arthur W. Thompson, *Jacksonian Democracy on the Florida Frontier* (Gainesville, 1961), 36.

²⁷Martin, *Territorial Days*, 266.

²⁸*Ibid.*, 272.

revived their interest in annexation to Alabama. A Pensacola citizens' meeting in May, 1840, petitioned Congress to make the change. Noting that Alabama rivers flowed through West Florida, that union of the area with Alabama would be in accord with the Adams-Onis Treaty, and that industrial development would be promoted, the petitioners emphasized that such a change would "solve a long controversy" by allowing East Florida to enter the Union as a single state.²⁹

East Floridians hoped that Southern desires to increase the number of slave states might bring about a division of the territory by Congress. A bill was introduced in 1840 which would have divided the territory, but after a long debate it was defeated.³⁰ The balance of free and slave states had been so carefully preserved since the Missouri Compromise that Congress was unwilling to admit even one Florida until another free territory was prepared for statehood. Finally, on February 10, 1845, a bill to admit Florida and Iowa was introduced. A provision that the former might be divided by its own legislature after it became a state was included in the original bill, but was deleted almost as soon as debate on the measure began.³¹ Florida was admitted as a single state on March 3, 1845. In the election for state offices, the Democratic party, which had favored statehood, made a clean sweep. David L. Yulee, an East Floridian, who had argued effectively for admission despite numerous petitions from his St. Augustine neighbors, was elected to the United States Senate. Yulee and others who had argued for admission of Florida as a single state believed that statehood would engender a feeling of state identity among all its citizens and enable them to develop a transportation system binding the far-flung section together. Statehood also made annexation of West Florida to Alabama a much more difficult undertaking than it would have been before 1845. Since Florida followed the common practice of including a definition of its boundaries in the state constitution, any future cession of

²⁹*Ibid.*, 265.

³⁰*Congressional Globe*, 26th Cong., 1st Sess., 239, 547.

³¹United States, *House Report No. 577*, 28th Cong., 1st Sess., 3-4; Dorothy Dodd, *Florida Becomes a State* (Tallahassee, 1945), 419-20; Martin, *Territorial Days*, 276-77.

territory would require an amendment to be ratified by all the voters of the state. The question of dividing Florida into two states or annexing part of it to Alabama seemed to have been settled.

In 1853, while Yulee was working diligently to obtain state support for a system of railroads and canals across Florida, the Alabama legislature renewed its long-standing proposal to annex the area west of the Apalachicola River.³² Not all Alabamians agreed. The *Selma Sentinel* thought West Florida was without value. But the *Montgomery Journal* noted the valuable timber land there and reminded its readers that the Gulf of Mexico was the natural boundary of Alabama while the "narrow slip of Florida" was out of place and inconvenient. Both states would benefit by the change. Most Floridians agreed with the *Tallahassee Floridian and Journal* which refused to "consent to the dismemberment."³³

Accepting Yulee's argument that a railroad system would bind the distant parts of Florida together as well as promote development of its resources, the legislature enacted a law guaranteeing state aid to private companies willing to build several needed rail connections, including one between Jacksonville and Pensacola. Meanwhile, however, Pensacola continued to look toward interior Alabama for trade and commerce. The Alabama and Florida Railroad received charters from both states to build a line connecting Pensacola with Montgomery.³⁴

Undaunted by Florida's hostile reception of the 1853 proposal, the Alabama legislature again proposed cession in 1853.³⁵ Judge Gappa T. Yelverton was appointed commissioner to confer with Florida authorities about the transfer. Middle Florida was again provoked by the suggestion. The *Madison Messenger* asked, "Does Alabama think we will consent to have all of West Florida, by far the most important part of our State in a commercial point of view, with two of our largest and most import-

³² *Acts of Alabama*, 1853-54, 501.

³³ *Tallahassee Floridian and Journal*, February 11, 1854.

³⁴ George W. Pettengill, Jr., *The Story of Florida Railroads* (Boston, 1952), 15-16.

