

Richard Fitzpatrick's South Florida, 1822-1840

Part II: Fitzpatrick's Miami River Plantation

By Hugo L. Black III*

During the 1820's, most of the land in southeast Florida was owned by the government. By 1825, only six private claims from the Spanish period had been validated: the Polly Lewis, Jonathan Lewis, and Rebecca Hagan (Egan) Donations on the South side of the Miami River, the James Hagan (Egan) Donation on the North side of the Miami River, the Mary Ann Davis Donation on Key Biscayne, and the Frankee Lewis Donation on the New River.¹

Notwithstanding the lack of settlement, even during this period, southeast Florida's suitability for plantations was recognized. James Egan emphasized this suitability in the following advertisement run on numerous occasions in the *Key West Register* during 1829, in which he offered his land on the Miami River for Sale:

**For Sale
A Valuable Tract of
LAND
Near Cape Florida**

Situated on the Miami River. The Land is very good and will produce Sugar Cane and Sea Island Cotton, equal if not superior to any other part of the

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Territory. There is at present a number of bearing Banana and Lime trees and the fruit is inferior to none raised in the Island of Cuba. The forest growth consists principally of Live Oak, Red Bay and Dog Wood.

Any person desirous of purchasing a valuable plantation will do well to visit the Land.²

On December 1, 1830, Fitzpatrick took James Egan up on his offer, paying \$400.00 for "640 acres more or less" on "the Sweet water or Miami River."³ Fitzpatrick continued to buy land in the area, and by April 21, 1835, he had acquired the title to every inch of privately held land in southeast Florida except for the previously mentioned Mary Ann Davis Donation on Key Biscayne.⁴ Fitzpatrick's total purchases amounted to 2,660 acres on both sides of the Miami River (over four square miles), and another 640 acres, one square mile, on the New River. The \$2,690.00 he had spent in total averaged out to only 81 cents per acre, far less than what agricultural property was selling for in the comparable sugar lands of East Florida. Fitzpatrick not only had acquired good land for a plantation with a minimal capital outlay, he had also placed himself in a good speculative position. If he could firmly establish and then make known that the area was fit for plantations, then he would stand to profit enormously from the appreciation in value of the land to a price even remotely approaching the price common in East Florida.

The people who owned the land in southeast Florida before Fitzpatrick were yeomen farmers like those who made up so much of the population of Florida at the time. Although these farmers were not wealthy and owned few if any slaves, their improvements were by no means negligible. An investigation of the Lewis family tract on New River by the Spaniards stated that:

... Mr. Lewis had lived in that house for several years... had a plantation two miles to the west of this house... [and] had five horses. The house stands on a pine bluff south of the river—a small fowl house opposite—about 30 yards from the dwelling house up the river stands a small house which we found to be a blacksmith's shop with a forge, bellows... [and] a small anvil—a chest with sundry tools in it belongs to Lewis.⁵

Dr. Benjamin Strobel visited Cape Florida in 1829 and left another description of one of these yeomen farmers' properties:

... The point of land to which we steered our course was steep and perpendicular, consisting of a wall of limestone rock, twelve or fifteen feet above the level of the water. At one of these we landed, and ascending a rude flight of steps, I found myself at the door of a new palmetto hut which was seated on the brow of the hill. It was quite a romantic situation. The cottage was shaded on its western aspect by

several large West Indian fruit trees, whilst on its eastern side we found a grove of luxuriant limes, which were bowing to the earth under the weight of their golden fruit. This was the residence of the old lady to whom I had been recommended and who was bordering on 80 years of age. I entered the house and made my devoirs. She received me graciously and placed before me some Palmetto and Icaca plums and after refreshing, politely conducted me herself over her grounds and showed me a field of potatoes and corn which she had cultivated. She generally employed several Indians for this purpose, who for their labor received a portion of the products.⁶

In the New River area on Frankee Lewis' Land, William Cooley had established the most ambitious project in the southeast Florida area. With the help of two negro slaves, Cooley had since 1825 been farming and manufacturing arrowroot starch.⁷ Fitzpatrick apparently rented the land to Cooley after Fitzpatrick bought the Frankee Lewis tract, for Cooley continued his operations until the whole area was deserted in 1836. The account of what the Indians had destroyed of Cooley's plantation in 1836 included "20 acres of Land cleared — six acres planted in Sugar Cane — two acres of Bermuda Arrow Root — the balance of land planted in corn, potatoes, pumpkins and etc.," as well as citrus fruits and coconuts. In 1836 the Cooley farm was valued at \$12,700, including a house, 20 x 55 feet, "one story high built of cypress logs sealed and floored . . .", a storehouse full of provisions, including flour, pork, beets, coffee, corn, grits, rice, salt, sugar, butter and 21 gallons of wine; a "Machinery House 27 x 14 with all the machinery for making arrow root, with a wharf attached . . ."; and livestock which included eighty head of hogs, five sheep, three horses, and "a lot of Fowls".⁸

The plantation Fitzpatrick established on his lands on the Miami River differed from these yeoman farmer's efforts not only in scale, but also in kind. Fitzpatrick's agricultural effort, like Fitzpatrick himself, was of a totally different class — not a farm, owned by a yeoman farmer, but a plantation, owned by a planter. Fitzpatrick's plantation was the same type of agricultural effort which all over the south was the cornerstone and pinnacle of a distinct economic system, presided over by a distinct class, the planters. The establishment of Fitzpatrick's plantation held out the promise of firmly grounding a planter society in South Florida in the economic system most compatible with that society.

Fitzpatrick's agricultural improvements concentrated on sugar cane. By January of 1836, Fitzpatrick had 100 acres of sugar cane under cultivation, as well as a wide variety of other crops. He had thirty acres of corn and pumpkins, five acres of sweet potatoes, four thousand plantain and banana trees, twelve acres of Bermuda arrow root, "a fine lime

grove, yielding at that time from three to five hundred barrels of limes per annum,” one hundred coconut trees, and an additional “nursery of tropical fruit trees.” For livestock, Fitzpatrick had one hundred head of hogs, and ducks, fowl, turkeys, and guinea fowls. The wooded areas of Fitzpatrick’s land were also of value, for Fitzpatrick kept on hand large quantities of previously cut wood from his plantation with which to supply fuel for passing steamers.⁹ The following schedule made to support his late claim for reimbursement from the U.S. Government for the occupation of his plantation during the Second Seminole War included: everything Fitzpatrick had on the plantation in 1836, each with its approximate value. Not listed were the “fifty or sixty” slaves Fitzpatrick had working the plantation.¹⁰

One Hundred acres of sugar cane, worth \$100 per acre	\$10,000
Thirty acres of corn and pumpkins, worth	1,200
Five acres of sweet potatoes, worth	500
Four thousand plantain and banana trees	4,000
Twelve acres of Bermuda arrow root	500
Lime grove destroyed	2,000
One hundred coconut trees destroyed	500
Nursery of tropical fruit trees destroyed	2,500
Six hundred bushels of flint corn	1,500
One hundred head of hogs	1,000
Poultry, viz: ducks, fowls, turkeys and guinea fowls	200
One large flat boat, sixty feet long (cost)	1,300
One clinker-built boat	120
One cedar boat	60
One schooner	1,500
One framed house	2,300
Two corn cribs	200
One kitchen	50
One poultry house	50
One hewed log house	100
Twelve negro houses	1,500
One framed house, south side Miami River	300
One framed house, smaller	100
Two framed houses and out-buildings purchased from Lewis	2,500
Plantation tools, blacksmiths’ tools, carts, ploughs, axes, hoes, grubbing hoes, cooking utensils, etc. and etc.	500
Furniture, bed clothes, books, etc	2,000
Three years’ occupation of my plantation by the United States troops at Fort Dallas, Miami River	18,000
Four thousand shingles	240
Three hundred cords of wood, cut from my land to the first of April, 1840 for the use of the United States steamers employed on the coast of Florida, at \$6 per cord	1,800
Two hundred cords of wood, cut from my land at New river for the United States steamboats, at \$6 per cord	1,200
House and improvements, including fruit trees, wharf, etc. purchased of William Cooley, on Little River	2,500
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	\$60,320 ¹¹

The soil and climate of southeast Florida were remarkably suited for the growth of tropical products. Speaking in response to an Army Colonel who had tried to denigrate the productiveness of Fitzpatrick's land, Stephen R. Mallory wrote about the munificent bounty of the soil in the southeast Florida area:

... His entire statement relative to the unsuitableness of Fitzpatrick's plantation for the culture of tropical fruits, is an error. The place and the country around it are admirably adapted to their culture, and many of them, as the orange, lime, lemon, sugar apple, coconut, and guava, had been growing there for forty years, when the troops took possession. He is in error, also, in relation to all that he says about the culture of the banana and plantain and a market for them. While Fort Dallas was thus occupied by troops, I with a company of forty men, in seven boats, visited a banana grove near the Miami, and found the fruit in greatest abundance. We took as much of it as we could dispose of in our boats, without making much impression upon the quantity in the grove. He is equally in error in relation to the quantity and character of the pine timber at the Miami. It is a superior article for steamboats...¹²

Mallory, who lived on the plantation for a year in 1831 and later became a U.S. Senator from Florida, described the value of the actual plantation itself thus:

I am well acquainted with "Fitzpatrick's plantation", in Florida. It occupies both banks of the beautiful little River Miami, at its mouth, and is known as Cape Florida. The climate is *tropical*, and all the fruits of the tropics grow, or will grow without replanting... but for the Indian war it would now have been one of the most beautiful and productive plantations of the south. It is remarkably healthy. When the war broke out, in 1836, this plantation was in beautiful condition, worked by some fifty or sixty servants...

