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## PENSACOLA'S EXILED GOVERNMENT \*

by W. B. SKINNER

ON FEBRUARY 8, 1862, Judah P. Benjamin, Confederate secretary of war, ordered General Braxton Bragg, commanding officer of Confederate forces at Pensacola, to send as many troops as he could to Tennessee. On February 18, 1862, Bragg issued orders to abandon Pensacola. Upon Bragg's departure, General Sam Jones assumed the command with the instructions to destroy everything in the Pensacola area which might be of use to the Federal forces who occupied Fort Pickens on Santa Rosa Island. The destruction was completed by May 9th and the following day the Federals occupied Pensacola.

The city officials of Pensacola had drawn up a plan to evacuate the town. On Thursday, March 27, 1862, the finance committee of the Board of Aldermen reported to the mayor and to the Board that it had entered into an agreement with Filo de la Rua, Clerk of the circuit court of Escambia County, for the removal and safe keeping of records and valuable documents from the City. De la Rua hid the records at Bluff Springs, a small community 35 miles north of Pensacola. For this responsibility he was to receive \$500.00 a month for the first month and \$100.00 each month thereafter.

The exodus of the Pensacolians was to Greenville and Montgomery, Alabama. By 1863, several hundred former residents of Pensacola were living in Alabama. They met together from time to time to discuss the events of the day and to hold board meetings. The following is the minutes of one of these sessions:

### City of Pensacola - Proceedings

Greenville                      June 16                      1864

Members Present - George W. Hutton, Chairman, Joseph Sierra, C. L. Le Baron, William H. Judah, James Knowles and Charles G. Barkley.

Minutes of the previous meeting being read, on a motion of

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\* The author gratefully acknowledges his indebtedness to Mr. T. T. Wentworth, Sr., for the use of materials in the T. T. Wentworth, Jr., Museum, Pensacola, in preparing this article.

Mr. Le Baron that the minutes be referred to the meeting of the next board of confirmation.

Report of Committees. The committee appointed to examine the account of city treasurer and tax collector ask to be discharged and their accounts be referred to the board as committee of the whole for examination-carried.

On motion of Mr. Le Baron the following resolution was offered and carried-

That the treasurer's account up to the 29th January, 1864, showing-balance due him of \$2769.44 be allowed and the mayor be authorized to pay the same.

On motion of Mr. Barkley the following resolution was offered and carried. That the City change (or charge) bills amounting to \$215.35 which were redeemed by the treasurer be destroyed under the supervision of the mayor.

On motion of Mr. Judah the following resolution was offered and carried. That the accounts of the tax collector as presented showing a balance of \$686.68 is incorrect as compared with the vouchers by an error of \$10.00. Therefore the corrected balance is \$676.68 and that the same be paid him.

Communications. A communication from the mayor was received and read and upon the motion of Mr. Barkley it was received and moved to be taken up by sections. Whereupon

The following resolutions were offered and carried. That the action of the mayor paying coupons on bonds to 1st July 1864 is approved and he is authorized to pay the balance of outstanding coupons. That the mayor be requested to communicate with Dr. Brosnoham and request of him to give up such coupons as he holds that the interest might be paid up to July 1864. That the mayor pay the \$43,500 in Bonds due the Ala. and Fla. R.R. Co. and \$2,500 in Bonds in lieu of cash and notes already advanced making \$46,000 in Bonds in full subscription. [On July 27, 1863, Mayor F. B. Bobe received a shipment of \$50,000 in currency from the Southern Express Company of Columbus, Ga. The shipment was addressed to O. M. Avery, a Pensacolian, Columbus, Georgia. The source of this money is unknown to the author.] That the mayor be authorized to settle all approved obligations of the City up to date.

Whereas the board has been informed that the seal of the City of Pensacola has been taken by some unknown party and

fearing that it may have been employed for some illegal purpose. Therefore be it resolved by the mayor and the board of Aldermen of the City of Pensacola. That the said seal be and the same is hereby declared null and void from the 10th day of May, 1862.