³⁵ *Acts of Alabama*, 1857-58, 432.

ant cities and the best harbors on our whole Atlantic or Gulf coast, ruthlessly cut off from us . . . Not a bit of it. . . ." The Tallahassee *Floridian and Journal* indicated that Judge Yelverton's visit would be unwelcome.³⁶ When Florida officials declined to consider the matter, the project was abandoned.³⁷

Secession and Civil War not only diverted attention from the annexation question for the next several years, but also encouraged a greater feeling of identity with the state of Florida among many of its residents. Although Alabamians unhesitatingly crossed the state line and joined military units at Milton because of the close identity of the two regions, Floridians had an opportunity for the first time to pursue an important common goal. Postwar administrations at Tallahassee tried to capitalize on this incipient state loyalty by completing the transportation network which David Yulee had earlier sponsored. At the same time, many citizens of Pensacola and West Florida were still tied closely to Alabama, while others believed that the area's economic development depended on railroad connections with interior Alabama. Citizens of Pensacola worked hard to restore a rail link with Montgomery either by repairing the Alabama and Florida Railroad or by building a line westward to intersect a Mobile and Montgomery line. Officials at Tallahassee realized that a railroad connecting Pensacola with Middle and East Florida was essential to the future of the state.

Alabama's most serious and sustained effort to annex West Florida occurred in the post-Civil War period. Sectional attitudes toward the change remained much the same as they had always been, but several prominent Pensacola promoters made it clear that they favored a boundary change if it seemed likely to give them rail connections with the interior and the Atlantic coast. People on both sides of the 31st parallel began discussing the desirability of Florida's ceding the area west of the Choctawatchee River to Alabama. In December 1868, the Alabama legislature passed a joint resolution, sponsored by Senator J. L. Pennington, a Lee County Republican, authorizing Governor

³⁶Tallahassee *Floridian and Journal*, January 30, 1858.

³⁷Owen, *History of Alabama*, Vol. II, 1392.

William H. Smith to open negotiations with Florida authorities for annexation to Alabama of all territory west of the Chattahoochee and Apalachicola rivers. The resolution noted that no transfer of control would be binding until the agreement had been ratified by the legislature of both states and approved by Congress. The Alabama legislature was not then aware that Florida's constitution would also require an amendment, or at least did not at first consider it a serious obstacle. The state auditor was authorized to pay "necessary incidental expenses."³⁸

A few days later Governor Smith appointed Pennington, Secretary of State Charles A. Miller, and A. J. Walker, a former Supreme Court judge who had been replaced when Congressional Reconstruction became effective, as commissioners to go to Florida and negotiate for annexation.³⁹ The *Montgomery Alabama State Journal* commented approvingly that "annexation will greatly improve the wealth of Alabama and give us territory that should have been our years ago."⁴⁰ With optimism typical of the period, the *Montgomery Weekly Mail* noted that the Alabama legislature would aid construction of a railroad connecting Pensacola with Middle Florida and predicted that Montgomery would soon have a railroad tie with Fernandina, "the best harbor on the Atlantic south of Norfolk." Such a route would make shipping cheaper because it would avoid the exorbitant insurance rates required for water transportation around the dangerous Florida keys.⁴¹ The *Talladega Watchtower* provided the sobering thought that any change of boundaries would be difficult since it would require an amendment to the Florida constitution.⁴² The *Pensacola West Florida Commercial*, a Conservative sheet, strongly favored annexation while the moderate Republican *Pensacola Observer* gave its support only after learning that Alabama was willing to pledge state credit to obtain financial aid for a railroad to be constructed eastward from the port city.⁴³

³⁸*Acts of Alabama*, 1868, 599.

³⁹William Garrett, *Reminiscences of Public Men in Alabama* (Atlanta, 1872), 455.

⁴⁰*Montgomery Alabama State Journal*, January 9, 1869.

⁴¹*Montgomery Weekly Mail*, January 2, 1869.

⁴²*Talladega Watchtower*, January 27, 1869; *Tuscaloosa Independent Monitor*, February 2, 1869.

⁴³*Montgomery Weekly Mail*, January 2, 1869.