Of the value of the plantation in dollars and cents, I do not know. If I owned it I would not take *fifty thousand dollars* for it.¹³

The security of Fitzpatrick's land was reflected in the annual profit Fitzpatrick was making from the plantation. Fitzpatrick's overseer, James Wright, testified "that the estimate of six thousand dollars a year for the use of the plantation is less than the same, with the force employed on it, would have produced to the owner."¹⁴ Such a return on investment was comparable with the plantations of Middle Florida, where it was not unusual for cotton planters to average from \$5,000 to \$15,000 annually.¹⁵

We can only speculate about the life Fitzpatrick's slaves led on his plantation. Most likely, Fitzpatrick's slaves were comparatively better off in the Winter than they would have been in the colder climates and we do know that game was abundant in the area surrounding the plantation, with which the slaves could supplement their diets. On the other hand, the slaves' opportunities to interact with a broader slave community, such as by visiting other plantations or through hearing itinerant preachers, were almost non-existent because of the plantation's isolation.

The slaves' personal relations with Fitzpatrick were undoubtedly shaped and mediated by paternalism. While Fitzpatrick was in Tallahassee or Key West much of every year, he apparently did spend a great deal of time on the plantation. Mallory, in speaking of the year he spent on Fitzpatrick's plantation at Cape Florida, said that "Col. Fitzpatrick, Mr. Cooley, and family, and a few frontier people were settled there..." and again, "At the beginning of 1830 I went with Col. Fitzpatrick to New River, on the coast of Florida to aid him in establishing a plantation..."¹⁶ The whole planter ideology grew out of this life of patriarchal planter whose plantation was as much home as economic enterprise, a home of which the entire white and black population formed parts of the planter's extended family. The significance of Fitzpatrick's plantation in South Florida's history was that its establishment brought the concrete foundation of this paternalistic ideology to South Florida, and held out the promise that this foundation would be strengthened through the immigration of other planters who would establish other plantations.

The possibility that other planters would move to South Florida was a very real one. Fitzpatrick certainly believed in the possibility; it was the reason he speculated on land in the area. While cotton was the major plantation product in North Florida during the territorial period, sugar plantations had begun to appear and prosper in great numbers in East Florida in the Matanzas, Tomoka, and Musquito areas in the 1830's.¹⁷ Fitzpatrick made efforts to let other planters know about the suitability of South Florida's land for sugar cane and other crops, trying to include South Florida in the movement toward sugar cultivation. The following report Fitzpatrick made to the Legislative Council in 1837 was representative of his efforts to publicize South Florida among the planters.

...The South of Florida, is now particularly adapted to the culture of the Sugar-cane, and many of the tropical fruits are produced there as abundantly, and in as great perfection, as in the West-Indies; the plantain, banana, pineapple, lime, lemon, and other fruits are there produced, because from latitude 24 degrees frost is not known, and as far as latitude 29 degrees north, the sugar-cane is cultivated with the best success. In these latitudes also, the Spanish tobacco not inferior to that of the Island of Cuba, is produced, and the Vine, Olive, and mulberry trees, have been upon fair trial, found to flourish there, equal to any other country. It is a fact not very generally known to the people of this Territory, that they possess a country of the character herein described, running miles, with the Bahama Islands, and separated from them by a channel of not more than fifty miles, and that the Islands between Cape Florida and the Tortugas, are situated and lie to the south of the largest of the Bahamas, upon all of which the tropical fruits of every description have been cultivated and have been produced in perfection, nor is it known generally, that the towns of Key-West and Indian Key lie to the south of Nassau, in the Island of New Providence, and within twelve hours sail of Havana

and Matanzas in the Island of Cuba, from which that part of our Territory is separated by the Gulph Stream, not more than ninety miles wide. These facts are within the knowledge of your committee and they respectfully submit them.¹⁸

Fitzpatrick tried to remove one major obstacle to the settlement of South Florida by attempting to have South Florida surveyed. He wrote to Simonton on December 20, 1831:

Dear Sir: Having heard that you intend returning to Washington soon, I have to request that you will see the Commissioner of the Gen'l. Land office, and ascertain from him whether or not he has given any direction to the Surveyor General for the survey of this part of Florida viz. the Tract of Country from Cape Sable to this place [Cape Florida] and from here to New River. Col. White in a letter to me last winter mentioned that the order would be given to survey those Lands. It is really a matter of astonishment to me that such an immensely valuable tract of Country should have been so long neglected, for besides the great variety and fertility of the soil it has an advantage of near five degrees of latitude over the lands in Middle Florida which are so highly esteemed for the culture of Sugar and Cotton and strange as it may appear it is a fact that there is a very large proportion of the best lands in the United States within this section aluded to; besides much more which is adapted to the production of Sugar, Spanish Tobacco and the finer qualities of Sea Island cotton...¹⁹

Fitzpatrick's efforts and South Florida's natural advantages would certainly have resulted in the immigration of planters into the area had it not been for the onset of the Seminole War, as the following letter from Fitzpatrick to government authorities in Washington in August of 1832 indicates. Fitzpatrick told them that South Florida was:

... decidedly the richest land I ever saw and will certainly produce more sugar to an acre than any land in Florida or Louisiana when properly cultivated; as proof of which I will take occasion to observe that a few weeks ago a party of gentlemen from the neighborhood of Tallahassee came to New River and Cape Florida to examine the land and so well satisfied were they, that they immediately picked out such places for their plantations and will remove their negroes the ensuing fall...²⁰

On December 20, 1835, defying the threat to remove them to the West, the Seminoles killed Major Francis Dade and more than one hundred of his men near the Withlacoochee River, and at Fort King killed General Wiley Thompson and four others. The Seminoles then "moved south, destroying almost everything of value in their course, burning every house and destroying every plantation between St. Augustine and Cape Florida, a distance of two hundred and fifty miles."²¹ On January 6, 1836, before word of the Dade and Thompson killings had reached South Florida, the Indians attacked the home of William Cooley at New River, killing Mrs. Cooley, the three Cooley children, and the children's tutor, and carried off with them Cooley's two negro slaves and "a Spanish man

named Emmanuel” who apparently must have been working for Cooley.²²

Word of the Indians’ attack on the Cooley family reached the Miami River area quickly. James Wright, Fitzpatrick’s overseer, reported:

... that on the 6th day of January, 1836, during the absence of his said employer, the intelligence reached him about noon, that the Indians had killed the family of Mr. William Cooley, on New River, and were on their way to the settlement on the Miami; that deponent [Wright] immediately embarked on board of such boats as were most convenient, and took with him all the negroes and a number of families of white persons, and was unable to carry away any of the property of his employer, nor could he save his own clothing or that of the negroes.²³

Wright, the rest of the white population of the southeast Florida mainland, and the slaves, removed to Cape Florida, where soon afterward nearly everyone moved either to Indian Key, Key Vaca or Key West. After the attack on the Cape Florida Lighthouse in July of 1836 and its abandonment, the Indians had sole possession of southeast Florida. Soon after the attack on the lighthouse, however, the U.S. armed forces moved to establish fortifications in the Miami area. The first was Fort Bankhead, established by the Navy on Key Biscayne. Sometime in 1836, the army opened a fort on Fitzpatrick’s plantation, calling it Fort Dallas. Fort Dallas remained in intermittent use throughout the Second Seminole War, preventing Fitzpatrick from using his land even if he had wished to do so.

The taking of Cooley’s slaves by the Indians might well have had an effect on Fitzpatrick’s slaves, for Wright had a great deal of difficulty in getting Fitzpatrick’s slaves to leave the area. At least some of Fitzpatrick’s slaves apparently realized they were in no danger of losing *their* lives at the hands of the Indians, and wished to stay and join up with the Seminoles. In his deposition about the abandonment of his plantation Fitzpatrick spoke about Wright’s problems with the slaves:

... James Wright, who was in charge of his [Fitzpatrick’s] plantation and negroes, was obliged to abandon the plantation, leaving everything behind him except the negroes, which by great exertions he removed, and thus prevented them from falling into the hands of the Indians...²⁴

John Dubose, the Cape Florida Lighthouse keeper, also referred to the situation: “Mr. Wright, the overseer of Mr. Fitzpatrick, (with only one hour’s notice) was enabled with difficulty to remove the negroes, with a small supply of provisions, to the Cape Florida Lighthouse...”²⁵

The Second Seminole War, which had such a devastating effect on South Florida’s history, was as much open class insurrection as an Indian

War. General Thomas Jesup, for example, though perhaps stating the case a bit strongly, wrote on December 9, 1936 [after being appointed commander of the U.S. Army's Florida war effort] that "This, you may be assured, is a negro, not an Indian War; and if it be not speedily put down, the south will feel the effects of it on their slave population before the end of the next season."²⁶

While we have no evidence as to whether Seminole Negroes were involved in the attack on the Cooley family, we do know that class struggle was a major part of the dynamics leading up to the attack. Whatever effect the Cooley attack and the further events of the Second Seminole War had on Fitzpatrick the development of South Florida must be attributed to class struggle as well as white-Indian hostility.

FITZPATRICK AND THE SECOND SEMINOLE WAR

As early as January of 1835, Fitzpatrick was preparing for the possibility of war in South Florida. A letter he wrote to Richard Call on January 8, 1935, proved to be a prophetic vision of events that would occur in South Florida and that would ultimately drive him from Florida.

