

Henry Laurens Mitchell (1831-1903)

A 19th Century Pyramidal Personality

Every schoolboy knows that Thomas Jefferson was not only the third President of these United States, but also renowned by earlier service in high office: Governor of Virginia, Ambassador to France, member of Congress, Secretary of State, and Vice President. Probably only a few living Floridians are aware that former judge and Florida's 16th Governor is buried just north of downtown Tampa in the Mitchell/Spencer family plot, Oaklawn Cemetery. That man is Henry L. Mitchell.

You may well ask how there could be any comparison between the lives of Jefferson, legendary Virginian, and the earthly tenure of Mitchell of Tampa, Florida. They are not, of course, to be compared. Marked differences in the careers of these two men, separated by a century, are apparent. Jefferson was an American of international experience and lasting influence. Mitchell's place in history is parochially confined to this state. Each was married but once. Mitchell was childless, whereas Jefferson fathered six children by his wife, who died after only 10 years of marriage. You won't find Mitchell, Henry L. listed in encyclopedic tests, but he is the subject of a 1978 biography entitled, "The Life of Henry Laurens, Florida's 16th Governor," by Geo. B. Church, Jr.

The most striking dissimilarity between these two was in their personal appearance. Jefferson was tall, red-haired and a handsome, imposing figure. Mitchell was a large, bearded fellow with what can only be described as ugly, forbidding features. Doubters are invited to inspect Judge Mitchell's portrait on the north wall of Courtroom One in the Court House. Mitchell's repellent appearance did not alienate voters who favored him time and again. It seems remarkable that two of Judge Mitchell's descendants (great nephews) are well known senior lawyers Allie Bayard Angle, Esq. now living in Seminole, and Norman Stallings, Esq. of Tampa, whose distinguished good looks belie that ancestral connection.

In one sense, however, these two public servants were kindred spirits because neither Jefferson nor Mitchell seemed to know what they wanted to do with their lives. The third President fits the bill of what today would be called a Renaissance man; he was inventor, lawyer, architect, farmer, diplomat, educator, and occupant of every high office (except judge) his state and nation could offer, including two terms as the nation's Chief Executive.

Mitchell was no slouch. He was a civilian soldier with service in the Confederacy, lawyer, prosecuting attorney, newspaper editor, land speculator and entrepreneur, circuit judge, justice of the Supreme Court of Florida, governor, and finally, clerk of the circuit court. His life and times will be the focus of the remainder of this article.

Born in 1831 near Birmingham, Alabama, relocating to Jacksonville, then to Tampa which he claimed as home for the rest of his life, Mitchell early demonstrated a keen intellect by reading law in the office of James Gettis in his mid-teens. Admitted to practice at age 18, he developed an affinity for politics and was appointed County

Solicitor at an annual salary of \$400. Later, expanding into other fields of interest, he became editor of a weekly newspaper, Florida Peninsular. He served successive terms in the legislature, 1875-1875, and then more opportunities for public service beckoned. He received an appointment as Circuit Judge for the Sixth Judicial Circuit. It was said at the time by one of his kin that "He held court clean to Key West and up to Cedar Key." The Sixth Circuit (now Pasco and Pinellas counties) embraced several counties and his jurisdiction covered a large area of the west coast.

The Church biography relates one story of Judge Mitchell's generous nature. He was trying a case in Key West when the trial was disrupted by a fistfight between opposing counsel. He held both lawyers in contempt and assessed a \$50 fine upon each. When he learned that one of the lawyers was broke and without means of paying the fine, he handed him \$50 and told him, "Now you go in and see the clerk and pay your fine, then get back in there and get this case settled."

While working in Tampa as a judge, he lived at the Orange Grove Hotel located at East and Madison Streets just steps from the present County Court House.

