

THREE CAPITALS

*A Book About the
First Three Capitals of Alabama*

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ST. STEPHENS, HUNTSVILLE & CAHAWBA

*Including Information About the Politics, Laws, and Men of
THE TERRITORY AND STATE OF ALABAMA
1818 TO 1826*

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ALSO SIGNIFICANT HISTORICAL DOCUMENTS AND RECORDS

BY WILLIAM H. BRANTLEY



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Brantley, William H. *Three Capitals, A Book About the First Three Capitals of Alabama, St. Stephens, Huntsville, & Cahawba: Including Information About the Politics, Laws, and Men of the Territory and State of Alabama 1818-1826; Also Significant Historical Documents and Records.* Boston: The Merrymount Press, 1947. Print.

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Council.¹ Both Houses organized on the opening day of the session. The first business before the Assembly was to find shelter—a place in which to hold its session.

As soon as the Assembly was organized they appointed Committees to advise the Governor of the fact and that they were ready to receive any communications His Excellency might desire to make. The Governor sent word to the Assembly that he would make his communication in writing at noon.² Promptly at 12 o'clock Mr. Lyons, the Governor's private secretary, delivered to the Speaker a written communication addressed to both Houses. In this message Governor Bibb for the first time revealed his method and reasons for locating the capital at the junction of the Cahawba and Alabama Rivers. He said:

The National Government by Act authorized an entire township of land for the support of a Seminary of Learning, and

retirement of one of the Territory's leading public men may have been occasioned by Moore's wife divorcing him. (Acts 2nd Session, Alabama Territory, p. 10)

¹ There is no known printed copy of the Journal of the 2nd Session of the Legislative Council and the manuscript has never been found. The Acts of the 2nd Session show that James Titus was again President of the Council. Certain references in the Journal of the House for the 2nd Session disclose that Peter Martin was Secretary of the Council, and Matthew Lasoy, Doorkeeper, and that George Phillips, John Gayle, Jr., Matthew D. Wilson, Lemuel Meade, Henry Chambers and, of course, James Titus, constituted the entire membership of that body. The members of the House for the 2nd Session were:

Henry B. Slade—Baldwin County	Clement C. Clay, John Walker, and
Isaac Brown—Blount County	Samuel Walker—Madison County
Littlepage Syms—Cahawba County	Wm. Anderson—Marengo County
Neal Smith and William Walton—	Alvan Robishow—Mobile County
Clarke County	Charles Hudspeth—Marion County
Richard Warren—Conecuh County	Phillip Fitzpatrick—Montgomery
Melcajah Vaughan—Cotaco County	County
Edwin D. King—Dallas County	Jesse Wilson—Shelby County
Benj. Murrell—Limestone County	Julius H. Sims—Tuskaloosa County
Sam Dale—Monroe County	John F. Everitt and Abner S. Lips-
	comb—Washington County

Littleberry Vaughan was elected Doorkeeper of the House.

NOTE: The only known complete copy of this House Journal is in the Archives of the Historical Society of Pennsylvania.

² Tuesday, November 8, 1818.

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also of "any one entire section" to be located under the direction of the Governor, *for the Seat of Government*. Fully aware of the public sensibility which the selection of the scite of Government always excites and the influence of local feeling in the determination of the question, I could not expect, by any choice however judicious to afford universal satisfaction. And the delicate task assigned to the Executive has been rendered the more embarrassing by a combination of accidental circumstances. A copy of the Act did not reach me until the month of June when the town of Cahawba, which among other scites was offered for sale on the first Monday of October.¹ Should that place be considered most eligible, not to have examined its claims in due season would have deprived the territory of their choice—while on the other hand, it was possible that the selection made by the Executive might not be approved by the Legislature. That I should endeavor to prevent the former appeared to me an imperative duty; while at the same time, to avoid the injurious consequences of a collision of opinion between public functionaries was so much desired. In this dilemma I was disposed to confer with the Commissioners appointed at the last session of the General Assembly to report the situation they might deem most eligible; and without delay addressed a letter on the subject to the gentleman first named in the Act. Owing to circumstances beyond their control, they were unable to meet me, and I lost the benefit of their views.