Resolved that a committee of two be appointed to act with the mayor in procuring a seal for the City of Pensacola and said seal shall be considered adopted by the board of Aldermen in place of the former one.

Committee appointed to act with mayor. Charles G. Barkley and William H. Judah.

A communication from F. E. de la Rúa being received and read the following resolution was offered and carried.

That the communication of Mr. de la Rúa has had our careful consideration and however much we may wish to accommodate ourselves to his views and retain his services we cannot consent to change the resolution of 29th February last and that should he refuse to be the custodian of the City archives and treasurer that the mayor is hereby authorized to appoint a successor subject to the approval of the board. That in the event of Mr. de la Rúa not resigning the bond he has furnished be accepted. Resolve further that the treasurer be required to deposit the City funds in the Central Bank of Ala. at Montgomery subject to his check countersigned by the mayor.

Resolved that the coupons paid on the City bonds up to the first of July, 1864 amounting [to] \$42,525 and those that will be paid shall be cancelled and filed by the treasurer.

On motion of Mr. Le Baron the following resolution was offered and adopted. That as B. D. Wright, Esq., does not attend the meetings of this Board thereby embarrassing the proceedings and has not qualified, he is respectfully requested to communicate his reasons for doing so to the mayor in writing, that some action may be taken in the proceedings.

The following account from the Greenville Observer amounting to \$20.50 was approved and ordered to be paid.

There being no further business on motion of Mr. Barkley the board adjourned.

Sometimes one exile would sell some land in Pensacola to another exile. When this happened, Filo de la Rúa would record this transaction. Often these transactions would be recorded by a judge in Butler County (Greenville), Alabama.

Finally there was a movement underway to petition the General Assembly to permit the citizens of Pensacola to amend their charter. Under the proposed amendments, the state of Florida would recognize the legality of the city government even though its citizens were residing outside its corporate limits—even outside the state.

The amendments to the charter were drawn up and submitted to the General Assembly of Florida. The state legislature approved the amendments; thus the exiled government was legally recognized.

Here is the amended Charter:

An Act amending the Charter of the City of Pensacola.

Whereas the evacuation of the City of Pensacola by the people on account of circumstances growing out of the present war, has left said City without a government and Whereas when the people again return to their homes; a doubt may arise as to what course it is proper to pursue to again establish a government for the City.

Therefore

Section 1. Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened. That until the Election herein provided, F. B. Bobe shall be Mayor of said City of Pensacola and shall be and is hereby authorized to perform all of the duties appertaining to said office as prescribed in the Charter of said City.

Section 2. Be it further enacted. That until the election herein provided, Joseph Sierra, G. W. Hutton, W. H. Judah, C. L. Le Baron, C. G. Barclay, James Knowles and Benj. D. Wright, shall constitute the Board of Aldermen of the City of Pensacola and said Aldermen shall be and they are authorized to perform such duties appertaining to said office as may be required to protect the interests of the said City in this emergency.

Section 3. Be it further enacted. Should a vacancy occur in the office of Mayor or in the office of Aldermen by death, resignation or otherwise, the Board of Aldermen may fill such vacancy.

Section 4. Be it further enacted. That it shall be the duty of the Mayor to call meetings of the Board whenever in his opinion the interest of the City of Pensacola may be promoted thereby, or when any five members of the Board may request a meeting of said Board to be called and all acts done by the Mayor, or under the direction of the Board shall be as valid as though performed within the corporate limits of the City of Pensacola.

Section 5. Be it further enacted. That within six months from the conclusion of a peace, it shall be the duty of the Board of Aldermen to order an election for Mayor and Board of Aldermen for the City of Pensacola, which election shall be governed by rules and regulations heretofore in force and the persons so elected shall hold their offices until their successors are elected and qualified as required by the charter, to which this is an amendment.

