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Canter Brown Jr.

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# "VERY HARD TO BEAR": FLORIDA'S FUTURE FIRST LADY CATHARINE HART TRAVELS THE SOUTHERN JUDICIAL CIRCUIT IN 1852

Introduction, Notes, and Afterword by Canter Brown, Jr.



Ossian B. Hart

The human side of pioneer life in South Florida prior to the Civil War has remained somewhat elusive to us, in good part because of a relative scarcity of letters, diaries, and journals recounting day-to-day experiences and insights.<sup>1</sup> Thus, when an original account becomes available, its contents likely will enhance our understanding substantially while providing readers with fascinating detail and long-sought-after description. When the account's subject involves a key figure in our state's history and its author reveals a

keen eye and an intriguing style, the document's value jumps accordingly.

Such is the case with the following letter, which describes an 1852 trip up primitive roads from Tampa into Hernando and on to Levy County. Written by future Florida First Lady Catharine S. Hart, wife of Ossian Bingley Hart, it graphically paints the rigors of frontier travel, the variety and immediacy of pioneer life, and the rough demands of legal practice on the southern judicial circuit.<sup>2</sup>

The circumstances that propelled Catharine Hart on a taxing journey through Florida's peninsular frontier in 1852 are complex. Born into a Newark, New Jersey, merchant family on September 7, 1823, she met twenty-one-year-old Ossian B. Hart, son of Jacksonville founder Isaiah D. Hart, during an early 1840s visit to an uncle in Florida. Nature took its course, and the couple married at Newark in October 1843. At the time, the Second Seminole War had recently ended. To provide for settlement on and security of the frontier, including much of the Tampa Bay area, the Congress approved the Armed Occupation Act, which granted a free homestead to pioneers under certain circumstances.<sup>3</sup> The Harts opted to take advantage of the offer and moved to an isolated site just south of the recently abandoned army post of Fort Pierce.<sup>4</sup> There they intended to make their fortune with a citrus grove.

Fate held other plans in store for the Harts. The couple earned the respect and affection of their few neighbors, and St. Lucie County voters even sent Ossian to the territorial council in 1845. On the other hand, Mother Nature intervened tragically. The great hurricane of October 1846 wiped out their groves and obliterated their home. Almost destitute, they sought the assistance of friends at Key West, where Ossian endeavored to recoup their losses through the practice of law. Thanks to political contacts, the legislature in 1849 elected him to a two-year term as solicitor (district attorney) of the southern judicial circuit, which encompassed most of the area south and west of a line drawn from near Cedar Key to present-day Fort Lauderdale. It re-elected him in 1851 for a second term.<sup>5</sup>

As solicitor, Hart "rode" the southern circuit twice a year, prosecuting criminal cases in each county seat. Particularly, pursuant to law adopted in early 1851, each fall he visited Levy, Hernando, and Hillsborough Counties for court terms that began, respectively, the second Monday in October, the third Monday in October, and the first Monday in November. He then would return to his Key West home for a court term that commenced the first Monday in December. Kate naturally missed her husband during his absences, particularly because she felt uncomfortable as a strict Presbyterian in the cosmopolitan and easygoing atmosphere of her island home. When Ossian proposed that she accompany him on the circuit in the fall of 1852, the idea appealed greatly to her, she made the trip, and, after her return, she penned on November 29 a letter to her sister Charlotte Campbell in Newark describing her adventure.

Our knowledge of the Hart trip results from the far-sighted interest of Dena E. Snodgrass, a former president of the

Jacksonville and Florida Historical Societies. At a time when historians displayed little interest in the Hart family, she purchased and preserved a small collection of Ossian and Catharine Hart's letters. They included Catharine's letter of November 29, 1852. Recently, Miss Snodgrass donated the letters, some related materials, and her notes on the Hart family to the P. K. Yonge Library of Florida history at the University of Florida, Gainesville. They are contained in the Dena E. Snodgrass Collection.