Sir: Previous to my leaving Key West, information was received from Tampa Bay, that a Spanish vessel had landed arms and ammunition in the neighborhood of a Spanish fishery, at Charlotte's harbor, to supply the Indians on the coast. The surgeon of the post at Key West, Dr. Nourse, accompanied Major Dade's company to Tampa, and returned in the transport "Molto" and communicated the information to several persons, and said he got it from Captain William G. Sanders and others at Tampa, and that there was proof of the fact, as he understood from them. I well recollect that, previous to my leaving Key West, I one morning observed a Spanish vessel coming in at the Northwest passage from the direction of Tampa and Charlotte's harbor, which vessel brought no cargo, nor do I know whether or not she carried away any to Cuba. The Collector at Key West, near two months previous to this time, had suspended from duty the inspector of customs at Charlotte's harbor, for refusing spiritous liquors to be landed on the island where he lived, and upon which also a Spanish subject, named Caldez, lives, and who is carrying on a fishery, and has a vessel trading there under Spanish colors, manned in part by Seminole Indians. There is but one citizen of the United States attached to the concern, who is the person that brought the charges against the inspector, and who has been going backward and forward in the Spanish schooner since that time. With this exception, the fishery is carried on by Spaniards and Indians, and is owned by a man named Badia, who lives in Havana. I know that the Spaniards interested in the fisheries have been much dissatisfied on account of the proposed removal of the Indians, and that they have heretofore derived much benefit from the services of the Indians at the fisheries, and on board their vessels, and that this man Caldez is more dreaded by, and has more influence over, the Indians than he ought to have. There being no inspector at this point, and the collector having sent the revenue-cutter to New Orleans, arms and ammunition, or any thing else in any quantity, could have been landed there at any time with impunity. As the southern

section of Florida is very little known, except to the Indians, I take the liberty to offer you such information as a residence of more than twelve years in that section of country has enabled me to obtain.

From Cape Roman, on the west coast, to Cape Sable, and from thence to Cape Florida, are innumerable islands, formed by rivers and creeks running from the Everglade (so called), and having their source the great Lake Macaco, where the Indians go in their light canoes, and where they have some towns and cornfields. This part of the country is little known to the white man, but the Indians are perfectly acquainted with it, and if they are drawn from their present position, they will certainly go there. I have good authority, upon which I can rely that many canoes, with women and children, and some men, have been sent there some time ago, and if the warriors are driven there, they can sustain themselves against four-times their number. They can live on the county root, which abounds in the vicinity of Cape Florida and New River, and the great abundance of fish and turtle which abound in the rivers and on the seacoast, and which they take in any quantity at pleasure. From Cape Sable to Cape Florida, inside of Key West and the other keys, there is but one white man living who has ever penetrated it and passed through it and it is there the Indians have their hunting-grounds, and from whence they can retire into the islands in the everglades, and can go to the east as far as, and even beyond, New River, and to Charlotte's harbor on the west. Steamboats of light draught of water, having small boats of the least possible draught, are the only means by which you follow the Indians in their canoes. One should go to Cape Florida and proceed east to Indian River, where she can enter and go up to the Lagoon, and the St. Sebastian and St. Lucia rivers. Another should go down through Key Biscayne Bay (where the light-house is) and into Barnes's sound, and pass through in boats to Cape Sable; and another should go through from Indian Key to Cape Sable and proceed along the coast to Cape Roman and Charlotte's harbor. These vessels and boats should, by all means, get pilots at Indian Key; and the neighborhood, who have a knowledge of the navigation, as any person unacquainted will find the greatest difficulty to get along. I am thus particular, because I know much inconvenience and difficulty will occur in the fitting out an expedition to go on a coast so little known, and I am certain that if the Indians once get down there, they can sustain themselves for years against a superior force, and that it will be impossible to starve them out.

I very much hope that the Government will see the necessity of destroying those Spanish fisheries, and of prohibiting their vessels from carrying on any trade on the coast. I tender you my services in any way I can be useful in any expedition which may be sent to any part of the Territory.¹

General R. K. Call

Respectfully, your most obedient servant,

C. Fitzpatrick

With the beginning of the actual fighting in the Seminole war, Fitzpatrick volunteered for service, and served as General Clinch's aide-de-camp during the first major campaign of the Second Seminole War. Fitzpatrick was a picture of the courageous planter. The U.S. House of Representatives' Committee on Military Affairs left this description of Fitzpatrick: "Rich, generous, and patriotic, he [Fitzpatrick] is described, when joining the staff of General Clinch, as bringing with him his own horses and servant, and as then living at his own cost." The same

Committee described Fitzpatrick's activities during that campaign with General Clinch:

...He was appointed an aid-de-camp by General Clinch in his Seminole campaign, and served in that capacity from the fall of 1835 to the month of May or June following—up to the retirement of that general. He was better acquainted with the country—the field of military operations—than any man in the army. He was bold and intelligent, and always ready and forward to render any useful service. He enjoyed the confidence of his general; and it is proved by a gallant officer, who was associated in the service with him—Captain Thurston, formerly of 3d regiment artillery—that “no one in General Clinch's wing of the army rendered more active and real service than he did.” His conduct did not fail to attract the attention of the close-observing general-in-chief. General Scott says that he personally saw much of Col. Fitzpatrick in the march from Fort Drane to Tampa Bay and back to the north of Florida, in the campaign, and that he can testify to his zeal and the great value of his services in that march...²

Subsequently, Fitzpatrick was appointed aide-de-camp by General Call shortly after Call took over the prosecution of the war. Fitzpatrick served in that position from September 20, to December 7, 1836, when Call was relieved by General Jesup. During his service with Call, Fitzpatrick was promoted from Captain to Colonel, a title by which Fitzpatrick preferred to be addressed for the rest of his life. Call testified about Fitzpatrick's service:

... Colonel Fitzpatrick was a valuable and efficient member of his staff, performing, as necessity required, the duties of aid-de-camp and quartermaster during the campaign against the Seminole Indians.³

Fitzpatrick's association with Call led to a role in one of the more notorious incidents of the Second Seminole War. From the beginning of the war, Florida citizens and military officers had written to the U.S. War Department urging that bloodhounds be used to track the elusive Seminole. Cuban bloodhounds had been used extremely successfully during the Maroon Wars in Jamaica; The Maroon War in 1795, for example, had ended within a month after the introduction of Cuban bloodhounds. By 1838, General Zachary Taylor had requested and been granted permission to use bloodhounds, but never followed up on the project.⁴ Governor Call finally decided to take the matter into his own hands in 1839 and sent Fitzpatrick to Cuba to get the bloodhounds which more and more people had become convinced could end the war. After a month in Cuba, Fitzpatrick returned to Florida on January 6, 1840, with 33 bloodhounds and 5 Cuban trainer-keepers for the dogs. For his time and efforts, Fitzpatrick received \$1,000. The entire expedition had cost \$5,006.83, with the 33 dogs at \$2,733.00 accounting for most of the total.⁵

Fitzpatrick's return to Florida launched a storm of controversy all over the United States over the degree of cruelty to which the armed forces should be allowed to resort in their prosecution of the war. Northern newspapers had reported the arrival of the dogs, and readers petitioned their Congressmen protesting the cruelty and inhumanity which would be inherent in turning the dogs loose to attack the Indians, as had been done in Jamaica.⁶ While it is difficult to know what might have happened if bloodhounds had been used extensively, Fitzpatrick indicated that the dogs were intended solely as tracking dogs to be used with muzzles. One visitor to Tallahassee, who was present at Governor Reid's house the night Fitzpatrick arrived from Cuba, described this meeting and in doing so, shed some light on the dog's intended use:

Washington City, February 8, 1840

Dear Sir: In compliance with your request, that I would communicate in writing what I have previously mentioned in conversation, as having heard while passing through Florida on my way here, respecting the bloodhounds recently brought there from Cuba, and the purpose for which they were procured, I beg leave to state that on the 6th ultimo, during a sojourn of two or three days at Tallahassee, while paying a visit at the residence of the present governor, a gentleman entered the parlor, who was introduced as Colonel Fitzpatrick, and who informed Governor Reid, that he had just arrived from Cuba with a number of bloodhounds, to obtain which, he had been dispatched, as I understood him, under authority from ex-Governor Call, and the legislature of Florida; Col. Fitzpatrick spoke of the difficulties which he had had in getting those dogs, thirty-three in number; the high price paid for them, and the great trouble arising from boisterous weather and scarcity of provisions, owing to the voyage being of unusual length, in bringing them over; he expressed a desire that Governor Reid should give immediate instructions to have them taken from on board the vessel, then lying at Port Leon or St. Marks, as they were very much reduced and feeble from want of proper food, and put in some fit place, under the charge of five Spaniards, whom he had hired in Cuba as their keepers, and who were the only persons capable of managing them. A good deal was said as to the manner in which they were to be used in operating against the Indians, and I believe, as well as I can recollect, and my recollection is pretty distinct, Col. Fitzpatrick, who appeared most conversant with the mode of keeping and using them, observed that they were always muzzled unless being fed; that, when employed in order to discover a hiding or retreating enemy, a keeper was appointed to each dog to hold him in leash, and endeavor to put him on the scent, which, once found, he rarely lost — the pursuers following close up to the keeper, and were thus conducted to the object of their search.

The dogs were described by Colonel Fitzpatrick as possessing fine wind, great strength, bottom, and courage, and as differing from the common hound in one particular, which made them of infinite service in chase of a lurking enemy: they rarely, or never, gave tongue to warn him of the approach of his pursuers. I was not led to believe, from any thing which I heard on the occasion alluded to, or indeed at any other time during my journey through Florida, that those dogs were to be unmuzzled and let slip to assail the hostile marauding Indian warriors, and destroy their women and children. I am persuaded that the people of Florida,

dreadfully as they have suffered from the ferocity of the Indians, would not countenance such a species of warfare.

