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## The St. Joseph Convention: The Making of Florida's First Constitution

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THE ST. JOSEPH CONVENTION  
The Making of Florida's First Constitution  
(*The fourth and last installment*)  
By F. W. HOSKINS

After the convention had adjourned and most of the members had departed, one of the delegates remained over for a few days, and before leaving wrote the following letter to the editor of the *St. Joseph Times*. It was reprinted in the *St. Augustine News* of March 2. The writer's identity will probably never be known, for he used a nom de plume, signing himself "Ruminator". He wrote as follows :-

"*Mr. Editor*, - The Convention, after a laborious session of six weeks, has at length, adjourned. We have, at last, reached the long-sought land, and I, as John Randolph would say, am now willing to sing my political 'nunc demittis'. The movements of that body, observed with such interest by all, have terminated, and the result of its labors is to be submitted to the people, the final arbiters. We launch this piece of our political workmanship upon the ocean of human affairs, and leave its destiny to Time.

"Whatever that destiny be, we cannot but anticipate it with solicitude; the humblest artisan looks with interest upon the work of his hands, and the fond father, with all the partiality of affection, caresses and praises his offspring. Such are the feelings of those who claim the paternity of the Constitution of the State of Florida, but doubtless they will yield their preferences to 'that sober second thought of the people, which is never wrong'.

"Ten years hence, said I today, pointing to the Convention house, that building will be an object of interest. Yes, Mr. Editor, that interest which association throws around an object marking an era

in history, after it has been hallowed by time. Whatever is ancient is venerable—such is the charm that antiquity lends Independence Hall in Philadelphia. And so, of your Convention Hall in St. Joseph: it will be a deeper source of interest ten or twenty years hence, than now.

“ ‘Tis to be regretted that monuments of political eras cannot be more permanent than they are—after the lapse of years, they crumble into ruin. But what is it that is permanent amid the circle of increasing change? Nothing is steadfast but the Law of Nature: nothing uniform but the progress of Time. Fifty years hence, yonder building will have fallen to decay, the gray heads of the convention hall shall sleep beneath ‘the clods of the valley’, and many an aspirant to political honors, now in manhood’s prime, shall have fallen into ‘the sear and yellow leaf’, or be strewn, like the leaves of autumn, by the moaning winds. Thus it is to be.

“Yet the beautiful bay shall expand itself along the shores, the sparkling beams of yon monarch of the heavens shall still dance upon its splashing waters, and the evening breezes still gently waft its cooling waves to the shore, while on that beach will be heard the ringing laugh, or joyous song, of another generation. Such are the vicissitudes of human affairs ; such the mutations of Time; such the history of the sons and daughters of men.

“But, my dear friend, I find I am growing as sentimental, magniloquent and philosophical as any convention orator, so I’ll close. But apropos of orator—a word. There was one in that convention, a real orator. There was, in that body, many men of comprehensive understanding and sterling talent and great information, but I speak of this one as an orator. If I might venture a comparison, I would liken him to an ancient Grecian column, hewn

out of pure Parian, the pedestal of perfect proportion. The shaft presenting masses of plain surfaces, yet chastened by those far-famed Corinthian capitols, wrought by the most exquisite skill into forms that seem to match a grace beyond the need of Art, 'Captivating the eye and ravishing the taste'. Do you ask who he is? Can it be any other than the Hon. Robert Raymond Reid, president of the Convention? From the first day I heard him in the convention, speak of the sufferings of the afflicted East, I have thought of Aeneas, relating the story of his country, and his own perilous adventure, before the assembled court of the beautiful and accomplished Carthaginian queen.

"If I might presume to offer an epitaph for him, it should be one selected from Sterne, an author, who, I believe, is admired by the judge, himself, for what judge, Mr. Editor, but must admire him, It is this:

Men of genius, tread lightly on his ashes,  
For he was your brother'.

"But I wish he may 'live a thousand years', or at least that it may be long, aye, long, before it shall devolve on anyone to perform over him, that sacred office.

"But, Mr. Editor, I perceive I have dashed off a longer article than I intended. I mean it only as a brief adieu from an old friend. Accept it, then, as a memento mori, should we never meet again, I leave you, wielding your editorial scepter, while I stroll down the bay to look once more upon the sun as he sinks in his glory 'o'er St. Joseph's broad billows'."

In the interval between the convention and the submission of the constitution to the people at the next election, the press and the public discussed the question of adoption from all angles. It is evident

that the small majority by which the constitution was approved (119 votes) was furnished by those who did not approve but despaired of ever getting one which suited them.

The Pensacola *Gazette* (doubtless from the pen of B. D. Wright, a member) said (May 4) :

“Monday next is the day fixed by law for the election of delegates to Congress for this Territory. We beg leave again to call attention to the duty which will then devolve upon the voters to decide upon the acceptance or rejection of the new Constitution. For our own part, we look on it with more favor than we did at first. That it has defects, is certain, but the main question for the people to decide is not whether the Constitution is perfect, but whether they will be likely on a second trial to get a better, and one so much better as to justify another expenditure of \$26,000.00 in the preparation of it. It is to be remembered that the expediency of going into a State government is not now in question. All that is to be decided is whether, when we do get into a State government, it should be moulded and conducted in the manner prescribed in the Constitution prepared at St. Joseph. If not, a new convention must be called, and a new constitution framed, which in its turn will, of course, be submitted to the people for approval; if they reject it, a third convention will be consequence, and so on till the ‘crack of doom’. For our part, looking to the uncertainty of getting a better constitution hereafter, and to the certain evil of being obligated, in case of the rejection of the constitution, to pay the expenses of another convention, we are inclined to hope that the vote of the people will be one of approbation.