Leland Hawes, historian and journalist whose column "History Heritage" appears every Sunday in the *Tampa Tribune*, did an in-depth, two-part story about Mitchell. In his initial column in March 1984, Leland tells how he came interested after reading the book by Church, Mitchell's biographer, then conducted an interview with him. In a follow-up on April 21 of that year, he quoted extensively from a history of Plant City by Quintilla Bruton (late wife of Hillsborough Circuit Judge J. D. Bruton, Jr. also deceased), and David Bailey. Salient portions of Leland Hawes' feature stories, used with the latter's permission, follows:

"In mid-1883, speculation was still going on but there were some who knew the exact route the railroad (Henry B. Plant's project connecting Tampa and Kissimmee) would take. One of these was Henry Laurens Mitchell of Tampa, then judge of the Sixth Judicial Circuit of Florida. Mitchell was well acquainted with the area and with its people and knew that the John G. Thomas family owned a sizable tract of land several miles east of his boyhood home. He know also that Plant's railroad would pass through a portion of the Thomas land. He also know that a second railroad extending south from Ocala would cross Plant's railroad at that point, making it a most logical site for a town. (Plant City).

Therefore, it is not believed to have been more coincidence that in June 1883, the same month Henry B. Plant purchased his railroad charter, one Thomas Wheeler bought 40 acres through which the railroad would pass. Three months later Wheeler conveyed the 40 to judge Mitchell. It would appear that Wheeler was acting as an agent for Mitchell. The Tampa judge bought another 15 acres from a member of the Thomas family, then hired Lewis E. Warren to survey the tract and plat it for streets in a town.

Significant, too, is that fact that north/south streets on the Plant City plat were originally named for Mitchell's partners in a group known as "The Tampa Syndicate." They were prominent family names in Tampa - Spencer, Henderson, Lesley and Sparkman.

The second railroad, the Florida Central and Peninsula, did not chug into Plant City until 1889, but it followed the route Mitchell anticipated it would."

Leland Hawes informed his readers that the Plant City historians credited Mrs. Bruton's husband with unearthing the Mitchell connection with the creation of Plant City from Judge Bruton's experience in the examination of land titles in East Hillsborough

County. Many thanks to Leland Hawes for permission to borrow portions of his columns.

In 1887, after ten years on the Circuit Bench, he was appointed by the governor to a four-year term on the Supreme Court of Florida. He resigned his seat after only two years in Tallahassee. Nancy Dobson, helpful and talented Director of Florida Supreme Court Historical Society, offers this possible explanation:

One thing, the case load was getting quite heavy and would actually get heavier with Florida's continued growth. A Circuit Judge's job paid only \$500 less than that of a justice. Also, they made frequent trips to Tampa. When they lived in Tallahassee, there was not one paved street. Some of the wives did not care for Tallahassee and this could very well be the reason-speculation on my part. But imagine living in a town of seven hills and trying to cross the street in a long dress in the rain or after a rain.

In 1890, he took appointment as judge of the Seventh Circuit. Two years later, he resigned to seek election as governor. He was as successful in that endeavor as he had been in all his political adventures over the years.

Great nephew Bayard Angle tells the story about judge Mitchell's barber, an outspoken supporter in his campaign for governor, who kept a parrot in his shop. Seems that the barber had trained the parrot to squawk something to the effect, "Vote for Mitchell, vote for Mitchell." Henry's opponent was heard to mutter that he didn't have a chance when even the birds were organized for Mitchell. He was right, he lost.

Upon completion of his gubernatorial term, he sought the office of clerk of the circuit court. Although he was criticized by some for what they considered to be a demeaning step down by a former Supreme Court justice, it has been suggested that when Mitchell left the governor's office, an honest man, he was broke, in failing health, and needed a job with an assured income. Swapping a black robe for a business suit was not without precedent. Mrs. Dobson informs me that Supreme Court Justice Milton H. Mabry of Tampa served for ten years as Clerk of the Supreme Court following his retirement as justice.

The plate beneath his Courtroom One portrait indicates that Judge Mitchell served at the Circuit level again from 1901 until the year before his death. The final recognition, perhaps, which he received came when he was elected in 1901 to the presidency of the Tampa Bar Association.

There follows an informal picture of Henry Laurens Mitchell's grave monument in Oaklawn Cemetery.

- *Morison Buck*