Colonel Fitzpatrick, who, I have since learned is an officer of the Florida militia, struck me as being a gentleman of great intelligence and decided character.⁷

Though the first trials of the dogs in Florida seemed promising, the whole controversy eventually proved to be over nothing. For whatever reason, perhaps because of the difficult terrain, the bloodhounds eventually were found to be of no help at all and they never were used again after their experimental trials.⁸

Fitzpatrick's activities during the Second Seminole War were those of a man imbued with the image of the soldier-planter, the image of courageous, dutiful, glorious military service. The image had developed in planter ideology for good reason: However calm on the surface plantation society might seem, just beneath lurked tensions which at every moment threatened insurrection. In Florida, in combination with the Indian struggle, those tensions exploded into the bloodiest class insurrection in the history of the South. Faced with both the destruction of his dream of a South Florida plantation society, and the destruction of the whole plantation system throughout Florida — even threatening to stretch into other portions of the South — Fitzpatrick's ideology served its purpose. The gentleman fought with energetic vengeance.

THE LEGISLATIVE COUNCIL, 1835-1840, AND THE CONSTITUTIONAL CONVENTION OF 1838

Locally-oriented Bills

In 1835, Fitzpatrick returned to the Legislative Council, defeating Ed Chandler in the election of May 1834. Fitzpatrick's margins of victory were astounding for someone who just two years previously had been defeated by the same man he defeated; Chandler 74-4 at Key West, and 25-10 at Indian Key.¹ Fitzpatrick went on to become Monroe County's representative again in 1836, and then represented Dade in the 1837, 1838, 1839 and 1840 sessions, and in addition represented Dade in the 1838 Constitutional Convention.

Fitzpatrick's legislative activities during these years were too numerous to be exhaustively catalogued; with a comparatively secure seat, well-respected by his colleagues, Fitzpatrick became one of the most powerful and active members of the Legislative Council. He was chairman of at least one standing committee each session, and in 1836 was elected President of the Legislative Council. Of all the areas of

Fitzpatrick's legislative activity during these years, two areas stood out from the rest in their importance for this study: Fitzpatrick's local bills, and his participation in the banking controversy which led to the development of parties in Florida politics.

During the 1835 session, Fitzpatrick presented a petition from Key West residents requesting the repeal of the 1832 Act incorporating Key West. Assigned to a select committee which included Fitzpatrick, the petition resulted in a bill repealing Key West's charter and directing the City Council to turn over all the tax money in the City Council's possession to the Justices of the Peace in the city. Every refusal by the City Council to turn over the City's funds was punishable by a fine of fifty dollars. Governor Eaton vetoed the bill because it provided that no appeal could be made from a judgment rendered against the City Council for refusing to turn over the tax money. After the veto, Fitzpatrick moved that the bill be reconsidered, the section prohibiting appeals was struck from the bill, and the bill was passed.²

The bill's passage prompted much dismay in Key West. The *Enquirer* printed the following response by the Key West City Council attacking the Legislative Council's action:

... Your Committee have heard that a few persons, most of whom are *naturalized* citizens, not perfectly accustomed to our laws, objected to the payment of taxes, and for the purpose of avoiding the payment of the same, petitioned the Legislative Council to repeal the City Charter. They also *knew*, that a petition from many of our intelligent and active citizens was sent to our representative, praying for some slight modification of the Charter. There is no evidence that this last petition was laid before the Council, while it would seem, that the first mentioned petition received a large share of consideration, by the enactment of the law above recited. By the 2d section of this law it is provided, that all the money which has in any manner been collected by this Corporation, shall be paid over to the Justices of the Peace of this City, under heavy penalties, and this whether the money had been expended on public improvements or not. It is not then a provision for disposing of any unexpended balance that may be left, but a cool, and deliberate demand of our private funds to the extent of all the taxes that have been collected since the incorporation of this City until the date of this law!! The burst of indignation, with which this law was received by our intelligent fellow citizens, is evidence, that here, where the facts are well known, the reputation of the members of this Corporation will not be affected by the passage of this extraordinary law. The 2d section is calculated to injure the reputation of the members, because it gives the impression to those, unacquainted with Florida legislation, that the members of this Board have appropriated the funds of the public to their own private emolument— Such must have been the impression of a majority of the Legislative Council, or the act must have been "*read by its title*" *only*, and passed without examination. But by what misrepresentation this impression has been given is beyond the knowledge of this Committee...

It [the bill] professes also to give power to any Justice of the Peace, disposed to act the petty tyrant, to take the private and individual property of the members

of this Board for public uses, and so far from making "just compensation", it affixes a penalty of fifty dollars for every objection to this species of legalized robbery.

By the objections of the Executive to this law, it appears, that the 2d section was originally more objectionable than at present, by making the Justice a modern *Gesler*, from whose decision there could be no appeal!!

Your Committee wishes to speak respectfully of the exercise of Legislative power, but they discover in the act under consideration a tone and spirit unexampled in modern times, destructive of the rights of others, and well calculated to arouse a just indignation in those having a proper sense of self-respect. A silent acquiescence would become tame and submissive slaves, who are accustomed to crouch at the footstools of power.

There can be no palliation for the act in question. Misrepresentation, might have been an inducement to repeal the charter, but it could be no excuse for robbing the pockets of others. If evils really existed, the ballot box might have cured them. If wrongs were done, the law gave a remedy. There was no call for such extraordinary legislation. The haste was indecent, as a few days would have terminated the City Council.

In the opinion of your Committee, the said act of 29th January is null and void, because it is contrary to the organic law — yet your Committee recommend an application to Congress to repeal the same, that our Statute Book be not polluted with evidences of personal legislation...³

Fitzpatrick's motivations for passing this bill are unclear; as previously noted, he had very few taxable interests in the city. It is possible he received only one of the two petitions and merely acted on what he thought his constituents wanted. It is doubtful, however, that Fitzpatrick would have been so unaware of the real situation. It is more likely that Fitzpatrick was feuding with one or more members of the Council for some reason, and was thus favorably disposed to act on the petition requesting the abolition of the City Council. Also, quite naturally, being a Justice of the Peace, Fitzpatrick must have thought that Justices of the Peace would be better entrusted with the people's tax money. If this interpretation is closest to the truth, then Fitzpatrick's actions were another example of the uncompromising attitude Fitzpatrick usually took on political issues. (In a general sense, Fitzpatrick's uncompromising attitude was typical of his class, an attitude which later resulted in the formation of the Whig Party in Florida. Fitzpatrick was sure of his essential rightness on every issue. This was a natural part of an ideology formed in the crucible of master-slave relations. Such an attitude, and the actions resulting from it, made the planter-politician different than the bourgeois politicians of the 1800's, and certainly from the bourgeois politicians of today; in a positive sense, Fitzpatrick's uncompromising attitude throughout his legislative career can be seen as an unyielding stand on principle, the precise lack of which condemns bourgeois politician's mouthings of ideas suitable for the election marketplace.)

As uncompromising actions often do, Fitzpatrick's rescinding of the Key West Charter proved to be unpopular with the Island's voters. As threatened, a group of Key West's most prominent citizens did petition Congress to rescind the Territorial statute,⁴ and Fitzpatrick narrowly escaped losing in the next election to William R. Hackley, a local attorney and former Port Warden. Fitzpatrick's huge margin of the previous year was cut to 41-38 in Fitzpatrick's favor in Key West.⁵ Although all of Fitzpatrick's slip in voting strength probably should not be attributed to his actions on the Key West Charter, certainly those actions had played an important role.

The petition to Congress about the Charter had the desired effect, for the Congressional Committee on Territories reported against the Florida law rescinding the Key West Charter. Perhaps for that reason, Fitzpatrick had the 1836 Council enact a new statute incorporating the City of Key West.⁶ The new city's taxing powers were somewhat curtailed; while the items that could be taxed were substantially the same, the new law set upper limits on the amounts which could be levied. In the matter of the real estate tax, the law was changed from the old provision of "not more than one half of one per centum" to "not more than one-sixth, and not less than one-eighth of one percent."⁷ The new law was apparently generally acceptable in Key West, for it remained unchanged until 1846. Whether or not the law's passage would have helped Fitzpatrick in his next election is impossible to determine, however, and probably made no difference to Fitzpatrick even when he was writing the New law, for Fitzpatrick's next term on the Council was as the representative from Dade County.

Elected President of The Legislative Council by a unanimous vote in 1836, Fitzpatrick used his power to have a new county created in South Florida, Dade County. The creation of Dade was another of Fitzpatrick's efforts to develop southeast Florida, and incidentally indicates that Fitzpatrick was intending to spend more time on his plantation by moving his legal residence from Key West to the Miami plantation in order to be Dade's representative.