The Alabama commissioners arrived in Tallahassee in mid-January while the Florida legislature was in session. Realizing the delicacy of their mission to ask one state to sell part of its territory to another, they explained to Governor Harrison Reed that "we visit in no spirit of arrogance or presumption." They proposed only to invite the governing officials and people of Florida to consider the question which had been long cherished. They believed there were good reasons for the change which a glance at the map would suggest. "The regularity of a geometrical figure which it would give Alabama, the improvement in the outlines of Florida . . . the fact that Alabama streams traverse West Florida, the commerce and trade between West Florida and Alabama, and the homogeneity of tastes, sentiments and interest . . . combine to afford argument for a political connection so obvious that they have long been recognized." More important for the Alabama commission, however, was the presence of extensive iron and coal deposits in central Alabama awaiting development. Their products would be shipped through Pensacola, making it a great city, "probably the Birmingham of America."

Assuring the Florida leaders that they were interested only in the area west of the Choctawatchee which would give them Pensacola, the Alabamians noted that they believed it more equitable to West Floridians if the line were drawn at the Apalachicola. Asking that Governor Reed appoint a committee to communicate with them, the Alabamians prepared to leave Tallahassee and allow the Floridians to decide for themselves whether to pursue the question.⁴⁴

Probably because it served their own purposes, Florida authorities received the Alabama commissioners much more enthusiastically than the latter had expected. Noting that any cession of territory would require a change of the constitution, Governor Reed agreed to recommend that the Florida legislature consider the Alabama proposal. This scarcely committed the governor to the change since a constitutional amendment required the consent of two-thirds of the legislature in two successive sessions and approval of a majority of the voters.⁴⁵ Reed

⁴⁴Montgomery *Alabama State Journal*, January 30, 1869.

⁴⁵*Ibid.*

told the legislature that West Florida discontent with the rest of the state might be mitigated if a railroad were built between Quincy and Pensacola as called for the by the 1855 Internal Improvement Act. Without such a railroad, the governor admitted that he could understand the desire of West Floridians to be ceded.⁴⁶

Under a suspension of the rules, the Florida legislature rapidly passed a joint resolution authorizing the governor to appoint a commission to confer with the Alabama delegation about the cession of West Florida. Before the legislature met again in January, 1870, the governor was to call an election in the area west of the Apalachicola to see if a majority desired annexation. Since the exact area to be transferred was not decided upon, the votes on the east and west side of the Choctawatchee were to be kept separate so the views of each group would be known.⁴⁷

Returning to Alabama with high hopes, Pennington, Miller, and Walker reported their mission "far more successful than we anticipated." Pennington told Governor Smith that he expected annexation to be accomplished by the following winter.⁴⁸ The chief executive and legislature of Florida were favorable to the change, according to some Alabama newspapers.⁴⁹ An elderly resident of Marianna, Jackson County, Florida, wrote that he and "the West" were hoping to be annexed to Alabama.⁵⁰

Public debate over annexation did not become serious until after the two state commissions completed a firm agreement. Governor Reed appointed three commissioners from Florida who went to Montgomery as guests of the state of Alabama and negotiated with the Alabama commissioners. All three sections of the state were represented. Dr. N. C. Moragne, a state

⁴⁶Jacksonville *Florida Union*, January 28, 1869; Florida, *House Journal*, 1869, 91.

⁴⁷Montgomery *Daily Advertiser*, January 31, 1869.

⁴⁸J. L. Pennington to W. H. Smith, February 10, 1869, W. H. Smith Executive File, Alabama Department of Archives and History.

⁴⁹Tuscaloosa *Independent Monitor*, February 2, 1869.

⁵⁰Ethelred Philips to J. J. Philips, February 16, 1869, J. J. Philips Papers, Southern Collection, University of North Carolina at Chapel Hill; William Garrot Brown, *History of Alabama* (New York and New Orleans, 1905), 269.

senator from Palatka on the St. Johns River represented the East, Charles E. Dyke, long-time editor of the Tallahassee *Floridian* and prominent Conservative-Democratic leader who opposed the cession, was the Middle Florida member, and William J. Purman, a former Freedmen's Bureau agent, native of Pennsylvania, and Republican senator from Jackson County, spoke for West Florida.⁵¹