Section 6. Be it further enacted. That in the election herein provided, no one shall be allowed to vote, who had not resided within the corporate limits of the City of Pensacola for twelve months prior to the first day of May, 1862, with the intention of becoming a citizen of said City.

Section 7. Be it further enacted. That upon the election and induction into office of the Mayor and Board of Aldermen herein provided, the municipal affairs of said City shall be governed by the same laws, ordinances and resolutions as were in force at the time of the evacuation of said City in May 1862, the government of said City to be in all respects restored as nearly as practicable to the condition it was in, at the time of the evacuation in May 1862.

Section 8. Be it further enacted. That should the Board of Aldermen fail to call an election as provided in this Act, ten or more of the citizens of the City of Pensacola qualified to vote at the election as provided in this Act, may proceed to order an election for Mayor and Board of Aldermen, such notice and the proceedings under it, to be governed by the rules prescribed in the Charter to which this is an amendment regulating the election and prescribing the duties of Mayor and Board of Aldermen.

Passed the House of Representatives November 24, 1863.

Thos. B. Barefoot

Clerk House of Representatives

Passed the Senate, November

24, 1863.

John B. Whitehurst

Secretary of the Senate

T. J. Eppes

Speaker House of Representa-  
tives

E. J. Vann

President of the Senate

Approved November 27th, 1863

John Milton

Governor of Florida

I, Benjamin F. Allen, Secretary of State of the State of Florida, do hereby Certify, that the above is a true and correct copy of the Original Act, on file in this office.

(Seal of state of Florida)

In Testimony whereof, I have here-  
unto set my Official Signature and  
affixed the Great Seal of the State of  
Florida. Done at the Capitol in the  
City of Tallahassee this 23rd day of  
February A.D. 1864.

(signed) B. F. Allen

Secretary of State

Possibly one of the most influential factors which brought about the recognition of the city government was the passage of acts which gave financial aid to needy soldiers' families. Early in the war the state had passed these acts but the Pensacolans were not included until December 4, 1863. On that date the General Assembly provided for the appointment of "State Agents in Greenville and Montgomery" who would "receive and disburse the fund appropriated for the relief of Soldiers' families who may reside on or near the line of the Ala and Fla Railroad, of Ala."

The State Agent appointed in Greenville was Filo de la Rua. The State Agent was "to receive no pay or emoluments whatever,

from either the State or the beneficiaries of the fund" and "is to perform the duties required, from regard to the great cause in which all are engaged." The appointment was signed by both Governor Milton and Secretary of State Allen on February 10, 1864.

Although he now lived in the state of Alabama, de la Rua had been "re-elected" clerk of the circuit court of Escambia County, Florida, on October 5, 1863. De la Rua's commission as clerk of the circuit court is also signed by the governor and the secretary of State. His commission is notarized by M. P. de Rioboo, justice of the peace of Escambia County. He also held the position of city treasurer and city archivist.

On April 1, 1865, Governor Milton committed suicide; however, Samuel Benezet, the governor's private secretary, on April 4 did send the needy soldiers' families \$1,000.00. This money was delivered by O. M. Avery.

On April 9, 1865, General Lee surrendered to General Grant. Federal forces entered Greenville, Alabama, on April 20.

According to a financial report which de la Rua prepared for the city on November 30, 1865, the city had received from Mayor Bobe during the period from June 17, 1864, to April 20, 1865, a total of \$10,200.00. During this same period the city had paid out \$9,791.54. (The source of this money remains a mystery to the author.)

Two entries in the report are particularly noteworthy:

April 20, 1865. Being city treasurer's salary from 29 June 64 to date and being the day on which the federal forces entered Greenville, Ala., being 9 mo. and 22 days at \$100 per month \$976.66

April 20, 1865. This amount returned with this account in Confederate notes as being worthless from the said 20th April, 1865 \$408.46

The refugees began to return to their homes in Pensacola. On June 15, 1865, de la Rua appeared before Captain J. R. Allen, Provost Marshall, and swore allegiance to the United States. He was the 491st person to do so in the Pensacola area.