Fitzpatrick was not the instigator of the original proposal to create a new county out of the northern part of Monroe, though it was possible that he had a role in the formation of the idea. Jacob Housman had long been trying to establish Indian Key's independence from Key West, and this desire, coupled with the inconvenience of jury duty in Key West resulted in a petition requesting the formation of a new county from the northern part of Monroe. Fifty-seven residents of the northern part of

Monroe County, including residents from both Indian Key and the Cape Florida area signed the petition addressed to the Legislative Council. The petition read:

To the Legislative Council of the Territory of Florida:

The memorial of undersigned citizens of the County of Monroe in said Territory respectfully represents, that your memorialists reside in the northern section of said County, some of them two hundred and thirty miles from the court house, and none less than seventy five miles from it, the whole of which distance they are obliged to travel by water in open boats in tempestous weather during the fall and winter months. Your memorialists are not generally detained by public duty more than six days and sometime not so much; but in bad weather they are frequently unable to reach their homes in less than three or four weeks. Their jury fees will not pay their board in Key West, and the whole of their expenses of boat hire and provisions are a dead loss to them besides having to leave their families and domestic concerns at the times they are most required to be at home — Your memorialists believe that no people in the U. States have ever been in a similar situation, and a cursory view of the map will be sufficient to convince your Hon'l. body of the necessity of granting them relief. They therefore pray that the County be divided as follows, a line running from West end Bay Honda Key, to Cape Sable and from thence to Lake Macaco, and thence to the head of what is known now as Hillsboro River, (the north branch) and down said River to the Atlantic Ocean. Your memorialist would further represent that so long as Monroe County remains in its present state, that the public interests must of necessity be neglected and the ends of Justice be defeated, this has frequently been the case of late, and the reason is witnesses and jurors cannot find the means to transport themselves by water to Key West to the Court House. Your petitioners will ever be found willing to perform all the public duties incumbent upon them as good citizens, but some of them are in circumstances which precludes the possibility of their attending at Key West as witnesses or Jurors.⁸

The petition resulted in a bill creating Pinckney County, most likely named after Charles Coatsworth Pinckney, the prominent Southern politician. After the Dade Massacre, however, the name of the county was changed to Dade and was passed unanimously on January 28, 1836. One provision in the original bill which was deleted before it was introduced was a section which stated:

... That the Counties of Monroe and Pinckney, shall compose one Election district for a member of the Legislative Council heretofore elected from Monroe County, until further provision be made for the same by act of Congress...⁹

This section was deleted probably because Fitzpatrick decided that he would like the opportunity to represent just the small group of people in the new county where he had his plantation most likely with the belief that he would have a much easier task of election from Dade alone than he would in a district which included Key West. From this point on, Fitzpatrick was either unopposed or received only token opposition in his later elections.

Jacob Housman was the first signature, prominently placed, on the petition for the new county, and he had probably been the man responsible for the drafting of the petition. Equally important, however, at least in the passage of the resulting bill, was Fitzpatrick and Fitzpatrick's desire to develop the Cape Florida area. One might assume that Fitzpatrick was Housman's man in the Council, and that the creation of Dade County was solely attributable to Housman. But neither of these are valid assumptions. No evidence, for example, indicates that Fitzpatrick had previously allied himself with Housman on any matter peculiar to Indian Key's interest, evidence which would lead us to assume a close alliance between Fitzpatrick and Housman. And while we can only *guess* that Fitzpatrick might have had a hand in the creation of the petition requesting the formation of a new county, an idea in which Housman would most certainly have realized Fitzpatrick would have a great interest, we *know* that, as the powerful President of the Legislative Council, Fitzpatrick would have only allowed the Dade County bill to pass if he wanted it to do so. In other words, while the idea for Dade County was probably attributable mainly to Housman, the actual creation of Dade County occurred because the new county carried forward Fitzpatrick's own plans for the area.

Fitzpatrick introduced several other bills from 1835 to 1838 predicated on and attempting to effect the development of the southeast Florida area. The bills after 1836, in particular are indications that even after the Cooley massacre, he still fully intended after the end of the Seminole War to return to his plantation and to resume his efforts to develop the area.

During the 1835 session, Fitzpatrick introduced a bill to create the South Florida Land Company. The bill created a corporation with the power to buy and sell land in South Florida, but probably also with the belief that the corporation would ultimately lead to greater purchases of land in the area. After all, the creation of such a corporation would have probably led to increased advertising of the land in South Florida, as well as to a focusing and strengthening of other efforts to sell the land in the area. The South Florida Land Company bill passed the Council, but Governor Eaton vetoed the bill, on the basis that:

... if the policy and principles asserted in this act, becomes general through our country, these incorporated companies may engross the most valuable lands, and finally establish a system of tenantry, than which nothing is more detrimental to the interest of a free people. . . . In a new country the assertion of the principle may not be very hazardous; but where principle is concerned, circumstances should not change it.¹⁰

While it must have been obvious at the time that Fitzpatrick did not have in mind the establishment of a system of tenantry, Eaton's argument was nonetheless compelling enough to get four legislators to change their minds and thus prevent the achievement of the two-thirds majority necessary to override the veto. Fitzpatrick retained the idea for the South Florida Land Company and reintroduced the bill in the 1838 session. The bill was never taken up after it was introduced in that session, however, which finally laid the idea to rest.¹¹

During the 1837 session, Fitzpatrick introduced a bill creating the East and South Florida Canal Company, which passed and became a law on February 12, 1837. This bill created a corporation "with the power and privilege of constructing a canal from Biscayne Bay at Cape Florida, to S. Augustine, and the River St. Johns for the transportation of produce, goods, wares, and merchandise of every description . . .," with the additional proviso that "if at any time the said company, shall think proper to extend their canal to Charlotte Harbour and Tampa Bay on the west are hereby invested with the right, power, and privilege of doing so . . ." The bill also gave the company:

... the right and privilege to own steam boats, vessels, boats, piers, docks, ware houses, and every other species of property necessary to carry on their affairs, and for the storage, transportation, and conveyance of passengers, goods, wares, and merchandize of any kind whatsoever, and they shall also have the right to charge toll upon all vessels, boats, goods, wares, and merchandize, and also to charge passage money on all passengers which may pass through said canal in boats or vessels which do not belong to the company...¹²

The Board of Directors of the East and South Florida Canal Company read like a who's who of East and South Florida, including Robert Raymond Reid, Charles Downing, and Duncan L. Clinch of East Florida, and Fitzpatrick, James Webb, William Marvin, and Oliver O'Hare of South Florida. Even with such powerful backers, however, the corporation had trouble procuring subscriptions for all the stock offered. Fitzpatrick therefore introduced a bill in the 1838 session, which became law, that extended the period for subscriptions by one year, because of "the existence of the Indian War which is now raging in the Southern portion of the Territory..."¹³

It is impossible to know how much stock was eventually subscribed for, but it is probable that at least enough was subscribed for to encourage Fitzpatrick to continue to plan for the operation of the canal. By 1840 Fitzpatrick had "made arrangements in England for the construction of Four Iron Steamboats for the purpose of navigating the Rivers of Florida," and he asked Congress:

...to grant him the privilege of introducing the said steam boats with their Engines, Boilers and other fixtures complete, into the Territory of Florida free of any duties whatever... knowing as he does that other persons in the United States particularly in the State of Georgia have had these privileges granted to them...¹⁴

Fitzpatrick most likely had the proposed South Florida canal in mind when ordering these steamboats. Even if Fitzpatrick had to use the steamboats in some other area until the canal was built, by attempting to obtain steamboats he at least readied himself for the canal to which he most assuredly was committed.

Another of the internal improvement laws relative to South Florida in which Fitzpatrick had a role in passing was the act creating the Southern Life Insurance and Trust Company. While this law was much less confined in importance to the South Florida area than such laws as those creating the South Florida Land Company and the East and South Florida Florida Canal Company, and while Fitzpatrick's role was correspondingly more peripheral on this bill than on those others, Fitzpatrick's role was nevertheless still significant. Fitzpatrick was one of the original directors of the Southern Life Insurance and Trust Company, as Chairman of the Committee on Banks was influential in securing the passage of the bill.¹⁵ The Southern Life Insurance and Trust Company bill was intended to provide the same banking opportunities for East and South Florida that Middle Florida enjoyed with the Union Bank. Fitzpatrick undoubtedly hoped that the Southern Life Company would be a further impetus to the development of a plantation-based infrastructure in South Florida. If the Southern Life Company functioned as the Union Bank did in Middle Florida, then the new bank would finance the buying of agricultural land, perhaps even through the medium of a South Florida Land Company, and also finance the building of a transportation system to help move the crops produced on that agricultural land, a transportation system such as a South Florida Canal.

The Banking Controversy

Fitzpatrick's support for the Southern Life Company Bill in 1835 signified more than merely Fitzpatrick's anticipation of a bank's projected benefit for the South Florida area. Fitzpatrick had been and continued throughout his legislative career to be strongly in favor of the creation of banking institutions all over the territory. In previous sessions, Fitzpatrick had voted for bills creating or giving more power to the Bank of Pensacola, the Bank of Appalachicola, the Magnolia Bank, and the Union Bank. In subsequent years, Fitzpatrick became so identified with

the banking interests in the territory that the *Appalachicola Gazette*, in telling the story of how St. Joseph had been chosen for the site of the Constitutional Convention of 1838 commented:

The selection of St. Joseph resulted from a log-rolling compromise between the East and the West. Says Fizzy [Fitzpatrick] to Peter [Representative Peter Gautier of St. Joseph], "Scratch my back and I'll tickle your elbow." The Proposition suited the fancy of both parties. So Peter scratched the Banks, and Fizzy tickled the Town...¹⁶

Florida's banks, like the rest of the banks of the South, functioned to augment planter hegemony. The banks lent money mainly to planters, with almost all of the loans intended for the purchase of land and slaves, and for expenditures incidental to the movement of crops—expenditures which met the test of being viable and proper in the planter economic and social system. Whereas, in the frontier West, banks functioned to provide for the expansion of vigorous agrarian capitalism, lending money for industrial as well as agricultural development, in Florida and the rest of the South banks worked to strengthen the slave system alone.¹⁷

As might be expected in a society dominated by the planter class, support for the creation of banks was relatively common and politically uncontroversial through most of the 1830's. While Florida's governors, appointed by anti-bank Jacksonians in the federal government, usually vetoed banking legislation, the Legislative Council had no trouble overriding the vetoes. Nor was support for the banks an election issue. The Panic of 1837, however, with its effects in Florida of lower cotton prices, the stopping of specie payments, and the depreciation of currency, changed the situation.¹⁸

For the first time, party- and issue-oriented politics predominated over the traditional fragmentary and unrelated local concerns during the elections for representatives to the constitutional convention of 1838. The key issue in almost every election for the convention throughout Florida became whether the candidate was pro- or anti-bank. In subsequent elections, the more organized pro- and anti-bank groups became the Whig and Democratic parties, respectively. Much later, most planters in Florida, and in the rest of the South as well, came to support the Democratic position against easy credit, correctly viewing easy credit policies as contributing to an over production of cotton and thus to lower prices.¹⁹ In the early years of the Whig and Democratic parties in Florida, however, to most planters, including Fitzpatrick, the Democrats and their policies clearly represented a serious challenge to the economic and political hegemony of the planter class.