Arriving in Montgomery in early May, 1869, the Florida commissioners were lodged at the Exchange Hotel and lavishly entertained during their visit.⁵² There was a brief delay in opening negotiations because Secretary of State Miller was called to Tuscaloosa to deal with a racial disturbance.⁵³ Upon his return an agreement was reached in which the Floridians drove a hard bargain. According to a document signed on May 17, the Florida commissioners agreed to cede eight counties west of the Apalachicola River to Alabama. The agreement was contingent upon acceptance by both states, and the consent of Congress. The area to be ceded comprised about 10,000 square miles inhabited by about 27,000 people. The assessed property of the region yielded about \$47,000 in state and county taxes in 1860.⁵⁴ For the territory, Alabama was to pay \$1,000,000 in thirty year, eight percent bonds. About 1,500,000 acres of public lands were to go to Alabama. All officials of West Florida were to retain their offices and special arrangements were made with respect to the jurisdiction of courts under Alabama law. Governors of the two states, within sixty days after agreement of Congress, were to issue proclamations declaring the transfer of jurisdiction over the ceded territory. Alabama agreed to give financial aid to a railroad from the Apalachicola River to Pensacola or some point on the Montgomery and Mobile Railroad by endorsing its bonds at the rate of \$16,000 per mile. The Savannah and Gulf—a Georgia railroad running from Savannah to Bainbridge with plans for extending to New Orleans—was to be denied permission to

⁵¹Tallahassee *Weekly Floridian*, May 25, 1869.

⁵²Montgomery *Alabama State Journal*, May 8, 1869.

⁵³Montgomery *Weekly Mail*, May 22, 1869.

⁵⁴Tuscaloosa *Independent Monitor*, June 1, 1869; Talladega *Watchtower*, May 26, 1869.

cross the territory for three years after the transfer.⁵⁵

The *Montgomery Daily Advertiser* critically observed that if the bonds were outstanding for twenty years, the state would have paid more than \$3,000,000 for the port of Pensacola. Since the question had been "agitated for the past twenty-five years" with no results, the paper thought the people should have a chance to decide if the transaction was worth the cost.⁵⁶ Mobile leaders generally opposed annexation. L. W. Lawler of that city ridiculed the purchase of a "few sterile counties" for \$1,000,000 by "people already oppressed by high taxes." He saw no advantage to Alabama except improved symmetry of the map. Pensacola was already open to Alabamians and had been for fifty years. The legislature might better use its funds by improving Mobile harbor.⁵⁷ In a letter to the *West Alabamian*, Thomas M. Peters agreed that "if we have money to spare, let's use it on Mobile. We need the money more than we need any part of Florida."⁵⁸ Ryland Randolph of the *Tuscaloosa Independent Monitor* said West Florida was "too poor to sprout peas." The *Talladega Watchtower* opposed additional indebtedness because taxes were already too heavy.⁵⁹

Many other Alabamians were just as emphatically in favor of the purchase. The *Jacksonville Republican* admitted that Florida was benefiting by receiving \$80,000 a year in interest on the bonds and completion of a railroad connection from Pensacola to Fernandina. But Alabama's acquisition of the port of Pensacola was significant since it would become a coaling station for ships of the world. Furthermore, rail connections from Mobile to Fernandina would enable the Alabama city to handle all the cotton which normally was shipped to Savannah

⁵⁵Jacksonville [Alabama] *Republican*, May 29, 1869; Pennington and Walker to W. H. Smith, June 3, 1869, Smith Executive File; *Documents Accompanying the Governor's Messages, 1869*, (Montgomery, 1869), 3-8.

⁵⁶*Montgomery Daily Advertiser*, May 19, 1869.

⁵⁷*Montgomery Daily Advertiser*, February 13, 1870.

⁵⁸*Montgomery Alabama State Journal*, August 7, 1869.