Key West Nov 29th / 52

Dear Lottie

Your last epistle was received amid the hurry and bustle of our departure from the island for a short time upon the main land, and as I have been ever since until the present time on the move, I have not had an opportunity of replying to your last. I suppose you have all wondered at my long silence and perhaps thought me negligent, but I can assure you I do not deserve the charge. We arrived here last week and the first mail leaves here on the 30th[,] and, though much annoyed with my domestic affairs, I hope I shall find time to start a letter on its way to you.

The servant girl I have had living with me for the last year, has been obliged to stay at home, her mistress requiring her services, and I have not yet succeeded in getting one to take her place. At present I have no assistance but a black boy of 10 or 12 years of age and I find my time in great demand.<sup>6</sup> And[,] in addition to the cares of kitchen and house[,] I have a cow in the yard which of course requires milking and feeding daily, the milking I do myself through it requires more strength of hand and arm than I have. I

milk over two quarts every morning, it is more than we can use. I wish you were here with me to drink some of it. I suppose you would like to know something about my travels and how I enjoyed myself.

We left K[ey] W[est] in a small schooner of about 20 tons, with of course very poor accommodations, had head winds all the way, and I was very sea sick. We were seven days on the way, a distance of 250 miles, a steamboat can travel it in 26 hours[. O]n the seventh day we reached Tampa or fort brook[e] as it is called on the map, if you have an enlarged map of florida you can trace my route all the way through. It was our intention to leave the same day for the country, but Ossian found some difficulty in hiring a good horse, we had our own carriage with us, and did not start untill next morning about six oclock. The first day we rode all day long through the pine woods without any thing particular occurring, and by night our horse and ourselves were well tired, and glad to find a shelter for the night[,] which we did about eight oclock, having traveled 38 miles since morning. To you who are accostomed to traveling by locomotive power, this will appear a slow way, but I can assure you it is quite fast for Florida[,] for the country people never make their horses travel out of a walk, and they cannot walk more than 20 or 25 miles per day.

The house we stopt at for the night was a log pen with two rooms in it, and a small room put up in the yard seperate from the main house for the accomodation of travelers[.]<sup>7</sup> After waiting an hour for supper to be cooked and trying very hard to eat enough to satisfy our hunger[,] we took possession of the lodge in the yard.

There we found a tolerably comfortable bed, the cleanliness of which will not bear the test of examination, and undressed and laid our selves down to sleep. Ossian I believe slept tolerably well[,] at least when I would let him, but I, though very tired[,] could not sleep, because owing to the musty smell of the feathers of which the pillows were made compelled me to lay upon my back. The instant turned, my nose came in contact with the odour from the pillowcases, and I could not stand it. This was our first night.

I rose the next morning and prepared to start again. We found our horse so jaded he was not able to travel any farther and Ossian tried very hard to hire one from the man we stopt with, but could not succeed in hiring. [He] could only borrow one to go five miles farther, with the expectation of getting one from the next neighbor. We started with this poor prospect before us, and[,] in addition to our other discomforts[,] there was every prospect of a severe rain storm coming on. Our carriage had a top which would protect us from the rain, but it made every thing appear gloomy in such a barren unsettled country.

About 10 oclock we reached the next house, and there we hired a gentle mule which was soon harnessed in and on we went. 2 oclock we passed through a village called de Soto, the county site for Hernando county.<sup>8</sup> Stopt at the principal boarding house and called for dinner. We sat down to the table which had upon it salt beef fried in tallow & the tallow as hard as candles ready for burning, a dish of homminy, corn bread made without salt, and coffee without milk. You can guess how much I ate. they charged 25¢ per meal.

We paid our fare and proceeded on and traveled untill eight oclock[,] which is two hours after dark, and that evening it was dark truly. The wether had continued stormy and of course the night was dark. We could not see the road and we were much afraid of loseing our way[. I]t was a part of the country Ossian had never traveled before and did not know what state the roads might be in. The last two miles we traveled that night, Ossian was obliged to get out and walk a head of the mule, to keep the road, but at last, when I was almost despairing of reaching a house[,] we discovered a light faintly glimmering through the trees. It was a welcome sight to weary travelers, for we knew it to be the residence of some settler, and we knew we could find food and shelter for the night, though perhaps very plain. Under the circumstances we were glad of anything.