In the election in Dade County for a member of the Constitutional Convention, Fitzpatrick was opposed by L. Windsor Smith, from Key Vacas, and William F. English, Fitzpatrick's nephew. In Dade, unlike most of Florida, the bank issue was not an important part of the election. The vote simply came down to people in Key Vacas voting for the resident of their island, L. Windsor Smith (36-0-0 in Smith's favor), and people on Indian Key voting for their favored candidate, Fitzpatrick (73 for Fitzpatrick, to 4 for Smith, and 1 for English). Fitzpatrick won simply because the residents of Indian Key far outnumbered those on Key Vacas.²⁰

It is much more difficult to determine the circumstances surrounding the corresponding election in Key West. The Panic of 1837 had affected the economy of the area, such that at a meeting of the Key West City Council in the summer of 1837,

The citizens of Key West...agreed to receive Mexican doubloons at \$16 and Spanish doubloons at \$17 each, until the value of the same shall be altered by a meeting of the citizens called for that purpose. The same meeting which fixed the above standard passed the following resolution:

Resolved, That in order to decrease the amount of bank notes now in circulation, we do agree that from and after the first day of July, we will not receive any Florida or Western notes, except at a discount of ten per cent; it being understood that these rates may at any time be altered by a meeting of the citizens called for that purpose.²¹

Of the three candidates for Monroe's two places in the Convention, William Marvin, Joseph B. Browne, and William H. Shaw, Marvin and Browne were victorious, but all three candidates were anti-bank.²² While it is impossible to determine with certainty the depth of anti-bank sentiment that existed in Key West without the existence of a pro-bank candidate on the ballot, the subsequent election in Key West of only anti-bank Democrats in every Council and Delegate election in the Territorial period would seem to indicate that anti-bank sentiment was so strong in Key West that no bank supporter would even bother to run.

It is difficult to know with certainty the degree to which this anti-bank sentiment was also an anti-planter, anti-status-quo sentiment. The 1838 election for Mayor of Key West, however, in which Mayor Whitehead was turned out of office by Tamasco Sachetti, a "low, illiterate character, the keeper of a sailor grog shop,"²³ seems to indicate an increase in resistance to the traditional power structure. The election could be considered to be just another, albeit unusual, upper-class split over purely local concerns, in which a group of merchants, disgruntled

over paying occupational taxes, joined together to oust Mayor Whitehead. The simultaneity of the events of this election, however, with the increase in resistance to planter hegemony all over the state after the Panic of 1837, would seem to be far more than coincidence. It is quite likely that an increase in "loco-foco" sentiment in Key West among the lower-classes and among a significant portion of the non-planters in the ruling class was at least as responsible for the election of Tomaso Sachetti as was the dispute over the payment of occupational taxes. Commenting on Sachetti's election, Jefferson Browne wrote that "The low element, elated at the prospect of one of their ilk being mayor of the city, rallied to Sachetti's standard, and as he also had the moral support of a few of the prominent citizens, no self-respecting man could be induced to run against him."²⁴ A hint as to the kind of upper-class support Sachetti received was contained in Whitehead's comment about Sachetti's ally, Charles Walker, of whom Whitehead said, "He was a lawyer from New York, a loco-foco, an agrarian, a disorganizer, etc."²⁵

Sachetti probably received no opposition for the same reason no pro-bank candidate bothered to run for the Constitutional Convention, because the overwhelming support in Key West of the lower-class, along with a significant portion of the upper-class, for Sachetti and other "loco-foco" candidates made it impossible for someone else to win. The consistently and overwhelmingly Democratic voting record on the part of Key West voters, including but not at all limited to the vote for the 1838 Convention, along with the election of Tamasco Sachetti, provide more indications of weakness in the hegemony of the planter class in Key West.

The bank issue was by far the most controversial during the 1838 Constitutional Convention itself. Fitzpatrick, as chairman of the Committee "On Relations with the General Government, and the Right of the People to claim admissions into the National Confederation as a State . . .," and as the author of a strong pro-statehood resolution, was the key figure in the debate over the statehood issue, but he was also quite important in the banking controversy.²⁶

Fitzpatrick began the Convention hoping that the conflict over the banks could be resolved. The whole discussion over the Banking Committee's and other individuals' proposed constitutional provisions on banks led off with Fitzpatrick's offer of "a substitute for all the propositions which he (Fitzpatrick) thought would satisfy all the gentlemen, and remove the difficulties which seemed to surround this vexed question."²⁷ Fitzpatrick's substitute read:

Resolved. That the Union Bank of Florida shall, with the consent of the Stockholders in said Bank, be adopted as the State Bank of Florida, upon the following terms, viz:

1. The present Stockholders shall retain the whole of their stock according to the number of shares which each of them now hold, and shall have the benefit of the whole of the profits of the Bank to the time of its adoption by the state. Also, the profits shall be divided in such proportions as they may be entitled to from the number of shares which each stockholder owns; and no stockholder of the present bank shall be permitted to subscribe for any more stock in the bank at any time hereafter.

2. The General Assembly shall at its first session, provide by law, that books shall be opened in every county in the state, under the direction of proper persons to receive subscriptions for five millions of stock in said bank, which shall be secured upon real estate in this state, and owned by citizens resident therein, and no person shall ever own any stock in this bank, who is not a resident citizen of the state. The new stockholders shall have the same privileges as the old stockholders, and they shall secure their subscriptions on real estate, in the same manner, and draw out of the bank the same proportion of money, as is provided in the Union Bank Charter; and if the subscriptions, should exceed five millions of dollars, they shall be scaled down in the same manner as prescribed in said Bank Charter; and no new stockholder shall be entitled to more than one thousand shares in the bank.

3. The State shall own five millions of the stock in said bank, and shall appoint by the General Assembly, five Directors, and the other stockholders shall elect eight directors. The state shall as soon as the whole of the stock is secured to her by mortgage, issue state bonds, for ten millions of dollars, to be negotiated by the bank at such times as may be necessary for the increase of its funds. The bank shall establish branches at such places in the state, as may be necessary for the benefit and convenience of the public when required by the General Assembly, or without the requisition of the General Assembly, if the President and Directors of the Bank, may think proper to establish any branch.

4. The General Assembly shall provide by law for carrying into effect the establishment of this State Bank, and shall regulate the payment of interest on the state bonds, and the application of any surplus accruing to the state, after the payment of its interest for internal improvements in the state.²⁸

From these proposed resolutions, it was clear that Fitzpatrick believed that opposition to the banks could be overcome by clearing up the conflict in the banking laws between public and private interests, a conflict inherent in the use of territorial faith bonds for the benefit of privately owned banks.

Of the three banks which had been issued faith bonds, the Union Bank had been issued the greatest amount and was by far the major focus of the attack on the banks. In his proposal to the Constitutional Convention turning the Union Bank into the State Bank, with a major share of the profits of the bank going to the state treasury, Fitzpatrick hoped to defuse the criticism that the public credit was being used for private benefit. What Fitzpatrick's proposed compromise actually did, however, was to clearly and decisively foist off the problem that the Union

Bank was having in meeting the payments on its bonds onto the State government.

Fitzpatrick's resolution, or some variant, was evidently the main Whig solution offered at the Convention to the banking problem, other than just adamantly opposing any change at all. George Ward, later the Whig candidate for Territorial Delegate against Democrat David Levy in 1841 and 1843, offered a similar resolution:

...Mr. Ward, offered the following Preamble and resolutions. Whereas, it is deemed expedient by this Convention to limit the future legislative power of Florida, in the creation of Banks. Therefore, Resolved, That the following be adopted as an article of the Constitution. The power of the General Assembly shall extend to the establishment of one State Bank with branches, and no more.

In establishing said State Bank, the General Assembly may charter a new institution, or adopt one of the existing Banks heretofore chartered by the Legislature of the Territory, such existing Bank to conform to such rules, and regulations, as the General Assembly may provide.

And whereas, it is deemed by many that the charter of the Union Bank of Florida, in which the faith of the Territory has been pledged by the Legislature thereof, does not sufficiently assure to the Territory the inviolable appropriation of the assets of the Bank, and securities given under the charter to the release and discharge of the Territory from her liability in virtue of said pledge. And whereas, the stockholders in said Union Bank are affirmed to this Convention to be willing to make and execute any further acknowledgement, Lien, or obligations necessary and proper, and not inconsistent with said Charter. Therefore, Resolved, by this Convention, that the Territorial Legislature shall provide by law, the manner and mode in which the foregoing shall be carried out. And further, shall appoint a committee to examine the affairs of said Bank, and make full and true report thereof.²⁹

As more and more votes were taken on various restrictive banking resolutions and it became clear that the Whigs were outnumbered, Fitzpatrick began to express his disagreement with the anti-bank group's ideas more and more strictly, beginning in a humorous manner and ending bitterly. After Mr. Read, of Leon, moved that persons appointed to inspect the banks should "not be connected in any manner, with any Bank in the state", Fitzpatrick,

... offered the following additional clause, to the section.