⁵⁹Quoted in Ralph Erskine Pannell, "The Administration of William Hugh Smith: Governor of Alabama, 1868-1870," (unpublished Master's thesis, Alabama Polytechnical Institute, 1958), 53.

over the Georgia Central.⁶⁰ The *Montgomery Weekly Mail* agreed that the Georgia Central would be "completely flanked" and Mobile would begin a new era and add taxable property to the state.⁶¹

Pennington, Walker, and Miller admitted that the Floridians had obtained a high purchase price, but "this was unavoidable" because Alabama was asking the peninsular state to sell part of its territory. They thought it scarcely conceivable that Florida would reject such a favorable agreement, but if that happened "the subject had better be dropped forever, for a more favorable opportunity or a fairer one will never be presented."⁶² Governor Smith objected to the high price, but recognizing Florida's superior bargaining position, recommended that the legislature accept the agreement.⁶³

Florida attitudes toward the cession agreement were comparable to those regarding similar attempts before the war. East Floridians were generally favorable to the change, although many were now indifferent and a few opposed dismemberment of the state. West Floridians were divided, but important leaders favored annexation. Middle Florida was again opposed. Returning to Tallahassee after completing the cession agreement, Dyke lashed out at the proposition of "lopping off one-sixth of the state area, one-fifth of the entire population, every harbor on the Gulf capable of admitting a decent sized ship and one-sixth of our taxable resources. Surely our people will not do this." But he also identified the major cause of discontent in West Florida. It was true, he said, that the people there needed transportation but the state of Florida should give it to them. "This annexation scheme has to be met." Otherwise, "it will come up again and again until the cause is removed." Arguing that Pensacola was worth keeping, Dyke favored any "reasonable aid" by the state to a railroad across West Florida. "Give them the railroad and annexation fever will die." "Let us retain the west at all hazard. Florida as she is, now and forever,

⁶⁰Jacksonville [Alabama] *Republican*, May 29, 1869.

⁶¹*Montgomery Weekly Mail*, May 26, 1869.

⁶²*Montgomery Daily Advertiser*, June 9, 1869.

⁶³*Ibid.*; *Alabama State Documents*, 1869-70, Governor's Message.

one and indivisible, must be our motto."⁶⁴ The Republican Tallahassee *Sentinel* in rare agreement with its Conservative rival said "Hold on to our seaports. Part with Pensacola and the credit of our State is gone beyond redemption . . . immigration pamphlets will be worthless save as lining for the trunks of the departing carpetbaggers, among whom we shall not be hindmost."⁶⁵

Final decisions on annexation were postponed because neither the Florida legislature nor Governor Reed wished to act until the sentiments of West Floridians were determined. The legislature authorized an election in the eight West Florida counties for November 1869. When the Alabama legislature convened in the same month, the results of the West Florida election were not reported. Action was deferred until the November, 1870, session.

The circumstances of a special session of the Florida legislature in June, 1869, indicated that Governor Reed and several legislators may have been more interested in using the annexation proposal as a threat to obtain desired railroad legislation than in ceding a portion of the state. Reed, an old Wisconsin Whig turned Republican, wanted to complete the transportation system outlined in the 1855 Internal Improvement Act, including the railroad from Jacksonville to Pensacola. By early 1869, people all over the state had joined West Floridians in clamoring for completion of the road. Two companies had built the line as far west as Quincy before the Civil War. But nearly 200 miles of track were still required to link Quincy with Pensacola and give West Floridians rail transportation to the state capital and the Atlantic coast. When Alabama proposed the purchase of West Florida in early 1869, a series of complex negotiations were in progress to provide the railroad west of Quincy.

The Florida, Atlantic and Gulf Central Railroad, which had built from Jacksonville to Lake City, and the Pensacola and Georgia, running from Lake City to Quincy, were both bankrupt and deeply in debt to the Florida Internal Improvement Fund

⁶⁴Montgomery *Alabama State Journal*, June 5, 1869.