We found them very poor people — a man and his wife and five children, the oldest a girl of 9 years of age, the husband and father sick in bed with the chill and fever. Their residence consisted of a log house all in one room with a fireplace and three beds in it. She prepared us some supper, and by this time i stood much in need of something to eat for I had eaten nothing that day. I had been wishing all day for a tumbler of milk but had not succeeded in getting it. After entering this temperary home, Ossian took a survey of the premises and discovered upon the table two large pans of milk and came to me with the joyful news and whispered it in my ear to comfort me, in case there was nothing I could eat. I could drink a plenty of milk, and it did comfort me. I was delighted at the prospect of having as much milk as I could drink.

Supper was at length announced and

**O. B. HART,**  
**Attorney at Law, &c.,**  
—TAMPA, FLORIDA—

**W**ILL CONTINUE his Practice, in the Courts of the State and of the United States. He trusts, that his habitual attention to business, will secure him a continuance of the kind favors he has hertetofore received.

Tampa, Dec. 26, 1857. I v

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soon dispatched and then preparations made for bed. Here also the beds would not bear inspection and[,] what was worse than all[,] she made her sick husband get up out of his bed and take another and put us in the one he had left, and when I laid down in it [it] was hot from the fever the man had; and the fleas were so thick we could not rest a minute. So we did not get any sleep that night, had traveled 31 miles that day.

We arose very early and the woman prepared us some breakfast and we started on. They informed us it was 12 miles to the Withlatchoochee river which we wanted to cross, as the first term of court was held in Levy county some distance beyond this river.<sup>9</sup> We reached the ferry about 12 o'clock[,] crossed[,] and inquired the distance to the next house, was told it was 2 1/2 miles, and there we could get good board and clean lodgings. We proceeded on of course, and in a short time was there. We found a nice tidy old widow lady with one little boy and a negro man, the owner of the farm.<sup>10</sup> I was well worn out by this. We had come 84 miles to this place in three days time I can assure you and [I] begged Ossian to let me stop and rest and[,] as the horse was tired down[,] to hire a horse and proceed on with out me. He reluctantly consented to do it and[,] as soon as we got our dinner[,] had his horse saddled and started.

I enjoyed myself as well as I could under the circumstances. I had a clean comfortable bed and a plenty of what was good to eat[—] plenty of milk and fresh butter, buttermilk and clabour[,] all of which I am very fond. Ossian was absent one week, had traveled 70 or 80 miles farther[,] held court and returned[,] got me[,] and started right back again,

the same route we had come, as far as the place were we hired the mule. There we stopt. I was to stay there by express invitation during the session of court in that county. They were very kind hospitable and of a more intelligent genteel class, than others I have discribed to you. The courthouse was five miles from here, and Ossian rode back and forth every night and morning. There were two females in the family and I enjoyed myself very much untill I was taken with chill and fever, a disease which is very prevelent at this season of the year. My chill came on every other day. After I had my second chill[,] as court was over[,] Ossian determined to proceed on as quick as possible to Tampa[,] where the air was more healthy.

We started on my well day and hoped as I had taken large doses of blue pill and quinine that I would miss. We took a different route home and found better lodgings. The first night found very genteel people and good accomodations. Started the next day and about nine o'clock I felt my chill coming and the nearest house 25 or 30 miles of[f]. The chill was a pretty bard one[,] lasted about 2 hours, and then came the fever and that lasted untill night. It was very hard to bear, sitting up in the carriage.

About 2 o'clock we came to a house and I went in and threw my self down on the first bed I could see, and layed there untill about 4 o'clock when i wraped myself up well and proceeded on to the next house, 7 miles farther. We reached it at dusk and stopt before the door and gave the usual salutation, "can I get accomodated for the night." [""]Dont no, mighty bad chance. We are not prepared for taking travelers[""] Mr. Hart replies[,

"My wife is sick and she cant travel any farther to night, we will put up with any thing["] ["Well, Ill do the best I can for you. I can make you a pallet on the floor.["] And this is a sample of the questions and replys of almost every house we stopt at. We stopt there and she made a pallet on the floor and there the fleas were so bad I could not rest.