Anxious only to promote the general interests of the Territory, and guided by an impartial judgment, I was persuaded that the scite which might present the best prospect of permanency and of avoiding, hereafter, those unpleasant discussions which have so much disturbed the repose, and distracted the councils of our sister states, ought to be selected. Considerations resulting from our future prospects, and connected with the general convenience, were not to be overlooked; nor the grati-

¹ Wm. H. Crawford, of Georgia, Secretary of the Treasury and a close friend of Governor Bibb, had written Josiah Meigs, Commissioner of the General Land Office, on June 6, 1817—a year previous—that although the present law did not apply to the Alabama district, ". . . it was deemed proper to make reservations *there also* for the purpose of laying off and establishing towns when authority shall be given for that purpose. . . ."—"The falls of the Coosa, Tallapoosa, and Cahawba, and the junction of the latter river with the Alabama river are points to which his [the Surveyor's of the District] attention will necessarily be directed." (Carter, Vol. vi, pp. 794, 795) It is submitted that Bibb, who was constantly in touch with Crawford, knew of this order long prior to June, 1818.

fication of a part of our population to be regarded in opposition to the rights and interests of the whole. The experience of other states had shewn, that to consult as far as practicable in the choice of position, the convenience of every portion of the Country, is the surest method of rendering that choice permanent. In pursuing that principle the nearest eligible scite to the center of the Territory, presented the highest claim, while the probable future population of the different parts was also to be considered. The latter, however, being necessarily matter of conjecture only and liable to be estimated according to various impressions, furnished a criterion altogether uncertain; and therefore was entitled to less attention. With such views, I proceeded to examine the junction of Cahawba and Alabama. The bluff on the west side of those rivers presents a beautiful scite, with springs of good water and the prospect of health. Situated on a river capable of being navigated by boats of great burthen and supported as it will be, by the abundant production of an extensive and fertile back Country on the Alabama and Cahawba and their tributary streams the town of Cahawba promises to vie with the largest inland towns in the Country, possessing in my judgment the necessary advantages, approaching certainly nearer to the center of the Territory, and probably of its future permanent population than any other place otherwise equally eligible. I communicated the result of my examination to the President of the United States, with the request that such parts of sections as I thought best calculated for the Seat of Government might be reserved from sale. The request has been granted and I herewith transmit a copy of the correspondence, together with a letter from the Commissioner of the General Land Office to the Register and Receiver and a report signed by three of the Commissioners appointed at the last session of the General Assembly "to examine and report to the Governor the most eligible scite for the Seat of the Territorial Government." It is possible that the geographical views presented in my communication to the Secretary of the Treasury may not be entirely accurate, but should there be any error, your liberality will find an apology in the very limited means of information which were within my reach.

In submitting the further disposition of the subject to the wisdom of the Legislature, I feel no other solicitude, than that the course may be pursued, which shall best promote the welfare of the Country and the happiness of our fellow-citizens,

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election of any of the Senators named in the report. It had been necessary for the Committee on Privileges and Elections to receive parol evidence concerning the election of Matthew Clay, Senator from Lawrence, and this had caused some talk around the State House, for Clay was known to favor removal. This Committee, like the Seat of Government Committee, had a majority of members opposed to Cahawba. From the present indications it appeared that if the anti-Cahawba men hung together they would succeed in removing the seat of government from that place.

The Senate was now ready to hear the report of the Seat of Government Committee. Needless to say, the Committee was ready to be heard. The Chairman, Levin Powell, of Tuscaloosa, submitted the report in writing.¹

After setting forth the constitutional provisions the report said:

It was undoubtedly the intention of the framers of the constitution that the Seat of Government should not be permanently fixed at Cahawba, unless it should be found, after an experiment of six years, to be the most eligible site. Taking this to be their intention, as expressed in that instrument, your committee have endeavored to ascertain, whether Cahawba combined more advantages for the permanent Seat of Government than any other place which might probably be selected.

They have ascertained that Cahawba is on a low situation, and liable to be inundated by the waters of both the Cahawba and Alabama rivers. The inundation of a part of the town occurs almost annually; and at times it has been impracticable to reach the State House without a conveyance by water. It has been ascertained that during the last session of the legislature every street leading from the country into the town was overflowed to the depth of several feet; and that it was impossible to reach the town even on horseback, without deviating from the public highways. One part of the town was inaccessible to persons residing in another part, without the medium of water communication. Your committee further learn, that when the Supreme Court was directed by law to be holden at Cahawba

¹ Senate Journal 1825, p. 27.