And it shall be the duty of the President and Directors of every Bank in the State, to have a room prepared in their respective Banks, in which they shall keep a plentiful supply of the best liquors, wines and cigars, for the use of the visitors and inspectors of the Banks...³⁰

After one particularly long and rancorous discussion on the banking section of the Constitution on January 4, Fitzpatrick "moved that the further consideration of the articles and resolutions on Banks, be postponed till the 4th day of July next." The vote on Fitzpatrick's motion

proved to be one of the few victories for the pro-bank group, as the tired legislators agreed 29 to 27 to Fitzpatrick's resolution. The victory was short-lived, however, for after a recess of a few hours the convention reconsidered and voted against Fitzpatrick's resolution.³¹

When the resolution on Banking finally went beyond the amendment stage and reached third reading, Fitzpatrick made one final try for his compromise, moving "to strike out the whole article on Banks, and insert his resolutions." His motion failed, 39-14³² and finally the entire anti-bank section of the Constitution passed, 35-19³³

The day after the passage of the banking section, Fitzpatrick still continued to fight, lodging the following protest in the Journal against the Banking article:

... I protest against the passage of the Article on Banking, and against its insertion in the Constitution; because, at the time of its passage from a second to a third reading, there was not a quorum of the members of the Convention present, and that every section after the seventh section was passed by less than a quorum of the Convention and because further, that the Convention has refused by a vote, to reconsider the aforesaid Article on Banking, for the purpose of adopting the same by a quorum of its members, and passing the Article by such quorum from a second to a third reading, which had not previously been done, thereby rendering said article on Banking, an improper and illegal article, which ought not to be contained in the Constitution of Florida.³⁴

When the whole Constitution finally came up for a vote on January 30, Fitzpatrick proved to be the most stolid and uncompromising of any of the Whigs; he was the only man to vote against the Constitution.³⁵

On the last day of the Convention, in a final gesture intended to embarrass the righteous anti-bank protectors of the people's funds, Fitzpatrick proposed "to relinquish any mileage or pay due him as a member of the Convention, if other members would do the same." He further moved that the vote should be by yeas and nays instead of by voice. Marvin, from Key West, belligerently taking up Fitzpatrick's challenge, "moved that each member who shall vote aye, shall be considered as having relinquished his claim to pay." The whole matter was dropped when Fitzpatrick's motion was laid on the table.³⁶ But Fitzpatrick, though he later became quite poor, never cashed his warrant for \$444.00 for his Convention pay, an action expressive of the rigid notions of honor that Fitzpatrick believed himself to be defending throughout the banking controversy.³⁷

Fitzpatrick was re-elected easily to the Councils of 1839 and 1840, and he continued his vigorous support for the banks. But the banking fight was one fight Fitzpatrick did not win. Toward the end of the 1840

session, during Fitzpatrick's last days as a legislator, Fitzpatrick expressed his regret over the banking situation in a letter to Charles Downing, Florida's Congressional Delegate:

...I am told that the new Governor is about to keep up a splendid military establishment; the poor Territory must pay for it, of course, and we shall have a *real* debt entailed on us to keep this department in Champagne and Segars. The Council will adjourn in 4 days after having examined the Union Bank under the Resolution of the Senate of the U.S. and made a report in which they demolish that institution altogether. Our Banks are certainly in a bad condition...³⁸

The social movement resulting in the formation of Florida's Democratic Party was far from revolutionary. The planter class all over the South later came to agree with the Democratic stand against easy credit. Yet, for a time, the movement did represent a challenge to the hegemony of the planter class. Furthermore, the challenge was quite successful in its own limited fashion. The banking controversy of the late 1830's was not the same as the former splits in the Territorial Councils among the ruling class; Fitzpatrick's role in the banking controversy was a defender of the planter class against its attackers. For awhile, on a limited but significant battlefield, the planter class in Florida was beaten, their economic and political hegemony shaken. Not until 1855, a full ten years after statehood, was another bank established on Florida soil.

FITZPATRICK'S LAST YEARS IN FLORIDA

In the same letter to Charles Downing of February 24, 1840, in which Fitzpatrick discussed the destruction of the banking system, Fitzpatrick outlined a plan to deal with other, more dangerous enemies of the planter class in Florida: the Seminoles and Seminole Negroes. It was not coincidental that Fitzpatrick mentioned both the Seminole War and the movement against the banks in the same letter to Downing; the two issues were linked in Fitzpatrick's mind as the two greatest challenges to planter hegemony which Fitzpatrick faced in his public life. Fitzpatrick's plan to end the Seminole War, as submitted in his letter to Downing, was the crowning and ultimate vision of a man whose public life in essence had been devoted to the suppression of the enemies of his class. Fitzpatrick's letter and enclosure to Downing read:

Dear Sir: I enclose you the propositions of which I spoke in my last. I am not by any means disposed to make a jest of the Florida War more particularly of the means which can be used to put an end to it. I am fully impressed with the belief that the only means which can be used successfully are such as I now propose to make use of one thing is *certain*, that the people of Florida will have *confidence* in

the success of them, and will aid *them* and themselves so as to stick to their little settlements and property in consequence of that consequence of the force employed being such as they can rely on to give them protection or at least to keep the Indians engaged at something else than house burning and murder. . .

To the Senate and House of Representatives in Congress. The undersigned a citizen of the Territory of Florida would respectfully represent to your Honorable bodies; That the war with the Seminole Indians who have desolated and laid waste the fairest portion of Florida has continued since the massacre of the command of Major Dade in 1835 to the present time, and has baffled the skill and energy of the bravest and best Generals of the United States Army, and after four years of unsuccessful operations, and the expenditure of more than Thirty millions of dollars, those wily savages remain in the undisturbed possession of the country and are almost daily in the habit of committing the most horrid murders in open day without fear of being taken, or punished. Your memorialist does not intend to say anything disrespectful of, or calculated to bring censure on the American Army, but the experience of more than four years has proven that a different description of force is absolutely necessary successfully to pursue and destroy those murderous savages. Various plans have been adopted by the War department, and some have been suggested by Honorable members of Congress, all of which have failed when put in practice. The armed occupation Bill for Florida proposed to give a bounty of 320 acres of land to ten thousand men, which would be three millions two hundred thousand acres of land, besides an outfit, and provisions for one year, — Besides this the Government proposes to keep up a military force in Florida which of itself must be very expensive — The object of your memorialist is to make the following proposition to Congress. If the Government will agree to give me the same quantity of land as was proposed to be given under the armed occupation Bill viz. Three millions two hundred thousand acres — to be selected by East and South Florida out of the public lands; and also to pay the sum of Two millions and a half of dollars in the following sums viz. Five hundred thousand dollars in specie in advance, Five hundred thousand dollars in six months after operations shall commence. Five hundred thousand dollars in Twelve months, Five hundred thousand in Eighteen months, and Five hundred thousand dollars after the Indians are killed or shall have been driven out of the Territory, or shall emigrate to the West in which case they shall be transported at the expense of the Government, or if the Government desire it your memorialist will remove them for an additional compensation to be adjusted on principles of Equity, — which Congress may fix at once if they so please. Your memorialist has resided in Florida seventeen years, and is probably as well (or better) acquainted with many parts of it as any white man living, and has served in two of the hardest Campaigns of the war without pay, and he has some idea of manner in which an enemy of the character of Seminole Indians should be fought and conquered. If any reference should be asked by Congress they are respectfully referred to Genls. Scott, and Clinch (late) of the regular Army. Genl. Call of Florida, and Genl. Armstrong of Nashville, Tennessee. The plan which your memorialist and those who will operate with him intend to pursue and adopt is to take to the woods like Indians, eat, drink and sleep like Indians; use all the arts and stratagems which Indians do, and to fight the Indian in *his* own way — Your memorialist is certain that the men who will be employed in this service, are better hunters, better marksmen, and have greater powers of perseverance, energy, and endurance than the Indian warrior, and that under a system alone, such as will be pursued by your memorialist can such men be procured, and the war ended. If this proposition is acceded to by Congress I shall commence operations in June or July next, and will

finish the war in Two years or less. The summer months are preferred to commence operations in for many reasons. Indians are less watchful then and consequently more easily surprised and killed, they are more easily harrassed and bear privations worse than in the winter months; and by keeping constantly moving you prevent them from making any concerted movements against the settlements and effectually prevent them from making a crop. Your memorialist communicated with many of the best and most experienced officers who have served in the Volunteer Troops which have been operating in Florida and it is *their* firm opinion that any other mode of conquering the Seminole Indians than that herein proposed, will cost the Government millions upon millions, and require many years to accomplish this desirable object, and in the mean time Florida must be abandoned almost entirely before the Indians are driven out. Your memorialist believes that the people of Florida will have more confidence in the protection which they will have from the force employed by him, than in any other, and that, that force, (being principally Floridians) will use more efforts to give protection to their fellow citizens than any other force whatever. Your memorialist avers that it is not from a desire to *make any profit* to himself that he makes this proposition, on the contrary he wishes to make nothing for himself, he would prefer to give all he possesses small tho it be, to deliver his country from a savage and relentless enemy, who has laid waste and destroyed a large portion of it. It is such feelings that does induce him to go into the woods and seek the enemy, and with the hardy woodsmen who go with him, to drive the enemy from his fastnesses and subdue him.

R. Fitzpatrick¹

Downing submitted Fitzpatrick's plan to Congress where it was referred to the House Committee on Military Affairs on March 16, 1840, and never heard from again. Self-interested to such a degree that he needed to be self-deceptive, self-assured to the point of losing touch with reality, Fitzpatrick made his quint-essential statement in his plan to end the Seminole War, a monomaniacal vision of trampling down the enemies of the planter class and simultaneously becoming the largest and richest landowner of all.

Fitzpatrick's enemies, however, ended by trampling on him. On August 7, 1840, a band of over 100 "Spanish Indians" totally destroyed Indian Key and forced the abandonment of Dade County to the Indians. It was the same group about which Fitzpatrick had warned then-Governor Call in 1835.