That night I got no sleep, and we got up and started two hours before light, and reached the town of Tampa between ten & eleven the same day. There we found comfortable quarters and kind friends to welcome us. I soon recruited [?] and got rid of my chill and fever, and during my stay there enjoyed myself very much, made some very pleasant acquaintances, rode on horse back every afternoon and I did enjoy it very much. At this town court lasted nearly two weeks. I was almost sorry that the time had come for me to return, though I had often thought of my snug quiet home, and perhaps wished myself there sometimes. Yet at Tampa I enjoyed so much being a stranger and receiving the hospitality and kindness and attentions shown to strangers.

But an opportunity offered and duty compelled us to take advantage of it, for the opportunities are not very frequent, and these little sail vessels are the only means of getting to and from at present. We are hoping to have a line of steamers some day. We left Tampa on Sunday afternoon and arrived at Key West the following Saturday at noon. I was quite sea sick coming back as there was a heavy swell and a pretty hard wind blowing. We found our house and yard just as we had left it; and right glad we were to reach it once more, it seemed only the more dear, for a two months

absence, the trees and flowers and garden had grown some.

You will think perhaps strange that I could leave home for such a trip as I have just described to you, but there are more pleasures in it than you think. If I should attempt to tell you every thing[,] all the little amusing incidents and varieties of people and circumstances I passed through, it would fill a dozen of these sheets. I have nearly glanced at a few of the most prominent. Though there were some disagreeables it is true, yet I enjoyed very much, the change of scenes, change of rut [?] and climate were both pleasant and beneficial. I get very tired of the monotonous life we live here upon this island. It is the same thing year after year. Ossian is compelled to go every spring and fall and I would allways prefer going with him if I could. I cannot bear to seperate from him, for I fell uneasy all the time he is gone. He has been in excellent health all the trip and is so still.

Our court comes on a week from tomorrow, being the first Monday in December, and then he is up to his eyes in *law*. I expect first thing we know he will be Judge. he is rising fast in his profession and daily gaining the respect and esteem of the people . . . Kate.

Catharine's prediction that Ossian Hart was "rising fast" failed to come true in the short term, but eventually her foresight proved accurate indeed. In 1852 elections, both nationally and in Florida Ossian Hart's Whig party collapsed. Hart and his friend and mentor, southern judicial circuit judge Joseph B. Lancaster, soon were ousted from their offices. Lancaster relocated to Tampa, where he became the town's first mayor in 1856. When the former judge died late in the same year, the Harts transferred their

home to Tampa, where Ossian assumed Lancaster's law practice and continued some of their mutual business interests.<sup>11</sup> Emerging as a community leader, he was elected to the town council in 1860. The Snodgrass collection contains four letters written during this period by Catharine at Tampa to her family in New Jersey. They are dated February 8, April 22, September 14, and November 30, 1860.

The Civil War saw Ossian Hart truly take the stage as a leader. A staunch opponent of secession and advocate of the Union, he was credited with saving Tampa from greater destruction during the Union occupation of May 1864.<sup>12</sup> One Civil War era letter from Catharine at Tampa to her family survives in the Snodgrass Collection. It is dated January 5, 1865.

Following the peace, the Harts returned to Jacksonville. There, in Ossian's law office, the Florida Republican party was founded in 1867. The next year he was appointed a justice of the Supreme Court of Florida. In 1872, a group of the state's most-influential African-American political leaders combined with Southern Loyalists to compel Hart's nomination as the Republican party's candidate for governor and his subsequent election.<sup>13</sup> The campaign undermined Hart's health, however. He achieved a series of successes as governor but died in office on March 18, 1874.

Catharine Hart survived her husband by more than two decades. At first she divided her time between Jacksonville and the New Jersey resort town of Morristown. In 1883 she received appointment as postmistress of Kissimmee, in which capacity she served until 1886. Except for trips to New Jersey and to visit friends in Jacksonville, she remained in Kissimmee where she ran a stationery shop and campaigned for the

temperance cause. She died at Morristown on October 9, 1897. An obituary noted, "She had a rich fund of reminiscences of the early days of Florida, and was weaving them into a book at the time of her death."<sup>14</sup>

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<sup>1</sup> The principal works available on South Florida's frontier experience are James W. Covington, *The Story of Southwestern Florida*, 2 vols. (New York, 1957); Donald B. McKay, ed., *Pioneer Florida*, 3 vols. (Tampa, 1959); and Canter Brown, Jr., *Florida's Peace River Frontier* (Orlando, 1991).