⁶⁵Tallahassee *Sentinel*, quoted in *Palatka Herald*, June 2, 1869.

after the Civil War. The Fund Trustees were exceedingly generous with the roads, but both failed by 1868 and were sold at public auction. The sales were friendly, having been agreed to in advance by the individuals who controlled them. The effect of the sales was to transfer the roads' debts to the Internal Improvement Fund and free the companies to resume operation and extend the line westward.⁶⁶ Following these negotiations closely, Editor Dyke had written in the *Floridian* in early February that "if our West Florida friends will have a little patience, we think that annexation to Florida will be accomplished. . . ."⁶⁷

Governor Reed was keenly interested in the success of a new company being formed to control both the old roads and build the new line. Edward Houstoun, the president of the Pensacola and Georgia, had contacted George W. Swepson, an influential investor of North Carolina, and interested him in the Florida roads.⁶⁸ Swepson's partner and legislative lobbyist was Milton S. Littlefield, an extremely popular, free-spending, former Union military officer, who had become closely acquainted with Governor Reed and his wife when the three were in Fernandina during the war. Anxious for the westward railroad, friendly with Littlefield, and perhaps dazzled by the promoter's splendid life style, Reed did everything he could to cooperate.

Littlefield and Swepson wanted an act incorporating the Jacksonville, Pensacola and Mobile Railroad Company with power to consolidate the two existing lines from Jacksonville to Quincy and a monopoly right to build from the latter city through Pensacola to Mobile. Partially to secure necessary legislation for the incipient company, Reed called a special

⁶⁶Jacksonville *Mercury and Floridian*, March 27, 1869; Tallahassee *Sentinel*, March 27, 1869; C. K. Brown, "The Florida Investments of George W. Swepson," *North Carolina Historical Review*, V (July, 1928), 276; Paul E. Fenlon, "The Notorious Swepson-Littlefield Fraud: Railroad Financing in Florida, 1868-1871," *Florida Historical Quarterly*, XXXII (1954), 238; *Minutes of the Proceedings of the Board of Trustees of the Internal Improvement Fund*, I (Tallahassee, 1902), 370-72.

⁶⁷*Pensacola Commercial*, February 2, 1869, quoting *Floridian*.

⁶⁸E. Houstoun to J. P. Sanderson, February 3, 1869, Edward M. L'Engle Papers, Southern Collection.

session of the legislature in June, 1869.⁶⁹ Having told the body in January that West Florida's desires for annexation to Alabama could be satisfied by extending the railroad from Quincy to Pensacola, Reed asked the special session to incorporate the new company and grant it aid under the 1855 Internal Improvement Act.⁷⁰ Even with Reed's backing, the measures still encountered stiff opposition. Dilatory efforts stalled action so that railroad supporters threatened to filibuster to death the annual appropriations measure, which was also being considered at the same time, unless their bills received favorable consideration. Senator William Purman of Jackson County, one of the Florida commissioners to Montgomery, warned that he would work for annexation of West Florida to Alabama if construction of a railroad through his section were delayed. A senator retorted that this would be an easy way to dispose of Senator Purman.⁷¹ Two bills finally became law which incorporated the Jacksonville, Pensacola and Mobile Railroad and guaranteed it state aid comparable to that which Alabama had promised to furnish for railroad construction eastward from Pensacola.⁷²

Before the special session had taken up the railroad bills, Purman wrote J. L. Pennington insisting that he come to Tallahassee and "work on the members of the legislature from West Florida . . . and secure their cooperation."⁷³ With Governor Smith's approval, Pennington left for Tallahassee with \$1,000 "for expenses and to use at Tallahassee."⁷⁴ Governor Reed's interest in annexation diminished markedly after the railroad legislation was approved and he subsequently opposed any cession of Florida territory. Purman's advocacy of the transfer was also lessened after the special session, but there was still considerable enthusiasm in West Florida for the change.⁷⁵ Pennington spent several weeks and about \$4,000 of Alabama state

⁶⁹Jacksonville *Florida Union*, June 17, 1869.

⁷⁰Florida, *House Journal*, 1869, Governor's Message, 15, Extra Session, Governor's Message, 10.

⁷¹Jacksonville *Florida Union*, June 17, 24, 1869.

⁷²*Laws of Florida*, Extra Session, 1869, 25-34, 40-42.

⁷³J. L. Pennington to W. H. Smith, June 7, 1869, Smith Executive File.

⁷⁴Pennington to Smith, June 7, 12, 1869, *ibid.*

⁷⁵Pensacola *Semi-Weekly Commercial*, June 8, 1869; Owen, *History of Alabama*, II, 1395.