While the attack on Indian Key itself has been described on numerous occasions in the past, for our purposes it is worth noting that negroes were among the group which attacked Indian Key, or that the Naval Officer in charge of the area later hinted that negro informants may have been involved in the coordination of the attack. Lieutenant McLaughlin's report to the Secretary of the Navy on the Indian Key massacre stated:

That the Indians were conducted to this attack by some person or persons acquainted with the localities of the Key, cannot be doubted. Their landing was

effected on the outside of the Key, at a point most remote from their approach, yet at a corner of the town uninhabited, whilst every consideration, if ignorant of this fact, would have induced them to have landed at a point directly opposite. Landing where they did, their retreat was liable to be cut off; and, but for the loss of his guns, there is every reason to believe that Mr. Murry would have effected this, in the destruction of their canoes,; whilst by landing at the opposite point of the Key, their retreat could have been securely effected on the approach of any danger. Again, negroes were seen among them who, with others, were heard to speak English, and these last not in the dialect of the negro. This information is gathered from sufferers by the attack. Lieutenant Commander Rogers, in the *Wave*, had left there but the day before for Cape Roman, carrying with him from Tea Table Key every man, capable of doing services, but five. That his departure was communicated to or looked for by the Indians, there cannot be a doubt. In the presence of his force, their invariable policy forbids the belief that they would have ventured upon the attack.²

The presence of negroes in the attacking force on Indian Key makes it even clearer that whatever effect the Second Seminole War had on subsequent Dade County history must be attributed to insurrectionary negroes as well as Seminoles.

The destruction of Indian Key effectively destroyed Fitzpatrick's hopes for Dade County. He chose not to run again for the Legislative Council in the October elections of 1840, indicating that he had probably left the area or was planning on leaving the area by the time of the October elections. While such evidence is not conclusive as to his intention, it is highly doubtful that as highly political a man as Fitzpatrick would have given up his seat on the Council voluntarily for any reason less compelling than a decision to leave the area. Fitzpatrick had left South Florida for certain by October of 1841, when he was mentioned in court papers as having returned to the area for a short visit.³

Fitzpatrick apparently did not leave Florida for the same reason many people did — that is, to escape creditors. Although he had been financially hurt by the Seminole War, Fitzpatrick did not owe any large sums of money to anyone before he left South Florida. His only liability was a contingent one, as he was in the process of defending the suit by Fontane & Company against him for around \$1,600.00, which Fitzpatrick subsequently won.

All these signs point to the destruction of Indian Key as the precipitating event which caused Fitzpatrick to leave South Florida. With the U.S. Government unlikely to take up his plan to end the Seminole War, the destruction of Indian Key must have made Fitzpatrick finally decide that the Seminole War might stretch on for a long, long time. With the Army ensconced on his plantation until the end of the War, Fitzpatrick, at age 48 in 1840, must have decided to try to start up his life again in

another area before he became too old to do so. Probably with such plans for a new life in mind, Fitzpatrick borrowed \$21,391.00 from his sister Harriet on February 2, 1842, mortgaging all his lands and slaves.⁴ By May 20, 1843, with the Seminole War officially over, Dade County's population decimated and his plantation in ruins, Fitzpatrick sold all his land on the Miami and New Rivers to his nephew William F. English for \$16,000.⁵

Fitzpatrick moved to Brownsville, Texas, which except for a few intervals became his home for the rest of his life.⁶ Similar to his situation in South Florida, Fitzpatrick was one of the largest slaveholders in a Southern town without many slaveholders. Even the climate was similar to Key West and Cape Florida. But Fitzpatrick never recovered his wealth that had been destroyed by the Seminole War. For a time he even went to California with William F. English, each to try his luck in the Gold Rush.⁷ But by 1855, Fitzpatrick was described as "overtaken by misfortune and poverty, in his 62nd year, and in infirm health . . ."⁸

Fitzpatrick's life after Florida was not all bleak, however. He must have been proud of his military service in the Mexican War. He "volunteered at Camargo, in August, 1846, for the term of the war, and served as a private in Capt. McCullough's celebrated company, and was honorably discharged after the taking of Monterey. During this period of his service, he was, by permission of Captain McCullough, detached to serve on General Worth's staff, and he acted on that staff until the capitulation of Monterey."⁹ After his military service, through his friendship with Senator Stephen Mallory, Fitzpatrick obtained several diplomatic positions. In 1856, Fitzpatrick was appointed Special Commissioner of the United States to the Government of Paraguay, and then in 1858 was appointed Consul of the United States at Matamoros, Mexico, right across the border from Brownsville.¹⁰ With the start of the Civil War in 1861, Fitzpatrick became the Commercial Agent for the Confederacy in Matamoros. He served for several more years in this position for the Confederacy, but his health was failing.¹¹ He died in 1865 in Matamoros, aged 73, a poor man worth only \$100 or so.¹² Fitzpatrick's life had ended far differently than he had once envisioned, when he dreamed of owning over three million acres of Florida land, or merely dreamed of his precedence over a South Florida filled with plantations.

CONCLUSION

It is asked why South Florida today speaks only through me of capabilities, which she has failed hitherto to make herself visibly patent to the world? The answer is at

hand and will convince the most skeptical. War, cruel war, not such war as is said to be 'the game of *kings*, whose pawn are *men*, and stakes are empires;' but war! war with savages! the midnight torch, the tomahawk and scalping knife. For many long years was the settlement of the country outside of our island the scene of savage warfare with the Seminole Indians in our Territory, aided by bands of other tribes from abroad. The smouldering and blackened ruins of farmhouses, the mutilated bodies of women and children, testify to the causes which have impeded settlement and agricultural advancement.¹

Water C. Maloney

Although William F English worked Fitzpatrick's plantation for a while after the end of the Seminole War, he eventually abandoned the plantation during the Third Seminole War and went to look for gold in California.² Other men periodically voiced their belief that South Florida was a prime location for planters looking for new land, such as the 1851 Florida legislative committee which reported that South Florida had excellent land for growing tobacco, rice, arrow root, sweet potatoes, castor oil, indigo, coconuts, limes, guavas, citrons, lemons, gherkins, and bell peppers.³ Notwithstanding these glimmerings of hope for a plantation society in South Florida, the prospects for such a society had reached their zenith in the 1830's, when it actually seemed that the immigration of significant numbers of sugar planters was just a matter of a short time. When the Seminoles and Seminole Negroes destroyed Fitzpatrick's prospects, they destroyed South Florida's prospects for a plantation-based society as well.

The actions of the Seminoles and Seminole Negroes thus had profound effects on the future on the whole South Florida region. While it is impossible to say with certainty what South Florida would have been like had it not been for the Seminole War, at the very least the Seminoles and Seminole Negroes had cut off the possibility of the comparatively weak hegemony of the planter class in Key West being bolstered by at least a small settlement of planters in the Cape Florida area. At the most, the Seminoles and Seminole Negroes had prevented the creation of a society in South Florida similar to Middle Florida's, with large numbers of slaves, and port towns dependent on the existence of a plantation backcountry. Instead of such a society, South Florida was dominated in the antebellum period by a Key West in many ways different and independent from the rest of the South. Although insurrectionary negroes had lost their overall struggle for freedom in their loss of the Seminole War, in one area they had in a sense been victorious. By destroying the prospects for a plantation-based society in South Florida, insurrectionary negroes and their Seminole allies had gained a victory

for those negroes whom Fitzpatrick and his fellow planters would have dominated.

Throughout his years in South Florida, Fitzpatrick consistently acted in ways designed to strengthen the hegemony of the planter class in the economy, society, politics, and ideology of the area. The planter class did maintain its hegemony in the South Florida area during the antebellum period, but in a different manner and to a different degree than in the rest of Florida, in particular strongly planter-dominated Middle Florida. Much remains unclear about the ways in which various classes in South Florida related to each other. This study of Fitzpatrick's life, however, has shed some light on class interaction, illustrating some of the struggles against and obstructions to planter hegemony, as well as suggesting that the difference in the degree of strength of planter hegemony was the major cause of South Florida's differences from the rest of Florida. Further comparative study is necessary in order to demonstrate conclusively that the causal nexus of South Florida's many differences from the rest of Florida lay in the differences between areas in the degree of strength of planter hegemony. It is enough, however, at least for now, to have learned that class struggle was a significant factor in people's lives in South Florida, and in particular, of the life of Richard Fitzpatrick.

NOTES

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3. Dade County Florida, Deed Book "B," p. 172.
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22. Weilding, pp. 3-4.
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24. "Deposition of Richard Fitzpatrick", Claim of Fitzpatrick.
25. "Deposition of John Dubose", Claim of Fitzpatrick.
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Fitzpatrick in the Second Seminole War

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2. House Reports, Report No. 7, Committee on Military Affairs.
3. House Reports, Report No. 7, Committee on Military Affairs.
4. James W. Covington, "Cuban Bloodhounds and the Seminoles", *FH.Q.* pp. 111-112.
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5. Election Returns, 1835.
6. Jefferson Browne, p. 52.
7. "An Act to Incorporate the City of Key West", *Acts of the Legislative Council, 1836.*
8. "Memorial of Monroe Citizens requesting new county", Legislative Council Committee Reports, 1836.
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13. "An Act to amend an Act Incorporating the East and South Florida Canal Company", *Acts of the Legislative Council, 1838*, p. 74.
14. "Petition of R. Fitzpatrick to Introduce Four Iron Steamboats Free of Duty", referred to Committee on Manufacturers, Dec. 31. 1840 (NA, HR 26A-G10.4, tray 668).
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31. *Journal*, Constitutional Convention, pp. 81-82.
32. *Journal*, Constitutional Convention, p. 110.
33. *Journal*, Constitutional Convention, p. 112.
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36. *Journal*, Constitutional Convention, p. 117.
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