“It is not to be disguised that there are serious objections to the Constitution, but as a whole, it is

probably as good as we would be likely to get upon a second trial, and it is probably-

‘Better to bear the ills we have

Than to fly to others we know not of.’ ”

Many years after, when another convention was assembled in Tallahassee, framing the constitution of 1885, Joshua Knowles, secretary of the St. Joseph convention, and now at an advanced age, wrote the editor of the Tallahassee *Floridian*:

“Dear Sir ;-In your excellant paper of the 11th. inst., you published an article which calls up from the misty past interesting memories and events of other days. In 1836 the writer established in Tallahassee, the Florida Watchman, which, I believe, was the first paper which advocated the organization of that Territory into a State. It was backed by most of the prominent and leading men throughout the Territory, and the measure was adopted. The Convention was called to meet in St. Joseph in December, 1838. Hon. Robert Raymond Reid, of St. John's County was elected President, and the writer secretary, with messrs. Buckingham Smith and Chandler Yonge as assistants.

“The Convention met in the Methodist Church,, and the Rev. Peter Gautier, a venerable and eloquent minister of that church officiated as Chaplain. I do not think a more able or conservative body of men ever assembled for a similar purpose than the one which met on that occasion, and I believe that the first Constitution of Florida, framed in the midst of Indian depredations and alarms, will compare favorably with the fundamental law of any of her Federal sisters.

“But sadness oppresses me as I write these hasty lines and think that the framers of the instrument, with few exceptions, have all passed away. In my visit to Florida last winter, I could hear of but two that have survived the ravages of Time-Hon. Wm.

Marvin, of New York, and the Hon. D. L. Yulee (formerly Levy) of Washington City. In the list of members now assembled for a similar purpose, I am rejoiced to notice the familiar names of some of their noble sons. For eight years, in early life, a resident of Middle Florida, I have never ceased to regard with affection her noble and patriotic people.

“May God bless the work of their hands, yes ‘the works of their hands establish thou it’ “.

Very Respectfully Yours

**JOSHUA KNOWLES.**

Greensboro, Ga. June 15, 1885.

The seeming disagreement between Mr. Knowles and the records and references quoted above as to where the convention met might be accounted for by the suggestion that the various committees met in one building and the public sessions of the convention were held in the other. Indeed, it would be easy to imagine that more than one building was used for committee meetings, as there were eighteen standing committees.

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#### **THE MONUMENT**

The city of St. Joseph was abandoned a few years after the date of the convention and for half a century or more nothing remained standing on the site, it being marked only by a few piles of broken brick, moss-covered and overgrown by the native woods.

At its session of 1921 the legislature passed an act authorizing the erection of a monument on the site. This was erected during the following year and was dedicated on January 11, 1923, the celebration being sponsored by the citizens of Port St. Joe and Apalachicola. Many attended from all parts of the State, including a number of State officials. Governor Hardee delivered the address of dedication and he was followed by Judge Rivers Buford.

The monument stands a short distance from the shore facing the bay, and is inscribed with the flag and seal of Florida, an inaccurate list of the delegates who signed the constitution, numerous other names, the date of erection, and the two following inscriptions :

This Memorial is to commemorate the birth of the State of Florida, and the assembling of the first Constitutional Convention, of this State. Convened in a building then standing upon this spot,\* in the year of our Lord, 1838.

"All men are equal before the Law, and have certain inalienable rights, among which are those of enjoying and defending life and liberty ; acquiring, possessing, and protecting property, and pursuing happiness, and obtaining safety."\*\*

- Five sets of names are inscribed upon the monument, viz:*
- (a) *The members of the State Constitutional Memorial Commission who erected the monument.*
  - (b) *The members of the Joint Legislative Commission to locate the site.*
  - (c) *The members of both houses of the Legislature who introduced the bill authorizing the monument, together with its number, chapter and date.*
  - (d) *The names of the chairman and the other members of the Local Committee who assisted the Commission.*
  - (e) *A list of approximately three-fourths of the delegates and the secretary of the convention. - Editor.*

*The names of the following delegates regularly elected and certified are omitted from the list on the monument: Samuel Parkhill, John Taylor, Thomas Brown, Samuel B. Stephens, Richard J. Mays, Samuel T. Garey, James G. Cooper, Richard Fitzpatrick, Jackson Morton, Benjamin D. Wright, Thomas M. Blount, A. G. Semmes, William P. Duval. It appears from the journal of the convention that two of these, Nays and Cooper, probably did not attend. The others were in attendance and assisted in framing the constitution but did not sign it.*

*The name of John Knowles appears in the list on the monument. There was no member of that, or similar name. - Ed.*

\*The site of the building erected for the convention and in which it sat is unknown today.—Ed. Ed.

\*\*This quotation is not from the constitution of 1838-39 but from that framed by the convention of 1885.