<sup>2</sup> Except as otherwise noted, information given regarding Ossian B. and Catharine S. Hart is taken from Emma F. R. Campbell, *Biographical Sketch of Honorable Ossian B. Hart, Late Governor of Florida, 1873* (New York, 1901); Canter Brown, Jr., "Ossian Bingley Hart, Florida's Loyalist Reconstruction Governor" (Ph.D. dissertation, Florida State University, 1994); and Canter Brown, Jr., "Justice Ossian Bingley Hart," *Florida Supreme Court Historical Society Review* 4 (1991-1994), 1-3, 16-17. Regarding the practice of law in pioneer South Florida, see Kyle S. VanLandingham, *In Pursuit of Justice: Law and Lawyers in Hillsborough County 1846-1996* (Tampa, 1996).

<sup>3</sup> On the Armed Occupation Act, see James W. Covington, "The Armed Occupation Act of 1842," *Florida Historical Quarterly* 40 (July 1961), 41-52.

<sup>4</sup> On the early history of Fort Pierce and St. Lucie County, see Kyle S. VanLandingham, *Pictorial History of Saint Lucie County 1565-1910* (Fort Pierce, 1988).

<sup>5</sup> Leslie A. Thompson, *A Manual or Digest of the Statute Law of the State of Florida* (Boston, 1847), 57; *Laws of Florida* (1850), 137-38, 140-41.

<sup>6</sup> Although the Harts occasionally rented the services of slaves, neither Ossian nor Catherine Hart ever purchased a bondsman or bondswoman. Later in the decade, when they were living at Tampa, Ossian was given a slave family by his father. Subsequently, upon his father's death Ossian received a distribution of additional slaves.

<sup>7</sup> Pen, as used here, meant a double-pen log house, sometimes called a dog-trot cabin. This was a traditional frontier house for Florida, with a single room on each side of a central breezeway or "dog trot."



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<sup>8</sup> Created by the legislature February 24, 1843, Hernando County's name was changed in 1844 to Benton, in honor of United States Senator Thomas Hart Benton of Missouri. Benton had sponsored the Armed Occupation Act of 1842, which attracted many of the county's pioneer settlers. Benton's pronounced Unionism at the decade's end prompted local citizens to demand a reversion to the name Hernando. That was accomplished December 24, 1850. In November 1852 the site of former Fort DeSoto, which lay approximately one-and-one-half miles north of present-day Broosville, served as a temporary county seat. Richard J. Stanaback, *A History of Hernando County 1840-1976* (Brooksville, 1976), 12, 20-21; Allen Morris, *The Florida Handbook 1991-1992* (Tallahassee, 1991), 424-25.

<sup>9</sup> Florida's twenty-sixth county, Levy was established March 10, 1845. It was named for congressional delegate David Levy, who, upon his election in 1845 to the United States Senate, had his name changed by the legislature back to his proper family name, Yulee. Morris, *Florida Handbook*, 427-28.

<sup>10</sup> Apparently Catharine meant that the nice widow lady was the owner of the farm.

<sup>11</sup> On Joseph B. Lancaster, see Julius J. Gordon, *Biographical Census of Hillsborough County, Florida 1850* (Tampa, 1989), 328-29; *Tampa Tribune*, June 6, 1954, January 2, 1955, March 7, 1980; *159 Florida Reports*, xxxi.

<sup>12</sup> Anne Givens Harrison reminiscence in Kyle S. VanLandingham, "The Union Occupation of Tampa, May 6-7, 1864," *Sunland Tribune* 19 (November 1993), 14.

<sup>13</sup> See Canter Brown, Jr., "Carpetbagger Intrigues, Black Leadership, and a Southern Loyalist Triumph: Florida's Gubernatorial Election of 1872," *Florida Historical Quarterly* 72 (January 1995), 275-301.

<sup>14</sup> Jacksonville *Florida Times-Union & Citizen*, October 14, 1897.